

PLANNING COMMITTEE - Date: 29 June 2016

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

Ref: B2016/74268/FUL	WARD: B09 / BELMONT	Time Taken: 7 weeks, 2 days
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Site: Royal Marsden Hospital and 17 Cotswold Road, Sutton, SM2 5NG
 Proposal: Relocation of vehicular access onto Cotswold Road and reinstatement of full height kerb and footway over existing access junction, following demolition of 17 Cotswold Road.
 Applicant: Mr S. Vyas
 Agent: Ms Laura Fitzgerald

Recommendation: GRANT PLANNING PERMISSION

subject to the completion of a section 106 agreement by the 15 July 2016, or such longer period to be agreed in writing by the Executive Head of Economic Development, Planning & Sustainability, after which time the resolution to grant will be rescinded.

Reason for Report to Committee: The application has been de-delegated by Councillor Hicks.

Summary of why application proposals are acceptable:

- The proposed demolition of the dwelling is considered to be acceptable in land use terms given that there are no policies to prevent the loss of the residential dwelling.
- The provision of a vehicle access to the site at this junction is also considered to be acceptable in principle.
- The design of the new access and treatment of the land following demolition is considered acceptable and would not negatively impact on the character of the street.
- The scale of the proposal would not have a detrimental impact on the amenity of adjoining occupiers in terms of loss of daylight/sunlight, privacy and outlook, noise and disturbance.
- The provision of a signalised junction would ensure the safety of the users of the highway.
- And subject to conditions, the proposed development would not have an undue impact on transport / highway or parking.

1.0 **BACKGROUND**

1.1 **Site and surroundings:**

1.2 The application site is located on eastern side of Cotswold Road, close to the junction with Pelton Avenue and comprises part of the Royal Marsden Hospital site. To the northwest of the site is Sutton Hospital with the Institute of Cancer Research site to the northeast.

1.3 The subject site comprises a vacant two storey residential property with a vehicular access from Cotswold Road, which is currently not in use.

1.4 **Site specific designation:**

- Priority Community Regeneration Area
- Site Allocation - The allocation states that the site should be developed as a centre of medical excellence in providing cancer care, research facilities and associated activities.

1.5 **Relevant Planning History:**

1.6 There have been a number of planning applications submitted at the site since 1964 the most relevant being:

1.7 79/19674 – Formation of a new access onto Cotswold Road involving realignment of existing fence and provision of new gates. Granted on 8 October 1979.

1.8 15/72566/FUL – Relocation of vehicular access onto Cotswold Road and reinstatement of full height kerb and footway over existing access junction, following demolition of 17 Cotswold Road. Withdrawn on 4 November 2015.

1.9 15/73306/FUL – Relocation of vehicular access onto Cotswold Road and reinstatement of full height kerb and footway over existing access junction, following demolition of 17 Cotswold Road. Withdrawn on 20 April 2016.

2.0 **APPLICATION PROPOSALS**

2.1 **Details of Proposal:**

2.2 The application seeks full planning permission for the demolition of the existing residential property at 17 Cotswold Road and the relocation of the existing vehicular access, approximately 40 metres to the south to form a new access junction to the site on Cotswold Road including the reinstatement of full height kerb and footway over existing access junction.

2.3 The proposed access would be in the form of a signalised junction with Pelton Avenue and Cotswold Road.

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

2.5 None.

3.0 **PUBLICITY**

3.1 **Adjoining Occupiers Notified**

3.2 **Method of Notification:**

3.3 Letters were delivered to 70 adjoining occupiers on 17 May 2016.

3.4 **Number of Letters Received in response to the proposal:**

3.5 Consultation:

3.6 6 letters of objection have been received from 4 addresses. Letters have been received from the following addresses:

- 12 Cotswold Road;
- 14 Cotswold Road;
- 16 Cotswold Road (2 letters);
- 26 Cotswold Road (2 letters).

