

PLANNING COMMITTEE**13 May 2015 at 7.30 pm**

MEMBERS: Councillor Richard Clifton (Chair), and Councillors David Bartolucci, Kevin Burke, Martin Gonzalez, Hamish Pollock, Jason Reynolds and Tony Shields

OFFICERS: Angela Guest, Andy Webber, Richard Green and Tim Lipscomb

168. MINUTES

The Minutes of the meeting held on 29 April 2015 were approved as a correct record, and signed by the Chair.

169. 123 WESTMEAD ROAD, SUTTON - APPLICATION NO. C2015/71338/FUL

The Committee considered a report on the above application for the erection of a three storey building comprising an 83 bed care home (use class C2) over ground, first and second floors, with part lower ground floor to include ancillary staff accommodation, hair salon, kitchen, plant and laundry facilities, and external hard and soft landscape amenity space, refuse store, and provision for parking of 29 cars.

The Committee noted that the proposed footprint and proportions of the building would largely replicate the development previously approved on appeal by the Secretary of State under ref. C2012/65431/FUL. The key differences between the current proposal and the previous granted proposal ref. C2012/65431/FUL were set out in paragraph 2.10 of the report.

Mr Bryan, an objector, and Councillor Jill Whitehead, a ward councillor, addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised by Mr Bryan were:-

- That the development should be treated as a new proposal as it was much larger
- Size and bulk of the building as well as an industrial design were out of keeping with the street scene
- Overlooking of residents gardens
- The siting of the bin store in the car park was unacceptable to neighbours and reduced parking by two places
- The moving of the kitchen from the front to rear would cause an increased nuisance to neighbours.

The principal issues raised by Councillor Whitehead were:-

- That the proposal did not fit in with the street scene
- It was far too large and questioned the need for that number of beds c taking into consideration the age of the local population and health care policies of giving care at home
- Concerned about overdevelopment and under usage

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- Parking and traffic were big issues in the area already and would be exacerbated with this development
- Toxicity and flooding of local area.

The response provided by the Applicant to principal issues raised included:

- That a 74 bedroom proposal had already been approved and if the changes were not agreed then development of the original scheme would take place.
- The location of the bin store was negotiable (but a revised location was indicated which seemed acceptable to the committee)
- The home would not only care for people living with dementia but would also be nursing and a care home.
- Deliveries to the site would be undertaken outside of rush hour times.

Officers advised that the committee were only looking at the extra provision of nine beds and loss of retail with a view to demonstrable harm being caused. They advised that whilst there was some emerging evidence and data concerning need, this was not embedded in current planning policy and could not be used as a reason to refuse this application, noting it would form part of the evidence gathering required through the Local Plan review. To refer to this evidence and data at this stage of the Local Plan review would be premature if the Plan was to pass the tests of soundness when undergoing an independent examination in public.

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

To grant (5) Councillors Kevin Burke, David Bartolucci, Richard Clifton, Hamish Pollock and Jason Reynolds

Against (2) Councillors Martin Gonzalez and Tony Shields

Resolved: That planning permission be granted for application No. C2015/71338/FUL, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

170. 19 JUBILEE ROAD, CHEAM - APPLICATION NO. A2015/71249/HHA

The Committee considered a report on the above application for the conversion of a garage involving alteration to the front elevation, formation of a front entrance porch, conversion of loft incorporating rooflights to the front, rear and side with french doors and a Juliette balcony in the rear gable end. Alterations to ground floor rear windows & doors and provision of a first floor side window.

The application had been de-delegated by Councillor Burstow.

Jane Biddulph, an objector, and Councillor Graham Whitham, a ward councillor, addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised by Jane Biddulph were:-

- Every facade of the property is to be altered which will lead to a loss of symmetry and therefore harm to the visual amenity
- Design not in keeping with this terrace of three houses

- Excessive overlooking – the Juliette balcony will have unobstructed views across five rear gardens.
- Would prefer no balcony or french windows.

Officers advised that there would be no unacceptable overlooking of the rear part of back gardens and that the separation and distances were acceptable.

The principal issues raised by Councillor Whitham were:-

- That this area was close to protected/conservation areas
- Cited a number of policies where this application fails
- There would be a lack of symmetry with other properties and a loss of parking
- It would affect the amenities for future occupiers.
- Believed that as a package this application would cause demonstrable harm.

Officers confirmed that there was a reference to the site's inclusion in a Conservation Area which was a mistake acknowledged in the report and that the site was not located within a Conservation Area.

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

To grant (7) Councillors David Bartolucci, Kevin Burke, Richard Clifton, Martin Gonzalez, Hamish Pollock, Jason Reynolds and Tony Shields

Resolved: That planning permission be granted for application No. A2015/71249/HHA, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

171. REAR GARDENS 41 CORNWALL ROAD & 40 YORK ROAD - APPLICATION NO. TPO 2014/04

The Committee considered a report seeking confirmation of the above tree preservation order made on 13 November 2011 and which had had immediate effect under section 201 of the Town and Country Planning Act 1990. The order is to protect an individual sycamore tree located in the rear garden of the property.

Mr Horne, an objector addressed the meeting under Standing Order 31.

The principal issues raised by Mr Horne were:-

- This tree was 12.6 metres from his bungalow which suffered from the tree droppings all year round.
- The tree had been wrongly identified as a Norwegian Maple for the original preservation order.
- That the sycamore was not a native tree; was self sown and was of no benefit.
- That growth was rampant and the shade prevented growth in his garden.

Whilst the committee appreciated it was a good looking mature tree, some thought that a preservation order was excessive given that the tree was a 'common'

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Sycamore and its visual amenity was questionable, balanced against the need to carry out frequent pruning to manage the tree without requiring it to be felled.

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

To confirm the order (3) Councillors David Bartolucci, Kevin Burke and Richard Clifton

Against (4) Councillors Jason Reynolds, Tony Shields, Hamish Pollock and Martin Gonzalez

Resolved: That tree preservation order No. 2014/04 is refused.

172. WHITEHALL, 1 MALDEN ROAD, CHEAM

(a) APPLICATION NO. 2015/71490/3FR

This item was withdrawn from the agenda prior to the meeting.

(b) APPLICATION NO. A2015/71491/LBC

This item was withdrawn from the agenda prior to the meeting.

The meeting ended at 9.39 pm

Chair:

Date: