

PLANNING COMMITTEE**14 November 2018 at 7.30 pm**

MEMBERS: Councillor Kevin Burke (Chair), Councillor Drew Heffernan (Vice-Chair) and Councillors Ben Andrew, Vincent Galligan, Muhammad Sadiq, Eric Allen, Peter Geiringer, Tony Shields and Tim Foster

ABSENT Councillor(s) Jill Whitehead

44. APOLOGIES FOR ABSENCE

Apologies were received from Councillor Whitehead.

45. MINUTES

The Minutes of the meeting held on 10 October 2018 were approved as a correct record, and signed by the Chair.

46. DECLARATIONS OF INTEREST

Councillor Geiringer declared that he knew one of the Objectors for the Church Hill Road application, and confirmed that he can approach this item with an open mind.

47. APPLICATION NO.DM2018/01417 - 335 SUTTON COMMON ROAD, SUTTON, SM3 9HZ

The Committee considered a report on the above application for an Erection of a part one, part two storey side and rear extension to existing dwelling to create a self-contained 2 bedroom dwelling and provision of 2 parking spaces to rear accessed from Ridge Road following demolition of existing detached garage. The officer presented the report.

Councillor Shields sought clarification on if the property is detached and the officer confirmed. Members had no further questions and indicated they would like to move to vote.

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

For Refusal (9) Councillors Councillor Kevin Burke, Drew Heffernan, Ben Andrew, Vincent Galligan, Muhammad Sadiq, Eric Allen, Peter Geiringer, Tony Shields and Tim Foster

Against (None)

Abstained (None)

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Resolved: That planning permission be refused for application No. **DM2018/01417**.

48. APPLICATION NO. DM2018/00264 - LAND REAR OF 241 AND 243 CHURCH HILL ROAD NORTH CHEAM

The Committee considered a report on the above application for a Variation of condition 1 (approved drawings) of previously approved application A2017/77279/FUL to amend siting, finished ground level and drainage details.

Iain Williams, Planning Officer, presented the report. He went through the revised drainage, ecology scheme, and revised drawings that had been put forward.

Members asked the Officer for clarification in relation to the proposed drainage on the site in particular:

- If there is any soakaway on site,
- Further details of the proposals for water run-off from the hard standing of the site, and where the water will run off to.
- Confirmation of the agreement of Thames Water to the proposed drainage solutions
- If the site is to be built on London clay.
- If the proposed drainage measures are an improvement on the previously agreed draining solutions which were previously put in place by the planning inspector at appeal.

The Officer responded accordingly and pointed out that there is no soakaway due to being built on clay, but that a drainage channel had been introduced into the design. The runoff from the hard standing would run towards Darcey Road. The committee were advised there would be a tank underground to collect the water and release this into the Thames Water system. He further advised that The Lead Local Flood Officer had confirmed that the proposed drainage would be sufficient to deal with the surface water. The officer advised that the details of Thames Water response are within the report in paragraph 3.21

In addition to queries on drainage Members also sought clarification on the original and proposed separation distances and elevations. The Officer provided confirmation.

Officers confirmed that the drainage on the site will now meet the requirements within the local plan and that the proposal before the Committee was an improvement on the previously agreed drainage proposals.

Mr Keith Brown, Ms Stephanie Smithers and Ms Sue Faulknall, three Objectors and Councillor James McDermott-Hill, a ward councillor, addressed the meeting under Standing Order 31, and the applicant replied.

The principal issues raised were:

- Ms Faulknall advised the committee that originally this application was refused in December 2015 by this planning committee but was granted by the inspector at appeal.
- The Objectors wanted the hearing of this application to be delayed due to errors they believe are within the reports

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- Residents' homes have been flooded and cost of house insurance has increased due to flood issues.
- Lack of enforcement on the site.
- Stephanie Smithers a Civil Engineer pointed out that:
- The drainage on the main site and under the car park is a storage tank, she highlighted the issues with drainage calculations and also that as the ground slopes the bottom of the channel drainage is lower than the water level in the storage tank. She advised that the outlet from the storage tank is proposed at 2 litres per second and that is not in accordance with the London Plan guidance which says it should be 5 litres per second.
- Mr Brown advised the committee that historically there had been a flow of water on the path on the site which is now flowing towards Darcey Road.
- A request has been made to investigate if there is a natural water course on this site
- The ground level at the front door of the new homes is 9 brick course levels below the front door.
- Every measurement on the report is flawed, trenches had not been dug to the correct level and that his photos show the trenches are flooded with water.

