

# **Merton Council**

## **Planning Applications Committee**

**5 September 2013**

### **Supplementary agenda**

20 Proposed Modifications to Agenda Items

1 - 18

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## Planning Applications Committee – 05 September 2013

### Modifications Sheet.

#### Agenda for this meeting and minutes of previous meeting

No modifications

#### Town planning applications covering report

No modifications

#### Item 1 46 Deburgh Road, Colliers Wood, SW19 1DU

##### Section 106 Legal Agreement (page 20)

Paragraph 10.21 amended to read:

“ Adopted UDP Policy C.13 states that where new housing development will lead to a need for improved or additional educational provision, such provision, or financial contributions towards the facility, will be sought. The Supplementary Planning Document provides a formula for these obligations based on the likely number of children, supply and demand figures for each ward and the cost of education provision. In the light of the type of accommodation proposed, an education contribution would be required in this instance as the proposal would result in one additional unit of two-bedrooms or more, which would be capable of accommodating a child likely to require educational provision. Primary school places are now fully funded within the borough and as such a figure of £827 would be sought as a S106 planning obligation based on the continued need to fund secondary school provision.”

##### Recommendation (page 21).

Amend S106 education contribution to read:

“ Financial contribution for the provision of improved educational facilities (£827)”.

#### Item 2: 21 Eastfields Road, Mitcham, CR4 2LS

##### Policy context (page 41).

Para 6.4 – Amend and delete “(appended to this report)”.

Insert after page 66.

Appeal decision letter for 12/P1576.

Site layout, elevations and perspectives for 12/P1576.

#### Item 3: 15 Ellerton Road, West Wimbledon, SW20 0ER

No modifications

#### Item 4: Merton Abbey School, High Path, Wimbledon, SW19 2JY

##### Site and surroundings (page 96).

Paragraph 2.1 amend to read “1.1 hectares”.

##### Current proposals (page 97).

Amend paragraph 3.4 to read.

The proposals include a temporary building. The building is half the size of the single modular classrooms LBM usually provides. It is just for the duration of the building works on site. The school intends to use the building to deliver the following – family outreach, one to one and small group support – throughout the school day. The school have indicated that less than 10 people will use the space at any given time. The building would be removed on completion of the school extension.

Planning considerations (page 103).

Paragraph 7.22. Amend to read “Section 8 Agreement”.

Recommendation (page 106-110).

Conditions and Informatives to be numbered and ordered.

Page 110. Insert NPPF Informative.

Insert at page 140.

Brochure extract showing modular temporary building.

**Item 5: 58 Kings Road, Wimbledon, SW19 8QW**

Consultation (page 143).

Insert at end of summary of neighbour consultation: “Two further objections received, and not raising any new issues”.

**Item 6: 16 Lambton Road, Raynes Park, SW20 0LR**

Recommendation (page 172).

Insert standard NPPF Informative.

**Item 7: Land RO Nelson Arms, 15 Merton High Street, Colliers Wood, SW19 1DF**

Planning History (page 181).

Paragraph 4.1 – Amend to read:

2011 – Pre application inquiry (11/P2689/NEW) for the erection of a three storey block of 7 flats.

Insert after page 205.

Two additional drawings showing an earlier iteration of proposals for the site for a 4 storey building.

**Item 8: 1 Peek Crescent, Wimbledon, SW19 5ER**

Insert after page 222.

Block plan showing outline of approved building.

**Item 9: Poplar School, Poplar Road South, SW19 3JZ**

Drawings (page 223)

Insert additional drawing - 752 001 P016.

Recommendation (page 234)

Condition 2 - Insert additional drawing - 752 001 P016.

Conditions and Informatives to be numbered and ordered.

Page 236. Insert NPPF Informative.

**Item 10: Wimbledon Park, Revelstoke Road, SW19 8EJ**

Consultation (page 258-268).

4 further letters of objection and 2 photo sheets received raising no new issues.

