

**Merton Council**  
**Planning Applications Committee**  
**22 June 2017**  
**Supplementary agenda**

13 Modification Sheet

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## **Planning Applications Committee 22<sup>nd</sup> June 2017** **Supplementary Agenda (Modifications Sheet)**

### **Item 5. 5-6 Alt Grove, Wimbledon SW19 – 17/P1095 – Hillside Ward**

#### Consultation (page 13)

Four representations have been received in response to PAC notification. They are objections to the scheme on the following grounds:

- Noise pollution
- Loss of light
- Density/Overdevelopment
- Loss of parking
- Loss of trees
- Continuation of disruption from building works

Three of the representations are from new commenters.

### **Item 6. 34 Cottenham Park Road, Wimbledon SW20 – 16/P3531 – Village Ward**

#### Consultation (page 23)

Six representations have been received in response to PAC notification and re-consultation for amended plans as follows:

- One in support of the scheme,
- Two reiterating previous objections,
- One objection on the grounds that risks on groundwater flows and rear retaining wall viability do not appear on plan.
- Two seeking further time to consider the amended plans and make a further response.

All representations are from previous commenters.

#### Flood Risk Management officer.

A geotechnical report has been submitted and approved by Flood Risk Management officers.

#### Recommendation (page 28)

Attach Condition 19 - Details of drainage: Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:

- Provide information about the design storm period and intensity, attenuation provision and control of the rate of surface water discharged from the site to no more than 5l/s;
- Include a timetable for its implementation;
- Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme is carried out in full. Those facilities and measures shall be retained for use at all times thereafter.

Reason: To reduce the risk of surface and foul water flooding and to ensure the scheme is in accordance with the drainage hierarchy of London Plan policies 5.12 & 5.13 and the National SuDS standards and in accordance with policies CS16 of the Core Strategy and DMF2 of the Sites and Policies Plan.

**Item 7. 10-12 Leopold Road, Wimbledon Park SW19 – 17/P1297 - Wimbledon Park Ward.**

No modifications.

**Item 8. 17 Merton Hall Road Wimbledon SW19 – 16/P1092 - Dundonald Ward Consultation (page 46)**

An additional letter of objection has been received from the neighbouring occupier at No.96 Dundonald Road, raising the following new grounds:

- The 2011 application was not implemented within the relevant three year time period and therefore only limited weight should be given to this permission.
- The fact that permission was granted in 2011 does not imply that permission should be granted again. The LPA need to consider whether there has been a change in planning policy, regulation or practice in the intervening period, or whether there have been changes in site circumstances and whether the original decision was flawed.
- There are several inaccuracies in the report: The application was called in to committee by Councillor Kirby, not Councillor Dean. The report fails to mention that the proposed rooflights are sited to the rear of the building, closer to No.96. The brick band detail does not wrap around the rear and side walls of the building. The 2011 application was only approved due to the thick layer of foliage along the site boundary but this foliage was all removed prior to construction. The fact that the 2011 permission did not include a condition for the planting of the roof does not mean that it is not part of the proposal or necessary but implies that the previous decision was flawed. The report should mention that the building is 1.1m higher than would be allowed under permitted development. The application ref for the 2011 application is incorrect in some parts of the report.
- Suggest that building is lowered by 0.5m and screening required by condition.
- If permission is granted, compensation for the cost of the screening will be sought through the Local Government Ombudsman.
- The report does not consider the impact on the windows of No.96 – this is a material omission.
- Examples of other applications cited by objectors show that in order to be consistent with other recent decisions, this outbuilding should be refused. The examples cited by the LPA are not relevant.
- The outbuilding that was permitted at No.96 was reduced from 3.6m to 3.1m – which is a more acceptable height.

- Planning officers have previously indicated that the outbuilding as constructed is unacceptable in terms of neighbouring amenity.

