

# **Merton Council**

## **Planning Applications Committee**

**17 January 2019**

### **Supplementary agenda**

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## Planning Applications Committee 17<sup>th</sup> January 2019. Supplementary Agenda (Modifications Sheet)

### Item 5. Meeting Hall, 18 Arras Avenue, Morden SM4 – 18/P3617 - Ravensbury Ward

Consultation (page 10)

Insert after paragraph 5.1

Additional representations received from 20 and 22 Arras Avenue

Summary of additional Representations:

Security:

- Not comfortable with leaving security and fencing details to conditions as neighbours would have no input.
- Proposals should be made a gated development.

Residential amenity:

- Potential overlooking from second floor of 20 into velux roof lights at 18 Arras Avenue.
- Lack of a 2.4m high fence will allow overlooking of 18 from 20.

Neighbour amenity:

- Does not agree with planning officer's conclusions that changes to access arrangements, gardens and refuse stores position are not considered to have a harmful impact on the amenity of neighbours that would warrant a refusal of planning permission.
- Proposals introduce 5 additional doors less than 6m from the fence of 20 Arras Avenue constitutes a realistic threat and the diminution of amenity for the residents of 20. The difference between 3 front doors and 5 garden doors is seismic.
- Garden doors more likely be left open during clement weather allowing noise generated from living area to spill outwards and vice versa. Sounds of TV's radio speech and everyday living would pollute amenity space of number 20 and more likely 22 as well.
- Any noise and activity at 20 would impact on all units in 18 Arras Avenue.
- Applicant's assertion that the amended scheme will work with the existing fabric will mean less disruption is a red herring.
- Outdoor amenity space is chopped up and does not provide the required 50 sq.m in a single usable space. Plots immediately next to dwellings are postage stamp size and remainder of gardens are less conveniently located.
- Concerned that the report does not fully reflect concerns of the metropolitan Police advisor.
- Applicant should use clay tiles.
- Bins occupy a larger single space.
- The matter of the right of way enjoyed by the Scout Group across the site is unresolved. The right of way is 2.6m wide. The developer has reduced this to 1m which does not satisfy the requirements of the Scout group for wheelchair access or parent with buggies being able to pass one another or provide access in the rear wall of Unit F.
- Local planning authorities in making their decision about planning applications ought to have regard to the important material consideration as to whether there are sound reasons to believe that a development proposal might not be capable of implementation. This is particularly important in the case of housing developments where the local planning authority will have regard to its housing land supply. The

right of way has not been extinguished by mutual agreement. Accordingly the Scout Group will maintain its opposition meaning that it cannot go ahead.

- Met Police have commented that the long established emergency egress route is a matter that needs to be dealt with.
- Concerned that previous approval is being used to set a precedent.

#### **Item 6. 28 new Barns Avenue, Mitcham CR4 – 18/P3736 – Pollards Hill Ward.**

##### Consultation (page 24)

Insert after paragraph 5.1.

One additional representation from the adjoining occupier at 26 New Barns Avenue comprising an e-mail and letter with attachments received after publication of the agenda.

The e-mail notes that significant building work was undertaken to the rear wall in the previous week to an identifiable structural failure of the brickwork.

Structural integrity of the chimney stack has been a concern of the objector.

Work is being undertaken in the absence of a full structural survey and in breach of the Party Wall Act. Objector is extremely concerned against this background that the application is being recommended for approval.

Submitted plans do not reflect what has been constructed.

Extended chimney stack has not been fully dimensioned, or specified.

To recommend to Committee that the application should be agreed when drawings are defective and in light of structural failure is unprofessional and a case of maladministration.

The letter reiterates concerns that were raised in letter of 18<sup>th</sup> December regarding structural integrity of chimney stack which has been “doubled” in height without first seeking neighbour’s agreement and in breach of Party Wall Act.

Detailed comments regarding structural failure of rear wall which undermines Council’s (Building Control) comments that works should not affect structural stability of building. Detailed comments are set out in letter which has been circulated to members of Committee.

Further comments regarding competency or otherwise of Building Control.

States that the Council has a duty of care to its residents not to approve a planning Application for any building development which it has been made aware of is potentially unsafe and is a risk to life and property, until those concerns have been fully investigated and satisfactorily resolved.

#### **Item 7. Planning Appeal decisions.**

No modifications.

#### **Item 11. Enforcement summary.**

No modifications.