

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at [www.merton.gov.uk/committee](http://www.merton.gov.uk/committee).

## PLANNING APPLICATIONS COMMITTEE

21 MAY 2015

(19.15 - 20.25)

PRESENT: Councillors Councillor Linda Kirby (in the Chair),  
Councillor John Bowcott, Councillor Tobin Byers,  
Councillor David Dean, Councillor Ross Garrod,  
Councillor Daniel Holden, Councillor Abigail Jones,  
Councillor Philip Jones, Councillor Peter Southgate and  
Councillor Geraldine Stanford

ALSO PRESENT: Councillor Abdul Latif

Neil Milligan (Development Control Manager, ENVR) and  
Michael Udall (Democratic Services)

### 1 FILMING (Agenda Item )

The Chair confirmed that, as stated on the agenda, the meeting would be filmed and broadcast via the Council's web-site.

### 2 MEMBERSHIP (Agenda Item )

Officers advised that the Annual Council Meeting on 13 May 2015 had approved the Committee's provisional membership as shown on the front page of the agenda.

### 3 DECLARATIONS OF INTEREST (Agenda Item 1)

None.

### 4 APOLOGIES FOR ABSENCE (Agenda Item 2)

Councillors David Dean and Ross Garrod gave apologies for lateness.

### 5 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the Minutes of the meeting held on 23 April 2015 be agreed as a correct record.

### 6 TOWN PLANNING APPLICATIONS - COVERING REPORT (Agenda Item 4)

The published agenda and the modifications sheet tabled at committee form part of the Minutes.

(a) Modifications Sheet: There was no list of modifications for various items for this meeting; but additional letters/representations and drawings received since agenda publication, were tabled at the meeting.

(b) Oral representations: The Committee received oral representations at the meeting made by third parties and applicants/agents in respect of item 7. In each case where objectors spoke, the Chair also offered the applicants/agents the opportunity to speak; and the Chair also indicated that applicants/agents would be given the same amount of time to speak as objectors for each item.

The Committee received no oral representations at the meeting from other Councillors (who were not members of the Committee).

(c) Order of the Agenda – Following consultation with other Members at various times during the meeting, the Chair amended the order of items to the following - 7, 5 & then 6.

RESOLVED : That the following decisions are made:

7 GROUND FLOOR FLAT, 85 AMITY GROVE, RAYNES PARK, SW20 0LQ (REF. 15/P0177) (RAYNES PARK WARD) (Agenda Item 5)

1. Proposal - Erection of a single storey rear and side infill extension

2. Objections- Officers advised that the report should be amended to indicate that 4 (not 2) objections had been received.

3. Size of proposed rear extension – Officers confirmed that the extension extended 3.5m into the garden and that if this had been a family dwelling house, an extension of 3m in depth would constitute permitted development and that many such 3m extensions would fail the Merton daylight/sunlight test (as did the current proposals).

Decision: Item 5 - ref. 15/P0177 (Ground Floor Flat, 85 Amity Grove, Raynes Park, SW20 0LQ)

GRANT PERMISSION subject to the conditions set out in the officer case report.

8 141 THE BROADWAY, WIMBLEDON, SW19 1QJ (REF. 14/P1008) (ABBEY WARD) (Agenda Item 6)

1. Proposal - Demolition of first and second floors of existing building, retention of ground floor within use class A3 and erection of six storey building to provide 16 residential units.

2. Discussion – There was considerable discussion of whether the proposed development was appropriate for this site. Some members expressed concern about the proposed height, bulk and massing and that the development would be out of keeping with the rhythm of the street and surrounding buildings but refusal on these grounds was not supported by the Committee. However members were also concerned about the proposed design and materials, in relation to neighbouring buildings, particularly the adjacent CIPD building at 151 The Broadway.

3. Refusal Motion: It was moved and seconded that permission be refused as detailed below. The motion was carried by 6 votes to 2 (Councillors Tobin Byers and Ross Garrod dissenting). Subsequently the Committee agreed that officers be delegated authority to agree the detailed grounds of refusal and also agreed (C) below.

Decision: Item 6 - ref. 14/P1008 (141 The Broadway, Wimbledon, SW19 1QJ)

(A) subject to detailed grounds of refusal being agreed in accordance with (B) below, REFUSE permission on grounds relating to the following -  
(a) the proposed design and materials, including matters such as  
(i) the extent of the glazing  
(ii) the proportion of brickwork to glazing  
(iii) the colour of the brickwork.

(B) Delegation: The Director of Environment & Regeneration be delegated authority to agree the detailed grounds of refusal, including any appropriate amendments, additions and/or deletions to the proposed grounds/policies.

(C) Reasons for not following Planning Officers' recommendation for permission: The Committee considered that officers had given insufficient weight to the proposed design and materials.

9 48 LEOPOLD ROAD, WIMBLEDON, SW19 7JD (REF. 14/P4398)  
(WIMBLEDON PARK WARD) (Agenda Item 7)

1. Proposal - Application for

(a) the variation of condition 03 restricting the use of the premises as a day care nursery from up to 15 children to up to 20 children and

(b) variation of condition 8 of the hours of use of the garden as a play area from 0830 to 1700 hours on Mondays to Fridays only to 0945 to 1145 and 1430 to 1630 Monday to Friday

attached to planning permission (ref:12/P3253) dated 18/07/2013 for the change of use from residential to child care on domestic premises (Class D1) for a maximum of 15 children.

2. Number of children attending – Reference was made to the allegation by objectors that a visit by Council (education) officers had found 20 children on the premises in excess of the current permitted maximum of 15 children. Officers indicated that they accepted this as true, but that other visits had shown the nursery to be complying with the current 15 children limit.

2.1 Members expressed concern that the proposals would have a detrimental effect on the children attending as the numbers would increase but time outside in the garden would reduce. Officers advised that this aspect was covered by other legislation and was not a planning matter, subject to the nursery complying with relevant educational standards.

3. Discussion – There was also extensive discussion regarding other aspects of the proposals including traffic/highway safety implications, the impact on neighbours, the continued use of the upper floors for residential purposes by the owner, and the possibility of temporary permission

4. Approval – The application was approved by 5 votes to 2 (Councillors John Bowcott and Daniel Holden dissenting; and Councillors Linda Kirby and Geraldine Stanford not voting).

Decision: Item 7 – ref. 14/P4398 (48 Leopold Road, Wimbledon, SW19 7JD)

GRANT PERMISSION subject to the conditions set out in the officer case report.

10 PLANNING APPEAL DECISIONS (Agenda Item 8)

Cavendish House, High Street, Colliers Wood, SW19 2HR (including new public library) – Officers undertook to advise Councillor David Dean whether this application (considered by the Committee in March 2015) had been formally approved.

RECEIVED

11 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 9)

38 Alwyne Road (formerly Worcester Hotel), Wimbledon, SW19 – Councillor David Holden referred to the complaint submitted to the Development Control Team alleging that this site had been converted illegally from a family dwelling house to flats. Officers undertook to update the Councillor on the matter.

RECEIVED