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## PLANNING APPLICATIONS COMMITTEE

14 FEBRUARY 2019

(7.15 pm - 8.10 pm)

PRESENT Councillor Linda Kirby (in the Chair), Councillor Najeeb Latif, Councillor David Chung, Councillor David Dean, Councillor John Dehaney, Councillor Russell Makin, Councillor Simon McGrath, Councillor Dennis Pearce and Councillor Peter Southgate

ALSO PRESENT Tim Bryson – Planning Team Leader North  
Jonathan Lewis – Planning Team Leader South  
Lisa Jewell – Democratic Services Officer

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

Apologies for absence were received from Councillor Laxmi Attawar, who was replaced on the Committee by Councillor John Dehaney

Apologies for absence were received from Councillors Marsie Skeete and Dave Ward.

Councillor Dennis Pearce attended as a substitute.

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

There were no declarations of interest.

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

RESOLVED: That the minutes of the meeting held on 17 January 2019 were 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 and 6.

Order of the meeting – The Chair announced that the items would be taken in the following order 6, 5, 7, and 8.

### 5 6-12 LONDON ROAD, MORDEN, SM4 5BQ (Agenda Item 5)

Proposal: Continued use of Units 6 – 10 as a shop (use class A1) together with additional use as a tuition centre (use class D1) and flexible office space (use classes A2 and B1a). Toilet block to the rear of Unit 12 to remain as existing.

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

In reply to Members' questions, the planning Team Leader replied:

- There is no minimum space standard for such offices, the key factor is accessibility which is satisfactory in this application
- It is not uncommon to have different types of commercial property next door to each other

Members commented that this application provides a practical and pragmatic use of the site given the current situation for retail units in Morden Town Centre

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

NOTE - Officers received information after the Committee:

Following the sub-division of the premises the application site has been recorded, for the purposes of the Council's Land charges records and street numbering records, as 10 London Road, Morden

6 18 RIDGWAY PLACE, WIMBLEDON, SW19 4EP (Agenda Item 6)

Proposal: Demolition of existing dwelling house and erection of 2 x semi-detached houses (with accommodation at basement level and within the roof space) together with off-street parking and associated landscaping.

The Committee noted the officer's report and presentation and additional information in the Supplementary Agenda- Modifications. The Committee also noted a further correction to the report; the property is not in a Conservation Area.

The Committee received verbal representations from two objectors to the application and from the Agent to the application.

The Objectors made points including:

- This proposal is massively greater than the existing house
- Neighbours will lose their privacy at the back
- Overlooking from the rear ensuite bathroom
- Concerned that the flat roof at the rear could be converted into a balcony
- This is a flood risk; the basement of the house opposite has to be regularly pumped out
- Suspect drainage problems at other properties on the street
- Request that materials used are those allowed in the previous applications; Red brick and clay tiles. This will blend in better with the street
- This is the fourth application in 10 years and is very stressful for the neighbours
- This application overshadows neighbouring properties and adds 50% of floorspace to the previous application allowed in 2018
- Welcome the removal of the lightwells and the narrowing of the basement. Not sure if this narrowing is enough to protect the Eucryphia Tree,
- If allowed want the tree protection to meet BS5837

The Agent to the Application made points including:

- Assured neighbours that first floor windows up to 1.7m would be obscure glazed and fixed shut
- The flat roof will not be suitable for use as a balcony. If a future resident wanted to create such a balcony they would have to get planning permission
- The construction of the Basement is supported by technical assessment. Merton Council raised questions which were answered by the applicant's engineers. It now meets Council Policy and a Basement Method Statement is required by condition
- The size of the basement was reduced to protect the neighbour's trees. This has met with approval by Merton's Tree Officer.
- Houses in the immediate vicinity of the application site have different materials. This application for London Stock Brick and Slate tiles is widely used and is acceptable in this area. The NPPF encourages planning authorities to not impose stylistic conditions on applications.

In reply to Members' Questions, the Planning Team Leader replied:

- This application does have a larger footprint than the scheme allowed in 20189 because of the basement that extends at the rear. But the ground floor and height are the same as the previous application
- Local Planning Authorities cannot force applicants to implement permissions, and cannot stop further applications on a site with a previous permission.
- If allowed this permission will have pre-commencement conditions that must be met by the applicant submitting information before any construction can begin. These must be approved by the Council's Flood Risk Engineer and Structural Engineer. If building work started before these conditions had been discharged then enforcement action would be taken
- Condition 20, from the Structural Engineer, requires a method statement for the building of the basement, and this would be adequate to reduce noise and vibration
- This basement would have an attenuation tank to the front of the house that would collect and discharge water. This has been approved by the Council's Flood Risk Officer and further details will be in the Construction method statement that must be approved prior to construction.
- A condition to prevent a balcony being created on the flat roof element was not necessary as such work would require planning permission.

Members commented that:

- A member expressed concerns regarding the four applications in 10 years, and three previous approvals not implemented
- A member commented that the application should be refused for bulk, massing and overdevelopment. He was also concerned about drainage in the area
- Other Members said that as the extra size was underground a refusal on the grounds of bulk and massing was not appropriate.

- Members noted the pre-commencement conditions requiring the Construction Method Statement of the basement and that the above ground plans were similar to those previously approved

A motion to Refuse by reason of Bulk, Massing and Overdevelopment was proposed, seconded and put to the vote. This vote was lost

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

#### 7 PLANNING APPEAL DECISIONS (Agenda Item 7)

RESOLVED

The Committee noted the report on Planning Appeal Decisions

#### 8 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 8)

A member made comments regarding the enforcement action at 1 Caxton Road.

A member asked for up to date information regarding the enforcement action at the Burn Bullock site.

RESOLVED

The Committee noted the Enforcement Officer's report.