

## PLANNING COMMITTEE - Date:15 July 2015

**Report of the Executive Head for Economic Development, Planning and Sustainability.**

Ref: C2015/71596/FUL	WARD: C14 / CAR STH & CLOCK	Time Taken: 8 weeks, 1 days
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Site: Oaks Park Café CROYDON LANE Banstead SM7 3BA  
 Proposal: Erection of a single storey front extension, a single storey rear extension and formation of a veranda and decking at side to provide additional external seating and alterations to elevations (Part amendment to previously approved application number 14/68762).

Applicant:  
 Agent: Mr David Sayer

**Recommendation:****GRANT PLANNING PERMISSION**

**Reason for Report to Committee: The Council has an interest in the application.**

**Summary of why application proposals are acceptable:**

Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed alterations would comply with the Council's policies and guidelines as the proposal would not cause unacceptable harm to the character and appearance of the surrounding area or the amenities of neighbouring occupiers. In addition the development would not cause harm to the character of the Metropolitan Green Belt, Public Open Space, Historic Park or pedestrian and highway safety.

**1.0 BACKGROUND****1.1 Site and surroundings:**

1.2 The application site comprises a single storey cafe building located close to the entrance to the public car park of Oaks Park. Oaks Park is located north of Croydon Lane.

**1.3 Local Development Framework / Site Specific Designation:**

1.4 The site is designated as the following:-

- Metropolitan Green Belt
- Site of Importance for Nature Conservation
- Public Open Space
- Historic Park

**1.5 Relevant Planning History:**

1.6 There have been several planning applications since 1961, with some referring to water abstraction boreholes, flag poles and the use of the outbuildings. The most relevant to this application are:

1.7 CAR 1766'D' 'Erection of a single storey flat roofed building, 49' x25' to be used as a tea room, kitchen and public convenience' granted in 1961.

- 1.8 98/43723/3FR 'Provision of a toilet block' granted in 1998.
- 1.9 99/44168/3FR 'Provision of a covered area' granted 1999.
- 1.10 14/68762/3FR 'Erection of a single storey front extension and formation of a veranda and decking at side to provide additional external seating also incorporating alterations to external elevations' granted 20.03.2014.

## 2.0 APPLICATION PROPOSALS

### 2.1 Details of Proposal:

2.2 Planning permission is sought for the erection of a single storey front extension, a single storey rear extension and formation of a veranda and decking at the side to provide additional external seating and alterations to elevations. This application constitutes an amendment to a previously approved application (ref: 14/68762/3FR).

2.3 The single storey extension to the cafe would measure 5 metres in width, 6.5 metres in depth and 4.2 metres in height. A further small scale extension is proposed to the south-east of the existing cafe measuring 1.8m in width, 2.9m in depth and 3.4m in height. A new external deck would wrap around the north and north-east side of the building. External seating would be provided either side of the main cafe extension which would be partly covered by motorized awning also extending across the external deck area. All of these extensions and alterations were approved under application ref: 14/68762/3FR.

2.4 In addition to the above under this application it is proposed to add an additional single storey extension to the kitchen and store located to the east of the building which would measure 2.3 metres in width, 8 metres in depth and 3.4 metres in height.

### 2.5 Significant amendments to application since submitted:

2.6 None.

## 3.0 PUBLICITY

### 3.1 Adjoining Occupiers Notified

### 3.2 Method of Notification:

3.3 Letters were sent to 9 adjoining occupiers on the 26 May 2015 and a site notice was erected on the 9 June 2015.

### 3.4 Number of Letters Received:

3.5 None.

### 3.6 Official Consultation:

3.7 Parks Division: No comments received.

3.8 Highways: No objection.

3.9 Air Quality and Fumes: No objection.

3.10 Noise and Vibration: No comments received.

3.11 Tree Office: No objection.

3.12 **Councillor Representation:**

3.13 There have been no Councillor representations made on this application.

#### 4.0 **MATERIAL PLANNING POLICIES**

4.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise. The development plan for the London Borough of Sutton comprises the following documents:

- The London Plan – Spatial Development Strategy for Greater London (July 2015).
- The Core Planning Strategy 2009
- The Site Development Policies DPD 2012

4.2 Also a material consideration in determining planning applications are:

- National Planning Policy Framework
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.

4.3 London Plan

- 3.16 Protection and enhancement of social infrastructure
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.16 Green belt
- 7.17 Metropolitan open land
- 7.18 Protecting local open space and addressing local deficiency

4.4 Local Development Framework

- PMP2 Suburban Heartlands
- BP5 Improving Health and Well-Being
- BP12 Good Urban Design and Heritage

4.5 Site Development Policies DPD

- DM1 Character and Design
- DM2 Protecting Amenity
- DM3 Enhancing the Streetscene and Public Realm
- DM4 Historic Environment
- DM15 Green Belt/ Metropolitan Open Land
- DM16 Open Space
- DM20 Assessing the Transport Impact of New Developments
- DM21 New Development and the Highway Authority
- DM22 Parking

4.6 Supplementary Planning Guidance/Documents

- SPD14 Creative Locally Distinctive Places: Sutton's Urban Design Guide

## 5.0 PLANNING CONSIDERATIONS

5.1 The principal considerations (including whether any material planning objections have been reasonably addressed) in relation to this application are:

- **Impact on the Green Belt and Public Open Space**
- **Design Quality**
- **Impact on Neighbours**
- **Impact on Trees**
- **Parking and Access**

### 5.2 **Impact on the Green Belt and Public Open Space:**

5.3 Paragraph 87 of the NPPF states, 'As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'.

5.4 Paragraph 87 of the NPPF states, 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.5 Policy DM15 of the Council's adopted Site Development Policies also seeks to preserve openness of the green belt or an impact on visual amenities. Policy DM16 states, 'the Council will only grant planning permission for small-scale structures on Public Open Space (as shown on the Proposals Map) or Urban Green Space where the development is directly related and ancillary to any recreational use of the land and the predominant open character of the open space is maintained'.

