

Merton Council
Planning Applications Committee
20 April 2017
Supplementary agenda

19 Modifications

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Planning Applications Committee 20 April 2017 **Supplementary Agenda (Modifications Sheet)**

Item 5. 260 Church Road, Mitcham, CR4 3BW (16/P2971)

Consultations (Page 22)

Insert after paragraph 5.1

Since the publication of the Committee agenda, an additional 10 objections have been received to the proposal. The letters raised the following new points:

- The proposed block is a tall building as defined in Merton's Tall Buildings Background Paper (2010)
- The proposed block will break the Council guidelines on Local Character and Historical Interest
- Proposal will have a direct and severe impact on the 'grid iron' development of the surrounding area and estate it is to be built upon
-

Planning considerations (page 26).

Visual intrusion and loss of light

Amend paragraph 7.53 (page 35) to read as follows:

In accordance with BRE guidelines, at least 50% of any amenity area should receive at least two hours of sunlight on 21st March. In respect of No. 262 Church Road the analysis shows that 62.3% of the garden will receive at least two hours of sunlight, and would meet the BRE guidelines.

Recommendation (page 42)

Amended Condition

3. Standard condition [materials to be approved]: Prior to above ground works details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), shall have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

9. Prior to above ground works details of secure cycle parking facilities for the occupants of, and visitors to, the development shall have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to safeguard the existing retained trees to comply with the following Development Plan policies for Merton: policies 6.13 and 7.21 of the London Plan 2015, policies CS18 and CS13 of Merton's Core Planning Strategy 2011 and policies DM T1 and DM O2 of Merton's Sites and Policies Plan 2014.

- 14 Prior to above ground works details of noise attenuation and noise management methods to mitigate against the likely impact of the existing noise environment on the development shall be submitted to and approved by the local planning authority. The approved methods shall be implemented in strict accordance with the approved details prior to the first occupation of the development

Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

Item 6. Crownall Works, Elm Grove, Wimbledon, SW19 (16/P2166)

Amend paragraph 7.3.3 to read:

No residential properties located to the south or southwest of the application site would be affected by the development. Occupiers of No.5 would be able to view the development through the front windows of their flats. It is however considered that the development would not be visually intrusive or overbearing when viewed from No.5 given it is located approx. 25m from the front elevation of this building and would also be viewed from an oblique angle. It is also considered that the development would not be visually intrusive or overbearing when viewed from Nos. 9 to 11 Elm Grove given the front or rear elevations of these properties would not directly face the development. The development would also be located a minimum 16.5m from the side boundary of No.9 and the current single storey commercial building would help screen the development when viewed from this property. Nevertheless, it should be noted that the houses do not feature any windows on their side elevations other than to the stair towers and a condition will be attached requiring a 1.7m high screen is provided on the north elevation of the terraces of houses 1, 3 & 5 to protect privacy. The applicant has provided a daylight/sunlight assessment which shows that Nos. 5 and 9 would continue to receive acceptable levels of daylight/sunlight. The applicant has also carried out a shadow path analysis which demonstrates that there would be no adverse overshadowing impact to any existing amenity areas adjacent to the site.

Item 7. Merton Hall, 78 Kingston Rd, Wimbledon, SW19 1LA (16/P4748)

Consultations (Page 153)
Insert after paragraph 5.3

Since the publishing of the committee agenda, an additional objection was received to the proposal. In addition to those reasons stated in paragraph 5.2, the representation stated the following additional objections:

- Amendments have not taken into consideration initial objections. Amended plans are cosmetic and will not address concerns relating to noise and privacy
- Parking survey provided during course of application is unclear and makes no conclusions
- Potential for noise from the nursery and congregation and lack of privacy to gardens of Boscombe Road dwellings has not been addressed

Planning Considerations (Page 89)

Insert after Paragraph 7.43

7.44 Sustainable Design and Construction

London Plan Policy 5.3 requires that new dwellings address climate change adaptation and mitigation. Policy CS15 of the Core Strategy 2011 requires that developments make effective use of resources and materials, and minimises water use and Co2 emissions.

Following submission of an Energy Strategy Report (dated April 2016) officers have advised that they are satisfied that the proposed energy approach to the development is acceptable. The BRUKL output documentation submitted for the proposed development indicates that it should achieve a 22% improvement in CO2 emissions on Part L 2013. The energy report has also recognised the need for the development to achieve a BREEAM post construction evaluation score of 'Very Good'.

