

PLANNING COMMITTEE

12 December 2018 at 7.30 pm

MEMBERS: Councillor Kevin Burke (Chair), Councillor Drew Heffernan (Vice-Chair) and Councillors Ben Andrew, Vincent Galligan, Muhammad Sadiq, Peter Geiringer, Tony Shields, Tim Foster, Richard Clare (substitute for Councillor Jill Whitehead) and Param Nandha (substitute for Councillor Eric Allen)

ABSENT Councillor(s) Jill Whitehead and Eric Allen

50. WELCOME AND INTRODUCTIONS

The Chair, Councillor Kevin Burke, welcomed those present.

51. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Jill Whitehead with Councillor Richard Clare attending as substitute and Councillor Eric Allen with Councillor Param Nadha attending as a substitute.

52. MINUTES

RESOLVED: that the minutes of the meetings held on 14 November 2018 be agreed as an accurate record.

53. DECLARATIONS OF INTEREST

5. APPLICATION NO. DM2018/00264 - Land Rear of 241 And 243 Church Hill Road North Cheam.

Councillor Peter Geiringer, Non Pecuniary, knows one of the Objectors for Church Hill Road application and confirmed an open mind.

7. APPLICATION NO. - TPO 2018/10 - 25 Queens Road, Belmont, Surrey, SM2 6BZ.

Councillor Peter Geiringer, Pecuniary, owns a flat in Queens Road.

Councillor Tony Shields, Non Pecuniary, knows a person who lives in the property adjacent to the TPO in Queens Road.

8. APPLICATION NO. DM2018/01823 - Asda 1, Stonecot Hill, Sutton, SM3 9HB.

Councillor Muhammad Sadiq, Non Pecuniary, opened the Asda, 1 Stonecot Hill in his previous role as Mayor of Sutton.

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Councillor Param Nandha, Non Pecuniary, de delegated the item for 1 Stonecot Hill, and confirmed he can approach the item with an open mind.

54. APPLICATION NO. DM2018/00264 - LAND REAR OF 241 AND 243 CHURCH HILL ROAD NORTH CHEAM

Iain Williams, Senior Planning Officer presented the report on the above application for variation of condition 1 (approved drawings) of previously approved application A2017/77279/FUL to amend siting, finished ground level and drainage details.

The application had been de-delegated by Councillor James Mc Dermott Hill.

The Chair noted that this item was a deferred item from the meeting 14 November 2018 and that a full discussion took place at that meeting. The reason for the deferral was to give further consideration to drainage at the site, and this was the issue under discussion at the meeting. The debate stage of the consideration had been reached during the previous meeting.

The Senior Planning Officer provided an update to the committee explaining that he met the residents at the site on 29 November and that the applicant had provided additional drawings.

Members noted that the discharge rate of 2 litres/second from the main tanks could only be achieved with correct maintenance of the system, and that this was common with drainage systems.

The Senior Planning Officer confirmed that, reviewing modern maps, there was no water course evident in the area.

Stephanie Smithers and Michael Walters objectors, and Councillor James Mc Dermott-Hill a ward Councillor, addressed the meeting at Chair's discretion, and the applicant replied.

Stephanie Smithers and Michael Walters referred to:

- The ground levels in the eastern corner of the plot and the small tolerances of 100mm in the design.
- The building work completed to date is higher had been originally intended, and is therefore higher than the gardens in D'Arcy Road. Stephanie Smithers and Michael Walters suggested some form of protection such as a small wall is needed on the boundary.
- Stephanie Smithers explained that she had been in the gardens in D'Arcy Road and had seen the levels being discussed. The site is on clay, therefore little water will be soaked into the ground, water will simply run off the surface. It was suggested that

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additional vegetation on the site would help reduce the run-off, and that a small wall would reduce the run-off to the gardens adjoining the site.

- Members heard that there are technical methods used by builders to ensure that correct levels are achieved when constructing drainage systems.
- Members asked about the wall suggested by residents, and Michael Walters and Stephanie Smithers described it as a small wall, such as a kerb upstand and pointed out on the plans the length of the wall being considered.

Councillor James McDermott Hill (ward Councillor), addressed the meeting. He explained that he felt a physical barrier should be considered between the site and the gardens in D'Arcy Road, suggesting this would ensure that new residents living in the properties being built and the current residents could have confidence in the drainage at the site.

