

PLANNING COMMITTEE - Date:16 December 2015

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

Ref: B2014/69110/FUL	WARD: B06 / SUTTON WEST	Time Taken: 90 weeks, 6 days
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Site: Seears Park Gardens and Nursery St Dunstons Hill Cheam
 Proposal: Phased development of the restoration and development of a community park involving a single storey side and rear extension with decking and alterations and refurbishment to Quarry Cottage to provide a café on ground floor and a 2 - bedroomed self contained flat at first floor, accessed by a new external staircase; erection of a single storey multifunction pavilion and separate W.C. and development of a play garden involving elevated ramps with pods with performance area, together with up to twenty one vehicle parking spaces, motor and cycle parking and new access road.
 Applicant: Mr Diver
 Agent: Mr Blair

Recommendation:

GRANT PLANNING PERMISSION

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

Summary of why application proposals are acceptable:

- The proposals would bring the redundant Quarry Cottage back into and provide a facility that would be beneficial to all members of the community including those with disabilities. In addition, the proposal would generate employment opportunities for the local area including 4 full time, 4 part time and 16 voluntary positions. Therefore, it is considered that the proposal is acceptable in land use terms.
- It is considered that the contemporary design of the proposed extensions and alterations to the host building would offer a significant visual improvement and would not cause harm to the character of the surrounding area. As such, the proposal is considered to be acceptable in design terms.
- The scale of the proposals and the separation distances from the closest residential properties would ensure that the development would not have a detrimental impact on the amenity of adjoining residential occupiers in terms of loss of daylight/sunlight, privacy and outlook, including noise and disturbance.
- Subject to condition, it is considered that the development would not cause harm to the existing trees and would not impact on the visual amenity or openness of the surrounding parkland.
- Subject to condition, it is considered that the proposed development would not have any undue transport / highway or parking impacts.

1.0 BACKGROUND

1.1 Site and surroundings:

1.2 The application site is located within Seears Park, to the north of Quarry Park Road and to the east of St. Dunstan's Hill. The site comprises Seears Park Nursery and Quarry Cottage which are located to the north-eastern end of the park.

1.3 To the north and rear of the cottage is woodland and to the east is a car park serving residential properties in Grebe Court. The A217 forms the western boundary to the site. The A217 is part of the Transport for London Road Network for which Transport for London is the Highway Authority.

1.4 The cottage is red brick with a slate, dual pitched roof, with an entrance porch on the front elevation and a single storey extension containing toilets on the side.

1.5 The park is accessed from St. Dunstan's Hill by an access road to the south and a cycle path which runs along the rear gardens to the dwellings on Quarry Park Road. The land to which the application site relates is held in trust by the London Borough of Sutton and Seears Park is a public park managed by the London Borough of Sutton.

1.6 Site specific designations:

- Archaeological Priority Areas
- Metropolitan Green Chains
- Cycle Network
- Public Open Space

1.7 The woodland to the north is also designated as a Site of Importance for Nature Conservation.

1.8 Relevant Planning History:

1.9 96/40812 - Erection of three polytunnels. Granted in June 1996.

1.10 01/48054/3FR - Provision of a metal storage container adjacent to the greenhouses. Granted 9.10.2001.

1.11 01/48385/3FR - Erection of a detached single storey mobile building comprising teaching/ mess room, office and ancillary facilities and replacement of a single storey building with two individual buildings. Granted 18.1.2002.

2.0 APPLICATION PROPOSALS

2.1 Details of Proposal:

2.2 Planning permission is sought for the phased development consisting of the restoration and development of a community park involving a single storey side and rear extension with decking and alterations and refurbishment to Quarry Cottage. This would provide a café on ground floor and a 2 - bedroom self contained flat at first floor, accessed by a new external staircase; erection of a single storey multifunction pavilion and separate W.C. and development of a play

garden involving elevated ramps with pods with performance area, together with up to twenty one vehicle parking spaces, motor and cycle parking and new access road.

2.3 The works will include the refurbishment, conversion and extensions to Quarry Park Cottage to provide a cafe with a self contained independent living accommodation at first floor level. The cafe and play gardens would be developed in parallel with the development of the horticultural gardens.

2.4 The proposed development would take place in four phases as set out within the application documentation.

2.5 **Significant amendments to application since submitted:**

2.6 The description of development has been updated to clarify that the application does not propose the creation of a "licensed" cafe. The design and access statement and access layout plan have both been updated.

3.0 PUBLICITY

3.1 Letters were sent to 117 residents on the 1st April 2014. A site notice was also placed within the vicinity of the site on the 4th April 2014.

3.2 Letters were sent to residents in June 2015 and September 2015 as part of a re-consultation exercise regarding updates to the description of development and updated plans.

3.3 **Number of Letters Received:**

3.4 102 letters have been received objecting to the proposals.

3.5 The material objections can be summarised as follows:

- Out of character;
- Over development;
- Unsuitable location for a licensed premises;
- Access, parking & traffic;
- Inappropriate opening hours;
- Increase in anti-social behaviour, vandalism and hooliganism;
- Impact on residential amenity;
- Noise and disturbance;
- Lack of lighting at night time;
- Impacts to trees;
- Impacts to bats / birds / wildlife.

3.6 The non-material objections can be summarised as follows:

- Lower the desirability of the area
- Would not be child friendly

3.7 **Official Consultation:**

3.8 **Internal:**

3.9 **Senior Highways Engineer:**

3.10 No objection.

3.11 **Tree Officer:**

3.12 No objection subject to conditions.

3.13 **Biodiversity Officer:**

3.14 No objection.

3.15 **Business Regulation Service:**

3.16 No objection subject to conditions.

3.17 **Asset Management:**

3.18 No objection.

3.19 **Parks:**

3.20 No objection.

3.21 **External:**

3.22 **Transport for London:**

3.23 No objection subject to conditions.

3.24 **Councillor Representation:**

3.25 Throughout the life of the application there has been interest from a number of councillors including, Councillor Mathys, Councillor Wales, Councillor Clifton, Councillor Pritchard, Councillor Burstow, Councillor Wallace, Councillor Burke together with Paul Scully MP have made enquiries as to the status of the application.

3.26 **Non-statutory consultation undertaken by the applicant:**

3.27 The applicant has held two public meetings at the Civic Offices; the most recent meeting was held on the 22nd October 2015. Two community open days have also been held at the Horticultural Centre.

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 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 (NPPF).
- National Planning Practice Guidance (NPPG)
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.

4.3 The London Plan (2015):

- Policy 2.7 Outer London Economy
- Policy 2.18 Green infrastructure: the multi-functional network of green and open spaces
- Policy 3.1 Ensuring equal life chances for all
- Policy 3.2 Improving health and addressing health inequalities
- Policy 3.3 Increasing Housing Supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments
- Policy 3.6 Children and young people's play and informal recreation facilities
- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 3.18 Education facilities
- Policy 4.1 Developing London's economy
- Policy 4.3 Mixed use development and offices
- Policy 4.6 Support for and enhancement of arts, culture, sport and entertainment
- Policy 4.12 Improving opportunities for all
- Policy 5.1 Climate Change Mitigation
- Policy 5.2 Minimising Carbon Dioxide Emissions
- Policy 5.3 Sustainable Design and Construction
- Policy 5.7 Renewable Energy
- Policy 5.13 Sustainable Drainage
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.4 Enhancing London's Transport Connectivity
- Policy 6.9 Cycling
- Policy 6.10 Walking
- Policy 6.11 Smoothing Traffic Flow and Tackling Congestion
- Policy 6.13 Parking
- Policy 7.1 Lifetime neighbourhoods
- Policy 7.2 An inclusive environment
- Policy 7.3 Designing out crime
- Policy 7.4 Local Character
- Policy 7.5 Public realm
- Policy 7.8 Heritage assets and archaeology
- Policy 7.18 Protecting open space and addressing deficiency
- Policy 7.19 Biodiversity and access to nature
- Policy 7.21 Trees and woodlands

4.4 Local Development Framework:

- PMP1 Housing Provision
- PMP2 Suburban Heartlands

- BP5 Improving Health and Well Being
- BP6 One Planet Living
- BP9 Enabling Smarter Travel Choices an Area-based Approach
- BP10 Transport Strategic and Borough Wide Proposals
- BP12 Good Urban Design and Heritage

4.5 Site Development Polices DPD:

- DM1 Character and Design
- DM2 Protecting Amenity
- DM3 Enhancing the Street Scene and Public Realm
- DM4 Historic Environment
- DM5 Sustainable Design and Construction
- DM6 Climate Change Mitigation
- DM8 Climate Change Adaptation
- DM12 Noise and Vibration
- DM13 Light Pollution
- DM15 Green Belt/ Metropolitan Open Land
- DM16 Open Space
- DM17 Biodiversity, Habitats and Species
- DM19 Promoting Sustainable Transport & Accessibility
- DM20 Assessing the Transport Impact of New Development
- DM21 New Development and the Highway Network
- DM22 Parking
- DM24 Conversions
- DM29 Housing Standards
- DM31 Social and Community Infrastructure

4.6 Supplementary Planning Guidance/Documents:

- London Plan Housing SPG
- SPD1 Designing Out Crime
- SPD14 Creating Locally Distinctive Places

5.0 BACKGROUND TO APPLICATION

5.1 The land to which the application site relates is held by The Charity of John Seear for Open Space and Recreation Ground (Charity No.303234) of which the London Borough of Sutton is the sole Trustee. Seears Park is a public park managed by the London Borough of Sutton.

5.2 A charitable organisation 'Yourspace' currently lease Seears Park Nursery from the Council by way of a licence agreement which permits them to use the premises as a training facility to provide horticultural courses for people with disabilities.

5.3 The current planning application has been submitted by a consortium which includes:

- 'Yourspace' - an organisation which aims to use horticulture to integrate communities and deliver therapeutic training in horticulture and gardening to adults including those with mental health issues, learning disabilities or physical disabilities.

- 'Include by Design' – a joint venture between members of Chapterhouse Architects and CD Builders which seeks to integrate those with special needs into the broader society.

6.0 PLANNING CONSIDERATIONS

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

- **Principle of Development**
- **Design Quality**
- **Trees / Landscaping**
- **Biodiversity**
- **Quality of Proposed Accommodation**
- **Impact on Neighbours**
- **Traffic & Parking**
- **Refuse/Recycling**
- **Other Matters**

6.2 **Principle of Development:**

6.3 The application site is located within Sears Park which is a designated public open space. Quarry Cottage is currently vacant and is in a state of disrepair. The horticultural gardens are currently used to facilitate the operation of horticultural workshops and training for youths and adults with special needs as well as mainstream youth and adult colleges and organisations.

6.4 The current application proposes to renovate and develop Quarry Cottage and the surrounding area. The proposal would involve the refurbishment, conversion and extensions to Quarry Cottage to provide a cafe at ground floor level and private independent-living accommodation at first floor level. It is noted that the proposed cafe and play gardens would be developed in parallel with the development of the horticultural gardens.

6.5 The main objective of the proposal is to provide opportunities for educational advancement for persons with disabilities. The intensification of the horticultural aspect of the site to enhance educational opportunities for adults and children, including those with disabilities is welcomed and would assist in delivering the equal opportunities objectives of the London Plan and would be compliant with the Development Plan Policies.

6.6 The National Planning Policy Framework (NPPF) states there is a presumption in favour of sustainable development which is described for decision making as "approving development proposals which accord with the development plan".

6.7 Policy DM16 of the Site Development Policies relates to open space and states that the Council will only grant planning permission for small-scale structures on Public Open Space 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.

- 6.8 Policy 31 of the Site Development Policies relates to social and community infrastructure and states that the Council will grant planning permission for the development of social and community infrastructure where it is designed and sited to enable and maximise the shared use of premises for community use and it would not have any undue environmental effects and it is close or accessible to the community it is intended to serve.
- 6.9 As noted above, Quarry Cottage is currently vacant and is in a state of disrepair. It is considered that the proposal would bring the redundant building back into use and would provide the surrounding area with a facility that would enhance the parkland setting and maximise its use.
- 6.10 The proposal includes the provision of a cafe at ground floor level and a self contained residential unit at first floor level. Single storey ground floor extensions would be erected to the rear and side of the building to provide additional floorspace for the proposed cafe. The modest size of the extensions are in proportion to the host building and will not detract from the character of the open space which would be maintained.
- 6.11 It is considered that the provision of a cafe and WC facilities at the site would be acceptable in land use terms as an ancillary use noting that this would significantly improve the facilities provided within the park for both public users and visitors to the horticultural gardens. There is also potential for the enhancement of the local economy noting that the proposal would generate employment opportunities for the local area including 4 full time, 4 part time and 16 voluntary positions. Furthermore, it is noted that the provision of cafe and WC facilities are common in many parks and open spaces across London.
- 6.12 Quarry Cottage was historically used as residential accommodation for a park ranger / warden who lived within the grounds. The building has been vacant for xx and is vulnerable to vandalism and further physical decline without some form of investment. It is therefore considered that the change of use to a cafe with the re-introduction of a residential use on the first floor would achieve this, would be acceptable land uses within the Park, and would not detract from the character of the Park.
- 6.13 Whilst it is not possible to stipulate that the resident would be an employee directly linked to the function of the park use, the applicant has advised that in the first instance, they would actively seek out potential tenants who may be clients or partners of Seears Park Gardens user-groups. These are most likely to be people who are capable of independent living, with or without assistance for special, or particular, needs.
- 6.14 The self contained flat has been proposed to support the enablement of the development; the income from which would be used to support the wider proposals. Noting the wider social benefits of the proposed development and given that Quarry Cottage would be brought back into use, it is considered that the proposals are acceptable in land use terms.
- 6.15 As part of the development it is proposed to enhance the play gardens by providing facilities that would be accessible to those with disabilities or particular needs. An elevated ramped walkway would be erected within the gardens which would connect to a series of 'pods' which would be used for educational purposes. It is also proposed to install an adapted zipwire for rapid descent to the cafe level. It is considered that the proposal for enhanced play garden facilities would be a

welcome addition to the park. The proposals would complement and enhance the open use and nature of the park.

- 6.16 Within the application documents it has been suggested that the proposed cafe and pavilion building together with the gardens could be used to host community events in the future, for example pop-up craft and farmers' markets. It is noted by officers that any temporary events or markets at the site would require planning permission and therefore would be subject to further consideration should an application be submitted in the future.
- 6.17 Policy 7.18 of the London Plan relates to the protection of open space and addressing deficiency. It is considered that the current proposals, in particular the horticultural garden and play gardens would enhance the nature conservation value and integrity of the park and would increase the value of the park as an amenity and recreation space.
- 6.18 Consequently, it is considered that the mixed use nature of the proposals would be acceptable and would make good use of this neglected site. The proposals would bring the redundant Quarry Cottage back into use and provide a facility that would benefit all members of the community including those with disabilities. Therefore, it is considered that proposal is acceptable in land use terms, and would preserve the special character of the open space.
- 6.19 **Design Quality:**
- 6.20 The London Plan encourages redevelopment and intensification of sites subject to exceptional design and architectural quality, relationship to its local context and attention to the public realm. The Council's local plan policies reiterate this in its design aspiration that expects new developments to enhance its public realm, complement the local context and preserve the historic character of areas.
- 6.21 In relation to this and the proposed development, it is considered that all proposals for new development should be seen as potentially contributing towards a better quality of environment. The Councils Core Strategy and Site Development Plan contain policies designed to promote a high standard of design, to preserve and enhance the existing character of the area to promote environmental importance, and to ensure that the natural environment is not adversely affected. It is also important to ensure the safeguarding of the interests of local residents in surrounding houses by ensuring that residential amenity and the character of the area are maintained.
- 6.22 Policy BP12 of the adopted Core Planning Strategy, Policy DM1, DM3, DM4 and DM24 of the Site Development Policies DPD and SPD14-Urban Design seek to ensure that proposals are sympathetic to the appearance of the existing building, and that all development complements and improves the character of the area and street scene.
- 6.23 Policy DM16 of the Site Development Policies relates to open space and states that the Council will only grant planning permission for small-scale structures on Public Open Space 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.

- 6.24 The site is located within Sears Park which is a designated public open space. Therefore, any development will be expected to maintain and preserve the open character of the open space.
- 6.25 Quarry Cottage is a two storey detached building located to the eastern end of Sears Park. The building is currently vacant and in a state of disrepair.

Scale, Mass and Height

- 6.26 The current proposals would involve the restoration and refurbishment of Quarry Cottage and gardens. The proposals include the erection of single storey side and rear extensions, a new external staircase, a single storey multifunction pavilion and separate W.C. within the gardens and the development of an enhanced play garden.
- 6.27 Whilst the proposed side and rear extension to the cottage would result in a slight increase in its footprint, it is considered that the proposal would complement the scale of the existing building. The extension would be single storey and therefore, would appear as a subordinate addition which would respect the host building.
- 6.28 An external staircase would be installed to the western flank elevation of the cottage to provide access to the proposed residential unit at first floor level. The staircase would have a minimal footprint and would be set well below the eaves of the roof. It is therefore considered that the external staircase would be an acceptable addition to the building.
- 6.29 The proposed single storey detached multifunction pavilion would be positioned to the east of the cottage and would be used as ancillary teaching room / meeting space. The building would be of a lightweight design and would be in keeping with the design of the proposed extensions to the cottage. As such given the location of the building it is considered that there would be a minimal visual impact when viewed across the park.

Appearance and Materials

- 6.30 The proposed extensions to the cottage and the single storey multifunction pavilion would have a distinctly contemporary architectural style; being of a modern flat roof design with large areas of glazing. The cottage extensions and pavilion building would be finished in a subtle palette of materials which would ensure that they are finished to a high quality that would integrate successfully with the traditional brick and slate materials of the cottage.
- 6.31 As part of the refurbishment of the cottage all of the roofing, doors and fenestration would be replaced. Therefore, a condition is recommended to approve samples and a schedule of materials to be used in the external elevations of the cottage, the proposed extensions and the pavilion building.
- 6.32 Overall, the design, scale and height is considered to be acceptable and would complement the character and appearance of the open space whilst relating appropriately to its setting.

Play Garden and Elevated Walkways

- 6.33 The application proposals include the development of an enhanced play garden by providing facilities that would be accessible to those with disabilities or particular

needs. An elevated ramped walkway would be erected within the gardens which would connect to a series of 'pods' which would be used for educational purposes. The walkway will be viewed in the setting of mature trees and soft landscaping and its design and location is therefore acceptable as it would not interfere or harm the open nature of the site.

- 6.34 The elevated pathways and pods would be constructed of steel/timber with padding and / or netting for safety. A condition is recommended to secure further details regarding the layout of the proposed play garden, the elevated walkway and the play equipment to ensure a high quality design that integrates well within the natural surroundings of Seears Park.

Access and Layout of Parking

- 6.35 The lane access to the site would be improved as part of the current application and would be given a permeable surface. In addition the existing parking area would be enhanced with reseeded grass to reinforce the soft landscaping features to be retained. It is considered that these elements of the proposal would be acceptable and further details would be secured by way of a landscaping condition.

- 6.36 Overall, it is considered that the design of the proposal is acceptable and would result in a significant improvement to the appearance of the cottage and its setting. Furthermore, it is considered that the development within the curtilage of the cottage and gardens has been sensitively designed to respect the openness of the park setting. It is therefore considered that the proposals are acceptable in design terms subject to compliance with the recommended conditions.

6.37 Neighbouring Amenity

- 6.38 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.

- 6.39 The application proposes the erection of single storey side and rear extensions to the cottage, a new external staircase to the flank elevation of the cottage, a single storey multifunction pavilion and separate W.C. within the gardens and the development of an enhanced play garden.

- 6.40 The nearest residential properties to the application site in Grebe Court are 97m away from the proposed cafe; those in Quarry Park Road are 120m away and those in St. Dunstan's Hill are 85m away. Furthermore, given that the site contains a large number of trees which add further screening, it is not considered that these properties would suffer any demonstrable harm in terms of the receipt of light, privacy or outlook. Given the substantial separation distances between the application site and the closest residential properties, it is considered that there would be no undue impacts on amenity.

- 6.41 It is noted that a number of objections have been received from local residents regarding potential noise and disturbance both during construction and from the use of the cafe.

- 6.42 With specific regard to potential impacts during construction, conditions are included to restrict the hours of construction on the site and a construction

management plan which will provide detailed information regarding the construction phase.

- 6.43 With regards to potential noise and disturbance from the use of the cafe it is considered that the opening hours of the proposed cafe could be controlled by condition. The applicant has proposed hours of opening of 08:30 – 18:30 Monday to Sunday which is considered reasonable for a facility operating within a public park, noting that there is little use of the park in the evening at present outside of normal activities during summer months. The introduction of a self-contained residential flat situated above the cafe will bring some natural surveillance in the area outside the hours of normal hours of use of the cafe.
- 6.44 It is recommended that conditions are included to limit the hours of operation and to ensure that any associated plant or machinery associated with the cafe operates within reasonable limits. It is considered that the suggested conditions would provide sufficient regulatory safeguards to ensure that the proposals would not detrimentally impact on the amenities of adjoining residential occupiers.
- 6.45 On balance, given the distances to residential occupiers, subject to conditions, it is considered that the proposal would not cause unacceptable harm to neighbouring occupiers by way of increased noise, disturbance, loss of privacy or outlook.
- 6.46 **Quality of the Proposed Accommodation:**
- 6.47 The guidance set out in the London Plan Housing SPG requires that 2 bed / 3 person dwellings should each have a minimum floor area of 61sqm. The proposed two bed flat would have a floor area of 68sqm which would exceed the minimum floorspace standard. In addition, all of the rooms would meet and exceed the minimum standards.
- 6.48 The London Plan requires adequate provision of private amenity space advising that a minimum of 5 sqm of amenity space should be provided per 1-2 person units and an additional 1 sqm for each additional occupant. Noting the sites location within a designated park it is considered that future occupants of the dwelling would have an acceptable level of amenity space.
- 6.49 All habitable rooms would be provided with fenestration for access to daylight, sunlight, and ventilation.
- 6.50 Overall, the proposed development would provide an acceptable level of accommodation and living environment for future occupiers.
- 6.51 **Trees, Biodiversity and Landscaping:**
- 6.52 Policy DM17 states that the Council will not grant planning permission for development within or adjacent to SINCs where there would be a significant damaging impact on the nature conservation value or integrity of the site unless the need for, and benefits of, the development clearly outweigh the harm; where the Council is satisfied that there are no reasonable alternative sites that would result in less harm; and, where adequate mitigation and compensation measures can be put in place.
- 6.53 There are a number of mature and semi mature trees located around the site, along the property's southern and western boundaries with Sears Park which

could potentially be affected by the proposed development. However, the submitted plans indicate that these trees will be retained and the Council's Principal Tree Officer has raised no objections to the proposal. There are recommended conditions to secure the submission of a tree protection plan and an arboricultural impact assessment. Conditions are also recommended to secure details of hard and soft landscaping (including that of the play garden) to ensure that the development would not damage the existing trees.

- 6.54 The Council's Biodiversity officer has raised no objection to the proposals subject to securing a scheme for biodiversity improvements to enhance the biodiversity value of the land.
- 6.55 On balance, subject to the recommended conditions it is considered that the proposals would not detrimentally impact on the nature conservation value or integrity of the site.
- 6.56 **Traffic, Parking & Refuse**
- 6.57 Policy DM20 of the Site Development Polices DPD states that the Council will assess all new development applications for their impact on the existing and proposed transport infrastructure and services, and the local environment.
- 6.58 The application site is located within Seears Park, to the north of Quarry Park Road and to the east of St. Dunstons Hill. The site comprises Seears Park Nursery and Quarry Cottage which are located to the eastern side of the park. The A217 forms the western boundary to the site. The A217 is part of the Transport for London Road Network for which Transport for London is the Highway Authority.
- 6.59 The main access to the site is from St Dunstons Hill (A217). Vehicles would travel through the park along the existing service road which is to be upgraded in part by the introduction of new permeable road surfacing. Further details of the surfacing would be secured as part of the landscaping plan.
- 6.60 The site would include parking provision for 21 vehicles. Thirteen parking spaces currently exist and the existing grass surface to be reinforced as part of the current proposal. The additional 8 parking spaces are to be located on a small section of grass adjacent to the service road and are also available for use at present. The additional spaces would be used as an overflow parking area when needed. The grassed area would be reinforced to make it suitable for wheelchair access.
- 6.61 Parking provision on the site would be by reservation. As noted earlier in this report, one of the main objectives of the proposal is to provide opportunities for educational advancement for persons with disabilities. Therefore it is proposed that vehicle access and parking provision on the site would be for those that require special assistance. The applicant has advised that alternative means of access would be recommended for those who are able.
- 6.62 It is noted that the horticultural workshops and training that currently takes place at the site are provided during the daytime and therefore journeys to and from the site would not normally take place during peak traffic hours. It is anticipated that this would continue as part of the current proposals. In addition, it is anticipated that the proposed cafe would primarily be used by participants of the workshops and training events and by existing users of the park. Therefore the proposed cafe would not generate significant vehicle movements to and from the site over and above the existing situation.

- 6.63 Residents of the proposed self contained flat would share the vehicular access and parking with the horticultural gardens and it is anticipated that a maximum of 1 car parking space would be required for the unit. The proposed cafe would be serviced by a delivery van and it is anticipated that the cafe would receive deliveries no more than twice a day.
- 6.64 Transport for London (TfL) raised initial concerns that the proposals would result in additional vehicle trips to and from the site, however they have confirmed that the number of additional trips are likely to be minimal. TfL have also advised that accident data for 100 metres in either direction of the access on the A217 show that there have been no accidents recorded in the last 5 years and as such have raised no objections to the proposals. TfL have recommended amendments to the access that would improve safety and visibility; these include the provision of lighting and trimming foliage that could potentially impair visibility. It is recommended that conditions are included to secure the submission of a lighting strategy for approval. The Council's Senior Highway Engineer has also been consulted and has raised no objection to the proposals on highways grounds.
- 6.65 The applicant has advised that 36 cycle parking spaces would be provided on site which is considered acceptable. Therefore, should the application be approved it is recommended that a condition is included the secure further details regarding the proposed provision to ensure that sufficient and secure cycle storage is provided for the occupiers of the proposed flat and users of the horticultural centre / cafe.
- 6.66 It is also recommend that a condition is included to secure details of refuse storage and proposed collection arrangements to ensure that sufficient storage is provided for the occupiers of the residential dwelling, the cafe and the horticultural centre.
- 6.67 On balance, and subject to conditions, the proposals would be acceptable in Highways terms, as there will be sufficient off-street parking to serve the principal functions proposed, the access will be improved to deal with the additional vehicle movement which itself will not be so significant as to cause noise and disturbance to adjoining residents or prejudice highway safety.
- 6.68 **Planning Obligations and CIL:**
- 6.69 The proposed development would be liable for the London Borough of Sutton's Community Infrastructure Levy (CIL) as well as the Mayor of London's CIL. All residential developments are required to pay £120 per sqm (£100 per sqm for London Borough of Sutton and £20 per sqm for the Mayor).
- 6.70 The proposed two bed flat would have a floor area of 68 sqm. £1360 would be required for Mayoral CIL and £6800 would be required for Sutton CIL. The total CIL requirement would be £8160.

7.0 CONCLUSION AND RECOMMENDATION

- 7.1 The proposals would be a complementary ancillary use of the open space. The proposals would bring the redundant Quarry Cottage back into use to assist in providing a facility for all members of the community including those with disabilities. In addition, the proposal would generate employment opportunities for the local area including 4 full time, 4 part time and 16 voluntary positions. Therefore, it is considered that proposal is acceptable in land use terms.

