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PLANNING APPLICATIONS COMMITTEE

17 OCTOBER 2019

(7.15 pm - 10.47 pm)

PRESENT Councillors Councillor Linda Kirby (in the Chair),
Councillor Stephen Crowe, Councillor David Dean,
Councillor Russell Makin, Councillor Simon McGrath,
Councillor Peter Southgate, Councillor Billy Christie,
Councillor Rebecca Lanning, Councillor Joan Henry and
Councillor Dave Ward

ALSO PRESENT Neil Milligan – Building and Development Control Manager
Tim Bryson – Planning Team Leader North
Jonathan Lewis – Planning Team Leader South
Sarath Attanayake – Transport Planning Officer
Lisa Jewell – Democratic Services Office

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Najeeb Latif
Councillor Stephen Crowe attended as a substitute

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

In the interests of openness and Transparency Councillor David Dean declared that he would not speak or vote on the application 141 The Broadway as he had previously had some involvement with the applicant.

Councillor Linda Kirby made a statement to inform the Committee that she had Chaired recent Design Review Panel meetings. At these meetings she does not take any part in the debate or vote on the proposals.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 26 September 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, 6, 7, 9, 10, 11, and 12. Order of the meeting – The Chair announced that the items would be taken in the following order 12, 5, 7, 9, 6, 11, 10, 8, and 13

5 44 ARTHUR ROAD, WIMBLEDON, SW19 7DS (Agenda Item 5)

Proposal: Demolition of house and erection of a new three-storey dwellinghouse

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

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

The Objectors made points including:

- We object to this new house owing to its bulk and massing, it is 3 times bigger than existing.
- It is a waste of resources and does not create more homes.
- It will not sit comfortably in the conservation area.
- It does not meet Merton Policy
- We are concerned about the separation distances
- It will cause a loss of privacy for the immediate neighbours
- It will cause a loss of outlook as it will project beyond the building lines at the front and back
- The existing house could have been extended without impacting on neighbouring houses, this is a selfish development

The Applicant and his Agent made points including:

- This application is for a dream family home
- The existing house has little heritage, was previously approved for demolition. It is not mentioned in the Conservation Area appraisal
- Arthur Road is characterised by mixed housing.
- The proposal is supported by officers
- The proposal is modern and distinctive, built with materials that reflect those used elsewhere in the Conservation area. It will be a high quality presence in the Conservation Area
- The proposal will be much larger than the current house, but neighbouring houses have also been extended and are now double their original size
- The upper floors do not extend beyond the current building lines, and measures have been taken to prevent overlooking
- This will be family home of a high quality design, with a low impact on neighbours

In reply to Member's Questions the Planning Team Leader North made points including:

- The previous permission for demolition and re-build was in 2007. It has now lapsed but it was for a bigger property than this application
- There is Bin Storage area at the front of the site
- Though it is contemporary in design the materials used reflect those used in the Conservation Area. There are other contemporary designs on Arthur Road.
- There is a Condition to protect neighbour amenity from potential use of flat rooves as balconies. One flat roof is proposed to be used, but it will be screened, it is very small and set back

- The key test for development in a Conservation area is does the development conserve and protect the conservation area.
- It is Officers judgement that in its context; set amongst more modern houses and built with materials that reflect the conservation area, that this proposal will preserve the character of the conservation Area.
- The previously allowed, lapsed, scheme was for a typical neo-classical design and was not unique. The design of this proposal is visually interesting in the street scene. There are other modern designs in the area and modern neo-classical designs

Members made comments including:

- I don't have a problem with the bulk and massing, and the design is beautiful but the design is not in keeping with the Conservation Area
- There is conflict between the Case Officer and the Conservation Officer. The current house is not worth saving but the concept of a Conservation Area is that it implies homogeneity, and the current house is more cohesive than the proposal
- We have to note that there was a previous permission for demolition of the existing house

