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## PLANNING APPLICATIONS COMMITTEE

16 NOVEMBER 2017

(7.15 pm - 10.06 pm)

PRESENT Councillor Linda Kirby (in the Chair), Councillor Najeeb Latif, Councillor Laxmi Attawar, Councillor Stephen Crowe, Councillor David Dean, Councillor Philip Jones, Councillor Andrew Judge, Councillor Peter Southgate and Councillor Geraldine Stanford and Councillor Joan Henry

ALSO PRESENT Neil Milligan  
Jonathan Lewis  
Sarath Attanayake  
Lisa Jewell

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Jerome Neil, Councillor Joan Henry substituted for him.

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of Pecuniary interest.

Councillor Najeeb Latif declared that as he owned a property from which he could see the site at 247 The Broadway (Item 8) he would neither participate nor vote on this item.

### 3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 19 October 2017 are agreed as an accurate record.

### 4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

Supplementary Agenda: Amendments and modifications to the Officer's report were published in a Supplementary Agenda. This applied to items 5, 6, 7, 8, 9 and 10  
Order of the meeting – The Chair announced that the order of items taken at the meeting would be: 6, 5, 7, 8, 9, 10, 11 and 12.

### 5 247 THE BROADWAY, WIMBLEDON, SW19 1SD (Agenda Item 7)

Proposal: Demolition of existing office building and construction of a new five storey office building (Class B1 use) together with associated car/cycle parking and landscaping

The Committee noted the officer's report and presentation and additional information in the supplementary agenda regarding the Design Review Panel's consideration of the current application.

The Objectors made points including:

- Although the design is better than the previously refused scheme, it is still not suitable in this 'family' area of Wimbledon
- It is still 3m taller than the existing building
- The CIPD building should not be used to justify this proposal, which should not be justified by bad planning decisions in the past
- It will set a precedent
- The design of the rear, with open terracing overlooking neighbours, is abominable.
- This design is still taller than other 5 storey buildings in the area and should not be taller than the Antoinette Hotel.
- The proposal is against everything that residents want and will cause overlooking to the residents behind.

The Agent and Architect to the application made points including:

- The 2014 mixed use development could still be implemented but this application takes account of residents concerns regarding the residential element of that application.
- Since the 2016 refused scheme the applicant has appointed new architects to redesign the scheme. They have taken on board the DRP's concerns.
- After public consultation the height of the building has been lowered again and reduced by a further 4m. The bulk height and massing of the refused scheme has been addressed
- An area of shared workspace for use by local community is to be considered
- The current building on the site is not sustainable and of low quality. This new building is highly energy efficient to BREEAM outstanding standards
- The proposal contains a basement which allows the area to be larger than the extant scheme.
- The building has an active frontage
- The stepped terraces will be planted to scree and prevent overlooking

The Ward Councillor was going to speak but on declaring that he had a financial interest in a property close to the application site he withdrew his speech.

In reply to Members Questions the Development Control Manager made points including:

- Application is similar in height to previously approved scheme
- Plant room on top of the building is 1.7-1.8m tall

- The allowed scheme had 9 housing units wrapped around the back. Employment space is important in this town centre location. Conditions could be added to prevent the office space being converted to residential.
- Car parking is considered adequate given the location, the entrance is from the main road and a car lift forms part of the application.

Members made comments including:

- This application is an improvement on the previously refused application in terms of balance, proportions and materials but it is still too high, and is out of proportion with its neighbouring buildings and its location. It is wrong to compare it too the CIPD building. It is surrounded by much lower buildings; Holy Trinity Church, The Polka Theatre, shops and others.
- The proposal is too deep and too high and does not take notice of the buildings around it. It is an improvement on the refused scheme but the applicant should go back to the allowed 2014 scheme.
- This proposal detracts from the Holy Trinity Church it is opposite
- This proposal is too large, and is not appropriate for this end of the Broadway.

A Refusal was proposed and seconded for the reasons of unacceptable height, size, bulk, and massing of the proposed building and the Design does not relate to neighbouring buildings

RESOLVED

The Committee agreed to:

1. REFUSE the application for the following reasons:
    - Unacceptable height, size, bulk, and massing of the proposed building
    - Design does not relate to neighbouring buildings
  2. DELEGATE to the Director of Environment & Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refusal including references to appropriate policies.
- 6 12-24 ALWYNE MANSIONS, ALWYNE ROAD, WIMBLEDON, SW19 7AD  
(Agenda Item 5)

Proposal: Conversion of roofspace into 4 x self-contained flats, involving the erection of rear mansard roof extensions and front facing rooflights. (Scheme 1).

