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PLANNING APPLICATIONS COMMITTEE

26 MARCH 2015

(19.15 - 23.55)

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: Councillors Nick Draper and Andrew Judge

Richard Lancaster (Future Merton Programme Manager),
Jonathan Lewis (South Team Leader - Development Control),
Neil Milligan (Development Control Manager, ENVR), Michael
Udall (Democratic Services) and Sue Wright (North Team
Leader - Development Control)

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 DECLARATIONS OF INTEREST (Agenda Item 1)

None made at the start of the meeting.

3 APOLOGIES FOR ABSENCE (Agenda Item 2)

None.

4 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the Minutes of the meeting held on 12 February 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 items 6, 8, 10, 13, 14, & 18, 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 items.

5, 6, 9, 11, 12, 14, 15 & 18

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

Item 12 – Councillor Andrew Judge

Item 18 – Councillor Nick Draper

(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 - 8, 12, 15, 9, 14, 18, 5, 11, 6, 7, 10 & then 13.

RESOLVED : That the following decisions are made:

6 157 ARTHUR ROAD, WIMBLEDON, SW19 8AD (REF.15/P0036)
(WIMBLEDON PARK WARD) (Agenda Item 5)

1. Proposal - Listed Building Consent: reinstatement of acoustic partition wall between shop and access to upper floor residential uses.

2. Approval – The application was approved by 9 votes to nil (Councillor David Dean not voting).

Decision: Item 5 - ref. 15/P0036 (157 Arthur Road, Wimbledon, SW19 8AD)

GRANT LISTED BUILDING CONSENT subject to the conditions set out in the officer case report.

7 25 BELVEDERE DRIVE, WIMBLEDON, SW19 7BU (REF. 15/P0045)
(VILLAGE WARD) (Agenda Item 6)

1. Proposal - Demolition of existing two storey house and erection of 2 x detached houses with basement, ground, first and second (attic) levels with alterations to existing vehicular crossover on Belvedere Drive (Amendment to LBM planning permission 14/P1901 dated 16/10/2014 - addition of dormer windows to side roof elevations).

2. Dormer Windows – Officers explained that the application was identical to that approved at its meeting in October 2014 except for the replacement of a roof light with a dormer (2.3m wide and 1.27m high) on each of the 2 new houses above the staircase, on the roof flanks facing towards the side boundaries with the adjacent properties.

3 Refusal Motion: Members considered that the proposals were not a minor change to the original scheme and would have a considerable impact. It was moved and seconded that permission be refused as detailed below. The motion was carried by

unanimously. 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. 15/P0045 (25 Belvedere Drive, Wimbledon, SW19 7BU)

(A) subject to detailed grounds of refusal being agreed in accordance with (B) below, REFUSE permission on grounds relating to the following -

(1) the proposed dormer windows would close the gaps between buildings leading to a loss of the sense of spaciousness given by views through the gaps between buildings and so adversely affecting the character of the Conservation Area; and

(2) unacceptable bulk and massing of the proposed building; contrary to Council policies including Policy DM.D3 (sub-para. viii) of the Merton Sites and Policies Plan (July 2014)

(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 the officer report had underestimated the loss of spaciousness created by the proposed dormers.

8 LAND REAR OF 318-344 CANNON HILL LANE, RAYNES PARK, SW20 9HN (REF. 12/P3206) (CANNON HILL WARD) (Agenda Item 7)

1. Proposal - Application for demolition of existing scout hut and erection of new scout county HQ and car parking with access between 318/320 and 322/324 Cannon Hill Lane.

2. Revised Drawing – Officers advised that the car parking area had been amended in order to protect an oak tree and therefore drawing nos. needed to be updated to refer to Revision D (instead of Revision C).

3. Hours of Use – Officers explained that Condition (9) would restrict the hours of use of the premises to 8am to 9pm on any day; whereas paragraph 3.1 (on page 52) set out the applicant's anticipated hours of use (which were shorter).

4. Approval Motion - It was moved and seconded that permission be granted. The motion was carried by 8 votes to 1. (Councillor Linda Kirby dissenting).

