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PLANNING APPLICATIONS COMMITTEE

20 AUGUST 2020

(7.15 pm - 0.15 am)

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

Tim Bryson (Development Control Team Leader (North)), Jonathan Lewis (Development Control Team Leader (South)) and Neil Milligan (Development Control Manager, ENVR)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from the Chair, Councillor Linda Kirby. The Vice-Chair, Councillor Najeeb Latif, chaired the meeting in her absence and Councillor John Dehaney was present as a substitute.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

The Committee noted that Councillor Najeeb Latif from time to time chaired Design Review Panel meetings. At these meetings he did not take any part in the debate nor vote on the proposals.

Councillor Dean declared a personal interest in item 6, (Tooting & Mitcham FC, Bishopsford Road), in that he had been working with Tooting team for a number of decades and as he knew them in a personal capacity he would not be voting on this item.

Councillor Makin declared an interest in item 11, (8 Preshaw Crescent), in that he attended a meeting with residents on the road to advise on procedure but he did not give a view on the application.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED that the minutes of the meeting held on 16 July 2020 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 modifications sheet. This applied to items 5 – 11 and 13.

The Chair advised that the order of the agenda would be as published except that item 13 would be taken before item 12.

For ease of reference, items are minuted below in the order they appeared in the published agenda.

5 3 ALAN ROAD, WIMBLEDON, SW19 7PT (Agenda Item 5)

Proposal: new basement extension, single storey rear extension with roof lantern, replacement of side garage, replacement windows on front and rear elevation, new windows in side elevations, erection of dormer on front roof slope, replacement of roof lights, replacement of two storey rear bay windows and formation of new oriel window.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

Two local residents had registered to speak in objection. Amongst the points raised, they noted that whilst development on the site was welcome, the scale and size of these proposals would change the character of the area and affect neighbouring properties in terms of reduced natural light and privacy. Concerns were also raised regarding the disruption caused by basement excavations.

Supporting the application, the applicant's agent noted that the proposal being considered by the Committee addressed all the objections raised with previous applications and feedback from the pre-application process. The agent also stated that the proposal enhanced the appearance and character of the property and, having consulted with planning officers, would have no impact of neighbouring properties' daylight with the basement having minimal impact on neighbours.

Addressing concerns regarding the basement, the planning officer noted that whilst this was not grounds for refusing the application, relevant conditions could be imposed, and these indeed had been included in the recommendation. Responding to questions from the committee, the planning officer also confirmed that the proposal was materially different to previous applications for the site.

At the conclusion of the debate, the Chair moved to a vote and it was

RESOLVED that application number 20/P1701 be GRANTED planning permission subject to conditions.

6 TOOTING & MITCHAM FC, BISHOPSFORD ROAD, SM4 6BF (Agenda Item 6)

Proposal: Erection of 6 storey residential building, comprising 77 residential units with associated parking and landscaping.

Note: Cllr Dean had declared a personal interest in this item and did not take part in its discussions or decision by switching off his camera and muting his microphone (see item 2 above).

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

Two parties had registered to speak in objection to the proposal, and raised a number of points including the following:

- The site is a protected open space, green belt and metropolitan open land, and as the proposal fell short of the special circumstances test, the development was inappropriate.
- The application was not considered by the Development Review Panel, and had objections from a number of significant stakeholders including Sports England, CPRE London, the neighbouring MP, which should also be taken into account.
- The current sporting facilities on the site were underused, and its ecological and environmental sensitivities should be considered.

At the invitation of the Chair, both the applicant's agent and representative shared the allocated speaking time to raise the following points:

- The site had been identified for enabling residential development in the emerging Local Plan.
- Previous applications for the site had attracted overwhelming support from local residents, indicating the proposal's popularity which should also be taken into account.
- The benefits vs harm assessment was overwhelmingly in favour of the proposals in light of its two new community buildings and 100% affordable housing scheme.
- Viability reports carried out by both the applicant's and the council's consultants reported that community benefits could be viably delivered.
- Parking space had been reduced by 20 parking spaces to allow increase of green space around the buildings.
- The site needs to stay financially viable, which it can by providing much needed affordable housing, education and sports facilities, rather than keeping it as unused land.
- The enhanced landscape would make the site more accessible to those who wished to use it.

