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PLANNING APPLICATIONS COMMITTEE

14 JULY 2016

(7.20 pm - 11.40 pm)

PRESENT Councillors Councillor Linda Kirby (in the Chair),
Councillor John Bowcott, Councillor David Dean,
Councillor Abigail Jones, Councillor Philip Jones,
Councillor Peter Southgate, Councillor Geraldine Stanford,
Councillor Najeeb Latif, Councillor Imran Uddin and
Councillor Andrew Judge

ALSO PRESENT Councillor Suzanne Grocott
Councillor Michael Bull
Councillor John Dehaney
Councillor Mike Brunt
Neil Milligan
Sue Wright
Jonathan Lewis
Mitra Dubet
Lisa Jewell

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

No Apologies for absence were received

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

No Declarations of Pecuniary Interest were made.

Councillor John Bowcott made a statement to inform the Committee that he Chaired the Design Review Panel meeting that considered one of the applications on the agenda (Item 07) but he did not take part in the debate or vote on the proposal.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

The minutes of the Planning Applications Committee held on 16 June 2016 were agreed as a true record.

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

The published Agenda and Supplementary Agenda tabled at the meeting form part of the Minutes:

- a) Supplementary Agenda: A list of modifications for agenda items 5,7,8, and 10 was published as a supplementary agenda.

- b) Verbal Representations: The Committee received verbal representations detailed in the minutes for the relevant item.
 - c) Order of the Agenda – The Chair amended to order of items to the following: 8,7,5,6,9,10,11 and 12
- 5 BROOK HOUSE, 1A CRICKET GREEN, MITCHAM, CR4 4LA (Agenda Item 5)

Proposal: Extension to roof to provide 6 residential units (2 x 1-bedroom and 4 x 2-bedroom) and alterations to the external elevations.

The Committee noted the Officers Report and additional information in the Supplementary Agenda, the Officers verbal presentation, a verbal representation on behalf of an objector to the application, and a verbal representation by the agent

The Committee expressed concerns regarding the cumulative effect of the prior approvals on the application site. Members were concerned that by submitting separate applications the proposal had not been brought to Committee, until now, and that contributions to affordable housing had not been sought on this site.

Members were also concerned that the application had not been seen by the Design Review Panel; (DRP) and asked why this was. Officers explained that as the application does not change the type of roof, and only increases the bulk but not the height, it was not significant enough to be presented to DRP.

The Committee noted that the Council's Conservation Officer objected to the original application, but had not commented on the revised scheme.

Members expressed views that the application fails to make a positive contribution to the Conservation Area, that it is overbearing and not in keeping with the Conservation Area, that it does not respect the character of the Conservation area and that the massing and bulk of the development is not appropriate in its setting.

RESOLVED

The Committee agreed to:

1. REFUSE the application for the following reasons:
 - The Development is overbearing and not in keeping with the Conservation Area.
 - The Development does not respect the Character of the Conservation Area
 - The Bulk and massing of the development is not appropriate in this setting
2. DELEGATE to the Director of Environment & Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refusal including references to appropriate policies

Note: Councillor David Dean left the Chamber for the start of this item, returned during the item, but did not vote.

6 32 DAYBROOK ROAD, MERTON PARK, SW19 3DH (Agenda Item 6)

Proposal: The proposal is for the erection of an outbuilding in the rear garden to be used as a garage/store room.

The Committee noted the Officers Report, and verbal presentation, a verbal representation by an objector to the application, and by the applicant.

The Committee noted that a shower room originally proposed as part of the building had been removed from the application. Members asked Officers about the difference between incidental use and ancillary use of out buildings. The Planning Officer explained that this proposal was designated as 'incidental' to the main dwelling house, and as such could only be used for activities such as a garage, hobby room or home gym. If it were to be used as a 'granny annexe' this would be an 'ancillary use' and further planning permission for this use would be required. Members then asked what the applicant would be able to build under permitted development and noted that the proposed development was higher, at 3.4m, than the maximum of 2.5m allowed under permitted development. Members asked about the reason for the proposed cavity wall but noted that this was not a planning consideration.