A 'Friends of Wimbledon Park Project Plan' document has been sent for information.

**Item 11: Mallards, Southside Common, Wimbledon, SW19 4TG**

No modifications

**Item 12: 1 Spencer Hill, Wimbledon, SW19 4NZ**

Consultation (page 319-320)

One further objection received from the occupiers of 3 Spencer Hill, re-iterating their previously submitted objections.

Recommendation (page 323)

Insert additional conditions:

Before the development hereby permitted is first occupied, the windows in the side elevations of the basement extension (facing 3 Spencer Hill) shall be glazed with obscure glass and fixed shut and shall permanently maintained as such thereafter.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with policy BE.15 of the Adopted Merton Unitary Development Plan 2003.

Before the development hereby permitted is first occupied, the windows in the side elevations of the ground floor extension (facing 3 Spencer Hill) shall be glazed with obscured glass and shall be maintained as such thereafter.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with policy BE.15 of the Adopted Merton Unitary Development Plan.

Insert NPPF Informative.

**Item 13: 67 Vineyard Hill Road, Wimbledon, SW19 7JL**

No modifications

**Planning Appeal Decisions**

No modifications

**Planning Enforcement - Summary of Current Cases**

No modifications



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# Appeal Decision

Site visit made on 24 July 2013

**by Lynne Evans BA MA MRTPI MRICS**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 August 2013

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**Appeal Ref: APP/T5720/A/12/2188693**  
**21 Eastfields Road, Mitcham, Surrey CR4 2LS**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Kier Construction Ltd against the decision of the Council of the London Borough of Merton.
  - The application Ref: 12/P1576 dated 30 May 2012, was refused by notice dated 19 November 2012.
  - The development proposed is demolition of existing house and garages; erection of 26 flats with associated access, car parking, cycle store, binstore, external works and landscaping.
- 

## Decision

1. The appeal is dismissed.

## Main Issues

2. The main issues in this appeal are:
  - a) the effect of the proposal on the character and appearance of the local area;
  - b) whether the proposed development would create satisfactory living conditions for future residents, and
  - c) the effect of the proposal on the living conditions of surrounding neighbours with particular regard to overlooking and loss of privacy, loss of outlook and loss of light.

## Reasons

### ***Issue a) Character and Appearance***

3. The appeal site relates to an irregular shaped area of land with an access off Eastfields Road and includes No 21 Eastfields Road. The land to the rear has 4 single storey blocks comprising some 40 garages in total, with a triangular area of open, disused land to the rear. The site is bounded by No 19 Eastfields Road to the south-west; the rear gardens and a rear access pedestrian route serving the rear gardens of two storey terraced houses in Fernlea Road to the north-west and a public footpath which divides the site from the rear of residential properties in Ormerod Gardens to the east and south-east.
-

4. The character and appearance of the local area is predominantly residential comprising a mix of traditional and more modern houses, mainly of two storeys with pitched roofs and short front and longer rear gardens. The appeal site would be developed with two large three storey blocks of development with flat 'green' roofs, largely surrounded by car parking together with very limited and incidental areas of amenity space.
5. There is no issue over the principle of redeveloping the site for residential use and in this respect I have regard to the planning history of the site, including the earlier Planning Brief produced by the Council. However, I consider that the scale and massing of the proposed scheme, including in terms of its overall built site cover, the proposed height and bulk of the two blocks, and the flat roof and elevational design solution would introduce an alien and incongruous form of development that would bear no relationship to the scale and form of the surrounding residential development.
6. It would, in my view, be an over development of the site in terms of the scale of development and the balance between built form and open space. The development would also in several places abut the site boundary which, given its scale and height, would present a very overbearing and cramped form of development. Furthermore, it would be visually intrusive in the street scene, including from Eastfields Road and from the public footpath which runs along the eastern/ south-eastern boundary.
7. In each and all of these matters, I conclude that the proposed development would not respect but would harm the character and appearance of the local area. This harm would conflict with Policies BE.16 and BE.22 of the adopted Merton Unitary Development Plan 2003 (UDP), Policy CS.14 of the Council's adopted Core Strategy (2011) and Policies 7.4 and 7.6 of The London Plan as well as the National Planning Policy Framework (Framework). These Policies and the Framework all seek a high standard of design which respects the local context. The Framework states at Paragraph 64 that *permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.*