Council Climate Change Officers have recommended that the standard pre-commencement and pre-occupation sustainable design conditions are attached to any planning permission to ensure compliance with the above policies.

Conditions (Page 93)

Replace Condition 10) D05 Soundproofing of Plant & Machinery with 10) Non-Standard Condition

Noise from new plant/machinery must not increase the background noise level by more than 2dBa L90 (5 min) with no increase in any one-third octave band between 50Hertz and 160Hertz.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

Amend Condition 25) Non-Standard Informative

Replace 'evidence demonstrating that the development has achieved not less than a 35% improvement in CO2 emissions reduction compared to Part L 2013 regulations'

with 'evidence demonstrating that the development has achieved not less than a 22% improvement in CO2 emissions reduction compared to Part L 2013 regulations'

After Condition 25) insert Condition 26) Non-Standard condition

No development shall take place until the details of the design and materials of the front doorway are submitted in writing to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

Item 8. 641 Kingston Rd, Raynes Park, SW20 8SA (16/P4741)

Plans and elevations of 2014 approved scheme attached to Supplementary Agenda.

Item 9. 27 Landgrove Road, Wimbledon SW19 7LL, (17/P0612) (Wimbledon Park Ward)

Additional representations

Two additional objection letters have been received (making a total of nine letters of objection), objecting on the following new grounds:

- The garage is required for bin storage and cycle storage for all residents of the flat at No.27.
- The removal of the condition disregards the planning process.
- The building is larger than a home office and is more in line with commercial development, in an unsuitable area.
- The garage could be sold on to someone who may have larger plans for the building.
- Windows have been inserted into the building which were not part of the original planning approval. These windows should be removed to avoid the overlooking created.

Officer comment:

- *The garage would be retained for incidental uses for flat 5, which could include cycle parking. Whilst the garage would not be accessible to all occupiers of the flatted development, the conditions imposed by the Inspector did not require the building to be retained for cycle parking purposes and therefore there is planning control to insist that cycle parking for all units is provided in this building.*
- *Refuse and recycling storage for the flats is located to the frontage of the site on Landgrove Road, as shown on the approved plans for application ref. 07/P1131, and therefore it is not necessary to insist that the garage is used for bin storage.*

- *Each application is assessed on its merits, the key test is whether the condition continues to be required and therefore the key consideration is whether the car parking space provided could reasonably be removed.*
- *The use of the building is restricted to purposes incidental to the use of flat 5, so if it were sold on this would not allow for a commercial use. Therefore, the Council would retain control and permission would be needed for a commercial use, or use as a separate dwelling.*
- *Whilst the approved plans for 07/P1131 showed ground floor windows, the building features more opening than originally permitted, as shown in the photos provided by the objector (see presentation). However, these windows do not result in additional overlooking over and above the French doors which were part of the original approval. Therefore, whilst the layout of windows is not in accordance with the original approval, it is not materially more harmful.*
- *The photos submitted by the objector show that the layout of garden fences is not in accordance with the originally approved plans. This is noted, however, the erection of a garden fence is permitted development. Notwithstanding, this matter will be investigated by the Planning Enforcement Team to ascertain whether there is a breach of planning control.*

In addition, an email from Councillor Moulton has been received which supports the objectors to the application.

Item 10. Oberon Pavillion, 19 Lindisfarne Rd, West Wimbledon, SW20 0NW (16/P4644)

Drawing No's (p119)

Replace 013 P6, 014 P7, 015 P4, 030 P6 with

013 P7, 014 P8, 015 P5, 030 P7 (see attachments)

(The drawings replace the cottage side dormers with rooflights 1.7m above finished floor level and replace the wooden fence on the east side of the lawn with wire mesh fence behind hedging)

Planning Considerations (page 125)

Para 7.4

Replace

“ Following the comments of neighbours, the balconies originally proposed have been excluded and the French doors to the dormers have been replaced with Crittal windows, in order to mitigate the use of the flat roof as an amenity space. A condition will be attached to this permission prohibiting amenity usage of the flat roof, and a further condition will be attached requiring the glazing to the Crittal windows to be obscured and fixed up to a minimum of 1.7metres in order to preclude actual and perceived overlooking onto neighbouring properties.”

with

“ Following the comments of neighbours and further discussion with officers, the balconies originally proposed have been excluded and the side dormers have been replaced with rooflights with a cill height 1.7m above finished floor level. A condition will be attached to this permission prohibiting amenity usage of the flat roof, and a further condition will be attached requiring the rooflight to have a cill height which is a minimum of 1.7m above finished floor level to preclude actual and perceived overlooking onto neighbouring properties.”

