

PLANNING COMMITTEE

24 February 2016 at 8.00 pm

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

151. APOLOGIES FOR ABSENCE

There were no apologies for absence.

152. MINUTES

The Minutes of the meeting held on 3 February 2016 were approved as a correct record, and signed by the Chair.

153. DECLARATIONS OF INTEREST

Agenda Item 5. Application No. A2015/72753 – Chegworth Nursing Home, 23 Downs Side, Cheam, SM2 7EH.

The following declarations of interest were carried over from when this item was previously discussed at Planning Committee on 2 December 2015:

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.

154. APPLICATION NO: A2015/72735/FUL - BROADLANDS NURSING HOME, 51 BURDON LANE, CHEAM, SM2 7PP

The Committee considered a report on the above application for demolition of the existing Nursing Home and erection of a two storey building with roof accommodation, a two storey building with interlink comprising a 32 bed care home together with ancillary facilities, car parking and refuse and cycle facilities.

The application had been deferred from the meeting of the Planning Committee on 16 December 2015, after it had been de-delegated by Councillor Holly Ramsey.

Richard Burgess and Sara Venables, objectors, and Councillor Ramsey, a ward councillor, addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised by Richard Burgess and Sara Venables were:-

- The effects that the development would have on privacy and light for their properties, and other neighbouring properties.
- That the report did not detail the slope of the site and retaining wall
- They felt that there were discrepancies in the report where the applicant had not been clear with his plans, such as the gap between the proposed building and neighbouring properties.
- That the building would be a very large institutional building that would not be in-keeping with the character of the area.
- The building would be three times the width of surrounding buildings.
- An increase in patients would result in an increase in noise disturbance.

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The principal issues raised by Councillor Ramsey were:-

- The plans were within an Area of Special Local Character (ASLC), a status the community had worked very hard to be recognised, and would degrade the area. This would be irreversible.
- There were no other properties with such a wide frontage in North Cheam.
- Neighbouring residents were concerned that a gap between the planned buildings was stated as 4m when it was actually less than half of that size.
- Some of the letters of support had come from outside of the borough whereas the letters of objection had come from a close proximity and even relatives of residents of the care home.
- The building itself would be overbearing.

The principal issues raised by Peter Smith, the agent and Mr Baloo, the applicant, were:-

- The levels of the site were shown in the landscaping of the building and the proposed building would be lower on the Manor Road side than the current building.
- The building would not be overshadowing to neighbouring properties.
- The number of residents would be lower than the number allowed in the previously approved planning application.
- The plans were to improve the quality of care, and to rid the site of inconsistent extensions.

Councillors asked questions to the objectors about how activity at the site effects the life of neighbours, including noise and traffic. Concerns were also raised about the appearance of the building that the application proposed. This was followed by a discussion amongst the committee regarding the building's bulk and how the building would affect the ASLC on Burden Lane.

A motion was raised to vote against the Officer's recommendation, by reason of overdevelopment of the site by reasons of the visual impact on the street scene on Manor Road and Burden Lane and the total amount of development on the site, and because the proposal would result in material harm to the character and appearance of the area by virtue of its design, bulk and massing and would fail to enhance the character and appearance of the ASLC.

A poll vote on the motion to refuse permission was held in accordance with Standing Order 31.4, when there voted:

For (9) Councillors Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Hamish Pollock, Jason Reynolds, Patrick McManus, Tony Shields and Graham Whitham,

Abstained (1) Councillor Richard Clifton

RESOLVED: That planning permission be refused for application No. A2015/72735/FUL on the grounds of overdevelopment of the site by reasons of the visual impact on the street scene on Manor Road and Burden Lane and the total amount of development on the site, and because the proposal would result in material harm to the character and appearance of the area by virtue of its design, bulk and massing and would fail to enhance the character and appearance of the ASLC.

155. ORDER OF ITEMS

Members agreed to re-arrange the order of the agenda, so that the planning applications without objections could be discussed next. Items 8 and 9 on the agenda were brought forward. Therefore the items were discussed in the order as follows in the minutes.

156. APPLICATION NO. C2016/73412/LBC - ST PHILOMENAS SCHOOL, POUND STREET, CARSHALTON, SM5 3PS

The Committee considered a report on the above Listed Building application for removal and re-instatement of gates to Park and House and demolition and re-instatement to South West corner of wall to Walled garden to enable access for site works in connection with previously approved application No. C2015/71900 for a new two storey building to provide additional education facilities.

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

To grant (10) Councillors Richard Clifton, Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Hamish Pollock, Jason Reynolds, Tony Shields and Graham Whitham

RESOLVED: That planning permission be granted for application No. C2016/73412/LBC, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

157. APPLICATION NO. C2015/73316 - WOODCOTE GROVE HOUSE, WOODCOTE GROVE, COULSDON, CR5 2XL

The Committee considered a report on the above application for Variation of conditions 8 and 9 (BREAAAM Assessments) of previously approved application No. C2012/66833/FUL for the Demolition of Selkirk wing, the chapel, extensions, outbuildings and part of the curtilage of the garden wall and erection of a two storey building with basement plant accommodation to provide a 51 bed (including 3 respite care beds) dementia and nursing care unit (Class C2) with refuse facilities, increase in car parking from 25 to 30 spaces and provision of ten covered cycle spaces together with associated landscaping.