Councillor Shields asked Ms Smithers the Objectors expert if correct drainage measures on this site would work. She responded that if the relevant measures were undertaken that could be achieved but not with the current proposed drainage scheme. Members also asked if this proposed drainage scheme is better than the scheme proposed by the planning inspector and she confirm this is better but did not believe this is the best solution.

Andy Webber, Head of Planning advised the committee that his team had insisted that the developer carry out trial trenches and this was completed in October during significantly high rainfall period and no issues were identified. He also confirmed that the maps on the environment agency website did not show any natural water courses on this site.

Robin Harper the Agent from Harper Planning Consultants responded. The key points made were :

- He has no disagreement with the measurements in the Officers report
- The application was approved based on the conditions in 5.5 of the report as requested from the Planning Inspector
- The difference in drainage proposal for this scheme is that, the revised scheme has a 28 cubic metre tank which is much improved and has full support of the developer
- The proposed flow rate of 2 litres per second was recommended by the drainage Officer and the developer had originally proposed 5 litres per second but this was amended following recommendation from Officers
- The Council drainage Officer and Thames Water had confirmed this proposal is acceptable and is a great improvement on the previous scheme
- The client has worked positively with the residents and their drainage expert

Members sought clarification from the applicant on if the flow rate could be improved to 5 litres per second. The Agent advised that 2 litres per second is better as it releases the water at a slower rate. In terms of differences highlighted on the level of the gully he proposed that this should be covered by condition.

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Members asked the Agent about the new landscaping which was to be implemented to improve the drainage. The Agent advised that the new planting scheme has been added into the system to mitigate any drainage issues and it is an additional benefit. Councillor Heffernan asked about the time scale for putting in the drainage. The Agent confirmed that he would like to get the drainage system put in as soon as possible.

Councillor Shields asked the Applicants drainage expert Mr Ben Norman about the discrepancy of 2 litres per second or 5 litres per second. The Expert advised that on speaking with the Councils' Flood Officer that it was confirmed that a hydrograde flow control device is available which means that the flow rate can be slowed down so the tank stores a greater amount of water for longer. The expert further confirmed that the drainage on site is designed to withstand a 1 in 100 years storm event. The engineer believed that the tank size and flow rate were acceptable but that the level of the channel could be improved.

Councillor Shields asked if there is a cost difference in a 2 and 5 litres per second drainage system. The Expert advised the difference in cost would be a few hundred pounds but that if the flow rate was to change then Thames Water Authority would need to be consulted.

The Head of Planning confirmed that the discussion between the advisor from the local flood authority and Thames water have signed off the proposed flow rate offered.

The principal issues raised by Councillor James McDermott-Hill were:

- Concerns regarding the dimensions of the proposed tank and channel drainage.
- In the event of a storm there could be surface water run-off into the residents back gardens
- Difference in site levels could cause further problems.

Members then moved to debate.

Councillor Andrew, was minded to approve this application on the basis that it was much better than the previously agreed drainage system. This view was shared by Councillor Heffernan who was also concerned to get a drainage system in place as soon as possible. Councillor Shields suggested that the approved inferior scheme and proposed superior scheme could still be improved upon. Councillor Galligan pointed out that as the expert opinions were differing Councillors would need to take both views into consideration, but he was mindful that Thames water agreed that this scheme is satisfactory.

Other Members commented on issues with the site and questioned if historical documents would show a stream or ford in that area, and questioned if that should be investigated more. Finally Councillor Sadiq advised he had faith in the Officers to work on additional conditions that would secure the best outcome for this application.

Councillor Burke suggested that the differing expert views on the benefit of having the 2 litre or 5 litre drainage should be explored further with Thames Water. The Head of Planning responded that it was the councils lead local flood authority who suggested the reduction from 5 to 2, and if that needed to be amended that it would have to be agreed by Thames Water. His further concern was that there are a number of other enhancements that may be acceptable to Thames water which had been suggested during the meeting and if the

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committee were minded to defer then then this application would come back to committee in three to four weeks time.

Councillor Shields raised a motion to defer the decision on this application on the grounds that it would give a small period of time for residents, drainage engineers, London Borough of Sutton Officers and Thames Water to conclude the best drainage outcome for this site for the provision of good drainage. This was seconded by Councillor Sadiq.

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

To defer (8) Councillors Kevin Burke, Ben Andrew, Vincent Galligan, Muhammad Sadiq, Eric Allen, Peter Geiringer, Tony Shields and Tim Foster

Against (None)

Abstained (1) Councillor Drew Heffernan,

Resolved: That planning permission be deferred for application No. **DM2018/00264**.

49. ANY URGENT BUSINESS

There was no urgent business.

The meeting ended at 9.25 pm

Chair:

Date:

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