The Committee noted the officers report and presentation and additional information in the Supplementary Agenda

The Objectors made points including:

- Residents of homes behind the property object to the proposal on the grounds of loss of daylight, loss of sunlight and overlooking.
- Every one of the proposed flats will look straight into residents rooms including bedrooms
- The Sunlight analysis is very misleading and inaccurate.
- Residents of the existing flats in Alwyne Mansions have serious concerns regarding the construction impact of the proposal and asked for a full construction management plan.
- They also asked for additional conditions requiring soundproofing from the new flats, and for the garden, tended by residents, to be returned to its current state after construction
- Residents request that the waste proposals be reconsidered as the proposed system would cause a serious noise problem to current residents

The Applicant made points including:

- The applicant has met with leaseholders and engaged in consultation on the proposal. They have written to all residents regarding noised reduction measures
- The proposal is car- free
- The proposal is in character and will match the existing building
- The Ridge height will be the same as existing, there will be an increase in volume but no increase in bulk
- This will provide new homes in a sustainable location
- The daylight study was carried out on the recommended date

The Ward Councillor Daniel Holden made points including:

- Plans deliberately confusing
- Material Consideration is the direct overlooking at the rear
- No regard to the impact on the neighbours
- Refuse and waste will be a problem, the proposed bin store is inadequate
- Heritage issues should be considered as this is an historic building

In response to members Questions the Development Control Manager made points including:

- There are two current applications for this property, the difference being window configuration.
- Loss of daylight and Sunlight to neighbours not significant because the application site is to the north of these properties
- Acknowledge that there is overlooking of the neighbouring properties, but there are trees in between.
- The building is not listed or locally listed

Members commented that the application would cause serious overlooking to properties in Compton Road and that the trees would do little to screen this overlooking. A Refusal was proposed and seconded for the reason that the proposal failed to meet the requirements of DMD2 and would overlook the properties in Compton Road.

## RESOLVED

The Committee agreed to:

1. REFUSE the application for the following reasons:  
The application fails to meet policy DMD2 – it will overlook its neighbours and adversely affect their amenity.
2. DELEGATE to the Director of Environment & Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refusal including references to appropriate policies

## 7 96-98 THE BROADWAY, WIMBLEDON, SW19 1RH (Agenda Item 6)

Proposal: Alterations and extensions to existing building to create 8 x 1 bedroom and 1 x 2 bedroom flats to upper floors and extension to existing ground floor retail units.

The Committee noted the officers report and presentation and additional information in the Supplementary Agenda.

The Objector, representing Love Wimbledon and local businesses, made points including:

- The application form is inaccurate
- Local Businesses oppose this application
- Cobden mews is an un-adopted road and the road surface is not maintained.

- There is already a problem with illegal parking and fly-tipping on Cobden Mews and it does attract anti-social behaviour. Parking permits will make parking situation worse.
- The waste storage proposed is not large enough
- There are already issues with waste collections being missed in the area because of access issues
- Construction Vehicles will not be able to access the site

Ward Councillor Abdul Latif made comments on behalf of residents including:

- The site is too small for further extension
- It will make traffic congestion worse and there are already insufficient parking spaces.
- There is no room for vehicles to turn when delivering to the rear of the property
- The waste collection already has problems because of access issues
- There will be a loss of sunlight and privacy to the offices

Councillor John Sergeant spoke on behalf of Business people who were residents of his ward, and made points including:

- The application is an overbearing addition to an overcrowded mews
- The s106 car parking will make matters worse
- Don't believe that the rubbish arrangements will be suitable
- The development at 100 The Broadway has set a very bad precedent
- The officers report is inaccurate in reporting the objections received
- It will be physically impossible to build this without the developers trespassing onto the land opposite

In answer to Members Questions Officers gave the following information:

- The Planning process will not protect one business over another
- Land interest and ownership is not a planning consideration
- The installation of sprinklers is a building control issue
- Any extractor units would require planning permission
- Emergency services could park on the public highway if needed and access the building from the front. If the fire service was needed all points in the building are less than 45m from the adopted highway.

- The existing residents bring their waste to the front of the building for collection . That system would continue
- The existing shops use the public highway for deliveries
- The site is in the Town Centre, so the recognised lack of amenity space is considered acceptable.
- There are recognised difficulties with land ownership on this site, as it is not on Council ownership. Land owners can come together to enforce parking restrictions
- It is unfair to compare this property to Grenfell Tower, this is only 3 storeys and brick built. Internal escape routes have to be in place to satisfy Building Regulations

Members commented that there was no evidence of fire risk or danger in the proposed property.

A Refusal was proposed and seconded for the reasons of unacceptable Bulk and Massing. However this was not carried, the Chair using her casting vote to vote against refusal

The Committee then voted on the Officers recommendation to approve planning permission. This was agreed, with the Chair using her casting vote to vote in favour of approval.

RESOLVED

The Committee voted to GRANT Planning Permission subject to completion of a S106 Agreement and conditions.

8 240 BURLINGTON ROAD, NEW MALDEN, KT3 4NN (Agenda Item 8)

Proposal: Use of the building to extend the range of occupiers of the building authorised under planning permission ref 14/P0559 from students to students and graduates in full time employment.

The Committee noted the officer's report and presentation and additional consultation responses contained in the Supplementary Agenda.

Members commented that it would be difficult to enforce the Graduate Status of the proposed Stage 3 tenants. One member felt that to reduce residents' concerns the stage 3 graduate tenants should not be agreed, however other members felt that this type of short term accommodation for young graduates was a good idea.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

9 30 NEWSTEAD WAY, WIMBLEDON, SW19 5HS (Agenda Item 9)

Proposal: Altered boundary wall including increase in height, new gates and relocation of pillars to provide new vehicular access

The Committee noted the officer's report and presentation and additional information in the Supplementary Agenda.

Members commented that they were pleased to see the retention of the hedge.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

10 3 ORCHARD LANE, RAYNES PARK, SW20 0SE (Agenda Item 10)

Proposal: Demolition of existing dwelling and the erection of 4 x 4 bedroom terraced houses and 1 x 4 bedroom detached house with associated parking & landscaping.

The Committee noted the officer's report and presentation and additional information in the Supplementary Agenda.

The Objectors raised residents' concerns including:

- Increased use of the access road will cause problems. It is too narrow for cars to pass each other and so vehicles will have to back out onto the public highway across pedestrian routes.
- Site is 'land-locked' and large vehicles will have difficulties entering and leaving the site
- Emergency Vehicles will also have difficulties entering and leaving the site, neighbours have witnessed patients on stretchers being carried by hand out of this access road.
- The road is used by Children walking to the park, other pedestrians use the road – there is no pathway
- Protection is needed for the Redwood tree that is the subject of a TPO.
- There will be increased demand for waste collection, which will add to problems

The Applicant made points including:

- The Site is not in a conservation area and cannot be seen from the public highway
- The proposal will not cause overlooking because there will be no windows on the flank wall

- It will not cause loss of light, it meets BRE standards
- The access way has been assessed as suitable, it is not intended to be two way and a passing point is included. Construction Vehicles will be able to enter forwards
- There has been a full arboricultural report and the Council's tree officers have reviewed this and made recommendations
- An application at 258 Coombe Lane is accessed by a longer narrower lane. This was refused at Committee but allowed by the Planning Inspector.

Ward Councillor Adam Bush made points including:

- The access road is a problem for residents. Only 3m of its width is tarmacked the rest is gravel
- The application is a risk to the safety of Commuters who walk down this access road
- Extra Refuse collections will cause problems
- The gate will cause problems for delivery drivers

In answer to Members Questions and point raised by objectors. Officers made points including:

- The development is not gated
- The width of the access road meets the carriageway requirements contained in the Department of Transport Manual for Streets
- Any future conversion to flats would require Planning Permission
- The planning officer confirmed that the Council had surveyed residents in the past as to whether a CPZ should be introduced on Orchard Lane but that this had been rejected (May 2015).
- The application site is garden space associated with a dwelling and so its development is regulated by the Council's adopted planning policies set out in the Local Development Framework including policy CS13. The Council therefore has proper planning controls in place to control development of garden land.
- No part of the site falls within a conservation area
- Officers are not aware of a covenant on the land, however even if this exists it is not a material consideration with regard to planning consent
- The application is an opportunity to widen the crossover, this does not affect any front gardens, and the work can be done before construction to allow construction vehicles to adequately access the site.

- Historical Documents and policies, such as an SPG from December 1999, have been superseded by current policies and guidance and should not be used as a basis for decision making. All PPS documents have been superseded by the NPPF

Members commented that the application was appropriate and well balanced in its setting. However other members commented that the proposal was not of an appropriate design in the setting as it would create a terrace of modern houses with small gardens within a neighbourhood of larger detached and semi-detached houses with large gardens.

A refusal was proposed and seconded on the grounds that the application was contrary to policy DMD2 policy A1. Other Members commented that it would be unreasonable to refuse this application as the proposed house were not in public view, the site was large enough to accommodate the proposed houses and provide them with gardens that exceeded minimum standards, and that the access carriageway was clearly wider than the 4.1m minimum width standard.

The refusal was not carried.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions within the officers report and an additional condition regarding the access road.

Councillor Steven Crowe requested that his dissent be noted in the minutes.

#### 11 PLANNING APPEAL DECISIONS (Agenda Item 11)

RESOLVED

The Committee noted the report on recent Planning Appeal Decisions.

#### 12 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 12)

Committee members were pleased to note that the Enforcement Team was now back to full strength and asked officers to investigate the following cases:

Bushey Road

Bathgate Road – Wimbledon Village

Marryat Road – Wimbledon Village

29 Carlingford Gardens Mitcham

RESOLVED

The Committee noted the report Planning Enforcement – Summary of current cases