In response to questions from the Committee, the planning officer advised that:

- Whilst there were precedents for appeal verdicts regarding very special circumstances, each one was unique; he also noted that the report for the proposal did set out what the special circumstances for this site were.
- There was a recommendation for both an early and later stage review of viability in light of the shortcomings of the proposed housing scheme.
- The viability report demonstrate that the proposal would contain three affordable rents, which could increase, subject to the receipt of grants.

The Committee debated the value of the proposed housing scheme in light of social and affordable housing, and how many local residents would be able to afford to live on the proposed site. Some Committee members also expressed concern that the special circumstances had not been satisfactorily explained.

At the conclusion of the debate, the Chair moved to a vote and it was

RESOLVED that application number 19/P4094 be GRANTED permission subject to conditions and s106 legal agreement.

7 159 COMMONSIDE EAST, MITCHAM, CR4 2QB (Agenda Item 7)

Proposal: Demolition of existing buildings and the erection of buildings to create 25 self-contained residential units with associated parking and landscaping.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

Two parties had registered to speak in objection to the proposal, and raised a number of points including concerns that it contained number of design elements of previous applications which had been refused, the impact of the character of the area, and the third storey balcony negatively impacting the privacy of residents on Halliwell Close.

The applicant's agent had also registered to speak and in addressing the Committee noted that the application had been revised taking into account the grounds by which previous application had been refused. Addressing the privacy concerns raised by registered objectors, the agent noted that the communal terrace would be 20 meters away from properties on Halliwell Close, and there were also plans to include planting on the terrace to ensure it would not overlook said properties. The agent also noted:

- There were 17 proposed parking spaces and future residents would not be allowed to apply for parking permits.
- Total S106 and CIL contributions would be in the region of £417,000, including affordable housing contributions.
- The Design Review Panel had unanimously praised the design on the scheme, which also complied with the London Plan, the local development plan and the NPPF.

Having considered the proposal, the Committee:

RESOLVED that application number 20/P1060 be GRANTED planning permission subject to a section 106 agreement for off-site affordable housing contribution, permit free development and carbon offsetting and relevant conditions.

8 37-39 COTTENHAM PARK ROAD, WEST WIMBLEDON, SW20 0SB
(Agenda Item 8)

Proposal: Demolition of existing two detached dwellings and replacement with two x three storey building (with lower ground floor) providing three houses and five flats, alongside associated landscaping.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

Two local residents had registered to speak, and at the invitation of the Chair raised a number of points including the following:

- The design was overly dense
- There was no precedent for a block of flats in the close, and it was inconsistent with the character of the local area
- There were only slight modifications to the previous site applications which were refused
- The council should consider the quality of homes being proposed on the site, including rooms without direct sunlight.

Due to technical issues, the Committee asked questions and debated the proposal before the applicant's agent could exercise his right to reply.

In response to questions from the Committee, the planning officer confirmed that all habitable rooms in the proposal had windows, and light wells were positioned in the front part of the buildings. The planning officer also confirmed that the proposal met the GIA floor space standards.

During the debate, it was proposed that the application should be refused on grounds of bulk and massing.

The applicant's agent exercised his right to reply to registered speakers and raised a number of points including:

- The applicant had consulted with the planning officers to ensure that the proposal's contemporary design would not be obtrusive or have a negative impact on the landscape.
- All the room sizes and floor space met the minimum requirements
- The developer had entered into a S106 agreement to limit parking spaces and permits.
- The proposal included ample cycle storage
- This was sufficient use of the brownfield site by creating high quality development without harming the current amenities and would contribute towards the council's housing target.

Having considered the proposal, the Committee:

RESOLVED that application number 20/P1463 be GRANTED planning permission subject to conditions and the completion of a S106 unilateral undertaking to secure:

1. 5 of the 8 new units are to be parking permit free residential units.
2. The developer agreeing to meet the council's costs of reviewing [including legal fees] the unilateral undertaking.
3. The developer agreeing to meet the council's costs of monitoring the unilateral undertaking.