Decision: Item 7 - ref. 12/P3206 (Land rear of 318-344 Cannon Hill Lane, Raynes Park, SW20 9HN)

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

9 SHREE GANAPATHY TEMPLE, 125-133 EFFRA ROAD, WIMBLEDON,

SW19 8PU (REF. 13/P3508) (TRINITY WARD) (Agenda Item 8)

Officers advised that the application had been formally withdrawn by the applicants and so would not be considered at this meeting.

10 THE BELL HOUSE, ELM GROVE, WIMBLEDON, SW19 4HE (REF. 15/P0099) (HILLSIDE WARD) (Agenda Item 9)

1. Proposal - Demolition of existing building and erection of a part single, part two, part three storey building to provide seven studio offices and associated site works.

2. Possible residential use – Officers advised that proposed condition (24) meant that any proposal to convert the development to residential use would first need planning permission.

3. Incomplete drawing – Officers referred to concerns raised by an objector in their oral representations that the solar study drawings for the existing development showed a gable roof and not a hipped roof. Officers advised that even with this correction, officers considered that any additional overshadowing compared to the existing scenario, would be insufficient to justify refusal.

Decision: Item 9 - ref. 15/P0099 (The Bell House, Elm Grove, Wimbledon, SW19 4HE)

GRANT PERMISSION subject to a S.106 Obligation and conditions set out in the officer case report.

11 CAVENDISH HOUSE, HIGH STREET, COLLIERS WOOD, SW19 2HR (REF 14/P4222) (COLLIERS WOOD WARD) (Agenda Item 18)

1. Reason for Urgency - The Chair had approved the submission of this report as a matter of urgency for the reasons detailed below –

The need to consider the application at the March Committee is considered vital in order that any delay does not impact adversely on the applicant's on-going commitment to work with the Council in delivering a new public library for Colliers Wood.

2. Proposal - Erection of a part five, part six and part seven storey building to provide: 540 sq.m of library and community space, (Use within Class D1), and 270 sq.m of floorspace for uses within Class within A1 (Retail) Class A2 (Financial and professional services), and D1 (Non-residential institutions) at ground floor level and 54 residential units above with a detached three storey building to the rear to provide 6 additional residential units. Access to parking spaces (6 disabled bays) cycle parking, servicing and flats off Cavendish Road with a further pedestrian access off Valley Gardens.

3. Affordable Housing – There was considerable discussion about the proposal delivering only 10% affordable housing compared to the Council’s policy to seek 40% affordable housing. Officers confirmed the viability of the scheme had been subject to independent review and advised that this had had to factor in the provision of the new public library and community facilities and other factors such as the site being located near London Underground tunnels.

3. New public library and community facilities - There was also considerable discussion on the value of these proposed new facilities in relation to assessing the scheme’s viability and the amount of affordable housing to be provided. Planning officers present explained that the new library facilities would be owned by the developer and that the negotiations for leasing of the new library facilities had been carried out by the Council’s Head of Libraries and Head of Property Services. The applicants representative advised that Heads of Terms had been agreed with the Head of Libraries for a lease of 25 years at £60k initially.

4. Approval – Following extensive discussion on the above matters and a number of other issues including the type of affordable housing proposed, the location of the affordable housing as a separate building within the site, the standard of accommodation, the housing density of the scheme, the building’s height and impact on the neighbourhood, the application was approved by 7 votes to 2 (Councillors David Dean and Ross Garrod dissenting).

Decision: Item 18 - ref. 14/P4222 (Cavendish House, High Street, Colliers Wood, SW19 2HR)

GRANT PERMISSION subject to S.106 Obligation and the conditions set out in the officer case report and the tabled modifications sheet.