**Issue b) Living Environment for Future Residents**

8. The proposed development would provide 26 residential units of which 9 would be 3 bedroom (six persons); 9 would be 2 bedroom (four persons) and 8 would be 1 bedroom (2 persons). However, there would be minimal amounts of amenity space provided to serve the overall number of units, a significant proportion of which would be large enough to accommodate families. Most of the areas of amenity space would be very small in size and irregular in shape and so would be of very limited value as amenity space. Furthermore, because of their small size and the proximity to the residential flats and windows, particularly at ground floor level, there would be an unacceptably close relationship between the flats and the amenity space, potentially creating noise and disturbance for those residents in the rooms directly adjoining the small areas of open space.
9. I recognise that the size of the flats and individual rooms meet the relevant standards and guidance, but nonetheless I also share the Council's concerns over the layout and internal arrangements of some of the rooms and flats,

particularly in terms of the very limited outlook from some of the rooms. The development would be difficult to 'read' with no clearly defined front and rear elevations for either block. Furthermore, the main entrances for both blocks would be poorly located and would not in my view provide a well located safe and convenient point of arrival for the residents.

10. I consider that in terms of the unacceptable amount and form of amenity space as well as the unsatisfactory outlook, and poor access arrangements, the development would create cramped and oppressive living environments for future residents. The development would not therefore create satisfactory living conditions for future residents. This harm would conflict with the Framework, Policy 3.5 of the London Plan, Policy CS8 of the Core Strategy, Policy HS1 of the UDP and the Council's Supplementary Planning Guidance: New Residential Development (SPG). The policies and guidance accord with one of the Core Principles of the Framework that planning should *always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.*

### ***Issue c) Living Conditions for Neighbouring Residents***

11. Given its massing and height and proximity to surrounding residential development, Block B, at the narrower end of the site, would present an overbearing and oppressive bulk of development facing towards the residential neighbours in Fernlea Road and also to those in Ormerod Gardens closest to the site. This would harm the outlook for these residential neighbours from windows in the rear of their properties as well as from within their rear garden areas.
12. I also consider that this proximity, particularly given the scale of the development over three storeys would lead to direct and unacceptable overlooking of some of these nearby properties and particularly of their rear garden areas. This would also harm the living conditions of the surrounding residents as a result of loss of privacy.
13. The Appellant has indicated that he would be prepared to accept a condition in relation to obscure glazing of some of the windows in Block B facing towards Fernlea Road and Ormerod Gardens. However, I am not persuaded that this would be an acceptable solution in that in seeking to resolve one issue, it would further compromise and exacerbate my conclusions in relation to the living environment for future residents, resulting in a more oppressive and unsatisfactory internal environment.
14. The introduction of this scale and form of development and its proposed siting, particularly of Block B, in relation to the surrounding residential properties would have a significant adverse effect on many of the surrounding neighbours of the site, with particular regard to loss of outlook, overlooking and loss of privacy. This would conflict with Policies BE.15 and HS.1 of the UDP and the SPG as well as the Framework. These all seek for new development to respect the amenities of existing residents.
15. The Council has also raised in its reasons for refusal the harmful impact of the development on the living conditions of the neighbours through loss of daylight and sunlight. There is insufficient and indeed conflicting information and evidence before me to enable me to draw a firm conclusion on this point.



However, given the proximity and orientation of the development to many of the surrounding properties and taking into account the scale of the proposed blocks of flats, and particularly Block B, I share the Council's concerns in this regard. This would add to the harm I have already concluded under this issue.