9 115 GRAHAM ROAD, WIMBLEDON, SW19 3SP (Agenda Item 9)

Proposal: Erection of an additional storey and creation of 2 x 1 bedroom flats.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

One local resident had registered to speak, and at the invitation of the Chair raised a number of points including the following:

- The bulk and mass of the proposal were the basis on which the last site application were refused, and it was unclear why the current application should be granted
- The proposals for the garden bin and cycle storage would significantly reduce the outdoor space, negatively impacting the communal area for children, not leave enough manoeuvre space for residents' cars or visitor parking, and deny 75% of the occupancy of access to the gardens.
- The proposal for flat 8 did not meet the national standard for gross internal area.

The applicant's agent had also registered to speak, and at the invitation of the Chair, raised a number of points including that the proposals had taken on board the feedback and objections from the 2019 site application to provide a higher quality scheme.

In response to questions from the Committee the planning officer confirmed that Flat 8 fell short of the floor space requirement by 2 metres, but the Committee would have to consider whether this was enough to consider refusal. Similarly, the outdoor space was understood to be tarmac rather than a communal space, and the impact on the space was not consider enough to recommend refusal. The officer also acknowledged that the proposed gardens would only benefit the two ground floor flats.

Further to concerns that the proposed flat 8 failed to meet the minimum required floor space, a motion to refuse the application on this basis was moved and seconded, but lost when put to the vote.

The Chair then moved to vote on the officer recommendation and it was:

RESOLVED that application number 20/P1275 be GRANTED planning permission subject to a S106 agreement and conditions.

10 64-76 KINGSTON ROAD, WIMBLEDON, SW19 1LA (Agenda Item 10)

Proposal: Restoration and extensions to the existing manor house building (including basement extension) at No.76, and redevelopment of the adjoining site at No.64 - 68 with the erection of a new four storey residential block (plus additional basement level) creating a total of 26 x selfcontained flats (7 x 3 bed, 4 x 2 bed 15 x 1 bed units).

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

At the invitation of the Chair one registered speaker addressed the Committee and made a number of points including the following:

- Development of the historic building was welcomed, but 11 units on this site is overdevelopment
- Extensive digging and development on the basement flat had already gone ahead of the application, and response from the enforcement officer regarding this was still being awaited.
- Block B undermined the whole application as it is out of scale and the design created a negative anomaly. At the very least, the black windows and roof should be changed so that they are not so oppressive.
- The design should incorporate the applicant's initial plans which included bay windows and pitch roofs which would go well with the more traditional adjacent manor house and church, and other buildings on Kingston Road
- The application was not considered by the Design Review Panel.

At the invitation of the Chair, the applicant's representative addressed the Committee and raised a number of points including:

- The current application was a result of several revisions in consultation with planning officers
- With regard to the original design for Block B with more traditional elements, this had also been changed in consultation with the planning officers
- The proposal makes efficient use of brownfield land and contains 26 residential flats which contributes to the council's housing provision, and will be secured by a S106 agreement which includes a review mechanism to ensure the correct amount of affordable housing
- The building was in a state of disrepair and the applicant explained to the council that supportive and restorative work in the foundations to ensure it does not deteriorate any further.

A written speech from Councillor Nigel Benbow was read out to the Committee noting that the proposals to restore the original building and convert to flats were welcome, but there were concerns regarding the Block B erection of a new 4 storey level including basement, namely it was too big and out of character with the Old Merton Park area which has a number of old historic buildings. The speech also said the Black B proposal would vastly alter the appearance of Kingston Road due to its height and size, and that it should be redesigned to fit in with the area.

Further to questions from the Committee, the Planning officer confirmed the following:

- The application was a medium sized proposal and therefore not considered necessary to be considered by the Design Review Panel
- Seven units, or 27% of the total number would be affordable housing; although this is short of the policy requirement, it was subject to a viability review.

Further to concerns raised during the debate regarding the proposal, and in particular the old manor club, failing to respect the character of the surrounding Old Merton Area, a motion to refuse the application on this basis was moved and seconded, but lost when put to the vote.

The Chair then moved to vote on the officer recommendation and it was:

RESOLVED that application number 19/P2120 be GRANTED planning permission subject to conditions and S106 agreement.

11 8 PRESRAW CRESCENT, MITCHAM, CR4 3GA (Agenda Item 11)

Proposal: Erection of 2 x residential blocks of two and three stories, comprising 9 x self-contained flats, with new access road from Russell Road, plus car parking provision and associated landscaping.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

Two parties had registered to speak in objection to the proposal, and raised a number of points including the following:

- The proposal would result in loss of open space and local amenities as it intensifies development in an already congested area
- There was not enough justification for the development in a conservation area
- Mature trees were illegally removed from the site in 2015 and this has not since been appropriately addressed
- There were health and safety concerns regarding the gas pipe installation at the entrance of the proposal site, and risk of damage to the sewer on Russel Road.
- The developer had deflected responsibility of sewage in gardens to utility companies
- Noting emergency service vehicles' difficulty accessing the road, the design and access statement had failed to address the narrow width of the road.

At the invitation of the Chair, the applicant addressed the Committee and raised the following points:

- This scheme was revised from the 2019 refused application; a number of issues were being resolved just before the Covid-19 pandemic lockdown was put in place, and as such, an appeal was submitted in order to progress the application to satisfy contractual obligations.
- It was regrettable that the trees were removed, and it is the applicant's intention to address that with tree planting, though they were yet to receive landscaping comments.
- There were no objections from Highways regarding access though waste disposal issues have been addressed in the officer's report.

In response to a query from the Committee, the transport officer confirmed that the CPZ was not on Russel Road.

In response to another query from the Committee, the planning officer confirmed that the individual units met the standards for amenity space.

Officers also noted that conditions could be attached to allay any fire safety concerns.

Having considered the application, the Committee:

RESOLVED that officers inform the Planning Inspectorate that the Council would have GRANTED application number 19/P4118 subject to conditions.

12 50 TYBENHAM ROAD, MERTON PARK, SW19 3LA (Agenda Item 12)

Proposal: Demolition of existing outbuilding in rear garden and erection of a replacement outbuilding for use as garage, gym and workshop.

There were no registered speakers for the application.

It was noted that there were conditions regarding ancillary to the use of the main dwelling which should be sufficient to guard against unintended use as HMO.

Having considered the application, the Committee:

RESOLVED that application number 20/P1732 be GRANTED planning permission subject to conditions.

13 33-39 UPPER GREEN EAST, MITCHAM, CR4 2PF (Agenda Item 13)

Proposal: Demolition of existing buildings and erection of a new four storey mixed use building comprising commercial units at the ground floor level (use classes a1, a2, a3, a5, b1 or d1) and 20 x selfcontained flats above (use class c3); with associated landscaping and bin and cycle store.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

Two parties had registered to speak in objection to the proposal, and raised a number of points, noting that the proposed four storey block of flats would be taller and out of keeping with other buildings in the area, in particular negatively impacting the village feel of Mitcham. Both registered parties also noted that the Council's Urban Design Officer's report and the Design Review Panel were also critical of the design, noting its failure to take into account the surrounding and overdevelopment.

At the invitation of the Chair, the applicant's representative also addressed the Committee, noting that the site had been split into four distinct parts to reflect the grain of the town. The applicant also noted that the points raised by the registered objectors related to previous versions of the application, and that this had been considered by the Design Review Panel in 2018. Some of the benefits of the scheme

included 20 double aspect good quality homes in the centre of Mitcham, and that it was environmentally sustainable with renewable energy.

Further to queries from the Committee, the planning officer confirmed the following:

- Of the 77 residents who lived nearby, three had sent letters of support for the application
- The possibility of converting unused commercial units to residential could be mitigated by conditions.

During the debate, members expressed both support for the design and concern about the impact on Mitcham's village feel.

Having considered the application, the Committee:

RESOLVED that application number 19/P2747 be GRANTED permission subject to Section 106 obligation or any other enabling agreement, and relevant conditions.

14 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 14)

The Committee noted that there were no planning enforcement cases reported.

15 REVIEWS OF RECENT CHANGES TO TOWN PLANNING LEGISLATION, AND CURRENT MHCLG CONSULTATION (Agenda Item 15)

The Committee agreed to submit queries to the planning officers via email.

16 MODIFICATIONS SHEET (Agenda Item 16)