12 587 KINGSTON ROAD, RAYNES PARK, SW20 8SA (REF 14/P4537)
(DUNDONALD WARD) (Agenda Item 10)

1. Proposal - Demolition of the existing two storey buildings [537 sqm of general industrial Use Class B2 floor space] and the construction of a part three, part four, part five storey replacement building providing 193 sqm of floor space at ground floor level to be used for any of the following retail, financial and professional services, restaurant or café, business or non-residential institution use [use classes A1, A2, A3, B1 or D1] and 20 flats [3 one bedroom, 15 two bedroom and 2 three bedroom flats] at the rear of the ground floor and on the upper floors with 22 cycle parking spaces, associated landscaping and highways works to provide a new layby in Kingston Road for servicing and two disabled parking bays

2. Lost Refusal Motion - It was moved and seconded that the application be refused on the following grounds - the loss of employment land, no affordable housing provision and lack of car parking.. The motion was lost by 7 votes to 3 (Councillors David Dean, Ross Garrod and Daniel Holden voting for the motion). The Application was subsequently approved as indicated below by 7 votes to 2 (Councillors David Dean and Daniel Holden dissenting and Councillor Ross Garrod not voting).

Decision: Item 10 - ref. 14/P4537 (587 Kingston Road, Raynes Park, SW20)

GRANT PERMISSION subject to S.106 Obligation and the conditions set out in the officer case report and the tabled modifications sheet.

- 13 THE OLD LIBRARY, 150 LOWER MORDEN LANE, MORDEN, SM4 4SJ
(REF 14/P4693) (LOWER MORDEN WARD) (Agenda Item 11)

1. Proposal - Replacement of the first floor extension with new first and second floor extensions and reconfiguration of site to create 4 x 2 bed flats with continued use of ground floor office space (use within Class B1).

2. Approval – The application was approved by 9 votes to nil.

Decision: Item 11 - ref. 14/P4693 (The Old Library, 150 Lower Morden Lane, Morden, SM4 4SJ)

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

- 14 34-40 MORDEN ROAD, SOUTH WIMBLEDON, SW19 3BJ (REF. 14/P3856)
(ABBEY WARD) (Agenda Item 12)

1. Proposal - Application for outline planning permission considering access and scale for the demolition of the existing two storey buildings at 34-40 Morden Road [providing 1 two bedroom house, 2 one bedroom flats and 7 studio flats] and erection of a building up to a maximum of five storeys [previously up to 8 storeys] providing an 'aparthotel' consisting of 17 serviced apartments including 7 studio units and 10 one bedroom units provided short term accommodation together with 9 residential flats providing 6 one bedroom, 2 two bedroom and 1 studio flat [Outline planning application with access and scale considered at this stage with external appearance, landscaping, layout reserved matters for future consideration].

2. Height – There was discussion about the height of the proposed 5 storey building, particularly in comparison to other buildings in the neighbourhood. Officers confirmed that the precise height was not included in the report, but that officers estimated that the new building would be a maximum of 13m high at its core, and advised that, if necessary, a maximum height for the new building could be derived from scaling the drawings submitted with this outline application.

2.1 There was also discussion of how the 5 storey building would appear when viewed from the street and other buildings. Officers highlighted that the top floor would be recessed back so giving the appearance of a 4 storey building when viewed from the street.

3. Discussion – There was extensive discussion of the application including on the above issue of height and on the heritage value of the cottages on the site, the

standard of accommodation to be provided, the location of the new building within the application site, and its bulk and massing.

4. Refusal Motion: It was moved and seconded that permission be refused as detailed below on the same grounds as the previous application (ref. 13/P1898) (as shown in para. 4.3, page 221) subject to the deletion of (iv) referring to Nelson Gardens. The motion was carried by 9 votes to nil (Councillor Linda Kirby not voting). Subsequently it was noted that the proposed grounds of refusal referred to the Unitary Development Plan (UDP) and the Committee agreed that officers be delegated authority to agree the detailed grounds of refusal and also agreed (C) below.

Decision: Item 12 - ref. 14/P3856 (34-40 Morden Road, South Wimbledon, SW19 3BJ)

(A) subject to detailed grounds of refusal being agreed in accordance with (B) below, REFUSE permission on grounds relating to the following -

The proposals fail to demonstrate that the development
(i) would respond to and reinforce the locally distinctive pattern of development and landscape; (ii) respect the siting, rhythm, scale, density, proportions, height, and massing of surrounding buildings; and (iii) achieve a high standard of design that would complement the character and local distinctiveness of the adjoining townscape and landscape; and would be harmful to the visual amenities of neighbours and of the area generally. The proposals would be contrary to policies 3.5 and 7.4 of the London Plan, policy CS.14 of the Merton LDF Core Planning Strategy, and policies BE16 (i) and BE.22 (i) and (ii) of the Merton Unitary Development Plan (2003).