3.7 **Summary of material responses in objection to the proposal:**

- Increase in traffic congestion and accidents;
- Loss of parking;
- Amenity impacts (loss of privacy, noise, light);
- Lack of car parking, confusing access, oversupply of cycle parking;
- Increase pollution from fumes.

3.8 **Official Consultation:**

3.9 **Internal:**

3.10 **Principal Highways Engineer:**

3.11 No objection subject to conditions. The Principal Highways Engineers comments are provided in the planning considerations section of this report.

3.12 **Opportunity Sutton:**

3.13 No comments received at the time of writing.

3.14 **Tree Officer:**

3.15 No objection subject to condition.

3.16 **Environmental Health Officer:**

3.17 No comments received at the time of writing.

3.18 **External:**

3.19 None.

3.20 **Councillor Representation:**

3.21 The application has been de-delegated by Councillor Hicks for reasons of road safety, resident parking and impacts upon the amenity of residents of Cotswold Road and Pelton Avenue.

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 relevant policy documents comprise:

- National Planning Policy Framework
- National Planning Practice Guidance
- The London Plan
- The Core Planning Strategy DPD
- The Site Development Policies DPD
- Adopted London Borough of Sutton Supplementary Planning Guidance documents.

Material Planning Policies Considered in Determining this Application:

4.2 **The London Plan 2015:**

- 2.5 Sub-regions
- 2.6 Outer London: vision and strategy
- 2.7 Outer London: economy
- 2.8 Outer London: transport
- 3.1 Ensuring Equal Life Chances for All
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 5.3 Sustainable Design and Construction
- 6.2 Providing public transport capacity and safeguarding land for transport
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and tackling congestion
- 6.12 Road network capacity
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.14 Improving Air Quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscape
- 8.2 Planning obligations

4.3 **Core Planning Strategy:**

- BP6 One Planet Living
- BP7 Flood Risk and Climate Change Adaptation
- BP9 Enabling Smarter Travel Choices
- BP10: Transport: Strategic and Borough-wide Proposals
- BP12 Good Urban Design and Heritage
- PMP1 Housing Provision
- PMP2 Suburban Heartlands
- DP2 Planning Obligations
- DP3 Infrastructure Requirements and Delivery

4.4 **Site Development Policies:**

- DM1 Character and Design
- DM2 Protecting Amenity
- DM3 Enhancing the Street Scene & Public Realm
- DM5 Sustainable Design and Construction
- DM6 Climate Change Mitigation
- DM8 Climate Change Adaption
- DM9 Water Supply, Water Quality and Sewerage Infrastructure
- DM10 Air Quality
- DM12 Noise and Vibration
- DM17 Biodiversity, Habitats and Species
- DM19 Promoting Sustainable transport and accessibility
- DM20 Assessing the Transport Impact of New Development
- DM21 New Development and the Highway Network
- DM22 Parking
- DM31 Social and Community Infrastructure

4.5 **Supplementary Planning Guidance/Documents:**

- SPD5 Planning Obligations
- SPD14 Creating Locally Distinctive Places

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:

- **Principle of Development**
- **Design Quality**
- **Impact on Neighbours**
- **Traffic & Parking**
- **Trees**
- **Planning obligations**
- **Other Material Considerations**

5.2 **Principle of Development:**

5.3 The application site comprises a vacant two storey residential property within the grounds of the Royal Marsden Hospital. The existing property would be demolished to facilitate the proposed access road.

5.4 Whilst the property appears separate from the hospital given that it fronts onto Cotswold Road, it is considered to be an anomaly within the hospital site. It is

considered that its loss through demolition is outweighed by the improvements to road safety within the site and by the opportunities for the hospital and patients which would arise from freeing up a parcel of land within the site.

