

**PLANNING COMMITTEE****21 December 2016 at 7.30 pm**

**MEMBERS:** Councillor Samantha Bourne (Chair), Councillor Muhammad Sadiq (Vice-Chair) and Councillors Hamish Pollock, Jason Reynolds, Kevin Burke, Margaret Court, Vincent Galligan, Tony Shields and Graham Whitham

**111. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Patrick McManus.

**112. MINUTES**

The Minutes of the meeting held on 30 November 2016 were unavailable in draft form as yet.

**113. DECLARATIONS OF INTEREST**

6. APPLICATION NO. B2016/75397 - 18 Stanley Road, Sutton, SM2 6TB.  
Councillor Tony Shields, Non Pecuniary, de-delegated the application, but it was confirmed he would approach with an open mind.

7. APPLICATION NO. D2016/75556 - 2 Woodcote Avenue, Wallington, SM6 0QS.  
Councillor Muhammad Sadiq, Non Pecuniary, the application was in his ward, but it was confirmed he would approach with an open mind.

9. APPLICATION NO. C2016/75306 - Lawn View Grove Park, High Street, Carshalton, SM5 3BB.  
Councillor Hamish Pollock, Non Pecuniary, the application was in his ward, but it was confirmed he would approach with an open mind.

**114. APPLICATION NO. B2016/75344/FUL - ROYAL MARSDEN HOSPITAL, DOWNS ROAD, SUTTON SM2 5PT**

The Committee considered a report on the above application for Relocation of car parking and realignment of access road within site (Application B2016/75344) and Variation of Condition 26 (Parking) of previously approved application B2012/65960/FUL (Application B2016/75333).

The item was deferred from the 30 November 2016 on the basis of a need for further information on the permanent and displaced parking provision along with agreement from the St Helier and Epsom Trust.

Peter Matthey, an objector, briefly addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised by the objector were:-

- The additional spaces should not be at a rate which would disadvantage staff.

The officer clarified that these concerns were addressed by Condition 10 and confirmed that the RMH had stipulated these spaces would be provided on the same contractual basis and cost as the existing spaces within the site.

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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:

Application 2016/75344/FUL:

To grant (9) Councillors Samantha Bourne, Muhammad Sadiq, Hamish Pollock, Jason Reynolds, Kevin Burke, Margaret Court, Vincent Galligan, Tony Shields and Graham Whitham.

Application 2016/75333/FUL:

To grant (9) Councillors Samantha Bourne, Muhammad Sadiq, Hamish Pollock, Jason Reynolds, Kevin Burke, Margaret Court, Vincent Galligan, Tony Shields and Graham Whitham.

**Resolved:** That planning permission be granted for applications Nos. 2016/75344/FUL and Application 2016/75333/FUL, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**115. APPLICATION NO. B2016/75333/FUL - ROYAL MARSDEN HOSPITAL, DOWNS ROAD, SUTTON SM2 5PT**

The application was considered in conjunction with the previous item and there voted.

**116. APPLICATION NO. B2016/75397 - 18 STANLEY ROAD, SUTTON, SM2 6TB**

The Committee considered a report on the above application for the demolition of building and erection of a three storey building comprising five 2 bedroomed and one 3 bedroomed self-contained flats with cycle and refuse stores and parking facilities.

The application had been de-delegated by Councillor Tony Shields on the basis that the development is too cramped within the site.

Following the officer presentation, Councillor Tony Shields asked how amenity was catered for above the ground floor. Officers confirmed that the level of amenity provision was considered acceptable in this sustainable location. Members also queried access which was confirmed to be secured by condition.

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 Samantha Bourne, Muhammad Sadiq, Hamish Pollock, Jason Reynolds, Kevin Burke, Margaret Court, Vincent Galligan and Graham Whitham.

Against (1) Councillor Tony Shields

**Resolved:** That planning permission be granted for application No. B2016/75397, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**117. APPLICATION NO. D2016/75556 - 2 WOODCOTE AVENUE, WALLINGTON, SM6 0QS**

The Committee considered a report on the above application for the conversion of existing premises into five 1 bedroomed and one 2 bedroomed self-contained flats with communal

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lounge/kitchen area and staff/warden accommodation in connection with the use of the property as a supported living facility for adults with learning disabilities.

Following the Officer presentation, Members requested information on which neighbours had been notified of the application and it was confirmed that this had been in conformity with the statement of community involvement.

Members requested further explanation as to the existing certificate for lawful usage and the difference to this application, which was confirmed to be the self-contained element.

William Ries, an objector, and Councillor Steve Cook, a ward councillor, addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised by William Ries were:-

- A lack of communication to local residents.
- A lack of clarification on the number of people who would live there and whether a carer would.
- Traffic and parking concerns.

Members asked the objector as to communication with the applicant. The objector responded that this had been limited and no community meeting had taken place. Members additionally asked for information on traffic and parking in the area to which the objector responded that the area was particularly busy at school times and the road was fairly narrow.

The principal issues raised by Councillor Steve Cook, Ward Councillor, were:-

- A lack of communication to local residents.
- A desire for conditions to limit the use of the property, landscaping and noise.