In discussion Members asked if a condition that the drainage systems be reviewed after one year could be added to planning permission granted. The Head of Development Management and Strategic Planning explained that reviews are not carried out routinely nor added to conditions, as the imposed conditions should be sufficient, explaining that enforcement is possible if required. The Head of Development Management and Strategic Planning also noted that the reasons for the deferral had all been addressed, Thames Water were reported to be content with the flow rates, and that the reason for deferral does not include discussion of an upstand or wall.

Members noted that there had been various enforcement issues at the site to date, and that there is fear additional enforcement will be required. The Members suggested that by agreeing to a small wall this would provide residents a commitment from the developer about their concerns.

Robin Harper, applicant addressed the meeting. The main points raised were:

- There had been requests for additional information, about the design, and this had been provided, noting that no error had been found in the design, and that the models had been run as requested.
- The purpose of attenuation is to take run-off from hard surfaces and not from soft landscaped areas, 60% of the site would be attenuated and resulting in previously uncaptured run-off now being captured.
- The tolerance levels in the design have been approved by drainage officers.

Members asked about the inclusion of the suggested kerb and that the purpose would be to capture run-off, this would add additional water to Thames Water's systems and had not be previously mentioned, therefore it is unknown if Thames Water would agree to this amendment to the design.

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Members noted the site is up hill from the residents’ properties, and that previously there had been no hard standing, and no attenuation system in place. The site is a brownfield site which previously had commercial buildings on it.

Members asked how the site would be sold, it was explained the site would be freehold, with joint freehold for the shared areas, which would be managed through a management company.

In debate, Members discussed that the reliance on a management company for maintenance raises concerns both for now and into the future. The arrangements outlined in this design for the aftercare of the drainage system are common practice. The drainage system as outlined had been approved by the drainage authority.

Member understood the concerns raised by the residents in D’Arcy Road.

Application No. DM2018/00264 (Committee Report)	
A poll vote on the officers’ recommendation to grant permission was held in accordance with Standing Order 31.4, when there voted:	
RESOLVED: that planning permission be granted for application No. DM2018/00264 - LAND REAR OF 241 AND 243 CHURCH HILL ROAD NORTH CHEAM, subject to the conditions, reasons and informatives found in the planning portal.	
Councillor Kevin Burke	For
Councillor Drew Heffernan	For
Councillor Ben Andrew	For
Councillor Vincent Galligan	For
Councillor Muhammad Sadiq	For
Councillor Peter Geiringer	Against
Councillor Tony Shields	Against
Councillor Tim Foster	Against
Councillor Richard Clare	Not Eligible to Vote
Param Nandha	Not Eligible to Vote
Agreed	

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55. APPLICATION NO. DM2018/01680 - LAND TO THE EAST AND WEST OF LONDON ROAD, INCLUDING LONDON ROAD RAIL BRIDGE, HACKBRIDGE. LONDON ROAD HACKBRIDGE LONDON SM6 7HW

Iain Williams, Senior Planning Officer presented the report on the above application which the Committee considered on the above application for Installation of pipeline including the construction of pipe bridge to connect between an approved Energy Recovery Facility (and its associated approved pipelines) and a housing development site, the 'Felnex Site' to deliver District Heating provision at Land adjacent to the east and west of London Road, including the existing London Road railway bridge, London Road, Hackbridge.

Members asked if the 130 letters sent to residents about this application had been re sent following the administrative error coming to light, officers explained that the site notice and press notice are a prescribed format and were reissued whilst the letters are not of a prescribed format. All the information was available on the public website at the time of initial advertisement of the application. At the point the error was realised there had been no objections, it was felt that due to the nature of the error it was not necessary to re-send the letters.

Members mentioned that staff from Viridor had told the recent meeting of the Beddington Forum that public footpaths would be closed to allow works to the pipe, it was suggested that as this information was provided prior to the planning committee, Viridor had made an assumption that the permission would be granted. Members also noted that the impact of a site which includes a public footpath affects more people than just the residents in the surrounding housing.

In discussion the Head of Development Management and Strategic Planning outlined the reasons that the case was being presented to the committee and acknowledged that a genuine administrative error had been made. It was felt that the case should still be reported to this committee, as no objections had been raised at the point the error came to light and that the proposed route would be of a lesser impact than that which already had planning permission granted.