(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 disagreed with the officer assessment of the visual impact of the proposal.

15 KINGS COLLEGE SCHOOL, SOUTHSIDE COMMON, WIMBLEDON, SW19 4TT (REF. 15/P0212) (VILLAGE WARD) (Agenda Item 13)

1. Declaration of Interest – Prior to discussion of this item, Councillor David Dean indicated that he would be unable to vote on the item as KCS had links with the school where his children attended and he was a school governor.

2. Proposal: Demolition of single storey lodge and erection of music school buildings comprising a concert hall, teaching and practice areas, gate reception and porter's residential accommodation (three bedroom self-contained flat).

3. Community Use – Reference was made to a previous application for upgrading the facilities at Kings College School (including a multiple use games area), when the School had been asked to make the new facilities available to the local community. Officers advised that they would expect that the new facilities proposed in the current application would be made available to other schools and referred to the Kings College School's links with other schools in the Borough.

Decision: Item 13 - ref. 15/P0212 (Kings College School, Southside Common, Wimbledon, SW19 4TT)

GRANT PERMISSION subject to the conditions set out in the officer case report and the tabled modifications sheet.

16 23 VINEYARD HILL ROAD, WIMBLEDON, SW19 7JL (REF. 14/P4646)
(WIMBLEDON PARK WARD) (Agenda Item 14)

1. Proposal - Demolition of existing garage and erection of single storey side and rear extensions and enlargement of existing basement, alterations to the fenestration of the existing dwelling house and construction of new steps from street level to new side entrance together with associated landscaping.

2. Fencing – Officers advised that in order to deal with possible concerns regarding overlooking due to the proposed side window panels of the development, a condition was proposed requiring that the proposed boundary fencing be a minimum of 1.75m in height. Officers also indicated that in fact the applicant and neighbours had now agreed the fencing be 1.85m in height.

Decision: Item 14 - ref. 14/P4646 (23 Vineyard Hill Road, Wimbledon, SW19)

GRANT PERMISSION subject to conditions set out in the officer case report and the tabled modifications sheet.

17 STIRLING HOUSE, 42 WORPLE ROAD, WIMBLEDON, SW19 4EQ (REF. 14/P3300) (HILLSIDE WARD) (Agenda Item 15)

1. Proposal - Extension of existing second floor and installation of third floor roof extension to provide additional office (B1) floor space.

2. Discussion – There was discussion including on the location of the application site just outside the Wimbledon Town Centre (WTC) boundary as defined on the Council's Policies Map; officers' advice that a sequential test was not needed in this case, the demand and vacancy level for office space in WTC, the appearance of the existing building and the proposed development; and the effect of the hill behind the application site.

3. Lost Refusal Motion - It was then moved and seconded that the application be refused on the grounds that the proposal would be unacceptable due its bulk and massing which would exacerbate the existing monolithic appearance of the building. The motion was lost by 6votes to 4 (Councillors John Bowcott, David Dean, Daniel

Holden and Peter Southgate voting for the motion). The Application was subsequently approved as indicated below by 6 votes to 2 (Councillors David Dean and Daniel Holden dissenting, and Councillor John Bowcott not voting.)

Decision: Item 15 - ref. 14/P3300 (Stirling House, 42 Worple Road, Wimbledon, SW19 4EQ)

GRANT PERMISSION subject to S.106 Obligations and conditions set out in the officer case report.

18 MEETING BREAK (Agenda Item)

After consideration of item 14 at about 9.35pm, the Committee adjourned its discussions for about 5 minutes.

19 PLANNING APPEAL DECISIONS (Agenda Item 16)

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20 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 17)

25 Malcolm Road, Wimbledon, SW19 (para. 2.02) – Officers advised that, in relation to the rear garden, having regard to various court cases elsewhere, the viability of possibly taking direct action (where the Council itself carried out remedial works to the land) was being further discussed with Legal Services.

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21 MODIFICATIONS SHEET (FOR VARIOUS ITEMS) (Agenda Item 19)

See above Minute on Item 4 (Town Planning Applications – Covering Report)

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