Members questioned the Ward Councillor as to the area's status of Special Local Character and whether this was considered harmful. The Ward Councillor said this was not a primary concern of the local residents.

The Applicant, Mr Nadal, responded with regret that he had not been invited to a meeting of local residents mentioned by Councillor Steve Cook. In addition, concerns over additional traffic were rebutted and it was further explained that any objections by Highways had been overcome. It was further clarified that support carers would be occasional visitors and one support worker would be on site.

Members asked the applicant to confirm how many people would be residing in the property and this was stated to be supported living for six people, with one flat having the facility of two rooms for visitor purposes. The level of carer support was also queried due to the impact on vehicle movements. The applicant explained that the movements would be occasional and not simultaneous.

Moving to debate, Members further discussed the certificate of lawfulness relating to six residents requiring care, a condition limiting the number of occupants, traffic movements and the sui generis use of the application, with any amendment to this requiring planning permission.

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 Samantha Bourne, Muhammad Sadiq, Hamish Pollock, Jason Reynolds, Kevin Burke, Margaret Court, Vincent Galligan and Graham Whitham.

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Abstained (1) Councillor Tony Shields

**Resolved:** That planning permission be granted for application No. D2016/75556, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**118. APPLICATION NO. D2016/75568 - 15 THE NEULANDS, WALLINGTON, SM6 9JX**

The Committee considered a report on the above application for the retention of outbuilding at rear.

The application had been de-delegated by Councillor Manuel Abellan on the grounds of over-development, noise pollution and layout and density of the building.

Following the Officer presentation, Members expressed their concern at the retrospective nature of the planning permission sought and the proximity of the building in relation to the boundary making maintenance difficult. The Officer explained that maintenance was a private civil matter between neighbours.

In response to Member questioning, Officers confirmed that the outbuilding would have fallen under permitted development if it was 0.2m lower in height and harm would have to be demonstrated on this point. It was explained that the application had been brought before the Committee following an enforcement investigation.

Patricia Anderson and Alex Kader, objectors speaking on behalf of neighbouring households, addressed the meeting under Standing Order 31.

The principal issues raised by the objectors were:-

- Proximity to neighbouring boundaries and the width of the outbuilding under the Party Wall Act.
- The outbuilding was not sunken as stated in the Officer's report.
- The cramped layout and impact on the green garden landscape.
- Overdevelopment of back garden land.
- Characteristic of the neighbourhood.
- The setting of precedent.
- Loss of privacy and noise.
- Security and cohesiveness.
- Environmental issues.

The Chair reiterated that Party Wall concerns were a civil matter and could not be determined upon by the Committee.

Moving to debate, Members discussed the outbuilding height under permitted development, visual amenity and the character of the area.

Officers confirmed conditions had been put on the application and expanded upon rights under the Permitted Development Order.

Councillor Tony Shields raised a motion to refuse based on the fact that the outbuilding had been constructed to a height greater than the permitted development level, resulting in an intensive usage of garden land detrimental to the neighbouring residents' visual amenity and the distinctive character and environment of the local area by way of its design. This was seconded by Councillor Graham Whitham.

A poll vote was held on the motion to refuse when there voted:

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For (7) Councillors Muhammad Sadiq, Hamish Pollock, Jason Reynolds, Margaret Court, Vincent Galligan, Tony Shields and Graham Whitham.

Abstained (2) Councillors Samantha Bourne and Kevin Burke

**Resolved:** That planning permission be refused for application No. D2016/75568, on the basis that the outbuilding had been constructed to a height greater than the permitted development level, resulting in an intensive usage of garden land detrimental to the neighbouring residents' visual amenity and the distinctive character and environment of the local area by way of its design.

**119. ORDER OF ITEMS**

The Chair brought forward the items in Part B of the agenda which were taken in the order indicated in the minutes.

**120. APPLICATION NO. B2016/75765 - TWO FREE STANDING KIOSKS OUTSIDE ASDA, 229 HIGH STREET, SUTTON**

The Committee considered a report on the above application for the installation of two Entrepreneurs Kiosks with display plinth and retractable steel and fabric canopy in connection with the use of the highway for retail purposes.

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 Samantha Bourne, Muhammad Sadiq, Hamish Pollock, Jason Reynolds, Kevin Burke Margaret Court, Vincent Galligan, Tony Shields and Graham Whitham.

**Resolved:** That planning permission be granted for application No. B2016/75765, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**121. APPLICATION NO. B2016/74927 - CHAUCER HOUSE, CHAUCER GARDENS, SUTTON, SM1 2QT**

The Committee considered a report on the above application for the erection of a refuse and recycling store to serve Chaucer House.

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 Samantha Bourne, Muhammad Sadiq, Hamish Pollock, Jason Reynolds, Kevin Burke Margaret Court, Vincent Galligan, Tony Shields and Graham Whitham.

**Resolved:** That planning permission be granted for application No. B2016/74927, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**122. APPLICATION NO. A2016/75895 - THE TRADING HUT WORCESTER PARK ALLOTMENTS, BOSCOMBE ROAD, WORCESTER PARK**

The Committee considered a report on the above application for change of use of existing allotment users hut to charity run arts and craft resource centre.