- 5.5 Overall, there are no policies to prevent the loss of the residential dwelling and as such the proposal is considered to be acceptable in land use terms, subject to compliance with other policies in terms of design, neighbouring amenity impact and highway considerations. It should be noted that the demolition of a building of this scale would not normally require planning permission.
- 5.6 **Design Quality:**
- 5.7 The development would involve the demolition of the existing vacant property, the closing up of the existing vehicular access onto Cotswold Road and the creation of a new access junction onto Cotswold Road.
- 5.8 It is considered that the demolition of the existing two storey property would have a neutral impact on the character of the street scene along this part of Cotswold Road, approximately 40 metres south of the existing access.
- 5.9 The site access junction would be relocated approximately 40 metres to the south along Cotswold Road.
- 5.10 The existing access forms a bellmouth priority junction with Cotswold Road and measures approximately 6 metres wide, narrowing to 4.45 metres at the narrowest point. The existing access would be stopped up, with full height kerbs reinstated along the edge of the carriageway once the new access is operational.
- 5.11 The new access is proposed in the form of a signalised junction with Pelton Avenue and Cotswold. Signalised control crossings would be provided across Cotswold Road, Pelton Avenue and over the proposed hospital site access. The crossings would include tactile paving and dropped kerbs. In design terms, it is considered that the new access would be acceptable in this location and would not negatively impact on the character of the area noting that the existing access would be closed up.
- 5.12 Overall, it is considered that the proposal presents an acceptable design that would complement the character of the area and as such the proposal is considered to be in accordance with the NPPF, the London Plan 2015 and the Site Development Policies DPD.
- 5.13 **Neighbouring Amenity:**
- 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 The proposal does not include the provision of any new buildings on the site and therefore there are no concerns raised in terms of loss of light, privacy or overlooking to neighbouring residential properties.
- 5.16 It is noted that a number of objections have been received regarding potential noise and disturbance impacts from the new access. Given that the new access would replace the existing access it is considered that there would be no undue

amenity impacts on neighbouring residential occupiers over and above the existing situation as the existing access would be closed off.

5.17 As such, it is considered that the proposal would not result in an unacceptable impact on the amenities of the adjoining occupiers and would comply with Site Development Policy DM2.

5.18 **Air Quality / Pollution:**

5.19 Objections have also been received regarding the potential for increased exhaust fume pollution due to the proposed new access and signalised junction.

5.20 The application site is located within a designated Air Quality Management Area. Policy DM10 of the Site Development Policies DPD and Policy 7.14 of the London Plan deal with improving air quality. Policy 7.14 states that development proposals should aim to be 'air quality neutral' and not lead to further deterioration of existing poor air quality.

5.21 The application proposes the relocation of the existing vehicular access onto Cotswold Road. The new access would be positioned 40 metres to the south of the existing access.

5.22 It is anticipated that there would not be any new vehicle movements to and from the site over and above the existing situation. Given that the existing access would be closed up it is considered that the new access would not generate significant air quality impacts over and above the existing situation.

5.23 **Trees and Landscaping:**

5.24 Policy DM1 states that development should respect and retain, where possible, existing landforms and the natural features of the site including trees of amenity value, hedges and other landscape features, and make suitable provision for high quality additional landscaping.

5.25 The application has been accompanied by a Tree Survey and a Tree Protection plan. The proposal requires the removal of 4 trees to facilitate the new access. The relevant trees are self sown and are considered to be of limited amenity value within the street scene. As such, no objection is raised to the removal of the trees.

5.26 The development would be located within the root protection area of a number of retained trees and therefore a condition is recommended to ensure that any works within the root protection areas are carried out by hand in order to safeguard the retention of the trees.

5.27 In addition, following demolition the land would be resurfaced to form part of a hard and soft landscaped area, as such improving this section of the site.

5.28 The proposals are considered to be generally acceptable and subject to the recommended conditions there would be no undue impact on the retained trees on the site.

5.29 **Highways:**

5.30 Policy 6.3 of the London Plan seeks to ensure that development does not adversely affect safety on the transport network.