### **Conclusion**

16. There is no issue over the principle of residential development of this site and I have taken into account the potential benefits arising from the development in terms of securing new residential units, including affordable units. However, these benefits do not outweigh the harm I have concluded under each of my main issues. For the reasons given above and having regard to all other matters raised, including in letters of representation, I conclude that this appeal should be dismissed.

*L J Evans*

INSPECTOR

Scale: 1:100  
 Scale: 1:50  
 Scale: 1:20

- 1m LEVEL SURFACE PLANTING
- 2m LEVEL SURFACE PLANTING
- 2m LEVEL SURFACE PLANTING WITH EDGE SOFTENING
- EXISTING TREES
- PROPOSED NEW TREE PLANTING TO BE ADVANCED
- ADVANCED MATURED STOCK MINIMUM 100mm DBH (WITH PLANTING)
- DEFENSIVE STREET PLANTING
- NEW TREE PLANTING WITH SELECTED PLANTS SUCH AS IMPATIENS, FICUS, ETC.
- NEW TREE PLANTING WITH SELECTED PLANTS SUCH AS IMPATIENS, FICUS, ETC. WITH A 10m RADIUS BLACK WALL OF BICYCLE STORE (WIRE SYSTEM)
- LOW LEVEL SURFACE PLANTING
- TREES TO BE RETAINED

NOTE: ALL GREEN ROADS TO COMPLY WITH A VARIETY OF THE HIGHWAY ACT AND THE ROAD TRAFFIC ACT. ALL GREEN PLANTED AREAS TO COMPLY WITH THE HIGHWAY ACT AND THE ROAD TRAFFIC ACT. ALL GREEN PLANTED AREAS TO COMPLY WITH THE HIGHWAY ACT AND THE ROAD TRAFFIC ACT.

Sheet 1



KEY PLAN

Planning Submission

London Borough of A  
 15 JUN 2012  
 Planning Department

Rev A - 8/09/12 - Amended to suit clients comments

**CONIC**

**Iconic Architecture Limited**

La Borne  
 Studio FT  
 Battersea Studios  
 80 Battersea Road  
 London SW8 3NE

Tel: 0203 997234  
 Fax: 0203 997235  
 Email: info@iconic.co.uk

**KIER**

Job No: 11008/AV/2009/043  
 Date: 15 JUN 2011  
 Scale: 1:100 (AV) 2009/043

Client: KIER LONDON LTD  
 80 Battersea Road  
 London SW8 3NE

Proposed: PROPOSED SITE PLAN / LAYOUT (BLOCK A)  
 SHEET 1 OF 2

Drawn by: AM  
 Checked by: JH  
 All dimensions to be marked on site.  
 Do not scale the drawing.  
 © 2012 KIER



SITE PLAN

No. 19





ELEVATION A



ELEVATION B



ELEVATION C



ELEVATION D

Scale: 1:100  
 Scale: 1:50  
 Scale: 1:20



KEY PLAN  
 Planning Submiss

**LEGEND OF MATERIALS**

1. **CORNICE**  
Fiber framed with aluminum covering
2. **RAINWATER GOODS**  
Galvanized rainwater pipes gutters, hoppers and down pipes to match the cornice. Dummy RWP to conceal gas pipes.
3. **RENDER**  
Wisper Saint-Gobain (D1) Faciment Colour or similar render finish.
4. **BRICK WORK**  
Jacobus Tradeprice Heather Bricks or similar with natural mortar joints by Walls. Substock Subcontractors Slate Blue Smooth for low level fence wall at 300mm height around Block A.
5. **RENDER**  
Wisper Saint-Gobain (D0) Azur Blue Colour or similar render finish.
6. **WINDOWS**  
Double glazed, powder coated RAL 9002 or similar aluminum windows (PFRUG). Jullar windows to have suppressive glazing and double operable door. Kitchen windows to be at 1500 M.
7. **REFUSE STORES**  
Galvanized steel framed doors with ventilation louvers.
8. **ENTRANCE CANOPY**  
Glass canopy supported by chrome finished tubular framework and two coloured powder coated tubular post.