Planning Considerations (page 126)

Replace:

7.5

“The existing residential floorspace in the building is 85 m² and the proposed additional floorspace is by 230 m²..”

with

“The existing residential floorspace in the building is 85 m² and the proposed residential extension would comprise of an additional 140 m² of floorspace, making a total of 225 m². Although this is a marked increase, the expansion has been achieved by making use of the internal spaces within the roof volume and by amendments to the layout to create a link the existing ground floor living area.”

Planning Considerations (page 126)

Insert after paragraph 7.5

7.6 Highway and Parking impacts

The site is served by a gravel driveway with no designated parking or drop off spaces. On the front boundary there is a grass verge with no formalised paved or hardstanding footway.

The proposed scheme comprises the resurfacing and widening of the driveway with amendments to the layout to allow for improved accommodation of vehicles and a designated drop off area. The works are considered to comprise of an improved use of the grounds and improvements for the safety of pedestrians and users of the premises. Two parking spaces have been formed towards the rear of the site and have been designated for onsite resident use.

The applicant’s agent has advised that the two new classrooms situated on the first floor will be used for sports and other education. They are likely to be used for timetabled half days for different year groups with the rest of the half day for sports activities.

They have also confirmed that no children will be visiting the site on site via Lindisfarne Road on foot, and school buses will drop off and collect children before and after games. The school bus is a 12 to 16 seater long wheel base minibus. It is expected that there will be 1 or a maximum of 2 minibuses dropping off:

- once in the morning, collecting for lunch,
- once in the early afternoon and collecting after school.

The applicant has also confirmed that during match days the children will access the playing field by the southern gate via the public footpath which is reached from Oakwood Road and Cottenham Park Road.

A condition has been attached requiring the submission and approval of a Transport Plan containing specific details of these arrangements.

The applicant has indicated that the site will be in use during the works. A condition has been attached requiring the approval of management plan for construction vehicles onsite in order to ensure pedestrian and pupil safety.

The council's Transport Planner has no objections to the proposal based on the information provided and subject to the imposition of suitable conditions.

Conclusion (page 127)

Amend paragraph 9.1 to read as follows:

- 9.1 The proposed alterations and additions to the building, and the alterations and refurbishment to the grounds are considered to be acceptable in design terms, and would be a welcome enhancement to the visual character of the building and the grounds. A number of amendments to the original scheme with respect to boundary treatments are considered to safeguard the visual character of the streetscene.

Amend paragraph 9.2 to read as follows:

- 9.2 The scheme is not considered to detract from the character of Lindisfarne Road, or to be an inappropriate development in the context of the nearby conservation area. Following amendments to the scheme with respect to the boundary treatments, the views to the MOL beyond the site have been adequately preserved to retain the visual character of Lindisfarne Road.

RECOMMENDATION (page 127)

Omit 5. C1 (No permitted development- Extensions) (this is unnecessary – there are no pd rights)

Substitute 8. C3 (Obscured glazing) for Side rooflights – cill height minimum of 1.7m above finished floor level

Item 11. 17 Merton Hall Rd, Wimbledon Chase, SW19 3PP (16/P1092)

Item withdrawn from the agenda

Item 12. Perseid School, Middleton Rd, Morden, SM4 6RU (17/P0148)

No modifications.

Item 13. 29 St Georges Rd, Mitcham, CR4 1ED (17/P0588)

Consultations (Page 153)

Insert after paragraph 5.3

Since the publishing of the committee agenda, an additional three objections were received to the proposal. These representations cited the same reasons for objection to the proposal as those detailed in paragraph 5.2.

Item 14. 12 Waterside Way, Tooting, SW17 (17/P0438)

Withdrawn from the agenda.

Item 15. 21-23 Wimbledon Hill Rd, SW19 7NE (16/P3605)

No modifications.

Item 16. 120 Windermere Rd, SW16 5HE (16/P3735)

Consultation (page 209)

1 further letter of response to re-consultation.

No new objections raised and maintains that a change away from residential use is opposed.