

Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

17 MARCH 2016

(7.15 pm - 10.30 pm)

PRESENT: Councillors Councillor Linda Kirby (in the Chair),
Councillor John Bowcott, Councillor Tobin Byers,
Councillor Ross Garrod, Councillor Daniel Holden,
Councillor Abigail Jones, Councillor Philip Jones,
Councillor Peter Southgate, Councillor Geraldine Stanford and
Councillor Najeeb Latif (Substitute for Councillor David Dean)

ALSO PRESENT: Stuart Adams (Planning Officer), Chris Chowns (Principal
Transport Planner), Jonathan Lewis (South Team Leader -
Development Control)), Neil Milligan (Development Control
Manager, ENVR) and Michael Udall (Democratic Services)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor David Dean.

2 DECLARATIONS OF OF PECUNIARY INTEREST (Agenda Item 2)

None.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

Councillor Ross Garrod requested that the Minute on Planning Enforcement include reference to the discussions on the Burn Bullock PH, 315 London Road, Mitcham.

RESOLVED: That the Minutes of the meeting held on 11 February 2016 be agreed as a correct record, subject to Minute 17 (Planning Enforcement – Summary of Current Cases) including the following extra preamble paragraph-

“Burn Bullock PH, 315 London Road, Mitcham, CR4 (para. 2.05) – Councillor Ross Garrod referred to the extension notice issued on 6/11/15 (to allow the required works to be completed) having an expiry date of 6/3/16 whereas the report indicated that the works should be completed by the end of March 2016. Officers indicated that information on the expiry date of the notice was not available at the meeting but did confirm that the works should be completed by the end of March 2016.”

4 TOWN PLANNING APPLICATIONS - COVERING REPORT (Agenda Item 4)

The published agenda and the modifications sheet tabled at committee form part of the Minutes.

(a) Modifications Sheet - A list of modifications for items 5,, 8, 9, 11, 12, 13, 14, 15 & 17, and additional letters/representations and drawings received since agenda publication, were tabled at the meeting.

(b) Oral Representations – The Committee received oral representations at the meeting made by third parties and applicants/agents in respect of items 5, 7, 9, 10, 11 (an objector and a supporter only), 12, 13, & 14. In each case where objectors spoke, the Chair also offered the applicants/agents the opportunity to speak; and the Chair also indicated that the applicants/agents would be given the same amount of time to speak as objectors for each item.

The Committee received no oral representations at the meeting from other Councillors (who were not members of the Committee for this meeting).

(c) Order of the agenda – Following consultation with other Members at various times during the meeting, the Chair amended the order of items to the following - 6, 5, 9, 12, 10, 11, 13, 14, 7, 8 & then 15..

RESOLVED: That the following decisions are made:

5 31B ARTERBERRY ROAD, RAYNES PARK, SW20 8AG (REF. 15/P4768)
(RAYNES PARK WARD) (Agenda Item 5)

1. Proposal - Erection of 2 x 5 bedroom semi-detached three storey dwellings including accommodation at lower ground floor level.

2. Refuse Collection – In response to a member’s concerns about car parking being located in front of the proposed refuse store, officers advised that a condition (7) was proposed that would require that details of refuse arrangements be submitted for approval (to officers). Officers also advised that the access to the site via an existing driveway was too narrow for refuse vehicles.

3. Access – Officers referred to objectors’ concerns that the access was not in the ownership of the applicants. Officers advised that this was not a town planning issue and so outside the Committee’s remit.

4. Car Parking – Permit Free – A member expressed concern that the large houses proposed could generate a considerable number of vehicles and therefore the provision of parking on site should be increased or the development should be permit free (i.e. the occupiers of the houses would not be able to apply for permits to park on-street in the controlled parking zone covering the area). Officers advised the amount of car parking on site was considered to be appropriate for the scheme but that it would be possible for both proposed dwellings to be required to be permit free (by amending the proposed Section 106 agreement). As indicated below, the Committee subsequently agreed that the development be permit free.

5. Approval Motion - It was moved and seconded that permission be granted. The motion was carried by 9 votes to 1 (Councillor Peter Southgate dissenting).

Decision: Item 5 - ref. 15/P4768 (31B Arterberry Road, Raynes Park, SW20)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet, subject to -

(a) Car Parking – Permit Free – An additional Head of Term in the Section 106 agreement requiring that the development be permit free.

6 LAND ADJACENT TO NO.1 BRIDGE VILLAS, ASHCOMBE ROAD, WIMBLEDON, SW19 8JR (REF. 15/P1955) (WIMBLEDON PARK WARD) (Agenda Item 6)

1. Proposal - Erection of two storey block with accommodation in the roofspace comprising four flats (2x 1 bed and 2x 2 bed).

2. Officers advised that site was just within the safeguarding zone for Crossrail 2; and requested that the item be deferred for further investigations.