Rev A - 12/06/12 - Heights changed as per clients

**Project:** LAND TO THE REAR OF 21 EASTFIELD ROAD  
 MITCHELL STREET

**Client:** ECONIC LAND AND DEVELOPMENTS LTD

**Description:** ELEVATION BLOCK A

Date:	SEP 2011
Scale:	1:100@A1/2
Number:	A
Drawing no:	PL_003
Drawn by:	JM
Checked by:	JM

All dimensions to be shown on all drawings unless otherwise stated.  
 © ECONIC 2011

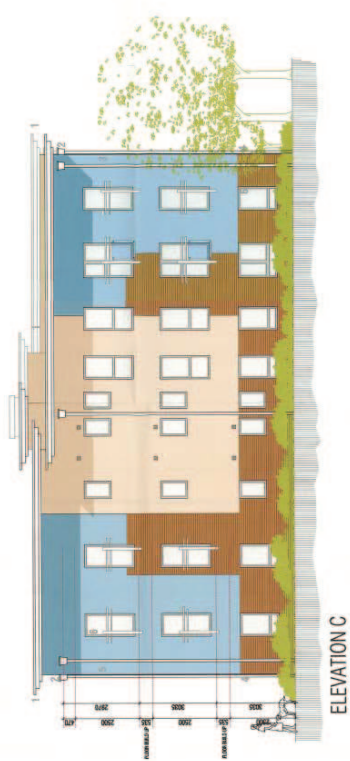


ELEVATION A



ELEVATION B

Scale: 1:100  
 Scale: 1:50  
 Scale: 1:20



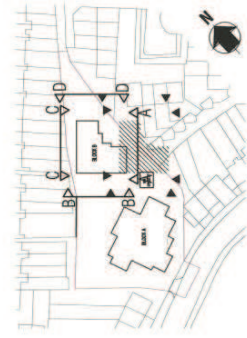
ELEVATION C



ELEVATION D

**LEGEND OF MATERIALS**

1. CORNICE  
Timber lined with aluminum covering
2. RAINWATER GOODS  
Copper pipes, gutters, down pipes to match the cornice. Downspout RWP to conceal g.p. pipes.
3. RENDER  
Wibet Saint-Gobain 200 Four Blue Colour or similar render finish.
4. BRICK WORK  
Fitzcock Trademark Hebler Bricks or similar with natural mortar joints for walls. Bricks Sandpainted Stone Blue colour for low level brick walls of 500mm height around Stair A.
5. RENDER  
Wibet Saint-Gobain 10 Parchment Colour or similar render finish.
6. WINDOWS  
Double glazed, painted colour RAL 5002 or similar aluminium windows (RHAU). Jullier windows to have toughened glazing and fixed bottom panel and fully insula operable door. Refined windows to be at 1050 Ht.
7. REFUSE STORES  
Galvanized steel framed doors with ventilation louvers.
8. ENTRANCE CANOPY  
Glass supported by chrome finished tubular framework and coloured powder coated tubular posts.



KEY PLAN

Planning Submission

London Borough of Merton

15 JUN 2012

Planning Development Control

Rev A - 12/06/12 - Heights changed as per clients comments.