- 5.31 Core Policy BP10 states that the Council will investigate and where appropriate implement improvements to the borough highway network that provide environmental, social and economic benefits. The Council will also manage borough highway network, traffic and parking in such a way as to ensure the efficient and safe operation of the network and the appropriate use of the highway network
- 5.32 Policy DM21 of the Site Development Polices DPD relates to new development and the highway network and states that the means by which access is provided to serve a development and how that development is designed in terms of making provision for the movement of vehicles and people are fundamental considerations in assessing proposals for new development. These aspects are crucial in terms of ensuring that new developments can be conveniently and safely accessed by all modes of transport, particularly sustainable modes, and that they are appropriately located in relation to the highway network and the volume and types of vehicles likely to be generated by the development.
- 5.33 Policy DM21 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.
- 5.34 The proposal seeks to create a new access approximately 40 metres south of the existing vehicular access to the site, closing up the existing access including the reinstatement of full height kerb and footway to facilitate the closure of the access.
- 5.35 The proposed access would be in the form of a signalised junction with Pelton Avenue and Cotswold Road. To facilitate the new access junction a number of parking bays would need to be relocated.
- 5.36 The application has been accompanied by a Stage 1 Road Safety Audit which is an assessment of the design of the new junction. The safety audit has been carried out by independent Road Safety Engineers. The report outlines the key issues identified with the proposed access and makes recommendations on how the issues can be addressed.
- 5.37 The Safety Audit report outlines the key issues as follows:
- The proximity of formal parking on Pelton Avenue close to the junction may create to possibility of collisions involving turning manoeuvres;
 - The visibility of pedestrians crossing from the west side of Cotswold Road could be obscured by parked vehicles on the west side of Cotswold Road. The possibility of other collisions between pedestrians and vehicles of approaching vehicles from the south may increase;
 - Crossing arrangements may lead to pedestrians walking too close to the carriageway of Cotswold Road.
- 5.38 Proximity of formal parking on Pelton Avenue:
- 5.39 The road safety audit has identified that the proximity of formal parking on Pelton Avenue close to the junction may create to possibility of collisions involving turning manoeuvres.

- 5.40 The current application proposes the relocation of existing on-street parking bays on Pelton Avenue to address the concerns raised. The parking bays would be relocated onto Cotswold Road to ensure that there would be no loss of parking in the area. The alterations to the on-street parking bays and the yellow lines will be undertaken by way of an amendment to the Traffic Management Order (TMO) for this location.
- 5.41 The Council's Principal Highway Engineer has reviewed the report and has advised that queues could be managed by signal timings during the morning and evening peak periods. It has also been suggested that appropriate weight restrictions could be implemented by way of a Traffic Regulation Order (TRO) to limit the size of vehicles able to gain access into Royal Marsden site via the new access junction.
- 5.42 Visibility of pedestrians crossing from the west side of Cotswold Road:
- 5.43 The road safety audit has identified that the visibility of pedestrians crossing from the west side of Cotswold Road could be obscured by parked vehicles on the west side of Cotswold Road. The possibility of other collisions between pedestrians and vehicles of approaching vehicles from the south may increase.
- 5.44 The road safety report recommends that pedestrian-vehicular inter-visibility should meet the 'Manual for Streets' standards however the applicant has advised that this would not be possible without losing on street car parking bays.
- 5.45 The Council's Principal Highway Engineer has commented that the applicants reasoning seeking to avoid the loss of street car parking is reasonable and has stated that there would be scope at the latter (stage 3) Safety Audit stage to increase timings for pedestrian crossing. Pedestrian impatience can also be addressed by incorporating "detectors" and "countdown" timers on all the arms of the junction to assist pedestrians cross the road at each phase.
- 5.46 Crossing arrangements may lead to pedestrians walking too close to the carriageway of Cotswold Road:
- 5.47 The road safety audit has raised concerns that the crossing arrangements may lead to pedestrians walking too close to the carriageway of Cotswold Road.
- 5.48 The Council's Principal Highway Engineer has advised that the minimum set-back for pedestrians across the arm of the signalised junction will be governed by TfL's signal design guidelines with regard to stop lines. The Principal Highway Engineer has also advised that there may be scope for the applicant to include short lengths of guard railing on both sides of this signal arm and maintain footway widths by locally widening into their own site.
- 5.49 The Council's Principal Highway Engineer has raised no objection to the design for the proposed signal-controlled junction as proposed and has recommended that the issues identified in the Stage 1 Safety Audit and Designer's Responses on the outline design are addressed at the detailed design stage, to be agreed by the Councils Highway Authority.
- 5.50 Overall, noting that the existing access would be closed up it is considered that the proposed access would not generate any additional vehicle movements to and from the site, over and above the existing situation and noting the comments from the Council's Principal Highway Engineer it is considered that the introduction of a

signal controlled access would not impact on the safety of the local highway network.

5.51 **Planning Obligations and CIL:**

5.52 A s.106 legal agreement would secure the following:

- Payment for the cost of amending the Traffic Regulation Order and Traffic Management Order associated with the on-street parking bays at Cotswold Road;
- To secure the delivery of the signalised junction at Cotswold Road including a draft s.278 agreement towards the highway improvements.

5.53 The legal agreement has not yet been finalised. However, officers envisage that it would be finalised by the time of the committee meeting. The officer recommendation allows for this.

6.0 **CONCLUSION AND RECOMMENDATION**

6.1 The proposed demolition of the dwelling is considered to be acceptable in land use terms given that there are no policies to prevent the loss of the residential dwelling.

6.2 The provision of a vehicle access to the site at this junction is also considered to be acceptable in principle.

6.3 The design of the new access and treatment of the land following demolition is considered acceptable and would not negatively impact on the character of the street.

6.4 The scale of the proposal would not have a detrimental impact on the amenity of adjoining occupiers in terms of loss of daylight/sunlight, privacy and outlook, noise and disturbance.

6.5 The provision of a signalised junction would ensure the safety of the users of the highway.

6.6 And subject to conditions, the proposed development would not have an undue impact on transport / highway or parking.

6.7 The proposal complies with both national and local plan policies and it is therefore recommended that the application be approved, subject to the recommended conditions.

Background Papers: B2016/74268/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: **B2016/74268**
- 3) Click on Search and View Current Applications
- 4) Click on View Plans & Documents



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B2016/74268/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

Royal Marsden Hospital and 17 COTSWOLD ROAD Sutton SM2 5NG

Relocation of vehicular access onto Cotswold Road and reinstatement of full height kerb and footway over existing access junction, following demolition of 17 Cotswold 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:

Site Location Plan, Drawing no. 15/0624/SK12, 16032-01 Rev A, 15/0624/003, 15/0624/SK11 Rev E, Relocated Access Design and Access Statement, Arboricultural Report and Method Statement prepared by ACS Consulting dated 30th November 2015 (reference: eb/ms1/MRMHTen), Stage 1 Road Safety Audit report prepared by Road Safety Initiatives LLP dated 11/05/2016, Stage 1 Road Safety Audit Designer's Response prepared by Gateway TSP dated May 2016.

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

(3) Soil levels within the root protection areas (RPAs) of retained trees G1 shall not be re-graded or altered without supervision by an arboricultural consultant. Any re-grading works to construct the new access road shall be in accordance with the recommendations and guidelines in British Standard BS 5837:2012 and all re-grading and ground works within the RPAs of retained trees shall be carried out by hand; the use of mechanical cultivators or plant in RPAs is prohibited.

Reason: In order to safeguard the retention of trees and other significant landscape features on site that represent significant visual amenity, in accordance with Policy DM1 of the Site Development Policies.

(4) No more than one access shall be used at any particular time and the existing access shall cease to be used within one month of the new access being operational.

Reason: To ensure that there are no adverse effects on the public highway.

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

(4) This permission is subject to a Section 278 Highways Agreement where all necessary highways improvement works to serve the development hereby approved, and all the costs associated with the relevant highways improvement works shall be met by the developer.