

Committee: PLANNING APPLICATIONS COMMITTEE

Date: 07/11/2013

Agenda item: AGENDA ITEM NO. 4

Wards: ALL

Subject: TOWN PLANNING APPLICATIONS – Covering Report

Lead officer: John-Francis Hill - Head of Public Protection & Development

Lead member: COUNCILLOR PHILIP JONES, CHAIR, PLANNING APPLICATIONS COMMITTEE

Forward Plan reference number: N/A

Contact officer: For each individual application, see the relevant section of the report.

Recommendations:

- A. The recommendations for each individual application are detailed in the relevant section of the reports. (NB. The recommendations are also summarised on the index page at the front of this agenda).

1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. These planning application reports detail site and surroundings, planning history, describe the planning proposal, cover relevant planning policies, outline third party representations and then assess the relevant material planning considerations.

2 DETAILS

- 2.1. This report considers various applications for Town Planning permission, including Conservation Area Consent, Listed Building Consent and Advertisement Consent and for miscellaneous associated matters submitted to the Council under the Town & Country Planning Acts.
- 2.2. Members' attention is drawn to Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that if regard is to be had to the development plan for the purpose of any determination **to be made** under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. In Merton the Development Plan comprises The London Plan: Consolidated with Alterations Since 2004 (February 2008) and the Unitary Development Plan (adopted October 2003) excluding those policies that were not saved in September 2007, following scrutiny by the Government Office for London".
- 2.3. Members' attention is also drawn to Section 16 (2) of the **Planning (Listed Buildings and Conservation Areas) Act 1990 (1990 Act)**, regarding applications for Listed Building Consent which places a statutory **duty** on the Council as local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".

- 2.4 With regard to Conservation Areas, Section 72(1) of the 1990 Act provides that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance” of the conservation area when determining applications in those areas.
- 2.5 Each application report details policies contained within the Adopted Unitary Development Plan (October 2003). For ease of reference and to introduce some familiarity, the topics covered by the policies are outlined in brackets. Recommended reasons for refusal as well as reasons for approval cover policies in the Adopted Unitary Development Plan.
- 2.6 All letters, petitions etc making representations on the planning applications which are included in this report will be available on request for Members at the meeting.
- 2.7 Members will be aware that certain types of development are classed as "Permitted Development" and do not require planning permission and that certain, generally routine, applications are delegated to Officers under the agreed Delegated Powers.

2.8 SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL IMPACT ASSESSMENT

- 2.8.1 There is a need to comply with Government guidance that the planning process should achieve sustainable development objectives. It is for this reason that each report contains a section on "Sustainable Development". This has been defined as "a development which meets the needs of the present without compromising the ability of future generations to meet their own needs." A sustainability checklist has been drawn up which takes into account the conservation of resources, improvements to the quality of life and the physical and natural environment, and the idea of stewardship of resources/quality of life for present and future generations.
- 2.8.2 The precise criteria are being re-examined and further refinements will be necessary before the assessment referred to in each item can be treated as an accurate assessment of sustainability. It should be noted that at the present time this Council is the only Authority in London including a sustainable development assessment in its development control reports and to some extent therefore it is necessary to continually evaluate the methodology by which the sustainability levels are calculated. A plus score indicates a development which is generally sustainable and a minus score a development which is not sustainable.
- 2.8.3 It is also important that relevant applications comply with requirements in respect of environmental impact assessment as set out in the Town & Country Planning (Environmental Impact) (England and Wales) Regulations 1999. Each report contains details outlining whether or not an environmental impact assessment was required in the consideration of the application and, where relevant, whether or not a screening opinion was required in the determination of the application.

3 ALTERNATIVE OPTIONS

- 3.1. None for the purposes of this report.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. None for the purposes of this report.

5 TIMETABLE

- 5.1. As set out in the body of the report.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. None for the purposes of this report unless indicated in the report for a particular application.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. As set out in the body of the report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. These applications have been considered in the light of the Human Rights Act ("The Act") and in particular, the First Protocol of Article 1 (Protection of Property); Article 6 (Rights to a Fair Trial) and Article 8 (Private and Family Life) which came into force on 2 October 2000.
- 8.2. Consideration has been given to the impact of each application on the people living and working in the vicinity of that particular application site and especially to the impact of the proposals on the persons who have made written representations on the planning merits of the case. A full assessment of material planning considerations has been included in each Committee report.
- 8.3. Third party representations and details of the application proposals are summarised in each Committee report. It may be that the policies and proposals contained within the Development Plan and/or other material planning considerations will outweigh the views of third parties and/or those of the applicant.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. As set out in the body of the report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 10.1. As set out in the body of the report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

None for the purposes of this report.

12 BACKGROUND PAPERS

Background papers – Local Government (Access to Information) Act 1985

Planning application files for the individual applications.

Unitary Development Plan October 2003.

Appropriate Government Circulars and Guidance Notes.

Town Planning Legislation.

Merton's Planning Guidance Notes.

Merton's Standard Planning Conditions and Reasons (as updated and approved by Planning Applications & Licensing Committee July 2009).

Report to Development Control Sub-Committee on 17th August 1995 on

Sustainability

Town & Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999