Project: MURPHY ROAD 27 DISTRICT ROAD, MUTTON, WILTSHIRE		Client: MURPHY ROAD 27 DISTRICT ROAD, MUTTON, WILTSHIRE	
Site: MUTTON, WILTSHIRE		Date: 15 JUN 2012	
Developer: CONIC LAND AND DEVELOPMENTS LTD		Height: A	
Drawings: CONIC HOUSES BLOCKS		Checked by: JH	
Job no: W201108		Drawn by: AM	
Drawing no: P-010		Date: 11/06/11 20:04:03	

© 2012 CONIC

Iconic Architecture Limited  
 La Borne Studio 77  
 Bishops Cleeve  
 80 Sherborne Road  
 London SW8 5NE  
 t: 0203 9972504  
 f: 0203 9972525  
 e: info@iconic.co.uk

**KIER**

All drawings to be checked and sealed.  
 Do not make any amendments.  
 © 2012 KIER

AMENDED

Consent Plan - Elevations Block B



**Item 4.**

**Manufacturer's brochure extract showing modular building similar to SEN building proposals.**

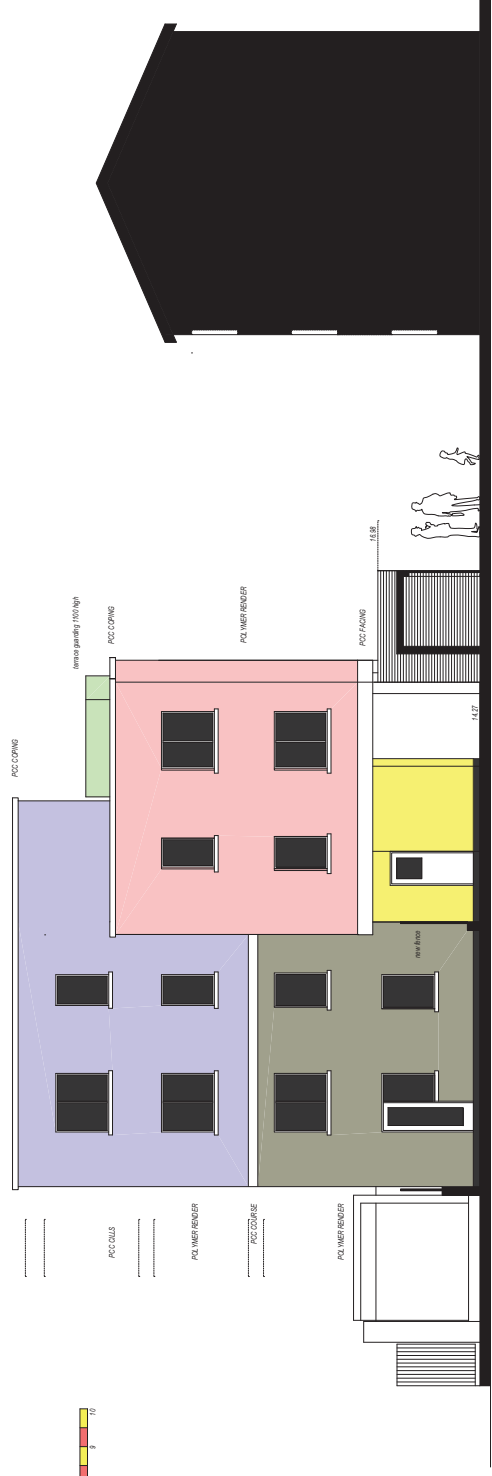


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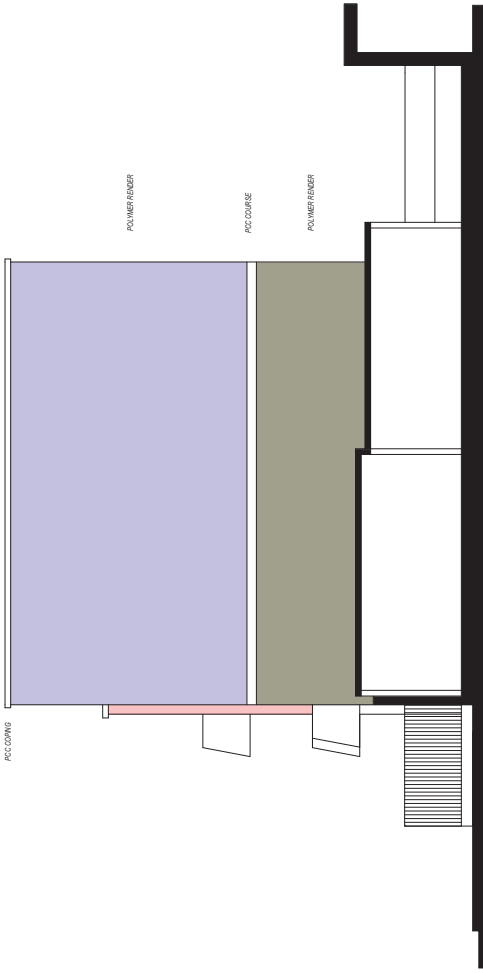
EAST ELEVATION