*Officer comment:*

By way of clarity, the following response is offered to the points raised:

- The 2011 application at 17 Merton Hall Road is application ref. 11/P1412 (any reference to application ref. 11/P1418 in the officer's report is a typographical error).
- It is not clear exactly when the construction of the outbuilding commenced. However, the outbuilding was not constructed in accordance with the 2011 application in any event. Therefore, officers are aware that this permission has expired. However, this planning permission has established the principle of development.
- In terms of changes in planning policy, regulation or practice in the time since the 2011 application was approved – there have been no changes in policy, regulation or practice since the time of the 2011 application that would materially affect this assessment. The Development Plan has changed but the basic principles of the impact on neighbouring and visual amenity has not materially altered. The Council's SPG on Residential Extensions, Alterations and Conversions 2001 continues to form part of the Development Plan.
- It is noted that there have been some changes in site circumstances, in that the boundary screening present in 2011 has been removed and the neighbouring property, No.96 has erected a trellis and installed planting along the boundary with the application site. However, the neighbour has erected this as a response to erection of the outbuilding and therefore no additional weight is given to the benefit of this currently existing screening.
- Officers do not consider the 2011 decision to be flawed; it is a matter of judgment as to the impact on the character of the area and the impact on neighbouring properties.
- For clarity, the officer's report is correct in that the application was formally called in to the committee by Councillor Dean. However, following that, the Chair, Councillor Kirby also expressed a view that the application should be determined by the committee.
- The objector is correct, the brick band detail does not extend to the rear and sides of the building – this is acknowledged at paragraph 7.5 where it is stated that there is different roof detailing to the 2011 proposal and also at paragraph 7.9 where it is acknowledged that the rear elevation is bland. Notwithstanding this, the application is accompanied by elevation drawings which clearly show the pallet of materials and roof detailing.
- The objector is correct that there are rooflights to the rear part of the roof of the building.
- Whilst the objector may consider that the roof planting under the 2011 application is essential to the acceptability of the scheme, this matter was not controlled by way of condition and therefore cannot be considered to be a requirement of that permission. Equally, no condition was imposed requiring the retention of the previously existing boundary screening.
- A comparison between what would be permissible under permitted development is not included in the report as the application is for a planning permission as opposed to a certificate of lawfulness. The report clearly acknowledges that the outbuilding would not represent permitted development due to its height at paragraph 1.4.

- The report concludes that the overall impact on No.96 is no more harmful than the 2011 approval – this includes the impact on the garden space and windows of No.96.
- The drawing numbers condition refers to incorrect drawing numbers and therefore a revised wording is recommended below.
- Each application is assessed on its merits. The 2011 approval cannot be ignored and is a material consideration in this assessment. The permission has lapsed and the proposal has not been built in accordance with that permission. Whilst there has been a lot of discussion around other cases, each application is assessed on its own merits and it is debatable as to the relevance that any of the examples have in relation to this case. However, the key issues in this assessment continue to be whether the current scheme is materially more harmful than that previously granted.

#### Planning considerations.

Amend paragraph 7.19, 7.24 and 8.1 – where ‘11/P1418’ should read ‘11/P1412’.

#### Amended condition 2:

Remove “2712/10 Rev E, 2712/11 Rev F, 2712/12 Rev E and 2712/13” and replace with “1305/20 Rev A”.

#### **Item 9. Haslemere Industrial Estate, Ravensbury Terrace, Wimbledon Park, SW19 – 16/P2672 – Wimbledon Park Ward.**

Update drawing numbers to the following:

