

**PLANNING COMMITTEE****2 December 2015 at 7.30 pm**

**MEMBERS:** Councillor Richard Clifton (Chair), Councillor Samantha Bourne (Vice-Chair) and Councillors Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Tony Shields and Graham Whitham

**107. APOLOGIES FOR ABSENCE**

Apologies for absence from Councillor Hamish Pollock and Councillor Jason Reynolds. Councillor Hanna Zuchowska attended as a substitute.

**108. MINUTES**

The Minutes of the meeting held on 11 November 2015 were approved as a correct record, and signed by the Chair.

**109. DECLARATIONS OF INTEREST**

Members made declarations regarding the following agenda items:

**Agenda item 4. APPLICATION NO. A2015/72753/FUL - Chegworth Nursing Home, 23 DOWNS SIDE Cheam, SM2 7EH**

Councillor Graham Whitham, Non Pecuniary, As he is familiar with Brian Madge, agent, from when he worked for the London Borough of Sutton.

Councillor Margaret Court, Non Pecuniary, As she is familiar with Brian Madge, agent, from when he worked for the London Borough of Sutton..

Councillor Tony Shields, Non Pecuniary, As he is familiar with Brian Madge, agent, from when he worked for the London Borough of Sutton..

**Agenda item 5. APPLICATION NO.A2015/72836/FUL - Chegworth Nursing Home, 23 DOWNS SIDE Cheam, SM2 7EH.**

Councillor Graham Whitham, Non Pecuniary, As he is familiar with Brian Madge, agent, from when he worked for the London Borough of Sutton..

Councillor Margaret Court, Non Pecuniary, As she is familiar with Brian Madge, agent, from when he worked for the London Borough of Sutton..

Councillor Tony Shields, Non Pecuniary, As he is familiar with Brian Madge, agent, from when he worked for the London Borough of Sutton..

**110. ORDER OF ITEMS**

Members agreed to re-arrange the order of the agenda, so that the planning applications without objections could be discussed first. Items 8, 9, 10 and 11 on the agenda were brought forward to the beginning of the meeting.

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Members also agreed to move agenda item 6 to the bottom of the agenda, as Councillor Richard Broadbent, ward councillor, wished to speak on the item and was unavailable until later in the evening.

Therefore the items were discussed in the order as follows in the minutes.

**111. APPLICATION NO. D2015/72917/HHA - 7 MONTAGU GARDENS, WALLINGTON, SM6 8EP**

The Committee considered a report on the above application for the erection of a single storey rear extension.

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

To grant (9)                      Councillors Richard Clifton, Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Tony Shields, Graham Whitham, Hanna Zuchowska

RESOLVED: That planning permission be granted for application No. D2015/72917/HHA, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**112. APPLICATION NO. B2015/73005/FUL - ROBIN HOOD JUNIOR SCHOOL, THORNCROFT ROAD, SUTTON SM1 1RL**

The Committee considered a report on the above application for amendments to approved classrooms involving adjustment in height and footprint, alterations to elevations including escape staircase together with associated works (Variation of condition 2 [drawing numbers] of previously approved application number B2014/69757/3FR).

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

To grant (9)                      Councillors Richard Clifton, Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Tony Shields, Graham Whitham, Hanna Zuchowska

RESOLVED: That planning permission be granted for application No. B2015/73005/FUL, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**113. APPLICATION NO. A2015/72948/FUL - GLENTHORNE HIGH SCHOOL, 270 SUTTON COMMON ROAD, SUTTON, SM3 9PS**

The Committee considered a report on the above application for provision of solar panels to existing DH wing roof.

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

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To grant (9)                      Councillors Richard Clifton, Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Tony Shields, Graham Whitham, Hanna Zuchowska

RESOLVED: That planning permission be granted for application No. A2015/72948/FUL, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**114. APPLICATION NO. C2015/72366/3FR - 232-234 WRYTHE LANE, CARSHALTON, SM5 1TX**

The Committee considered a report on the above application for the replacement of existing single glazed windows and doors with PVCu double glazed windows and doors.