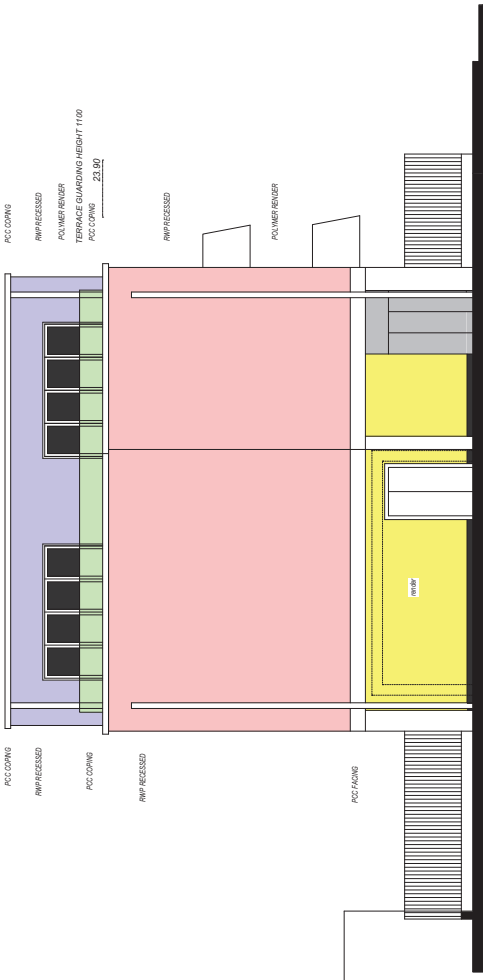
WEST ELEVATION

THIS DOCUMENT IS THE PROPERTY OF PETER STERN ARCHITECT & DESIGNER. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY REFERRED TO IN THE TITLE. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, WITHOUT THE WRITTEN PERMISSION OF PETER STERN ARCHITECT & DESIGNER.

CLIENT	Five Corners Ltd	SCALE	1:100: A2
ARCHITECT	PETER STERN	DATE	Sept 2012
PROJECT	Land off Abbey Road London SW19	DRAWN BY	
DRAWING TITLE	scheme for 6 flats - E & W elevations	DRAWING NO.	345/12D
33 Dorman Drive North London SW19 4E Tel: 020 858 2547 Mob: 07957 40546 Email: info@peterstern.co.uk Web: www.peterstern.co.uk			



NORTH ELEVATION



SOUTH ELEVATION



SECTION THRO STAIRS

rev A 17.10.2012 corrections to parapet heights and window soffits and section through stairs. see schedule of materials attached for more details. please note that the heights shown are for the ground floor only. please refer to the schedule of materials for the heights of the other floors.

CURR:	PETER STERN	SCALE	1:100: A2
FIRM:	Five Corners Ltd	DATE	Sept. 2012
JOB TITLE:	Architect & Designer	DRAWN BY:	
ADDRESS:	33 Dorman Drive North	DRAWING NO.	345/13C
CITY:	LONDON W11 0ED		
PHONE:	TEL: 020 8442 2427		
EMAIL:	OFFICE@FIVECORNERS.CO.UK		
WEBSITE:	WWW.FIVECORNERS.CO.UK		

Land off Abbey Road London SW19  
 scheme for 6 flats - elevations & sections



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