RESOLVED

The Committee GRANTED Planning Permission subject to Conditions.

7 12 HARTFIELD ROAD, WIMBLEDON, SW19 3TA (Agenda Item 7)

Proposal: Demolition of existing building and erection of a replacement seven storey building comprising a 140 bed hotel (Use Class C1) with ancillary restaurant use on the ground floor (Use Class A3).

The Committee noted the Officers Report and additional information in the Supplementary Agenda, the Officers verbal presentation, a verbal representation on behalf of an objector to the application, a verbal representation by the applicant, and by Ward Councillor Suzanne Grocott.

It was confirmed that Crossrail 2 had been consulted and did not object to the proposal as the application site is located outside of the Crossrail 2 safeguarding direction.

The Committee noted that the development did not provide any Disabled Parking and as it was a car free development in a highly accessible location this was considered acceptable. The Hotel operators were recommended to publicise the nearest

disabled parking bays and other possibilities on their website The Committee noted that Blue Badge Holders could park in any CPZ (controlled Parking Zone) in Merton. The Committee discussed general parking issues and Officers explained that there were a number of car parks in the area, and subject to consultation the operating hours of the CPZ on local streets could be extended if problems occurred.

RESOLVED

- A. Planning Permission is granted subject to Conditions and s106 Agreement.
- B. An additional condition to be added requiring that no waste to be left on the pavement.

8 SOUTHEY BOWLING CLUB, 559 KINGSTON ROAD, SW20 8SF (Agenda Item 8)

Demolition of existing buildings and redevelopment of site with erection of 9 x houses (3 x 2-bed dwellings & 6 x 4-bed dwellings) with new shared pedestrian and vehicular access from Kingston Road, erection of a new bowls club building and associated facilities, including a new changing room building and relocation of groundman's store using existing access to Lower Downs Road.

The Committee noted the Officers Report and additional information in the Supplementary Agenda, the Officers verbal presentation, verbal representations from 3 objectors to the application, a verbal representation by the applicant, and by Ward Councillor Michael Bull.

Members noted that the recent reporting of bats on this site was going to be investigated and the recommendation had been updated accordingly

Members discussed access to the development and the footpath and noted

- That there is a condition requiring the applicant to investigate ownership of the pathway
- The footpath is not on the Council's database of registered rights of way, but the applicant does maintain it as such.
- The applicant intends that full access for pedestrians will be maintained, despite gates being installed as these serve the proposed cul-de-sac of housing only and not the through route
- Lighting of the pathway needs to be improved as part of this scheme
- Waste is currently collected from outside the clubhouse
- The proposed gates on the residential development do not conflict with urban design and Council policy

Members asked about the timing of the Shading report and noted that the optimum time for collecting this data is at the spring or autumn equinox, and the report for this application was carried out very close to the spring Equinox.

The Transport Officer said that any reported problems with traffic and parking would be monitored.

A motion to Refuse was proposed and seconded on the grounds of bulk, massing and lack of safe access. This motion failed and Members then voted on the Officers Recommendation to Grant Planning Permission, with the addition of a Condition to improve the lighting of the pedestrian access. This motion was agreed.

RESOLVED

The Committee Agreed to GRANT Planning Permission subject to:

- A. Completion of a Section 106 obligation covering the following heads of terms:
 1. No. 557 Kingston Road and the nine new dwellings at 559 Kingston Road are to be permit free residential units
 2. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations
 3. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations.
- B. Conditions in the Officers Report and Conditions and amendments in the Supplementary agenda and the following amendments to Conditions:
 - Amendment to condition regarding lighting of pathway
 - Amendment to condition regarding quantifying noise levels
- C. Receipt of a further report from the applicant's bat consultant confirming that no bat roost exists at the site,
- D. The Director of Environment and Regeneration be given delegated authority to agree the detailed wording of the above changes

9 17 RIDGE ROAD, MITCHAM, CR4 2ET (Agenda Item 9)

Proposal: Erection of new mid terrace, two bedroom dwelling, between existing houses at 17 and 18 Ridge Road, involving demolition of existing garage.

The Chair declared that as Ward Councillor she knew the residents at 18 Ridge Road, who were objecting to the application. Accordingly she left the dais for the duration of this item, and sat away from the Committee, spoke before the Committee

debate and did not participate in the vote. The Vice Chair, Councillor Bowcott, moved to the dais to Chair this item.

The Committee noted the Officers Report and verbal presentation, a verbal representation by two objectors to the application, and by the applicant.

The Planning Officer asked the Committee to consider the application before them that is identical to a previous application that had been allowed in 2011. The application was for a property to be built between numbers 17 and 18 with no gap, and as such could not be built, even with planning permission, without the agreement of all parties. If a gap was to be maintained this would require a new planning application.

Members noted that the frontage of the new property would be capable of aligning with the adjacent properties, and that the rear of the proposed house met planning requirements.

Policy changes made since 2011 did not give any new reasons to not allow the proposal.

Residents were concerned about car parking in the garden of the existing number 17, in an area that would become the garden of the new house. Officers replied that unless a large non-permeable hardstanding was proposed then planning permission was not required for such parking and so this was not a planning consideration.

A resolution to refuse the permission was proposed and seconded, the reason given was that that developers should respect the space between buildings (Policy DMD3). This resolution was put to the vote but failed.

Members then voted on the officers proposal to grant planning permission and this was agreed.

RESOLVED

The Committee agreed to GRANT Planning Permission subject to Conditions

10 UNIT 18, MITCHAM INDUSTRIAL ESTATE, STREATHAM ROAD, CR4 2AV
(Agenda Item 10)

Proposal: Change of Use from Warehouse (Use Class B8) to Indoor Go-Karting Facility (Sui Generis use)

The Committee noted the Officers Report and additional information in the Supplementary Agenda – Modifications, and the Officers verbal presentation, a verbal representation by an objector to the application, by the applicant, and by Ward Councillors; Mike Brunt and John Dehaney.

The Committee noted residents and Ward Councillors concerns regarding noise from the site, and noted that there were two areas of concern. The first was the operation of the Go-Karts and plant associated with the building and the second was customers arriving, parking and leaving the site.

The Committee agreed to ask Officers to negotiate with the applicant regarding the extractor fans and their positioning away from the residential areas. Members noted Condition 12, that noise levels for the building and operation within the building should not exceed LA90-10dB at the boundary with the closest residential property. The Committee discussed the issue of noise generated by people and vehicles arriving and exiting from the site and noted Condition 11 which sought to impose a time after which there would be no parking in the car park closest to the residential area (the southern car park)

Members asked for two changes to conditions to be made, firstly that the Hours of use be reduced to 9:00 – 22.30 on any day. And secondly that Condition 11 be changed such that there is no parking allowed in the southern parking area after 20.30 on any day

RESOLVED

A. The Committee agreed to Grant Planning Permission subject to Conditions

B. The Committee asked for Condition 4 to be amended to the following:

The use hereby permitted shall operate only between the hours of 9:00 and 22:30 on any day.

C. The Committee asked for Condition 11 to be amended to the following:

No parking is permitted after 8.30pm on any day in the southern parking area of the site (rest of condition and reason unchanged)

D. The Committee asked Officers to negotiate with the applicants regarding the positioning of the extractor fans, so that they are facing away from residential areas.

11 PLANNING APPEAL DECISIONS (Agenda Item 11)

The Committee noted the report on Appeal Decisions

12 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 12)

The Committee noted the Report on Planning Enforcement and noted that the minutes of 16 June 2016 should have included a request for Planning Enforcement Officers to investigate 20 Church Lane 15/P1266.

13 VIABILITY BRIEF (Agenda Item 13)

The Committee noted the Contents of the Viability briefing report.