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PLANNING APPLICATIONS COMMITTEE

26 APRIL 2018

(7.15 pm - 10.31 pm)

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

ALSO PRESENT Councillor Adam Bush
Councillor John Sargeant
Neil Milligan – Building and Development Control Manager
Tim Bryson – Planning Team Leader North
Jonathan Lewis – Planning Team Leader South
Tim Lipscomb – Planning Officer
Sarath Attanayke – Transport Planning Officer
Amy Dumitrescu – Democratic Services Officer

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

There were no apologies for absence.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING 22 MARCH 2018 (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 22 March 2018 are agreed as an accurate record.

4 MINUTES OF MEETING 8 MARCH 2018 (Agenda Item 4)

RESOLVED: That the minutes of the meeting held on 8 March 2018 are agreed as an accurate record.

5 TOWN PLANNING APPLICATIONS (Agenda Item 5)

Supplementary Agenda: Amendments and modifications to the Officer's report were published in a Supplementary Agenda. This applied to items 6, 7, 8, 9, 12 and 14.

Order of the meeting – The Chair announced that the items would be taken in agenda order with the exception of items 6 and 13 which would be taken at the end of the agenda. Item 16 would remain as the final item on the agenda.

6 8 LAKE ROAD, WIMBLEDON, SW19 7EL (Agenda Item 6)

Proposal: Demolition of the existing three blocks of flats and ancillary garages and redevelopment of the site by the erection of a four storey block of 19 apartments with basement level parking and erection of 2x semi-detached and 2x detached houses at the rear of the site with associated access, parking and landscaping works.

The Development Control Team Leader presented the report and noted that the viability assessment referred to in the report had now been reviewed by the Planning Officers and this was explained in depth on the modification sheet. The Committee noted the officers report, presentation and additional information in the Supplementary Agenda.

Members expressed concern about the lack of affordable housing and commented that they wanted to see more affordable housing provided.

RESOLVED

The Committee voted to GRANT Planning Permission subject to S106 Agreement and conditions and that consideration of any further representations received prior to the 3 May 2018 do not raise any additional material considerations.

7 40A LAMBTON ROAD, RAYNES PARK (Agenda Item 7)

Proposal: Demolition of all buildings on site, comprising a builder's yard with associated office and sheds along with 2x residential units, and redevelopment of the site to provide a terrace row of 3, 1 bed, single storey residential units with accommodation in the roof space together with landscaping, cycle storage and refuse storage.

The Planning Team Leader presented the report and additional information provided in the Supplementary Agenda which was noted by the Committee.

The Committee received verbal representations from two objectors to the application, the Applicant's Agent and Ward Councillor Adam Bush.

The objectors raised residents' concerns including:

- The development would be disproportionately detrimental
- The proposal is in a conservation area
- The information misrepresents the effect of the size and height of the proposal to neighbouring properties
- The overshadowing report is out of date
- The proposal would damage enjoyment of neighbouring residents' garden

- Overlooking which would lead to loss of light and privacy
- The outlook would be restricted from the first floor living space
- The limited distance to the flank wall
- The low ceiling heights
- There would be limited natural light
- There would be poor outlook
- There would be poor quality communal space
- Other uses for the site had not been thoroughly assessed

The Applicant's Agent made points including:

- The site could be accessed by emergency vehicles
- The application complied with standards in relation to light
- Due to the size and location of the site no other uses for the site would be viable
- There would be no harm to the conservation area
- The proposal would be an improvement on what was currently on the site

The Planning Team Leader gave an overview of potential other uses for the site and reasons why these would not be viable and advised that the materials were thoughtful and modern and there was no overriding reason why they were required to be identical to others in the area. The Planning Team Leader advised that there was space for storage of refuse containers and to allow movement on collection days.

Councillor Adam Bush made points including:

- The design is inconsistent with surrounding roads
- There would be a negative effect on the character of the conservation area
- The application should be refused under policy DMD4
- The proposal would be a visual eyesore
- The plot of land was unsuitable for three houses and would be an overdevelopment
- The design was insufficient and did not provide enough amenity space
- The design was below the London standard and in contradiction of DMD2 A4

- The standard of accommodation would be poor with its' enclosed nature, poor ventilation and poor light
- The proposal failed on various planning policies and should be refused

Members Questions

A Member asked that the visual amenity of the current site was a concern and asked if any evaluation had suggested that the view would be obstructed by the proposal? Officers responded that the judgement had been that it would not be unduly intrusive.

A member asked if the amenity would be reduced, would there be adequate light and would the light be obscured by the proposal? Officers responded that following negotiations the proposal had been reduced and remodelled to a thoughtful layout and that the level of afternoon sunlight should be good and that any shadow on the ground created wouldn't result in such areas as to breach the guidelines.