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

To grant (10) Councillors Richard Clifton, Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Hamish Pollock, Jason Reynolds, Tony Shields and Graham Whitham

RESOLVED: That planning permission be granted for application No. C2015/73316, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

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

The Committee considered a report on the above application for Retention of temporary accommodation during construction works until end of June 2016.

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

Hazel Dyke and Peter Matthey, objectors, and Councillor Ramsey, a ward Councillor, addressed the meeting under Standing Order 31.

The principal issues raised by Hazel Dyke and Peter Matthey were:-

- It had become a normal process that every application on this site was accepted once the previous one expired.
- The applicant kept altering the predicted finish dates of the work being done on the site.
- Enforcement processes were not being followed.
- Planning conditions on the front garden were not being adhered to as there was building mess and parking on the street where it should have been on the drive way.
- The applicant claimed to have unplugged outdoor lighting when they had not.
- Some lighting was Passive Infrared (PIR) but some was not, they wanted all outdoor lighting to be PIR.

The principal issues raised by Councillor Ramsey were:-

- A condition could be put on the outdoor lights to be switched off at 9pm, when the applicant claims they are switched off anyway.
- Plans on this site have consistently overrun, there was no evidence to suggest that this time would be different.
- The applicant had not followed time restrictions in the past and enforcement action should have been taken.

Councillor Richard Clifton noted that when he visited the site he concluded that there were no local residents who would get more than a distant and oblique view of the garden of

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Chegworth Nursing Home other than a resident at the back, but when he investigated further he found that this house had been demolished. Councillors discussed concerns about landscaping and the unfortunate instance of asbestos being found at the site.

Councillors agreed that enforcement action would be necessary should the conditions not be adhered to, and that the application should be subject to the informative that environmental health would investigate concerns about outdoor lighting should problems continue to be raised.

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

To grant (10) Councillors Richard Clifton, Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Hamish Pollock, Jason Reynolds, Tony Shields and Graham Whitham

RESOLVED: That planning permission be granted for application No. A2015/72753, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

159. APPLICATION NO. A2015/72173/FUL - 717 LONDON ROAD, NORTH CHEAM, SM3 9DL

The Committee considered a report on the above application for Demolition of existing building and erection of a residential development comprising five 1 - bedroomed and seven 2 - bedroomed self-contained flats in a part two part three storey building with roof accommodation and the erection of three 3 - bedroomed two storey houses with roof accommodation and one 3 - bedroomed two storey house together with six car parking spaces and refuse store at front and ten car parking spaces accessed through central archway together with cycle storage, associated hard and soft landscaping, front boundary wall and railings and vehicular access onto London Road.

Councillors discussed the application and considered it to be a reasonable development that was in-keeping with the character of the 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 (8) Councillors Richard Clifton, Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Hamish Pollock, Jason Reynolds, and Tony Shields.

Against (2) Councillors Patrick McManus and Graham Whitham.

RESOLVED: That planning permission be granted for application No. A2015/72173/FUL, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

160. APPLICATION NO. C2015/73328 - WAR MEMORIAL SPORTS GROUND, COLSTON AVENUE, CARSHALTON, SM5 2PW

The Committee considered a report on the above application for variation 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" to increase the use of the floodlights by one hour on weekdays and Saturday and by two hours and fifteen minutes on Sunday, and for an additional twenty-five evening weekday fixtures per annum.

Jane Sayer, an objector, addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised by Mrs Sayer were:-

- A letter sent to neighbouring residents stated that the floodlights would affect neighbouring properties, and was also too vague. Mr Dipre's intentions should have been clearer in the letter, so that people could have made a more informed decision about whether they wanted to object.

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- Carshalton Athletic Football Club fans wrote in support of the application, this was not fair on surrounding neighbours who were the ones affected by light spillage and noise.
- She was concerned that Mr Dipre’s key intention was to maximise his profits, and this was indicated in the number of ‘later allowances’ he requested per year.

The principal issues raised by Mr Dipre were:-

- The floodlights were upgraded following complaints, and had been verified by an independent planning inspector and lighting experts
- There were no complaints about the floodlights or about exceeding the pitch’s hours of use since 2008. The only complaints had been about noise and they were both on the same date during a charity event held in the day time when the floodlights were not being used.
- In the Planning Committee meeting on 2 December 2015, Mrs Sayer’s husband had said that he did not have any objection to the floodlights themselves, but with the noise associated with the floodlights.

The Chair reminded the committee that at the Planning Committee meeting on 2 December 2015 conditions on the hours of use of the pitch had been agreed for a trial period of one year. Councillors raised concerns about how difficult it is to make complaints after office opening hours and considered that a trial period would allow neighbours time to record any arising issues before a review.

The Chair raised a motion for the committee to grant permission subject to the condition that it was for a 12 month trial period and would be reviewed at the end of the 12 month trial period.

A poll vote on the officers’ recommendation to grant permission, 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 (10)	Councillors Richard Clifton, Samantha Bourne, Kevin Burke, Margaret Court, Vincent Galligan, Patrick McManus, Hamish Pollock, Jason Reynolds, Tony Shields and Graham Whitham
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RESOLVED: That planning permission be granted for application No. C2015/73328, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

161. ANY URGENT BUSINESS,

There was no urgent business.

The meeting ended at 10.47 pm

Chair:

Date:

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