- 7.2 It is considered that the contemporary design of the proposed extensions and alterations to the host building would offer a significant visual improvement to the existing building and would not cause harm to the character of the surrounding area. As such, the proposal is considered to be acceptable in design terms.
- 7.3 Subject to conditions to control the hours of use of the site it is considered that the residential amenity of neighbouring residents would be maintained and protected.
- 7.4 Subject to conditions, it is considered that the development would not cause harm to trees and would not impact on the visual amenity and openness of the parkland.
- 7.5 Subject to conditions, it is considered that the proposed development would not have any undue transport / highway or parking impacts.
- 7.6 It is therefore recommended that the application be approved, subject to the recommended conditions.

Background Papers: B2014/69110/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: **B2014/69110**
- 3) Click on Search and View Current Applications
- 4) Click



Mr Blair
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B2014/69110/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

Seears Park Gardens and Nursery St Dunstons Hill Cheam

Phased development of the restoration and development of a community park involving a single storey side and rear extension with decking and alterations and refurbishment to Quarry Cottage to provide a café on ground floor and a 2 - bed roomed self contained flat at first floor, accessed by a new external staircase; erection of a single storey multifunction pavilion and separate W.C. and development of a play garden involving elevated ramps with pods with performance area, together with up to twenty one vehicle parking spaces, motor and cycle parking and new access road.

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:

OS Plan, Drawing no. 203-14-x1, 203-14-P1, 203-14-P2, 203-14-P3, 203-14-P4, 203-14-P5, 203-14-P6, 203-14-P7, 203-14-P8, 203-15-P9b, Seears Park Gardens 1, Seears Park Gardens 2, Design and Access Statement Rev B dated 1-11-15.

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

(3) Prior to the commencement of the development hereby approved, samples and a schedule of materials to be used within the external elevations of the building and in the external elevations of the extensions shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved materials.

Reason: To safeguard the visual amenities of the area and to ensure compliance with policy BP12 of the Core Planning Strategy which seeks to ensure buildings are of a high standard of design.

(4) No development shall commence (including ground works or demolition) until a detailed Tree Protection Plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall contain details on the specification and location of tree protection barriers and/or ground protection and any construction activity that may take place within the root protection areas of retained trees. The tree protection measures shall be installed prior to any development works and will remain in place for the duration of all construction works. The tree protection measures shall only be removed on completion of all construction activity, including hard landscaping. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction – Recommendations' and policy DM1 of the Local Plan.

(5) No development shall commence (including ground works or demolition) until an Arboricultural Method Statement has been submitted to and approved in writing by the Local Planning Authority. The statement shall provide full details on the methods used to minimise the risk of damage to trees and tree roots and shall be in accordance with the guidelines and recommendations in BS 5837:2012. The statement shall also include details of the garden pods and specimen tree activity deck support posts to be installed with minimal damage to tree roots and their rooting environment, and pay particular attention to British Standard BS 5837:2012 section 7.4.4.5, and ensure that all sub-bases for support sections/frameworks be un-compacted. A schedule of pre-construction tree pruning shall also be included, and shall adhere to the recommendations in BS 3998:2010. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure good arboricultural practice in the interests of the maintenance of the character and appearance of the area and to comply with British Standard 5837:2012 'Trees in Relation to Design, demolition and Construction – Recommendations' and policy DM1 of the Local Plan.

(6) Prior to commencement of groundwork or the storage of plant and/or materials on site, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The submissions shall include details of all hard and soft landscaping and replacement tree planting. The landscaping submissions shall be accompanied by an arboricultural method statement for the construction of any new hard surfacing or all-weather surfacing within the root protection area of retained trees. Any surfacing materials to be used within the root protection areas of retained trees shall be permeable. All landscaping and replacement tree planting shall be carried out in accordance with the relevant recommendations of appropriate British Standards (in particular, BS 3882:2015 'Specifications for Topsoil' and BS 8545:2014 'Trees: From Nursery to Independence in the Landscape') or other recognised codes of good practice. The development shall be carried out in accordance with the

approved details and prior to the occupation of any part of the development or in accordance with the timetable agreed with the Local Planning Authority.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs in accordance with Policy DM1 of the Site Development Policies.

(7) Any trees or plants that within a period of five years after planting) are removed, die, or (in the opinion of the Local Planning Authority) damaged or defective shall be replaced as soon as is reasonably practicable with others of a similar size/species/number as originally approved, unless the Local Planning Authority gives its consent to any variation.

Reason: To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs in accordance with Policy DM1 of the Site Development Policies.

(8) The development shall not be occupied until a scheme for biodiversity improvements have been submitted to and approved in writing by the Local Planning Authority. Work shall be undertaken in accordance with the approved scheme.

Reason: To enhance the biodiversity value of the land in accordance with policy DM17 of the Site Development Policies DPD.