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

To grant (9)                      Councillors Richard Clifton, Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Tony Shields, Graham Whitham, Hanna Zuchowska

RESOLVED: That planning permission be granted for application No. C2015/72366/3FR, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**115. APPLICATION NO. A2015/72753/FUL - CHEGWORTH NURSING HOME, 23 DOWNS SIDE CHEAM, SM2 7EH**

The Committee considered a report on the above application for the above address, to retain the existing temporary accommodation during construction works until the end of October 2016.

The application had been de-delegated by Councillor Holly Ramsey.

Hazel Dyke and Peter Matthey, objectors, and Councillor Holly Ramsey, ward councillor, addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised by Ms Dyke were:-

- Noise surrounding the on-going development
- The temporary buildings make the amenity look unpleasant.
- Concerns that the schedule of development has been extended more than once, and that the applicant has developed the nursing home continuously for a long period of time, through several consecutive planning applications.

The principal issues raised by Mr Matthey were:-

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- The property has been “over-developed” from its original state.
- There have been 11 planning applications to substantially enhance the building since his nomination as chair 8 years ago.
- The back garden of the property looks unappealing due to all of the temporary out-buildings.
- Lights are left on in the out-buildings all night.
- There is a lot of mess from the building works at the front of the property. There are no skips to contain the rubbish produced.
- Peter Matthey requested that conditions be imposed for the white temporary ancillary buildings to be removed within 4 weeks, and for works to be restricted to “normal hours” of 8am-6pm, including that the work cabins can only be lit within these times.

The principal issues raised by Councillor Holly Ramsey were:-

- Local residents would like to see an end to the works being done to Chegworth Nursing Home
- There are no conditions on when the outdoor temporary laundry room and staff room must be removed by, even though these facilities in the main building are now complete.
- Residents of the nursing home should be able to regain some of their outdoor garden space.
- Councillor Holly Ramsey requested for a condition to be imposed that the temporary accommodation may only remain for a maximum of 12 months, and the ancillary buildings may only remain for a maximum of one month.

Brian Madge and Azim Jivraj, the agent and the applicant, responded to the concerns raised by the objectors. The principle issues raised by Mr Madge and Mr Jivraj are:-

- The Care Quality Commission (CQC) have visited the premises within the last 4 months and are happy with the development and temporary buildings.
- The applicant stated that he would like to be rid of the buildings as soon as possible too, one of them is in the process of being taken down and they hope for all of the temporary buildings to be off-site by July 2016.
- Some of the buildings cannot be taken down immediately due to the electricity and water supplies surrounding them, as well as being used for storage of building materials.
- The applicant stated that there are not lights on in the temporary ancillary buildings at night, and the builders leave at 5pm.

Councillor McManus considered that it may be useful for members to visit the site to make a decision, and the applicant agreed that they would be welcome to should they wish.

A motion was put forward to defer the vote on the officer's recommendation to grant permission, for officers to meet with the applicant to resolve the timescales for the removal and/or relocation of some of the temporary buildings and to seek assurances that these timescales would be adhered to along with a commitment to tidy up the site.

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Some members asked whether both applications could be deferred however officers advised that they should be considered separately as the issues concerning A2015/72990/FUL were demonstrably not relevant to the issues that A2015/72753/FUL raised.

The motion was voted on:

To defer (7)                      Councillors Richard Clifton, Margaret Court, Vincent Galligan, Patrick McManus, Tony Shields, Graham Whitham, Hanna Zuchowska

Against (2)                      Councillors Samantha Bourne, Kevin Burke

RESOLVED: That the decision to grant planning permission for application No. A2015/72753/FUL - Chegworth Nursing Home, 23 DOWNS SIDE Cheam, SM2 7EH will be deferred to a later meeting of the Planning Committee.

**116. APPLICATION NO.A2015/72836/FUL - CHEGWORTH NURSING HOME, 23 DOWNS SIDE CHEAM, SM2 7EH**

The Committee considered a report on the above application for internal re-arrangement of the approved basement area to increase the number of residents by one (variations to conditions 3 & 5 of previously approved application reference numbers A2012/66511/FUL and A2014/69316/FUL)

The application had been de-delegated by Councillor Holly Ramsey.

