

**PLANNING COMMITTEE****21 March 2018 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, Patrick McManus and Graham Whitham

**ABSENT** Councillor(s) Tony Shields

**67. APOLOGIES FOR ABSENCE**

Apologies for absence were received by Councillor Tony Shields (with Councillor Tim Crowley attending as substitute).

**68. MINUTES**

The Chair informed the committee that the minutes of the meeting on the 21 February 2018 were not yet available and would be presented at a future meeting.

**69. DECLARATIONS OF INTEREST****4. APPLICATION NO. DM2018/00299 - Land Adjacent To The East And West Of London Road, Including The Existing London Road Railway Bridge, London Road, Hackbridge.**

Councillor Patrick McManus, Due to his opposition to the original application, the Councillor declared he would absent himself from the item.

**7. APPLICATION NO. D2018/78694 -Wallington Public Hall And Public Car Park To The Rear Stafford Road Wallington SM6 9AQ.**

Councillor Muhammad Sadiq, Due to his discussion with local residents, the Councillor declared he would absent himself from the item.

Councillor Tim Crowley, Non Pecuniary, sat on Strategy and Resources Committee for a relevant item to the application, but confirmed that he was able to consider the application with an open mind.

**70. ORDER OF ITEMS**

The Chair announced a revised order of items from that in the agenda as follows:

- Item 5 - Application No. B2017/78097

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- Item 4 - Application No. DM2018/00299
- Item 7a - Application No. D2018/78694
- Item 6 - Application No. C2017/78477

**71. APPLICATION NO. B2017/78097/NMA - PROPOSED SCH DEVELOPMENT,  
ON PART OF FORMER SUTTON HOSPITAL, CHILTERN ROAD, SUTTON**

The Committee considered a report on the above application for Non Material Amendment application to amend approved Planning Application (B2016/76164/FUL).

At the outset of the item, Councillor Patrick McManus absented himself from the room. Members then agreed to take the application as read.

Agree (9) Councillors Samantha Bourne, Hamish Pollock, Muhammad Sadiq, Tim Crowley, Jason Reynolds, Vincent Galligan, Margaret Court, Kevin Burke, Graham Whitham.

**RESOLVED:** that the amendments to the proposed school building, boundary treatments, and landscaping, be agreed as non-material amendments to planning application B2016/76164/3FR.

**72. APPLICATION NO. DM2018/00299 - LAND ADJACENT TO THE EAST AND  
WEST OF LONDON ROAD, INCLUDING THE EXISTING LONDON ROAD  
RAILWAY BRIDGE, LONDON ROAD, HACKBRIDGE**

The Committee considered a report on the above application for a non material amendment application to amend approved Planning Application C2012/66220/FUL to allow for alterations to the pipeline route on the western boundary.

At the outset of the item, the legal adviser reminded the committee what was meant by a non-material amendment and that this had been brought to committee at the discretion of the Head of Development Management and Strategic Planning under the constitutional scheme of delegation.

In response to a Member question on tree removal, the Principal Tree Officer expanded on the number and types of trees concerned and how some would be replaced.

Members referred to the nature of a non-material amendment and what this meant in respect of the original application. The Head of Development Management and Strategic Planning elaborated on the details of the amendment and explained that in the opinion of officers, this was not regarded as sufficiently significant to merit a new application.

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In response to Members' biodiversity concerns, reference was made by the Head of Development Management and Strategic Planning to an ongoing enforcement case. The Senior Biodiversity Officer responded to concerns raised with regards to specific tree species and the bird nesting season, reassuring Members that the Council had confirmation from the applicant's ecologist that no legislation had been breached.

The applicant, Simon Woodward (SDEN), and agent, Colin Taylor (Eneteq), addressed the meeting under Standing Order 31. Members sought assurance that there would be no further changes to the pipeline, which was given. Queries were answered with regards to a re-planting timeline, and it was estimated that this would commence in the autumn season. It was also confirmed that tree clearance had taken place within the normative bird breeding season, which may have been affected by the recent cold weather, and that best practice checks had been undertaken as the clearance was within this period.