A motion to refuse was proposed and seconded for the reason that the design is out of keeping with the conservation area and so fails to preserve the Conservation Area. This motion was defeated by the vote.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

6 36 ASTON ROAD, RAYNES PARK, SW20 8BE (Agenda Item 6)

Proposal: Conversion of dwellinghouse into 2 flats, including rear roof extension roof lights and erection of garden outbuilding

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

The Committee received a representation from the Chair of the Apostles Estate Resident's Association, who was unable to attend. This was read to the committee by Councillor Anthony Fairclough and included points:

- If allowed this application would set a dangerous precedent and have far reaching effect on this area
- There are Merton Council policies to protect houses in this area
- This current layout of the house is two bedroomed, but it was built, as all houses in the area were, as a three bedroomed house
- The house could easily be converted back to three bedrooms

The Applicant made a verbal representation to the Committee and made points including:

- Bought 36 Aston Road with the intention of converting, I live in ground floor maisonette also on Aston Road
- The conversion will keep the character of the property with period front door, sash windows and use of recycled bricks
- It is not a loss of a family home, it is an opportunity for young couples to get on the housing ladder

The Planning Team Leader replied to Members Questions:

- The outbuilding does not require Planning Consent
- The small area of amenity space at the front is communal for both flats
- Bin Storage is conditioned
- There is a Merton Policy to protect 3 bedroomed family homes. Officers have not seen the Legal Counsel letter from 2007 regarding the protection from conversion of houses in this area
- The main bedroom is of a similar size in both properties. The proposal meets space standards
- Officers have to consider each case on its own merits, and if this house was converted to two bedrooms some time ago we won't have the evidence that this was ever a three bedroomed house
- Amended plans were presented at the meeting
- The Lounge in the smaller unit could be used as a bedroom

Members commented that they were unhappy at the loss of a family house, and suggested that the item be deferred so that Officers can investigate if the legal advice received in 2007 has any weight in protecting this property.

The deferral was proposed and seconded and voted on

RESOLVED

The Committee agreed to DEFER this application and asked Officers to consider past legal views on the conversion of houses in this area

7 141 THE BROADWAY, WIMBLEDON, SW19 1QJ (Agenda Item 7)

Proposal: Redevelopment of site to create 20 x self-contained flats within a six storey residential block with new frontage to ground floor commercial unit

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

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

The Objectors made points including:

- Although the new entrance now meets Metropolitan Police standards it is now very narrow. Would like to see changes to this entrance to make it fully accessible

- Would like to see, by Condition, the depth of the balconies reduced as they are still intrusive
- Would like to see within the Condition on materials, more detailing on the front of the building
- Would like to see a condition requiring bat and swift boxes
- There is a lack of documents regarding the loss of daylight and sunlight to nearby residents
- Object to the south facing balconies that will affect neighbour amenity
- The proposal will not protect neighbour amenity

The Agent for the Application made points including:

- We are asking the Committee to make a decision tonight, following the two previous deferrals
- The subject of the last deferral was to address the comments of the Metropolitan Police. This has now been done and the main entrance to the residential units is at the front of the building
- Following comments at the previous meeting the landscaping has been revised
- The Officer's reports at the two previous meetings have clearly shown why there is no affordable housing, that the design is acceptable and that the proposal meets standards regarding daylight, sunlight and privacy
- The dimensions of new access are in accordance with London Standards

The Planning Team Leader North advised the Committee that they must consider the application before them and that changes to the size of the entrance and the depth of balconies could not be made by condition. He also advised that all the concerns of the metropolitan police had now been addressed. He confirmed that a review of affordable housing was required by the S106 agreement.

One member said that he would like to see a condition on providing swift boxes but Officers said that they would include this.

RESOLVED

The Committee voted to GRANT Planning Permission subject to a S106 agreement and conditions

8 CHENAB COURT, 176A LONDON ROAD, MORDEN, SM4 5AN (Agenda Item 8)

Proposal: Application to vary S106 agreement linked to outline planning permission for the demolition of the existing motor vehicle repair workshop [use class B2 - 500 square metres] and the construction of a part two, part three storey building providing 12 residential units [8 two bedroom flats, 3 one bedroom flats and 1 two bedroom maisonette] with one off street disability car parking space with vehicle and pedestrian access provided along the existing access road to London Road.

The Committee noted the officers report and presentation and noted the small correction to the planning history in the report

RESOLVED

The Committee voted to GRANT variation to the S106 agreement

9 21 PARKSIDE, WIMBLEDON, SW19 5NA (Agenda Item 9)

Proposal: Demolition of existing dwelling house and erection of a replacement two storey detached dwelling house (with accommodation at basement level and within the roof space) together with associated parking and landscaping

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

The Committee received a verbal representation from an objector who made points including:

- The existing house was built in 1903 by the architect Lionel Littlewood, and is now in a Conservation Area and should be protected
- The house should be retained and adapted. It has a magnificent Porch which should be retained. I agree that the current roofline is unsympathetic but this could be changed
- There is Merton Policy to retain buildings within the Conservation Area and the Council's Conservation Officer is against the demolition of this house

The Applicant gave a verbal representation to the Committee:

- This will be a family home, and these plans are the result of 18 months of work with the architect
- The initial plans have been amended and all the immediate neighbours support the application. The Plans are also supported by the War Memorial Trust, The Parkside Resident's Association and the Council's Tree Officer
- The current house has been the subject of insensitive work and has been compromised by this – it is not locally listed
- The new design will enhance the Conservation Area

The Ward Councillor, Andrew Howard, spoke to the Committee:

- I am in favour of this application, it is a sensitive design and has received support from the War Memorial Trust and residents associations and the Wimbledon Society.
- The current house is not a good specimen of Lionel Littlewoods' work especially given the unsympathetic extensions
- Important to recognise that people may have attachments to and memories of the existing house

A Members made comments in favour of the application saying that it was entirely in keeping with the Conservation Area and that it matched existing properties.

Another Member commented that given that the new house had been designed to replace the old house, he would rather keep the original. He questioned the purpose of the Conservation Area if a pastiche such as this is allowed.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

10 WANDLE HOUSE, 10 RIVERSIDE DRIVE, MITCHAM, CR4 4SU (Agenda Item 10)

Proposal: (A) Removal of the existing link between the listed building and the office building. Works to the listed building only: conversion of the ground and first floor levels from office to residential use to provide 2 x one bedroom self-contained flats with storage rooms at the lower ground floor level, addition of an external staircase to the eastern elevation of the listed building and surrounding landscaping works.
(B) Listed Building Consent for the removal of the existing link between the listed building and the office building. Conversion of the ground and first floor levels from office to residential use to provide 2 x one bedroom self-contained flats with storage rooms at the lower ground floor level, addition of an external staircase to the eastern elevation of the listed building and surrounding landscaping works.

The Committee noted the officers report and presentation and amended conditions in the Supplementary Agenda - Modifications

RESOLVED

The Committee voted unanimously to:

- (A) GRANT Planning Permission subject to conditions
- (B) GRANT Listed Building Consent subject to conditions

11 21A ST MARY'S ROAD, WIMBLEDON, SW19 7BZ (Agenda Item 11)

Proposal: Demolition of existing detached flat with double garage below and erection of 2 x 5 bedroom semi-detached houses

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

The Committee received a verbal representation from one Objector who raised points including:

- The proposal will create two five bedroomed properties on the plot and will leave only 8.5% green space.
- The proposal is counter to Merton policies and does not conserve or respect the Conservation Area.
- It will cause the gaps to be closed between buildings
- The plans are wrong, as they reference 21 St Mary's Road not 21A

- Between 14 and 15 trees will be lost
- The Basement is a concern as the area is London Clay which is not ideal for basement as it can become compacted and lead to subsidence and potential land instability

The Agent for the application made a verbal representation and made points including:

- Issues raised by objector have been overcome, stringent tests have been applied
- The Design is in keeping with the properties either side
- Flood Risk has been mitigated
- The trees to be removed are low quality, and some are already causing damage
- The Current building does not add to the Conservation Area

In reply to Member's questions the Planning Team Leader said:

- The current property is a residential unit above a garage, the garage is currently in use
- Each of the proposed properties would have 50m² of garden Space
- There will be a loss of trees but these will all be category C trees. There is a landscaping condition but it does not require a replacement of all trees lost

Members made comments including:

- Disappointed to see the loss of a large number of trees, and this shows no regards for the environment.
- This application is overdevelopment, with too much hardstanding area
- Concerned about the spread of hard/grey landscaping. Would want to see the replacement of the trees at a minimum
- This is a very leafy area, and the loss of the trees will not cause a problem. It is good to see two family sized homes being proposed

Officers suggested that they could revisit and strengthen the landscaping condition to provide additional tree planting.

A motion to refuse for reasons of excessive Bulk and Massing was proposed and Seconded but was not carried by the Vote.

Members then voted on the motion to approve including the addition of a stronger condition on landscaping.

RESOLVED

- A. The Committee voted unanimously to GRANT Planning Permission subject to S106 Legal agreement and conditions
- B. The Committee agreed that the Landscaping Condition should be reviewed and strengthened by Officers to provide additional tree planting

12 41-47 WIMBLEDON HILL ROAD, WIMBLEDON, SW19 7NA (Agenda Item 12)

Proposal: Redevelopment of site to provide a mixture of class A1 (Retail), A2 (Financial and Professional Services) and C1 use (Hotel) involving the partial demolition of the existing building (facades fronting Wimbledon Hill Road and Alwyne Road to be retained) including erection of 5 storey rear extension and excavation of additional basement level.

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

The Committee received verbal presentations from two objectors, the Agent to the application and the Ward Councillor, David Simpson.

The Objectors made comments including:

- The current owners have allowed this listed building to decay
- This proposal is gross overdevelopment and will double the size and will destroy this heritage asset building
- It is not compliant with climate change policies
- The proposal will increase the risk of flooding as there is a delicate water balance in the area
- The proposal will negatively affect the air Quality, noise pollution, quality of life and safety for local residents
- The Police do not agree with the top floor reception as it will increase prostitution and drug dealing in the Hotel
- This will not be a quality hotel
- This Planning Application is incomplete and misleading
- The Bank Buildings may currently be shabby but they are structurally stable and still look magnificent. They should be restored, but they do not need the amount of work proposed by this application
- This application is against Merton's Policies and will destroy a heritage asset

The Agents to the application made points including:

- This is a fine building with a long history and this application makes best use of its key features
- The use as a hotel is fully supported and will bring the building back into use
- This application has been to DRP
- The owners have looked at a number of uses for the building and we worked hard to find solutions. We are talking to boutique hotel groups as this is a quality offering
- The roof is of innovative design, its form can be seen in the 3D views, this has been thought out and consulted on. We have looked at all the technical aspects and worked with Council Officers and members of the public

The Planning Team Leader replied to comments made by the Objectors:

- The type of Hotel that will operate in the building is not a planning consideration
- There have been extensive consultation, as detailed in the report. Impact on a heritage asset is a matter of judgement

- Acknowledge that this is modern architecture
- The Application will bring lots of benefits
- The Flood Risk Engineer and Structural Engineer are both satisfied with the application

Ward Councillor David Simpson spoke and made points including:

- I have opposed this development from the start
- It will have a detrimental effect on the lives of residents in this quiet residential area
- The Bank Buildings need sympathetic restoration not this 76 bedroomed hotel with no parking and no unloading area and no reserved pick-up point
- The Access lane is inadequate. These are narrow residential roads – it is nonsense to suggest that there will be no vehicular impact
- The newly built Premier Inn, on The Broadway, is not operating at full capacity
- Police have concerns about another licence
- If there was a real need for the hotel rooms, an Hotel Chain would already be involved, but they know that this site is not suitable

Members asked questions, and received replies from officers:

- Police Comments have been noted and Condition 22 added to assist with security measures. CCTV will be installed
- The main change made in response to DRP comments was a reduction in the height of the roof. The Scheme has always included a rear extension
- The Highway Officer said that the roads are two way, a service vehicle can turn around and there is a loading bay for off-peak deliveries. Restrictions are in place between 8-9am and 2.45-4pm
- There is no restriction on vehicle tonnage on any of the surrounding roads
- Width of internal ground floor hallway is 4m. Reception is on the 4th floor
- The two retail units will be serviced, as the existing units are, by putting their waste out at the front on collection day.
- Emergency escapes will be covered by Building Control
- The Council's Flood Risk Officer has recommended several conditions that are included in the application
- Traffic Officer: The site is highly sustainable and achieves a ptal rating of 6b; it is 300m from Wimbledon Station and so is unlikely to generate any taxi/car trips. There are on street parking restrictions from 8.30am to 6.30pm Monday to Saturday.
- The hotel expects deliveries to take place with a vehicle wait of 20 minute
- The refused proposal had a ridge height 3.4m higher than existing on Alwyne Road, and 4.4m higher than ridge height on Wimbledon Hill Road.
- The development is not large enough to require an Environmental Impact Assessment. The building is locally listed, but Historic England assessed the building as not meeting their criteria for full listing
- The DRP gave the application an Amber, full details are in the Officer's report
- Both of the commercial units have A1 or A2 use so could not sell cooked or hot food

- Air conditioning units on the front of the building would require planning permission

Members made comments including:

- It is against Council Policy to leave Commercial waste on the street, so it is not clear where the commercial units will store their waste
- There are potential problems with the Basement and water levels
- It is impossible to stop on yellow lines without getting a parking ticket. Extra Loading Bays are required
- The Police do not agree with the 4th floor reception. This is the wrong place for Reception
- The design is too bulky
- The new roof line is not sympathetic and so does not meet the requirements of Merton Policy DM D3 vii
- This is a development in a Town Centre location and we need to continue to support Wimbledon Town Centre and increase business. The site is only 300m from Wimbledon Station. There is no issue with commercial waste, this is covered by condition, , it will not contain food and the units will deal with it in the same way that all commercial units in the Town Centre do.
- Would like to propose a refusal on Bulk and Massing, the new roof is unsympathetic, there are issues with waste collection from the commercial units, there are unaddressed flood water issues and the police are not happy with the location of the reception

The Development Control Manager made points:

- The Council's flood Officer is satisfied with the application and the basement design
- The Traffic Officers are satisfied with the application
- The location of the reception is an operating decision and not a planning reason for refusal
- Opinions on the height and size are subjective, when walking past the building you are unlikely to see the extension. There is a marginal rise in the height but this is set back
- The materials used can be dealt with by condition

A motion to refuse the application was proposed and seconded. The reasons for refusal were:

- The bulk and massing were too great
- Contrary to policy DM D3 vii - Where the proposal incorporates a new or altered roof profile, ensure that materials are sympathetic to the original building and the surrounding area.

This motion was defeated by the vote

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions and S106 agreement

- 13 TREE PRESERVATION ORDER (NO.742) AT THE LODGE & VINE HOUSE,
1C VINEYARD HILL ROAD, SW19. (Agenda Item 13)

The Committee noted the Officer's report and presentation

RESOLVED

That the Merton (No.742) Tree Preservation Order 2019 is confirmed without modification

- 14 PLANNING APPEAL DECISIONS (Agenda Item 14)

The Planning Applications Committee noted the report on Planning Appeal decisions

- 15 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda
Item 15)

The Planning Applications Committee noted the report on current enforcement cases