Peter Matthey, an objector, addressed the meeting under Standing Order 31, and the agent, Brian Madge, and applicant, Mr Jivraj replied.

The principal issues raised by Peter Matthey were:-

- There has been incremental expansion of this nursing home, in the past an Officer recommended no more than 35 residents, this was then updated under application A2012/66511/FUL to 42, and now this is another request to raise the capacity.
- There are bedrooms in the basement 4 metres below ground level, the only view from the windows of these rooms is a brick wall. Mr Matthey raised concerns about the standards of the accommodation.

The principal issues raised by Mr Madge and Mr Jivraj are:-

- This is the final plan to make changes to the carehome.
- This extra room has already been purchased.
- The room will satisfy CQC standards.

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

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To grant (6)

Councillors Richard Clifton, Samantha Bourne, Kevin Burke,  
Vincent Galligan, Hanna Zuchowska, Margaret Court

Against (3)

Councillors Graham Whitham, Tony Shields, Patrick  
McManus

RESOLVED: That planning permission be granted for application No. A2015/72836/FUL, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**117. APPLICATION NO.S C2015/72574/FUL AND C2015/72575/FUL -  
CARSHALTON ATHLETIC FOOTBALL CLUB, WAR MEMORIAL SPORTS  
GROUND, COLSTON AVENUE, CARSHALTON, SM5 2PW**

The Committee considered a report on the above applications for:

1. C2015/72574/FUL - Variation of Condition 4 of application C2013/68433/FUL allowed on appeal APP/P5870/A/14/2216198 which states: The pitch shall not be used before 0900 hours on any day or after 2115 hours on weekdays or Saturdays (with the exception of weekday fixtures when it may be used until 2300 hours if required) or after 2000 hours on Sundays.
2. C2015/72575/FUL - Removal of Condition 2 of application C2013/68432/FUL allowed on appeal APP/P5840/A/14/2216188, which states: The floodlights shall be switched off unless the pitch is being used or for reasons of health and safety, and in any case shall not be switched on before 0900 hours on any day or after 2115 hours on weekdays or Saturdays (with the exception of weekday fixtures when they be illuminated until 2300 hours if required, on up to 50 occasions per annum) or after 1800 hours on Sundays.

The application had been de-delegated by Councillor Jill Whitehead and more than ten letters of objection were received for each application.

David Sayer, an objector, addressed the meeting under Standing Order 31, and the applicant, Paul Dipre, replied.

The principal issues raised by Mr Sayer were:-

- As the closest resident, Mr Sayer felt that it is unreasonable to suggest that there are no effects on surrounding residents.
- Concerns that even though the floodlights are 150m from the closest property, the related noise doesn't stop until the floodlights are off.
- Noise levels have gradually worsened over a 23 year residency.
- It appears that the applicant wants to run the sports ground as a commercial business.

The principal issues raised by Mr Dipre were:-

- In his opinion, there is no detrimental effect of granting these planning applications to anybody.

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- Sutton United Football Club were granted these permissions, and Mr Dipre feels that therefore Carshalton Athletic Football Club should also be entitled to them, especially as the floodlights are lower and less intrusive, and the closest resident is further away.

A motion was raised by Councillor Richard Clifton for a condition to be included that the applications would be reviewed after one year. Andy Webber, Head of Development Management and Strategic Planning, advised that this would be possible for planning application C2015/72574/FUL but not for C2015/72575/FUL as it is not permissible to add a condition to make temporary a proposal to remove a condition, the proposal to remove condition 2 must be either approved or refused.

As such, two separate votes were taken on the two applications.