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

Agree (8) Councillors Samantha Bourne, Hamish Pollock, Muhammad Sadiq, Jason Reynolds, Vincent Galligan, Margaret Court, Kevin Burke, Graham Whitham.

Against (2) Councillors Tim Crowley, Patrick McManus

Councillor Crowley wished it recorded in the minutes that his dissent was based on the belief that this was in fact a material amendment to the original application.

**RESOLVED:** that the alterations to the pipeline route on the western boundary be agreed as a non-material amendment to application C2012/66220/FUL.

### **73. ANY URGENT BUSINESS,**

#### **(a) APPLICATION NO. D2018/78694 -Wallington Public Hall And Public Car Park To The Rear Stafford Road Wallington SM6 9AQ**

The Committee considered a report on the above application for the demolition of Wallington Hall and the removal of 39 public parking spaces to allow for the erection of two buildings with both being part three, part four storeys in height. The proposal comprises a total of 31 self contained flats (eight 1-bedroom, twenty one 2-bedroom and two 3-bedroom) and 132sqm of A1/A2 use commercial space together with 12 car parking spaces accessed from Woodcote Road and 54 cycle parking spaces, communal and private amenity space and refuse store.

At the outset of the item, Councillor Muhammad Sadiq absented himself from the room.

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The Chair approved the reasons for urgency which were stated to be that the report was delayed to allow for clarification on points of existing lawful planning use and its implications for CIL. Furthermore, the statutory expiry date for the application was noted to be the 17 April 2018, prior to the date of the next scheduled committee.

Following the officer presentation, Members queried the use of the urgency procedure and the Head of Development Management and Strategic Planning referred to the reasons stated in the report and accepted by the Chair.

Members also queried the parking provision and its sustainability. The Head of Development Management and Strategic Planning referred to the site as being in a district centre and referred to the Principal Engineer - Highways and Transport who provided further detail on the highways assessment, a s.106 agreement and travel plans in place.

Members also referred to Paragraph 2.5 and the provision of green space in this application, welcoming this inclusion.

A question was raised to officers on the loss of a 'heritage building' and the Chair explained that the disposal of the site had already been discussed at a policy committee of the Council. The Head of Development Management and Strategic Planning confirmed that the building had no heritage designation.

Councillor Steve Cook, a ward councillor, addressed the meeting under Standing Order 31, and the agent / applicant Mike Kirk and Patrick Grincell replied.

The principal issues raised by Councillor Steve Cook were:-

- Access to the garages in the car park and the associated licenses.
- Discussions with the residents and a consultation event.
- Concerns about overlooking and privacy, noting the plans had been adapted.
- Level of affordable housing and the total number of flats.

Members sought the ward councillor's opinion on the parking provision of 2 car club spaces and clarification was again sought from the Principal Engineer as to their sustainability in terms of economic viability. The Principal Engineer referred again to the s.106 agreement and the borough parking strategy. Members further asked for the ward councillor's knowledge of parking displacement in the area, who responded that he had no concern in this regard.

Mike Kirk and Patrick Grincell made themselves available for member questions. Members queried the designated percentage of affordable housing. In response, the applicant referred to the site disposal previously discussed at a standing committee, as well as land and build costs. It was explained that such schemes had to meet independent viability assessments and that this had shown the provision to be

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reasonable. The applicant also referred to the business case recently discussed by members of the Sutton Shareholdings Board.

In debate, Members raised points relating to the streetscene, affordable housing provision in the local plan and London plan, and viability assessments as well as the proportion of objections received in relation to the number of notifications.

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

Agree (9)      Councillors Samantha Bourne, Hamish Pollock, Tim Crowley, Patrick McManus, Jason Reynolds, Vincent Galligan, Margaret Court, Kevin Burke, Graham Whitham.

**RESOLVED:** That planning permission be granted for application No. D2018/78694, subject to the conditions, reasons and informatives.