(9) The development shall not begin until a Construction Method Statement specifying details for each phase, has been submitted to and approved by the Local Planning Authority. This shall include:

- (a) Parking for vehicles of site personnel, operatives and visitors
- (b) Loading and unloading of plant and materials
- (c) Storage of plant and materials
- (d) Programme of works (including measures for traffic management)
- (e) Provision of boundary hoarding, behind any visibility zones
- (f) Construction traffic routing.
- (g) Hours of operation
- (h) Means to control dust
- (i) Means to control noise
- (k) Means to prevent deposition of mud on the highway.

The development shall be constructed in accordance with the approved statement.

Reason: To ensure that the proposed development does not interfere with the free flow of traffic and conditions of safety on the public highway.

(10) No demolition or construction works, including site excavation or any external site works, the operation of plant and machinery, the erection of scaffolding, the delivery of materials, the removal of materials and spoil from the site and the use of any sound amplification equipment, shall take place outside 0800hours to 1800hours Mondays to Fridays and 0800hours to 1300hours on Saturdays and at no time on Sundays or Bank Holidays.

Reason: To safeguard the amenity of the occupiers of adjacent premises and the area generally during the building construction process.

(11) The car parking indicated on drawing no. 203-15-P9b shall be laid out in accordance with the approved details. The parking spaces shall be used and permanently retained exclusively for the designated purpose.

Reason: In the interest of highway safety.

(12) Prior to the commencement of the development hereby approved, details of the proposed refuse storage facilities and details of the method and collection arrangements of the refuse shall be submitted to, and approved in writing by the Local Planning Authority. The approved refuse storage shall be provided prior to the occupation of any phase of the development and thereafter retained.

Reason: To ensure that this facility is provided in a manner and to ensure compliance with policy DM1 of the adopted Site Development Policies which seeks to ensure that such ancillary buildings integrate with the principal development.

(13) Prior to the commencement of the development hereby approved, details of the proposed cycle parking arrangements shall be submitted to and approved in writing by the Local Planning Authority. The approved details shall be implemented, and thereafter be permanently maintained.

Reason: To encourage access by non-car modes.

(14) The commercial premises shall be used for A1 / A3 purposes as specified in the application and for no other purpose (including any other purpose in the Town and Country Planning (Use Classes) (Amendment) (England) Order 2015, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To enable the Local Planning Authority to exercise control of the type of use within the category in order to safeguard the amenities of the area.

(15) The cafe hereby permitted shall operate only between the hours of 08:30 – 18:30 Monday to Sunday and on Bank and Public Holidays.

Reason: To safeguard the amenities of adjacent residential properties.

(16) Noise from any plant or machinery, should any be used on the development hereby permitted, shall be assessed and rated in accordance with BS4142. The rated noise level shall not exceed a noise level 5dB below the background noise level at nearby noise sensitive windows.

Reason: To preserve the amenities of the area and to comply with DM12 of the adopted Site Development Policies 2012.

(17) Full details, with calculations and elevations, of any proposed extraction systems shall be submitted to and approved in writing by the Local Planning

Authority in the event any are to be used on the development. No such equipment shall be installed on the development hereby permitted until details have been submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed on site in accordance with the approved details and shall be retained and maintained thereafter.

Reason: To preserve the amenities of the area and to comply with DM12 of the adopted Site Development Policies 2012.

(18) Prior to the commencement of the development hereby approved, a lighting strategy shall be prepared in consultation with the Council's Highways and Parks Departments and following which, the agreed details shall be submitted to, and approved in writing by, the Local Planning Authority. The developer shall bear any costs associated with the implementation of the lighting scheme. The approved scheme shall then be implemented prior to the occupation of the development.

Reason: In the interest of highway safety.

INFORMATIVES.

(1) This approval only grants permission under section 57 of the Town and Country Planning Act 1990. Further approval or consent may be required by other legislation, in particular the Building Regulations and you should contact Building Control on 020 8770 5000 before proceeding with the work.

(2) This application has been assessed against the relevant policies of the London Plan 2015, 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.

(3) The Council was able to negotiate successfully with the applicant to amend the application so that it complied with the relevant policies. Sutton Council has accordingly granted planning permission.

(4) NAMING AND NUMBERING. This permission creates one or more new units which will require a correct postal address. Contact the Street Naming & Numbering Section at 24 Denmark Road, Carshalton, Surrey SM5 2JG, telephone 020 8770 6369 or e-mail street.naming@sutton.gov.uk.

(5) The applicant and agent are reminded that any flues which are required to serve the A3 unit will require the approval of an additional planning application, before such features are installed.

(6) The Council consider that this permission is liable for a contribution under the Community Infrastructure Levy (CIL).

Please note that if you commence work without giving prior notice of the start date the CIL charge must be paid immediately.