0790-LOC-01 Rev P1, 0790-S-00 Rev P7, S-01 Rev P7, S-02 Rev P7, S-03 Rev P5, S-04 Rev P6, S-05 Rev P6, S-RF Rev P5, S-10 Rev P4, S-011 Rev P5, S-012 Rev P5, S13 Rev P3, S14 Rev P2, S-15 Rev P1, 0790-GA- AB-G Rev P1, AB-01 Rev P3, AB-04 Rev P3, AB-05 Rev P3, AB-RF Rev P1, 0790-GA-CD-G Rev P1, CD-01 Rev P3, CD-04 Rev P4, CD-05 Rev P4, AB-RF Rev P1, CD-G Rev P1, E-01 Rev P3, E-04 Rev P3, E-05 Rev P3, E-RF Rev P1, 0790-GE-AB-01 Rev P1, AB-02 Rev P1, AB-03 Rev P1, CD-01 Rev P1, CD-02 Rev P1, E-01 Rev P1, E-02 Rev P1, E-03 Rev P1, 0790-GS-01 Rev P1, GS-02 Rev P1, GS-03 Rev P1, 0790-GA-HS-01 Rev P5, HS-02 Rev P5, 0790-GA-K-01 Rev P5, K-02 Rev P6, HJ-01 Rev P6, FG-01 Rev P6, FG-02 Rev P6, FG-03 Rev P1, CU-01 Rev P1, 0790-GE-JK-01 Rev P4, H-01 Rev P4, FG-01 Rev P4FG-02 Rev P5H-02 Rev P4, JK-02 Rev P4, CU-01 Rev P2 & 0790-GS-FK-01 Rev P1.

#### Site and surroundings (page 56).

Paragraph 2.3 should read ...Located directly to the north of the application site...

#### Consultation.

A late letter of comment has been received from the Wandle Valley Regional Park Trust. The letter states that the Trust supports the development and welcomes the opportunities raised with the S106 contribution for a study to address the Wandle Trail missing links and connectivity. The Trust would advocate that any sums available from the S106 agreement to conduct a study should be allocated to the Trust to deliver.

Planning considerations.

Paragraph 7.4.3 - The applicant is (Ravensbury Developments Ltd) not First Base as previously stated.

Sustainability.

Delete Paragraph 11.1.1

Recommendation.

Condition 40 should read:

No development, excluding demolition and site preparation works, shall commence, until the applicant submits to, and has secured written approval from, the Local Planning Authority on evidence demonstrating that the development has been designed to enable connection of the site to an existing or future district heating network, in accordance with the Technical Standards of the London Heat Network Manual (2014).'

Design and Review Panel (DRP)

It should be noted that DRP only considered the scheme at pre-application stage. Note - The height of the main building at pre-application scheme was part 7, part 6 storeys.

Please find attached the modification sheet a model of the pre-application scheme and comparison drawings for reference.

In comparison to DRP comments at pre-application scheme, the proposed development has:

- Seen an overall reduction in the amount of development (150 units reduced to 129 units)
- Buildings lowered in height and form. Main building lowered from part 7, part 6 at pre-application to part 6, part 4 storey. Terrace changed to a staggered height with gaps between rather than a continuous height.
- Increased gaps between buildings to help reduce massing.
- Introduction of a four storey curved frontage into riverfront and new pocket park to create a waterfront development
- The building layouts were also developed and improved; the mixed-use building incorporated two additional staircases that allowed a greater proportion of double-aspect units (now 75%). There were no north-facing single-aspect units; all of the remaining single-aspect units faced either east or west, meaning they would receive sunlight.
- The mixed-use building was simplified to clearly read as three taller elements linked by lower blocks, and the massing was reduced at the north and south ends. Similarly, the residential terrace was rationalised, the massing broken down, and the architectural approach was revised to reduce the number of elevational planes, steps and setbacks, and to improve coherence with the mixed-use building.

- The overall architectural approach to the scheme was reviewed and developed, with a treatment to the mixed-use building that further reflects its increased coherence and rigour, and adds verticality and rhythm to the elevations.

**Item 10. 223 Streatham Road and 1 Ridge Road Mitcham CR4 – 17/P1537 – Graveney Ward.**

No modifications.

**Item 11. Planning Appeal decisions.**

No modifications.

**Item 12. Enforcement summary.**

No modifications.