APPLICATION NO. DM2018/01680 - Land To The East And West Of London Road, Including London Road Rail Bridge, Hackbridge. London Road Hackbridge London SM6 7HW (Committee Report)

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

RESOLVED: that planning permission be granted for application No. DM2018/01680 - LAND TO THE EAST AND WEST OF LONDON ROAD, INCLUDING LONDON ROAD RAIL BRIDGE, HACKBRIDGE. LONDON ROAD HACKBRIDGE LONDON SM6 7HW , subject to there being no additional representations received before the 14 December 2018 raising issues not considered within this report and should any additional representations raising new issues not considered within this report that are be received before the 14 December 2018

these will be reported to the following committee meeting, and subject to the conditions, reasons and informatives.

Councillor Kevin Burke	For
Councillor Drew Heffernan	For
Councillor Ben Andrew	For
Councillor Vincent Galligan	For
Councillor Muhammad Sadiq	For
Councillor Peter Geiringer	For
Councillor Tony Shields	For
Councillor Tim Foster	Abstain
Councillor Richard Clare	For
Param Nandha	For
Agreed	

56. APPLICATION NO. - TPO 2018/10 - 25 QUEENS ROAD, BELMONT, SURREY, SM2 6BZ

Councillor Peter Geiringer left the room.

Edward Buckton, Principal Tree Officer presented the report on the above application which the Committee considered to confirm the provisional Tree Preservation Order (TPO) 2018/10 protecting six pine trees (T1 to T6). The trees are located along the southern and eastern boundary of the property along Queens Road and The Crescent.

There were no further questions from Members.

APPLICATION NO. - TPO 2018/10 - 25 Queens Road, Belmont, Surrey, SM2 6BZ (Committee Report)

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

RESOLVED: that application No. TPO 2018/10 - 25 QUEENS ROAD, BELMONT, SURREY, SM2 6BZ be confirmed, the provisional Tree Preservation Order (TPO) 2018/10 protecting six pine trees (T1 to T6).

Councillor Kevin Burke	For
Councillor Drew Heffernan	For
Councillor Ben Andrew	For
Councillor Vincent Galligan	For
Councillor Muhammad Sadiq	For
Councillor Peter Geiringer	Not Eligible to Vote
Councillor Tony Shields	No vote recorded
Councillor Tim Foster	For
Councillor Richard Clare	For
Param Nandha	For
Agreed	

57. APPLICATION NO. DM2018/01823 - ASDA 1, STONECOT HILL, SUTTON, SM3 9HB

Councillor Peter Geiringer rejoined the meeting.

Iain Williams, Senior Planning Officer presented the report on the above application which the Committee considered for retention of two car park barriers, one to the entrance from Stonecot Hill and one to the entrance from Sutton Common Road to the existing car park.

The application had been de-delegated by Councillors Param Nadha and Jed Dwight.

In discussion Members noted that barriers are in place at the site and that following installation retrospective planning permission had been requested. The barriers were installed following complaints from residents about the anti-social behaviour in the car park, it was noted that no complaints have been received from the local businesses or local residents since the barriers have been in place. It is requested that both barriers are shut during the store's closing hours. Most businesses in the local centre are closed during the hours the barriers would be shut and that there is other parking available in the area. It was suggested that the closure of the barrier when the store is shut would support prevention of anti-social behaviour in the car park, noting that there had been concerns of anti-social behaviours in various local carparks at night.

Jonathan Brown, applicant, addressed the meeting. The principal issues raised were that since the barrier had been installed there had been no allegations of crime in the car park and that the police have suggested that this is due to the barrier being in place.

APPLICATION NO. DM2018/01823 - Asda 1, Stonecot Hill, Sutton, SM3 9HB (Committee Report)	
A poll vote on the officers' recommendation to grant permission was held in accordance with Standing Order 31.4, when there voted:	
RESOLVED: that planning permission be granted for application No. DM2018/01823 - ASDA 1, STONECOT HILL, SUTTON, SM3 9HB subject to the conditions, reasons and informatives.	
Councillor Kevin Burke	For
Councillor Drew Heffernan	For
Councillor Ben Andrew	For
Councillor Vincent Galligan	For
Councillor Muhammad Sadiq	For
Councillor Peter Geiringer	For
Councillor Tony Shields	For
Councillor Tim Foster	For
Councillor Richard Clare	For
Param Nandha	Against
Agreed	

58. ANY URGENT BUSINESS,

There was no urgent business.

The meeting ended at 9.15 pm

Chair:

Date: