PLANNING APPLICATIONS COMMITTEE
10 DECEMBER 2015

(19.15 - 23.30)

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

ALSO PRESENT: Councillors Mark Allison, Charlie Chirico, Andrew Judge, Abdul Latif, Edith Macauley MBE, Oonagh Moulton, Judy Saunders, Jill West and Martin Whelton

Councillor Andrew Judge (who was not present for the discussion and voting on item 5 (Wimbledon Stadium)

Jon Buick (Climate Change Projects Officer)
Tara Butler (Future Merton programme manager)
Tim Catley (S106 Monitoring officer)
George Chesman (Legal representative)
Chris Chowns (Principal Transport Planner)
Mitra Dubet (Highways representative - Future Merton Commissioning manager)
Paul Evans (Assistant Director Corporate Governance)
Sabah Halli (Principal Planning Officer)
Richard Lancaster (Transport Planning representative)
Jonathan Lewis (South Team Leader - Development Control) (*)
Paul McGarry (Head of Future Merton)
Neil Milligan (Development Control Manager, ENVR) (*)
Tom Sly (Flood Risk Management Engineer)
Eben van der Westhuizen (Policy Planner – Future Merton)
and Michael Udall (Democratic Services) (*)

(*) Above officers present primarily for Item 5 (Wimbledon Stadium) except those asterisked.

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 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor David Dean.

3 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

Councillor Tobin Byers declared an interest in Item 6 (Land formerly occupied by the Nelson Hospital, 220 Kingston Road, Wimbledon Chase, SW20 8DB (Phase 2, McCarthy & Stone site) (Ref. 13/P2192) by reason that he regularly undertook work on behalf of the applicant and indicated that he intended to leave the room whilst this item was discussed.

4 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the Minutes of the meeting held on 12 November 2015 be agreed as a correct record.

5 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 - A list of modifications for item 5 (Wimbledon Stadium, Plough lane) only and 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 5 (*) and item 8 (applicant only - responding to officer recommendation for refusal). In each case where objectors spoke, the Chair also offered the applicants/agents the opportunity to speak; and the Chair also indicated that the applicants/agents would be given the same amount of time to speak as objectors for each item.

(*) For item 5 (Wimbledon Stadium, Plough Lane), the Chair indicated that the maximum number of objectors to be allowed to speak had been increased to 10; that only 7 objectors had requested to speak (for 3 minutes each), and therefore the applicant (or their representatives) would have up to 21 minutes to speak.

The Council also received oral representations at the meeting from the following Merton Councillors (who were not members of the Committee for this meeting) in respect of the items indicated below -

Item 5 – Councillors Charlie Chirico and Oonagh Moulton.

(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 - 5, 8, 7 & then 6.

RESOLVED: That the following decisions are made:

6 WIMBLEDON STADIUM, PLOUGH LANE, TOOTING, SW17 0BL (REF.14/P4361) (WIMBLEDON PARK WARD) (Agenda Item 5)

1. Proposal – Proposed demolition of existing buildings and erection of a 20,000 seat football stadium (initially 11,000 seat) with hospitality, crèche, café, and coach parking, pedestrian street, 1,273m2 retail unit, 1,730m2 squash and fitness club, 602 residential units with basement parking, refuse storage, 200 car parking spaces, 992 cycle parking spaces, and associated landscaping/open space and servicing.

2. Modifications – Officers introduced the report at length including the changes set out in the tabled modifications sheet, and also detailed some further minor changes as listed below.

2.1. Sport England – Proposed Extra Condition (page 1 of Modifications Sheet) – Officers explained that they did not support the extra condition proposed by Sport England which would impose requirements for community use of the proposed Squash and Fitness facility.

2.2 Head of Term 24 (page 2 of Modifications Sheet) – Officers explained that "Flood Warning and Evacuation Plan" should be added to Head of Term 24 (on page 250 of report)

2.3 Opening Hours (Stadium and Stadium shop) (page 3 of Modifications Sheet – Condition 20) – Officers explained that paragraph 18.64 on page 198 of the report should be amended so that the opening hours were the same as that shown for Condition 20 (namely 0800 – 2200).

2.4 Extra Condition – Thames Water – Officers advised that the report should include the extra condition suggested by Thames Water with the wording shown in 2nd paragraph on page 65 of report (starting "Development should not be commenced until: impact studies of the existing water infrastructure supply have been submitted to…." and ending "….this additional demand.")

3. Wimbledon Park Residents Association (WPRA) Representations – Apology - Officers drew attention to the e-mail from the WPRA Chairman, Iain Simpson (previously circulated to Committee members) advising that (a) the letter (at para. 9.35 on page 85 of report) under the heading "Wimbledon Park Residents Association" which purports to represent the views of WPRA, was in fact a letter written by a resident who happens to be member of WPRA; and (b) the letter writer did not represent the views of the WPRA, only his own, and as such the letter should not carry the heading it does. Officers apologised to Mr Simpson and the WPRA for this not being made clear in the report.

4. Oral Representations – Further to Minute (5) above, the Committee heard oral representations from 7 objectors including local residents and a Wandsworth Councillor (for 3 minutes each) and then heard from the applicant (and their representatives) for the same amount of time in total, namely 21 minutes. As indicated in Minute (5) above, the Committee also heard oral representations from

Merton Councillors Charlie Chirico and Oonagh Moulton (who were not members of the Committee).

4.1 Following the above oral representations from objectors and the applicant, officers clarified a number of points including -
(a) Coaches – A specific location for coaches to park after they had dropped off passengers at the stadium had yet to be finalised, but officers would be talking to AFC Wimbledon regarding an appropriate location off site.
(b) Haydons Road Station– Officers were aware of concerns raised about access to the station (which was outside of the application site and was not part of the application) and confirmed that this would be investigated further, and there would be further talks with AFC Wimbledon regarding the transport of fans to the stadium, including by rail.
(c) Crossrail 2 – Officers were aware of this future proposal (for 2030) and the report took this into account.
(d) Police Costs – Officers understood that there would be no police costs for the Council to pay arising from this development
(e) Previous Council Resolutions – Officers advised that previous Council resolutions supporting AFC Wimbledon returning to Merton were not relevant to the current application which needed to be considered on town planning issues.
(f) Community Infrastructure Levy (CIL) – The amount of CIL monies to be received as result of the application, if approved, had yet to be finalised but a figure of about £15m was anticipated.

5. Discussion – The Committee then discussed the application at length by looking in turn at each of the key planning considerations (as listed at top of page 151 of report), namely –

Principle of Development
Urban Design
Landscaping
Conservation and Archaeology
Standard of Residential Accommodation
Residential Amenity
Development Operation and Transport
Refuse and Recycling
Inclusive Access
Secured by Design and Security
Hydrology and Flooding
Sustainability
Social Infrastructure
'Volante' (46-76 Summerstown) Site

5.1 Various specific issues were then highlighted during the Committee's discussion, including those detailed below.

5.2 Garratt Business Park – Reference was made to the request by the Business Park representative for the offer by AFC Wimbledon to provide a security officer for the Park on match days to be incorporated in a condition. Officers advised that they

considered this wouldn't be appropriate and referred to the safety plan required by all stadia and the opportunity for the Park to discus the issue with AFC Wimbledon and those compiling the safety plan.

5.3 Design Review Panel (DRP) – Officers confirmed that the following initial proposals for the site being submitted to DRP, the proposals had been revised but that the DRP hadn't reconsidered the revised proposals; and advised that revised schemes were not always taken back to DRP.

5.4 Entrance Arch – A member expressed concern about the proposed design of the entrance arch on the new north/south street through the development. Officers advised that this would be looked at further and that there was a condition (5) requiring that details of the arch be submitted for approval (to officers). Reference was also made to the need for better signage at the entrance.

5.5 Landscaping – A member referred to a recent e-mail from Sustainable Merton recommending alternative planting and a greater mixture of trees and vegetation. Officers advised that this would be looked at further and that there was a condition requiring that details of landscaping be submitted for approval (to officers).

5.6 Residential Accommodation – There was considerable discussion about the standard of residential accommodation, including its high density, design, its height, the low number of single aspect flats and the public transport accessibility rating (PTAL) for the development. Officers also outlined specific measures for the road network in the area.

5.7 Residential Accommodation –Noise – A member referred to the increase in noise when the stadium expanded from 11,000 to 20,000 seats and car parking was also increased. Officers confirmed that there was a Management Plan for such an expansion, and this included requirements for the expansion proposals to be approved by the Council, including issues relating to noise.

5.8 Stadium – Use - Officers also highlighted that there would be restrictions on the use of the stadium and that it was not proposed to be used for non-match uses such as large scale music events (as detailed in para. 17.13, page 188).

5.9 In response to queries, officers confirmed that condition 39 (on page 261) would restrict the stadium's use to general sporting uses and football matches up to an average of twice weekly, and that whilst this would allow sports other than football to be played at the stadium, due to the number of football matches that would need to be played at the stadium, there would be insufficient dates remaining for other sports to be played at the stadium on a regular basis.

5.10 Residential Accommodation – Car Parking – There was discussion about the number car parking spaces for the residential accommodation being about 33% of the number of proposed flats. Officers advised that car ownership in the GLA area was about 40% and both the Council's Highways Section and TfL were satisfied as to the number of parking spaces proposed. Officers also advised that much of

surrounding area was covered by Controlled Parking Zones (CPZs) and this would help control any overspill parking.

5.11 In response to queries, officers advised that the allocation of car spaces would normally be a commercial matter between the developer and occupiers of the flats, and without Council involvement but that the issue of whether more than one parking space could be allocated to a residential unit could be looked at further by officers.

5.12 Hospital –Car Parking – Officers advised that the current use of the Stadium site for parking by hospital workers didn't have planning permission, and it would be for St Georges Hospital to sort out alternative arrangements if the stadium development proceeded.

5.13 Stadium expansion – Transport implications – In response to queries, officers confirmed that the proposed Heads of Terms included a requirement that prior to the stadium being expanded from 11,000 to 20,000 seats, various documents had to be resubmitted for approval to the Council, including proposals covering issues such as a revised transport assessment and requirements; and that this would allow the Council to reassess transport arrangements in the light of experience of the Stadium operating with 11,000 seats.

5.14 Stadium – Public transport access – There was considerable discussion of the public transport to access the stadium included monies allocated to TfL for improved bus services on match days; the adequacy of rail and tube services in the area; and the need to submit travel plans to encourage travel other than by car.

5.15 Stadium – Disabled persons parking –There was discussion of the proposed number of on-site disabled persons parking places proposed at the Stadium, with paragraphs 20.12 & 20.13 (pages 209/210) indicating that would be 4 disabled persons parking spaces compared to 150 wheelchair spaces within the new stadium (and 28 disabled persons parking spaces at Wimbledon AFC's current ground at Kingsmead). Officers undertook that the issue would be looked at and negotiated further as needed, and would check that the issue was covered in the new stadium's Car Parking Management Plan (and Travel Plans) if this wasn't already the case.

5.16 Residential Accommodation – Refuse collection – In response to queries, officers advised that the arrangements were similar to other developments and the Council's waste section were satisfied with the proposals.

5.17 Solar Panels – Officers advised that there was no condition or legal agreement proposed relating to the maintenance of the proposed solar panels as such maintenance would be an issue for the developer and occupiers of the flats.

5.18 Residential Accommodation – Ventilation – Officers confirmed that there would be mechanical ventilation in single aspect flats near the stadium, so that these flats could obtain ventilation without having to open a window, and undergo undue noise on match days.

5.19 Use of Rain Water – Councillor Daniel Holden queried whether rain water falling on the roofs would be used to flush loos etc. Officers advised that there were water use plans for the whole site and undertook to check and advise Councillor Daniel Holden whether such grey water harvesting was proposed.

5.20 Affordable Housing – There was considerable discussion regarding the proposed level of affordable housing of 9.6%. Officers explained that the applicant's viability assessment showed that it was not viable to provide affordable housing, but the applicants had decided nonetheless to provide 60 affordable units (i.e. 9.6%); that the Council's independent assessor advised that there was a possibility that more affordable housing might be possible and therefore the proposed Heads of Terms included a claw-back provision whereby the level of affordable housing could be reviewed in due course, and revised if appropriate.

5.21 LB Wandsworth –Sport/Leisure – Officers confirmed that there had been detailed discussions regarding enhancing Garratt Park in LB Wandsworth and provision was made in the S.106 Heads of Terms.

5.22 Health Facilities – A member requested that the monies to be allocated for health/GP facilities to be used in the area as soon as possible. Officers explained that the monies would be transferred to the NHS who would then be responsible for speed of allocation of such monies.

5.23 'Volante' (46-76 Summerstown) Site – It was noted that the Volante site was not part of the current application. A member expressed concern that any future redevelopment proposals for the Volante site should fit in with any proposals agreed for the Stadium site. Officers noted the concern and pointed out that any proposals for redevelopment of the Volante site would be subject to the usual town planning controls.

5.24 Road Closures – Officers advised that details of any temporary road closures on match days would form part of the Stadium Management Plan which would be subject to appropriate consultation with the police etc; and pointed out that such closures might possibly be of short duration or perhaps even not needed.

5.25 Residential Accommodation – Transport access – There was discussion about transport access for occupiers of the residential accommodation proposed. Officers referred to the monies to enhance bus services; the measures to improve the road network in the area; and other mitigation measures such as making the flats permit free, provision of a car club and cycle parking..

5.26 Controlled Parking Zones – Reference was made to the monies arising from the development for enhancing CPZ's if needed in the area. A member referred to some roads in the nearby area not being within a CPZ and requested that officers monitor the need for extra CPZ controls.

6. Approval – The application was approved unanimously as detailed below.

Decision: Item 6 - ref. 14/P4361 (Wimbledon Stadium, Plough Lane, Tooting, SW17 0BL)

GRANT PERMISSION subject to -

(1) the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet (subject to (3) below)

(2) the requirements set out in paragraph 31.1 of the report including -

(a) The application being referred to the Mayor of London (as detailed in sub-paragraph 1); and

(b) the delegations to officers as detailed in sub-paragraphs 2 & 3.

(3) the following amendments made by officers at the meeting (as also detailed in paragraph 2 of the above preamble) -

(i) "Flood Warning and Evacuation Plan to be added to Head of Term 24 (on page 250 of report)

(ii) the addition of the extra condition suggested by Thames Water with the wording shown in 2nd paragraph on page 65 of report (starting "Development should not be commenced until: impact studies of the existing water infrastructure supply have been submitted to…." and ending "….this additional demand.")

7 MEETING BREAK (Agenda Item)

After consideration of item 5, at about 10.25pm, the Committee adjourned its discussions for about 10 minutes.

8 LAND FORMERLY OCCUPIED BY THE NELSON HOSPITAL, 220 KINGSTON ROAD, WIMBLEDON CHASE, SW20 8DB (PHASE 2, MCCARTHY & STONE SITE) (REF. 13/P2192) (MERTON PARK WARD) (Agenda Item 6)

1. Proposal – Application to discharge Condition 24 (Parking Management Strategy) (PMS) attached to Planning Permission ref 12/P0418.

2. Declaration of Interest: Prior to consideration of this item, further to his previously declared interest, Councillor Tobin Byers left the room while this item was discussed and voted upon.

3. Possible CPZ – Officers confirmed that the applicants for Phase 1 of the site had already made a contribution of £30k towards a possible CPZ (Car Parking Zone) in the area; and that officers were currently awaiting feedback from Ward Councillors

and residents regarding a possible CPZ. Reference was also made to a petition seeking such a CPZ submitted at the last Council meeting.

4. Car Parking provision for visitors – Members expressed concern that the Parking Management Strategy (PMS) proposed only 3 visitor spaces for this Phase 2 development of the site, whereas the extrapolation of existing data shows that visitor space demand is likely to be for 8 spaces (para. 3,2 refers).

4.1 Reference was made to the applicants surveys showing that there were on average 19 spaces available on surrounding roads between 15.30 and 17.30 (para. 3,2 refers). Members expressed concern that visitors may be working and be unable to visit during these hours. Officers pointed out that after 6.30pm, on-street parking was free; that there was a pedestrian crossing facility outside the hospital site; and that the development included a pick up / drop off point for visitors.

4.2 Members also expressed concern that the elderly residents of the phase 2 development may not be able to walk far and therefore (a) on-street parking a little distance away might not be appropriate, and (b) the number of visitor spaces on site needed to be increased, preferably to the 8 spaces.

4.3 It was also suggested that if 8 spaces were to be assigned as visitor spaces, but subsequent actual demand was for less than 8 spaces, then the applicants could then come back and request the Council to reduce the number of visitor spaces.

5. Deferral – As indicated below, the Committee decided that, in the circumstances, consideration of the proposals be deferred.

Decision: Item 6 - ref. 13/P2192 (Land formerly occupied by the Nelson Hospital, 220 Kingston Road, Wimbledon Chase, SW20 8DB)

That consideration of the application be DEFERRED to a future meeting in order that officers can seek to secure better provision of visitor parking spaces on site, with a target of 8 spaces if possible (as the extrapolation of existing data shows that visitor space demand is likely to be for 8 spaces).

9 THE OLD LIBRARY, 150 LOWER MORDEN LANE, MORDEN, SM4 4SJ (REF. 15/P2982) (LOWER MORDEN WARD) (Agenda Item 7)

1. Proposal – Demolition of the existing office building and erection of a part two, part three storey building to provide 6 x self-contained flats (comprising 2 x 1 bed, 3 x 2 bed and 1 x 3 bed flats) with associated parking, servicing and landscaping.

2. Extra Plans – Officers circulated two extra (coloured) plans to members showing (a) the current proposal in 3D perspective; and (b) the scheme recently approved for the site. In response to queries, officers explained the differences between the two schemes.

3. Lost Refusal Motion - It was moved and seconded that the application be refused on the grounds that the proposal would be of inappropriate bulk and massing

contrary to Council policies. The motion was lost by 6 votes to 4 (Councillors John Bowcott, Tobin Byers, Daniel Holden and Najeeb Latif voting for the motion.) The application was subsequently approved as indicated below.

Decision: Item 8 - ref. 15/P152982 (The Old Library, 150 Lower Morden Lane, Morden, SM4 4SJ)

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

10 80 MELBOURNE ROAD, SOUTH WIMBLEDON, SW19 3BA (REF. 15/P3587) (ABBEY WARD) (Agenda Item 8)

1. Proposal – Erection of roof extensions.

2. Officers Report – Officers introduced the item, including why officers recommended the application for refusal, namely that, as detailed in the report, officers considered that "the proposed roof extension by virtue of its bulk, form, scale, design and roof profile would constitute an obtrusive and incongruous form of development that would detract from the appearance of the original building and be out of keeping with, and detrimental to, the visual amenity and character of the area as a whole".

3. Representations from Councillor Katy Neep – In the absence of Ward Councillor Katy Neep, the Chair read out the Ward Councillor's written submission supporting approval of this application (previously already circulated to Committee members).

4. Representations from neighbours – Officers confirmed that no representations had been received from neighbours/local residents regarding the proposals.

5. Discussion – There was considerable discussion of the proposals, including its corner site location; possible impact on the street scene and neighbours in Melbourne Road and Brisbane Avenue; the contemporary nature of the design; that one side of the development would face the Nelson Trading Estate rather than other residential properties; and the lack of representations from neighbours.

6..Approval Motion *(overturning the officer recommendation for Refusal)* - It was moved and seconded that the Application be approved subject to any appropriate conditions which may be agreed further to (B) below. The motion was carried by 7 votes to 1 (Councillor Peter Southgate dissenting; and Councillors Linda Kirby and Geraldine Stanford abstaining).

Decision: Item 8 - ref. 15/P3587 (80 Melbourne Road, South Wimbledon, SW19 3BA)

(A) GRANT PERMISSION subject to appropriate conditions (to be agreed in accordance with (B) below)

(B) Delegation: The Director of Environment & Regeneration be delegated authority to attach any appropriate conditions to the planning consent for this Application.

(C) Reasons for not following Planning Officers' recommendation for refusal: The Committee disagreed with officers assessment of the visual impact of the proposal.

11 PLANNING APPEAL DECISIONS (Agenda Item 9)

RECEIVED

12 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 10)

(i) 19 Laings Avenue, Mitcham, CR4 and 18 Morton Road, Morden, SM4 (para. 3.4 (a) & (b)) – Councillor Philip Jones thanked officers for their response to his queries on these items and indicated that he would be investigating both further.

(ii) Land formerly occupied by the Nelson Hospital, 220 Kingston Road, Wimbledon Chase, SW20 8DB (Phase 2, McCarthy & Stone site) *(Item 6 of this meeting's agenda)* – Councillor Peter Southgate advised that unexpected structures, including railings and poles/masts, had appeared on the roof on the new building on this site; and that photographs had been passed to Development Control (Leigh Harrington); and requested that the matter be investigated.

RECEIVED

13 MODIFICATIONS SHEET (FOR ITEM 5, WIMBLEDON STADIUM, ONLY) (Agenda Item 11)

See above Minutes on
(a) Item 4 (Town Planning Applications – Covering Report); and
(b) Item 5 (Wimbledon Stadium, Plough Lane, Tooting, SW17 0BL) (Ref. 14/P4361)

This page is intentionally left blank