Decision: Item 6 - ref. 15/P1955 (Land adjacent to No.1 Bridge Villas, Ashcombe Road, Wimbledon, SW19 8JR)

That consideration of the application be DEFERRED to a future meeting.+

7 27 CANNON HILL LANE, RAYNES PARK, SW20 9JY (REF. 15/P3653) (CANNON HILL WARD) (Agenda Item 7)

1. Proposal - Conversion of dwelling into 5 flats, including two storey side extension with living space at roof level, excavation of basement, single storey rear extension, rear roof extension, roof lights to front roof slope, replacement of rear windows and parking for 4 cars and 9 cycles.

2. Parking Spaces – There was discussion of whether the current proposal for 4 parking spaces for the 5 flats should be increased by one space so that there would be 5 parking spaces for the 5 flats. Officers advised that the current proposal for 4 parking spaces would give the proposed development a better appearance and be better in terms of pedestrian safety. As indicated below, the Committee approved the application as proposed with 4 parking spaces.

3. Affordable Housing – Possible Clawback – Members noted that the officer report stated that the independent viability assessment of the scheme had concluded that that the scheme was unable to support an affordable housing contribution; and that therefore officers recommended that any approval be not subject to a financial contribution towards affordable housing. A member suggested that this needed to be subject to further review (once the scheme was being constructed or had been built).

3.1 Officers outlined the relevance of the recent history of the law on affordable housing contributions (including the Court of Appeal overturning a Government's decision opposing such contributions) on the current and previous applications for

this site. Officers also suggested that it would be unreasonable to impose such a review mechanism on such a small site. As indicated below, the Committee subsequently approved the application without imposing any review of a possible affordable housing contribution.

3. Approval – The application was approved by 9 votes to nil.

Decision: Item 7 - ref. 15/P3653 (27 Cannon Hill Lane, Raynes Park, SW20)

GRANT PERMISSION subject to the conditions set out in the officer case report.

8 81 DORA ROAD, WIMBLEDON PARK, SW19 7JT (REF. 15/P3969)
(WIMBLEDON PARK WARD) (Agenda Item 8)

1. Proposal - Conversion of an integrated garage into habitable rooms, with alterations to front elevation including new timber front door and entrance canopy.

Decision: GRANT PERMISSION subject to the conditions set out in the officer case report and the tabled modifications sheet.

9 17 ERNLE ROAD, WEST WIMBLEDON, SW20 0HH (REF. 15/P3751)
(VILLAGE WARD) (Agenda Item 9)

1. Proposal - Excavation of basement with front and rear lightwells

2. Borehole location – In response to objectors allegations in their oral representations (and in their written representations referred to paragraph 6.1 of the officer report) that one of the applicant’s boreholes had not taken place in a neighbour’s garden to the west of the site as shown in the application papers, the applicant’s representative in their oral representations advised that the plan showing the location of the boreholes was not that accurate.

3. Piling Method – Amendment to Condition (7) (Construction Method Statement) – A member referred to the close proximity of the proposed basement development to No.19 Ernle Road and the need for an appropriate method of piling to avoid a high level of vibration. Officers advised that it would be possible to amend the wording of proposed condition (7) to ensure that the method of piling was (i) subject to approval and (ii) avoided a high level of vibration.

3.1 As indicated below, the Committee subsequently agreed to an appropriate amendment to condition (7) and that officers be delegated authority to agree the detailed wording.

3.2 Vibration Monitoring Equipment - A member also suggested that adequate vibration monitoring equipment be installed. Officers advised that this was Party Wall issue (and so not a matter where the Committee could impose a requirement).

4. Approval – The application was approved unanimously.

Decision: Item 9 - ref. 15/P3751 (17 Ernle Road, West Wimbledon, SW20)

(A) GRANT PERMISSION subject to the conditions set out in the officer case report and the tabled modifications sheet subject to -

(i) Piling Method – Amendment to Condition (7) (Construction Method Statement) - The wording of proposed condition (7) be amended to ensure that the method of piling was (i) subject to approval and (ii) avoided a high level of vibration, all subject to (B) below

(B) Delegation: The Director of Environment & Regeneration be delegated authority to amend condition (7) to be attached to the planning consent for this site.

10 14 GROSVENOR HILL, WIMBLEDON, SW19 4SA (REF. 15/P3909)
(VILLAGE WARD) (Agenda Item 10)

1. Proposal - Demolition of existing house and erection of a five bedroom detached house with basement accommodation.

2. Landscaping – There was considerable discussion regarding the possible impact of the proposed development on Mulberry Cottage, No15 Grosvenor Hill. A suggestion of possibly amending the proposed landscaping conditions, so as require that extra planting be provided to help screen the proposed development from Mulberry Cottage was not adopted by the Committee. It was noted that such screening could possibly be overbearing.

3. Approval Motion - It was moved and seconded that permission be granted. The motion was carried by 6 votes to 2 (Councillors John Bowcott and Ross Garrod dissenting).