5.6 The larger of the extensions along with the decked area and awnings have already been approved under application ref: 14/68762/3FR. Overall it is considered that those extensions would not cause harm to the Green Belt or Public Open Space given that they would be located upon areas of existing hardstanding that currently surround the existing cafe building.

5.7 In regard to the additional extension to the kitchen and store, it is considered that this aspect of the development would also have little impact upon the open aspect of the Green Belt and Public Open Space given that it would be located to the rear (east) of the cafe building and would in part replace an existing structure and area of hardstanding.

5.8 A small part of this extension would encroach upon an area of soft landscaping; however this would be minimal and would not have a negative impact upon the open aspect of the Green Belt or Public Open Space given that the extension would be viewed against the backdrop of other buildings further east of the site which are contained within the park. It is therefore considered that the proposals comply with Green Belt policy as well as Policy DM16 with respect to the sites designation as Public Open Space and would not affect openness of the area.

### 5.9 **Design Quality:**

5.10 Policy BP12 of the adopted Core Planning Strategy DPD 2009 states that the Council will seek to ensure that development respects the local context and distinctive local character. Core Policy PMP2 seeks to maintain and enhance the quality of the boroughs environment by ensuring that all new development respects the positive features of Sutton's suburban character. The site is also located within a Historic Park

and therefore Policy DM4 of the Site Development Policies DPD is also relevant. It states that within historic parks or gardens development proposals must respect the historic quality of such areas.

5.11 The main extension to the café, alterations to existing toilet facilities, external seating area and awnings has already been approved under application ref:14/68762/3FR. The proposed extension to the kitchen and store is considered to be designed in an acceptable manner and sited appropriately, the glass and brick extensions would be in keeping with the appearance of the existing building. The proposed materials are considered to enhance the existing building and as such there is no objection on design grounds.

5.12 Furthermore the location of the extension to the existing kitchen and store would be located to the rear of the main cafe building and would in part be hidden behind other buildings to the east of the cafe. As such this extension would not result in harm to the special historic character of the park in accordance with Policy DM4.

5.13 **Impact on neighbours:**

5.14 Policy DM2 of the Site Development Policies DPD states that the Council will not grant planning permission for any development that adversely affects the amenities of future occupiers or those currently occupying adjoining or nearby properties or has an unacceptable impact on the surrounding area.

5.15 It is considered the proposed extensions would not negatively impact on surrounding neighbours given its separation distance from the nearest residential properties. The closest neighbours are considered to be located at a sufficient distance not to suffer any loss of amenity.

5.16 As such it is considered that the proposals would not cause harm to residential amenity.

5.17 **Impact on Trees:**

5.18 The proposed extension is shown to come within close proximity to trees on site, particularly a cherry tree which would be close to the decking. The extension would require the need to prune this tree. The footings for foundations would also fall within the root protection area.

5.19 The proposal is unlikely to cause harm to any tree on site and as such, the Council's Tree Officer has no objection to the proposal.

5.20 **Parking and Access:**

5.21 The proposed extensions would not have any impact upon the access arrangements into the existing park, nor would they materially affect traffic generation or parking demand associated with the cafe. As such it is considered that the proposals would not be prejudicial to pedestrian and highway safety in accordance with Policies DM20 and DM22 of the adopted Site Development Policies DPD.

6.0 **CONCLUSION AND RECOMMENDATION**

6.1 Having taken all material considerations into account, it is considered that subject to compliance with the attached conditions, the proposed alterations would comply with the Council's policies and guidelines. It is also considered that the proposal would not cause unacceptable harm to the character and appearance of the surrounding area or the amenities of neighbouring occupiers.

- 6.2 It is therefore recommended the application be approved, subject to the attached conditions.

Background Papers: C2015/71596/FUL

Drawings and other documents can be viewed on line –

- 1) Go to page: <http://gis.sutton.gov.uk/FASTWEB/welcome.asp>
- 2) Enter Planning Application Number: **C2015/71596**
- 3) Click on Search and View Current Applications
- 4) Click on View Plans & Documents

**G**

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C2015/71596/FUL

# DRAFT

**WARNING:** It is in your interests to ensure you obtain the approval of the Local Planning Authority, where the conditions require that to occur. Failure to comply with the following conditions may lead to enforcement action to secure compliance.

## FIRST SCHEDULE

Oaks Park Café CROYDON LANE Banstead SM7 3BA

Erection of a single storey front extension, a single storey rear extension and formation of a veranda and decking at side to provide additional external seating and alterations to elevations (Part amendment to previously approved application number 14/68762).

## SECOND SCHEDULE

(1) The development must be begun not later than the expiration of three years beginning with the date hereof.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990, as amended.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans: Design and Access Statement, 02, 03 and 04 Rev D.

Reason: For the avoidance of doubt and in the interests of proper planning.

(3) The type, treatment and colour of the materials to be used on the exterior of the building(s) shall be approved in writing by the Local Planning Authority prior to the development being carried out. The approved materials shall be used in the construction of the development hereby approved and completed prior to its occupation.

Reason: To safeguard the visual amenities of the area and ensure compliance with Policy D1 of the Site Development Policies which seeks to ensure development is of a high standard of design.

INFORMATIVES.

(1) This application has been assessed against the relevant policies of the London Plan 2011, Sutton's Core Planning Strategy 2009 and the Site Development Policies DPD 2012. The proposal is generally in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 (as amended) and for this reason planning permission is granted.

(2) The submitted application complied with the relevant planning policies and Sutton Council has accordingly granted planning permission.