**74. APPLICATION NO.C2017/78477/FUL - LAND REAR OF 35-39 PARK HILL  
(WOULD BE KNOWN AS 1-3 HALE GARDENS), CARSHALTON, SM5 3SD**

The Committee considered a report on the above application for the erection of three 2-bedroom detached dwellings with off street parking for 4 cars and refuse storage area.

Following the officer presentation, Members enquired as to the existence of a velux window in the single-storey bungalow. This question would be asked of the applicant present. Further clarification was sought to existing parking spaces, which would be asked of the objectors present, and the waste strategy management plan required by condition. Members also queried the layout of the parking spaces and turning area, as well as the height of the second storey in the design, as included in the officer presentation.

Further questions were raised with regards to the access road and access to existing garages, with clarification to be sought from the objectors, the shortest separation distance to neighbouring properties and waste collection provision (with the Chair referring to Paragraph 5.52). It was confirmed that a previous application for four units had been withdrawn. Concerns were raised by members as to sight lines out of the access road.

The Principal Engineer - Highways and Transport confirmed that the fire authority concerns now fell under building regulations rather than planning considerations.

The Head of Development Management and Strategic Planning explained, with regards to access concerns, that the applicant had not been able to confirm complete ownership of the access road.

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David Dearnaley and Trevor Cartmell, objectors, addressed the meeting under Standing Order 31, and the applicant, Joe Hunting, replied.

The principal issues raised by the objectors were:-

- Paragraph 5.10 of the report (previous permissions).
- Issues of access to the site, particularly for large vehicles.
- Refuse collection and Paragraph 5.52 of the report.
- Ownership of the access route.
- Submission of an objection to the revision, referring to a variation in height in the plans.

Mr Cartmell confirmed he could access his garage via the road and his property in response to earlier discussions. This was said not to be the case for all the garage owners.

Members asked the objectors for further detail with regards to the ownership of the right of access, their opinion on the separation distance to neighbouring properties and turning space for vehicles.

The Chair sought clarification on the orientation of the dormer windows, which were confirmed to be facing east at a greater distance than the shortest separation to the nearest neighbouring property.

The principal issues raised by the applicant were:-

- Ownership of the access road and garages on the site.
- Provision for turning on the site.
- Waste management and refuse collection.
- The existing extant planning permission.
- Separation distances to neighbouring properties.

Questions were raised with regards to the velux window on the single storey building, which was explained to be for light purposes and the roof was confirmed not to be habitable space. In response to a member question, the applicant explained the allocation of parking provision.

Further queries were raised with regards to a proposed gate in relation to the access rights. The applicant explained that the gate would not block access to the garages, referring to access rights in property deeds, and also referred to a construction management plan.

Members also addressed concerns of access by larger vehicles, such as those for waste collection, and the applicant responded that such vehicles could access the site. In response to an additional question, clarification was given that the street naming department had been contacted to determine the new address.

Further history on previous planning applications was also provided by the applicant in response to queries from members about the changes proposed. This was then further discussed in debate, given that access requirements had been satisfied in previous applications.

Members also raised in debate: health and safety considerations, noise and vibrations, restricted access, fear of crime and privacy. Previous applications, which had been granted, were also referred to and the difference in the number of units explored. Additional conditions were also proposed with regards to lighting of the access route and a speed limit.

A poll vote on the officers' recommendation to grant permission, with two additional conditions regarding a scheme of lighting for the access road serving the development site and a scheme of road markings and/or a signage strategy, which limits vehicle speeds along the access road serving the new dwellings, was held in accordance with Standing Order 31.4, when there voted:

To grant (6) Councillors Hamish Pollock, Muhammad Sadiq, Vincent Galligan, Margaret Court, Kevin Burke, Graham Whitham

Against (4) Councillors Samantha Bourne, Patrick McManus, Tim Crowley, Jason Reynolds

**RESOLVED:** That planning permission be granted for application No. C2017/78477, subject to the conditions, reasons and informatives.

The meeting ended at 10.30 pm

Chair: .....

Date: .....

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