A member asked for confirmation that the application was in a conservation area, what the minimum size for a 1 bedroom property was, whether the land was employment land and where the bin collection point would be. Officers responded that the proposal was in a conservation area and that the land is a scattered employment site. Officers advised that the minimum levels for a 2 person dwelling is 58 square metres and the proposal would have 62 square metres and officers demonstrated on the plans where the bin collection points and access for collection vehicles would be.

A member asked for clarification on the increase in height of the proposal from the current site; officers advised the wall proposed would be 2.5m high which did constitute an increase. Officers advised that it would change the outlook however there would be changing levels rather than one mass.

A member referred to the bicycle racks being moved into the amenity space to allow for emergency vehicle access at the front and asked if the amenity space was large enough to be able to also incorporate that? Officers responded that the amenity space was over and above what was considered appropriate and even if it was lost the proposal would still be considered acceptable.

Members made comments on the proposal including:

- Employment land should be protected
- Consideration should be given to the rhythm, siting and massing of the proposal as it was in a Conservation area
- The area was not on the roads and therefore could not be the same style as the roads nearby
- There is a housing issue in London and housing needs to be provided
- The visual amenity currently is poor and will improve with the proposal

- The proposal did not fit with DMD2
- The interior space and the exterior are not ideal

A motion to refuse on the grounds of design, overdevelopment, loss of amenity and inappropriate for a conservation area was proposed and seconded and put to the vote.

RESOLVED

The Committee agreed to:

1. REFUSE the application for the following reasons:
 - The proposal constituted an unneighbourly overdevelopment and would harm the visual amenities of neighbouring residents, and;
 - The proposals by reason of their design, size and siting would be detrimental to the character of the Conservation Area.
2. DELEGATE to the Director of Environment and Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refuse including references to the appropriate policies.

8 LAND RO 18 LANSDOWNE ROAD, SW20 8AW (Agenda Item 8)

Proposal: Application to Vary Condition 2 (Approved Plans) attached to LBM Planning Permission Ref. 15/P3039 (dated 10/10/2016) relating to the demolition of existing garages at the rear of Aston Court and erection of a single storey, two bedroom dwelling house (Amendment involves revisions to design of roof lights, addition of 3x solar tunnel lights to bathrooms and living room, increasing in width of corridor between living room and bathroom by 360mm, addition of covered walkway and pergola within entrance courtyard and addition of roof overhang on east elevation).

The Development Control Team Leader presented the report and information within the Supplementary Agenda which was noted by the Committee.

The Committee received verbal representations from two objectors and the Applicant.

The Objectors raised residents' concerns including:

- The Application followed 10 years of refusals to previous applications on the site
- The loss of light
- The drawings were not drawn to proportion

- The application was misleading in relation to the potential impact of the proposal
- The gutter overhang was not mentioned in the report
- New light reports were required
- The proposed deeper foundations would cause damage to the trees
- The proposal exceeded the heights agreed previously

The Applicant made points including:

- The Application was recommended for approval
- The Local Architect had suggested that the changes were relatively small and were changes to improve the living conditions within the property
- The changes had been considered as acceptable by Planning Officers
- Following two previous appeals the Planning Inspector had made comments that needed to be taken into account and there was no justifiable reason to refuse the application

Member Questions

In response to Member's questions Officers responded:

- The roof overhang had been considered in relation to reducing light but the judgement had been that it would not increase harm.
- The height of the roof would remain the same but the application was for the rooflights to go up rather than being flat, however they would be angled away from the neighbouring properties
- There would be an increase in floor space

RESOLVED

The Committee voted to GRANT Planning Permission subject to the completion of a Deed of Variation to the existing S106 Agreement.

Councillor Steven Crowe requested that his vote against the proposal to grant the application be recorded.

9 74 LEOPOLD ROAD, WIMBLEDON, SW19 7JQ (Agenda Item 9)

Proposal: Conversion of existing house into 5x flats, plus the erection of 4x dwelling houses. New access from Arthur Road with car parking and landscaping.

The Committee noted the officer's report and presentation and additional information contained within the Supplementary Agenda. The Committee received verbal representations from two objectors and the Applicant's Agent.

The Objectors raised residents' concerns including:

- The 3 mews houses would cause significant harm to the conservation area and to 42 Arthur Road
- There would be an overbearing impact
- The property is very large already
- The proposed mews would add more bulk
- The siting scale and bulk would be overbearing on number 42 and give a sense of enclosure
- The proposal would cause overshadowing of the garden
- There would be loss of mature planting
- The proposal failed to enhance or preserve the conservation area
- There should be a condition to reduce the noise during construction if permission was granted
- Noise disturbance is a concern particularly in relation to the residents' son's health condition

The Applicants' Agent made point including:

- The proposal had been thoughtfully designed
- The Agent was sensitive to the area and the amenity of the neighbours
- The report was compliant with planning policies
- The Agent was mindful of the effect to the neighbours and had consequently reduced the footprint and moved the location away from boundary line.
- The application had been amended to assist with privacy
- The Agent was sympathetic to residents' concerns in regards to their son and would do what they could to minimise the noise and would be happy to accept any conditions in relation to working hours during construction.

Members expressed their sympathy for the residents' son's health condition and asked how far the construction noise could be conditioned. Officers responded that it was difficult to go above and beyond the conditions already in place and gave an overview of the current conditions which would need to be complied with.

Members made comments including:

- It was not clear that there was real intrusion
- The strongest enforcement ought to be used on noise issues
- A more detailed proposal more respectful of the context was required
- There was not due consideration of the Conservation Area

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions.

10 168 LONDON ROAD, MORDEN, SM4 5AT - TYRE AND SERVICE CENTRE
(Agenda Item 10)

Proposal: Application for continued use of part of site as a vehicle tyre and service centre (sui generis)

The Planning Team Leader presented the report and advised that the site was already in use and had been since October 2016 however at present they had been informed that only tyre replacement was taking place on site.

The Committee noted the officer's report and presentation.

Providing a verbal representation at the meeting, Ward Councillor John Sargeant raised residents' concerns including:

- Contrary to the information provided, there had been long term issue on the site and activity had been evidenced dating back to 2010 and references to issues since 2007
- The operation on site was significant
- There appeared to be a contradiction between the manning levels given and the low level of car throughput
- There had been a large number of problems at this location including tyres being stacked on the asbestos roof, burning of tyres, residential use of the site, out of hours operation outside of the hours stated on the advert including on Sundays, rubbish and rats issues
- There had been a petition previously regarding the noise in 2009
- The residents wished for the site to be reviewed to ensure the operation was properly controlled

Councillor Sargeant suggested a number of conditions which residents wished to see enforced if permission was granted, those being:

- No residential use of any part of the site
- That the hours of operation proposed by displayed clearly on site (ideally reducing the hours at weekends)
- Tyre storage must be kept at a realistic level

Members asked officers questions regarding the noise implications and visual impact of moving the location of the car wash and the current use of the site. Officers responded that given the previous use of the site it could arguably be used as a delivery depot and could clean those vehicles and that they would ensure the various conditions would be attached if granted.

Members made comments including:

- There was an inconsistency between the staffing levels and the vehicle movements suggested in the report
- There should be a condition restricting residential use on the site if permission were granted

A motion to refuse on the grounds of harmful impact on neighbourhood amenity was moved and seconded and put to the vote.

RESOLVED

The Committee agreed to:

1. REFUSE the application for the following reasons:
 - The operation of the vehicle tyre and service centre including ancillary storage of tyres gives rise to noise and disturbance to the detriment of neighbour amenity and has the potential to detract from the visual amenities of the area.
2. DELEGATE to the Director of Environment and 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.

11 168 LONDON ROAD, MORDEN, SM4 5AT - CAR WASH (Agenda Item 11)

Proposal: Application for continued use of part of site as a car wash (sui generis) involving relocation of existing use within the site.

The Planning Team Leader presented the report and advised that there was evidence that car washing activity had taken place at the far end of the site but that unlike the tyre replacement use car washing did not appear to be currently taking

place and that in any event the application was to locate a car wash in an area currently being used for parking cars.

The Committee noted the officer's report and presentation.

Providing a verbal representation at the meeting, Ward Councillor John Sargeant raised residents' concerns including:

- Contrary to the information provided, there had been long term issue on the site and activity had been evidenced dating back to 2010 and references to issues since 2007
- There was a list of noisy equipment listed within the report relating to the car wash
- The operation on site was significant
- There appeared to be a contradiction between the manning levels given and the low level of car throughput
- There had been a petition previously regarding the noise in 2009
- The residents wished for the site to be reviewed to ensure the operation was properly controlled

Councillor Sargeant suggested a number of conditions which residents wished to see enforced if permission was granted, those being:

- No residential use of any part of the site
- That the hours of operation proposed by displayed clearly on site (ideally reducing the hours at weekends)

Members asked officers questions regarding the noise implications and visual impact of moving the location of the car wash and the current use of the site. Officers responded that given the previous use of the site it could arguably be used as a delivery depot and could clean those vehicles and that they would ensure the various conditions would be attached if granted.

Members made comments including:

- There was an inconsistency between the staffing levels and the vehicle movements suggested in the report
- There should be a condition restricting residential use on the site if permission were granted

A motion to refuse on the grounds of harmful impact on neighbourhood amenity and failure to provide full details was moved and seconded and put to the vote.

RESOLVED

The Committee agreed to:

- REFUSE the application for the following reasons:
 - The proposal would be harmful to the visual amenities of the area
 - The applicant had failed to demonstrate that the proposals can operate without harm to the environment and neighbour amenity
 - DELEGATE to the Director of Environment and 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.

12 28-30 RIDGWAY PLACE, WIMBLEDON, SW19 4EP (Agenda Item 12)

Proposal: Variation of condition 2 (approved plans) attached to LBM Ref: 15/P3366 relating to the demolition of existing two houses and erection of 4x4 bedroom semi-detached houses with basement accommodation.

The Committee noted the Officers' presentation, report and information provided within the Supplementary agenda.

The Committee received verbal representations from one objector.

The Objector raised residents' concerns including:

- The extra basements applied for had already been built
- If granted, the application would extend the other 2 basements at a later stage having established precedent
- There had been a breach of planning consent and no action had been taken following this breach
- There were issues with rainwater and drainage

Members asked questions regarding whether the basements had been extended already to which the officer responded that it was difficult to tell however each application had to be considered on its own merits.

In response to questions on the alleged breach and clarification on the application, officers responded that the application was for just the two middle basements to be extended and that if it was felt there had been a breach then a complaint would need to be submitted and would be a matter for enforcement to investigate.

In response to further questions from members officers confirmed that the property would be larger underground than above ground.

RESOLVED

That the Committee voted to GRANT Planning Permission subject to a S106 Legal Agreement and Conditions.

13 62A AND B RIDGWAY PLACE, WIMBLEDON SW19 4SW (Agenda Item 13)

Proposal: Conversion of ground and lower ground level flats into a single dwelling with the erection of extensions to the rear and (west) side elevation.

The Committee noted the officer's report and presentation.

RESOLVED:

The Committee voted unanimously to GRANT Planning Permission subject to conditions.

14 18 SPENCER HILL, WIMBLEDON, SW19 4NY (Agenda Item 14)

Proposal: Erection of additional storey to existing residential block, creating 2x 1 bed flats within the new roofspace.

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

The Committee received verbal representations from one objector.

The Objector raised residents' concerns including:

- The amenity of neighbours is key
- The impact on the neighbours' garden has not been addressed particularly in regards to loss of light
- The proposal would be visually overbearing with an oppressive effect on the garden.
- The daylight survey only assessed the upper floors not the lower level
- There would be a risk of overlooking

Officers advised that the daylight assessment did make reference to all four windows and that there would be a loss of light/outlook but overall wouldn't justify refusal.

Members asked questions of officers regarding whether the building would be re-clad as part of the proposal, to which officers confirmed it would be and that it was a condition that this was done prior to occupation.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions.

15 FLAT 4, 74 WOODSIDE, WIMBLEDON, SW19 7QL (Agenda Item 15)

Proposal: Erection of single storey rear extension.

The Committee noted the officer's report and presentation and received verbal representation from two objectors and the Applicants' agent.

The Objectors raised residents' concerns including:

- The light in the kitchen area of the neighbouring property would be affected
- The access to the garden was a concern
- The proposal was disproportionate
- There would be a detrimental impact from the proposal
- Visual impact and harmful design
- Loss of light
- Overshadowing
- The proposal would restrict greenery
- Overdevelopment
- The Proposal was in a conservation area
- The high density of the proposal was unacceptable
- Loss of privacy

The Applicants' agent made points including:

- The proposal was modest, thoughtful, considered and respectful of the area
- The materials would match the existing property and would be of high quality
- The proposal was recommended for approval by the Council
- The proposal was modest in scale with a sympathetic design
- The proposal would increase the size of the property from 23 square metres to 40 square metres

- There was no justification for refusal.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions.

16 TPO - 13 CHESTER ROAD, WIMBLEDON, SW19 4TS (Agenda Item 16)

Officer Recommendation: That the Merton (No.718) Tree Preservation Order 2017 be confirmed, without modification.

The Committee noted the Officer's report.

RESOLVED

That the Merton (No.718) Tree Preservation Order 2017 be confirmed, without modification.

17 PLANNING APPEAL DECISIONS (Agenda Item 17)

The Committee noted the Officer's report on Planning Appeal decisions.

18 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 18)

The Committee noted the Officer's report on Planning Enforcement.