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 Samantha Bourne, Muhammad Sadiq, Hamish Pollock, Jason Reynolds, Kevin Burke Margaret Court, Vincent Galligan, Tony Shields and Graham Whitham.

**Resolved:** That planning permission be granted for application No. A2016/75895, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**123. APPLICATION NO. C2016/75201 - DRAPERS CENTRE, MONKEY PUZZLE WAY, SM5 4NR**

The Committee considered a report on the above application for formation of gates and fencing up to a maximum height of 2.4m.

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 Samantha Bourne, Muhammad Sadiq, Hamish Pollock, Jason Reynolds, Kevin Burke Margaret Court, Vincent Galligan, Tony Shields and Graham Whitham.

**Resolved:** That planning permission be granted for application No. C2016/75201, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**124. APPLICATION NO. C2016/75306 - LAWN VIEW GROVE PARK, HIGH STREET, CARSHALTON, SM5 3BB**

The Committee considered a report on the above application for use of premises for D2 (Assembly and Leisure) and A3 (Restaurant and Cafes) mixed use.

Following the Officer presentation, Members sought further detail on surrounding buildings in the park area.

Wayne Spiller, an objector from the Grove Park Café, addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised by Wayne Spiller were:-

- The proximity of the café to his business in the park.
- The different timings of notifications to neighbouring properties, and the non-inclusion of the Grove Park Café.
- A café was not mentioned as part of the original soft play proposal.
- Contradictory information given at the September Carshalton and Clockhouse local committee.
- Competing local business and the recent closure of a café on the High Street.

Members requested clarification of where the Grove Park Café was situated exactly.

The principal issues raised by Charlotte Dann, the applicant, were:-

- The children's soft play use and that the café was only open to those customers using the leisure facilities.
- The community-based nature of the proposed use.

Members queried the opening hours of the facilities, which had also been placed under condition, and the business direction, also under condition.

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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 (9) Councillors Samantha Bourne, Muhammad Sadiq, Hamish Pollock, Jason Reynolds, Kevin Burke, Margaret Court, Vincent Galligan, Tony Shields and Graham Whitham.

**Resolved:** That planning permission be granted for application No. C2016/75306, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**125. APPLICATION NO. B2016/75603 - 40 THE RIDGWAY, SUTTON, SM2 5JU**

The Committee considered a report on the above application for Conversion of loft space involving formation of two dormer extensions at front, alterations to existing bay window and chimney, and installation of four roof lights and four windows at side and rear.

The application had been de-delegated by Councillor Trish Fivey on the grounds of overdevelopment and loss of privacy.

Following the Officer presentation, Members sought clarification on the design of the gable end, the flank windows and the site plan.

Martin Wren, an objector, addressed the meeting under Standing Order 31.

The principal issues raised by Martin Wren were:-

- Proximity to neighbouring properties.
- The height of the building and its dominating character.
- The means of development via a second application.
- Overlooking concerns from the second floor level.

Members asked for comment on the terracing design of the application from the objector in light of his remarks on dominating character.

The Chair sought clarification from Officers as to the difference between the approved design and the proposal before Committee. Officers confirmed that there was no increase in the footprint, height or width of the property as part of this application. The application sought the conversion of loft space involving the formation of two dormer extensions at front, alterations to existing bay window at ground floor level and chimney, and installation of four roof lights and four windows at side and rear.

Moving to debate, Members discussed the character of the area.

Following indication that Members were minded to refuse the application, Councillor Tony Shields raised a motion to refuse based on the over-development and design of the dormers, leading to the property being significantly more dominant than the surrounding built environment, which would cause an adverse and overbearing effect on the streetscene. The motion was seconded by Councillor Jason Reynolds.

A poll vote was held on the motion to refuse when there voted:

For (5) Councillors Muhammad Sadiq, Jason Reynolds, Margaret Court, Tony Shields and Graham Whitham.

Abstained (3) Councillors Samantha Bourne, Kevin Burke and Vincent Galligan

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**Resolved:** That planning permission be refused for application No. B2016/75603, due to over-development and design of the dormers, leading to the property being significantly more dominant than the surrounding built environment, which would cause an adverse and overbearing effect on the streetscene.

**126. APPLICATION NO. A2016/75721 - CHEAM FIELDS PRIMARY SCHOOL,  
STOUGHTON AVENUE, CHEAM, SM3 8PQ**

The Committee considered a report on the above application for the construction of synthetic turf pitch with associated fencing.

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 Samantha Bourne, Muhammad Sadiq, Jason Reynolds, Kevin Burke, Margaret Court, Vincent Galligan, Tony Shields and Graham Whitham.

**Resolved:** That planning permission be granted for application No. A2016/75721, subject to the conditions, reasons and informatives set out in the Appendix to these Minutes.

**127. ANY URGENT BUSINESS,**

No urgent business was brought forward.

The meeting ended at 10.15 pm

Chair: .....

Date: .....