A poll vote on the officers' recommendation to grant permission for application C2015/72574/FUL, subject to the condition that this would be reviewed after one year, was held in accordance with Standing Order 31.4, when there voted:

To grant (8)                      Councillors Richard Clifton, Samantha Bourne, Tony Shields, Kevin Burke, Graham Whitham, Vincent Galligan, Margaret Court and Hanna Zuchowska

Abstained (1)                  Councillor Patrick McManus

A poll vote on the officers' recommendation to grant permission for application C2015/72575/FUL was held in accordance with Standing Order 31.4, when there voted:

To grant (0)

Against (6)                      Councillors Samantha Bourne, Tony Shields, Kevin Burke, Graham Whitham, Margaret Court and Patrick McManus

Abstained (3)                  Councillors Richard Clifton, Vincent Galligan, Hanna Zuchowska

**RESOLVED:**

- That planning permission be granted for application No. C2015/72574/FUL, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.
- That planning permission be refused for application No C2015/72575/FUL on the grounds that the unrestricted hours of use of the floodlights is likely to adversely affect neighbouring residential amenity by way of additional noise and disturbance.

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**118. APPLICATION NO. A2015/72990/FUL - LAND REAR OF 241 AND 243  
CHURCH HILL ROAD, NORTH CHEAM**

The Committee considered a report on the above application for the erection of four, two storey semi-detached 3 bed houses with two parking spaces each, together with cycle and refuse facilities and hard and soft landscaping.

The application had been de-delegated by Councillor Richard Broadbent.

Jeff Rogers, Keith Brown, and Sue Faulknall, objectors, and Councillor Richard Broadbent, a ward councillor, addressed the meeting under Standing Order 31, and the applicant's agent replied.

The principal issues raised by Mr Rogers, resident of 241 Church Hill Road were:-

- There were originally supposed to be no developments permitted on this site.
- The effect that the planning permission would have on traffic in the area cannot be calculated.
- There would be a lot of chaos surrounding all of the additional wheelie bins and residents.

The principal issues raised by Mr Brown, resident of 12 D'arcy Road were:-

- The impact of the allocated parking spaces on the amenity of neighbouring properties' gardens. The plans do not accurately reflect this.
- The proposed fencing is inadequate, meaning the driveway and access road overlook neighbouring properties which are downhill from the site.
- Concerns about drainage, it is unclear how water would be pumped uphill.
- It is unclear who will have right of way on the access road
- Concerns about how the access road and driveways will be lit, there is no assessment of light intrusion

The principal issues raised by Ms Faulknall were:-

- Concerns that the development is planned to be built in order to be sold on, where the applicant had stated in a previous application that the development would be for themselves to reside in.
- Concerns about safety in the area due to the potential for significantly increased numbers of residents, including traffic and access for emergency services.

The principal issues raised by Councillor Richard Broadbent were:-

- It is unclear how the traffic light system on the access road would work in order to address the increased number of vehicular and pedestrian journeys
- The height of the fence, and concerns about increased refuse containers, as previously raised above. He has raised this with Waste Management but has received no response.
- Whether condition 17, regarding external lighting, extended to the access road.



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- Addendum item 4 and the planning considerations set out in section 5.5, 5.6, 5.7, 5.18, 5.19 and 5.24 address the majority of the issues raised by the objectors.
- Councillor Richard Broadbent requested permission to look at schemes and comment to officers should permission be granted.

The principal issues raised by Mr Leeson, Architect, were:-

- With regards to overlooking neighbouring properties, the plans align with the already approved scheme, and windows would only face the front and back.
- The applicant would be happy to increase the fence height along the access road to 2 meters.
- Ridge heights are lower than existing properties.
- The aesthetic would be consistent with the area.
- The application was recommended for approval by officers
- The access road would be widened, allowing visibility along the drive and therefore increasing safety for vehicles and pedestrians
- Alternative refuse arrangements can be made by way of condition
- The site can provide a suitable drainage system by way of condition

A poll vote on the refusal of permission was held in accordance with Standing Order 31.4, when there voted:

For (8)                      Councillors Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Tony Shields, Graham Whitham, Hanna Zuchowska

Abstained (1)              Councillor Richard Clifton

RESOLVED: That planning permission be refused for application No A2015/72990/FUL on the grounds that the intensification of use on this site would lead to additional vehicular movement and activity which would be harmful to the amenities of adjoining residents by way of an unacceptable increase in noise and disturbance.

**119. ANY URGENT BUSINESS**

There was no urgent business.

The meeting ended at 10.20 pm

Chair: .....

Date: .....

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