Decision: Item 10 - ref. 15/P3909 (14 Grosvenor Hill, Wimbledon, SW19 4SA)

GRANT PERMISSION subject to the conditions set out in the officer case report.

11 94-96 HAYDONS ROAD AND 1-3 QUICKS ROAD, SOUTH WIMBLEDON,
SW19 1HJ (REF. 15/P4595 (ABBEY WARD) (Agenda Item 11)

1. Proposal - Variation of Condition 2 of Planning Permission 15/P2070 for the redevelopment of site to provide 9 x residential units (comprising 1 x 1 bed, 6 x 2 bed and 2 x 3 bed flats) and 177.5 square metres of commercial space on ground floor.

2. Consultation – Officers advised that paragraph 5.1 (line 3), referring to the 8 representations received, should be corrected to read “4 objections and 4 expressing support” (instead of “6 objections and 2 expressing support”).

3. Brickwork – Samples of the proposed new brickwork for the development were displayed at the meeting and were available for inspection..

4. Rear Wall of 48 Trafalgar Road – Officers referred to an objector’s suggestion that the rear wall of 48 Trafalgar Road be replaced at the existing height of 3,6m (instead of 2.1m as proposed in the development) in order to protect the security and amenities of neighbouring occupiers. Officers advised that 2.1m was the standard height for walls between neighbours.

5. Penthouse Flat – Screening Condition – A member queried whether a condition had been imposed further to paragraph 7.19 of the officer report which stated that “a condition could be imposed on any approval to include obscure glazed screening to the rear elevation (of the penthouse flat) of at least 1,8m, as was the previous case for the previous planning permission 15/P2070”. Officers advised that the conditions imposed on the original planning permission 15/P2070 would still continue to apply (subject to any changes approved at this meeting) and undertook to check that such a screening condition would still apply.

Decision: Item 11 - ref. 15/P4595 (94-96 Haydons Road and 1-3 Quicks Road, South Wimbledon, SW19 1HJ)

GRANT Variation of Condition 2 of Planning Permission 15/P2070 subject to conditions and deed of variation to S106 agreement as set out in the officer case report and the tabled modifications sheet.

12 8 HAZELBURY CLOSE, MERTON PARK, SW19 3JL (REF. 16/P0104)
(MERTON PARK WARD) (Agenda Item 12)

1. Proposal - Application for variation of condition 2 (approved plans) and the variation of condition 7 (code for sustainable homes) attached to LBM planning permission 14/P3132 (dated 27/08/2014) relating to the demolition of existing bungalow and the erection of a new two storey 4 x bedroom dwelling house.

2. External Materials – Samples of the proposed external materials for the development, referred to on page 2 of the tabled modifications sheet, were displayed at the meeting and were available for inspection..

3. Approval – The application was approved by 9 votes to nil.

Decision: Item 12 - ref. 16/P0104 (8 Hazelbury Close, Merton Park, SW19)

GRANT PERMISSION subject to variation of Conditions 2, 3 and 7 attached to application reference 14/P3132 granted permission on appeal, as set out in the officer case report and the tabled modifications sheet.

13 14 LAMBOURNE AVENUE, WIMBLEDON, SW19 7DW (REF. 15/P4105)
(WIMBLEDON PARK WARD) (Agenda Item 13)

1. Proposal - Application for removal of condition 5 (Obscure Glazing) attached to LBM Planning permission Ref.12/P0125 (dated 06/03/2012) relating to the demolition of existing house and erection of a six bedroom house (with accommodation within the roofspace and at basement level)

1.1 Officers explained that the current application related to the front “staircase window” only; and that the little man figure on the plan on page 22 of the tabled modifications sheet showed the location of the landing of the staircase where the window was located.

2. Approval – The application was approved unanimously.

Decision: Item 13 - ref. 15/P4105 (14 Lambourne Avenue, Wimbledon, SW19)

GRANT removal of condition 5 (Obscure Glazing) attached to LBM Planning permission Ref.12/P0125 as set out in the officer case report and the tabled modifications sheet.

14 THE CRICKETERS PH, 340 LONDON ROAD, MITCHAM, CR4 3ND (REF. 15/P0890) (CRICKET GREEN WARD) (Agenda Item 14)

1. Proposal - Demolition of existing buildings and construction of a part 2, part 3 storey building to provide 10 homes with associated access, car parking, cycle parking, refuse/recycling storage and landscaping.

2. Affordable Housing – Officers clarified that paragraph 7.10 of the officer report should have stated that the independent viability assessment of the scheme had concluded that that the scheme was unable to support an affordable housing contribution, whether on-site or off-site.

2.1 Affordable Housing – Clawback - Members expressed concern that any approval wouldn't be subject to a financial contribution towards affordable housing; and that this needed to be subject to further review (once the scheme was being constructed or had been built). Officers confirmed that it would be possible for any approval to be subject to a Section 106 Agreement including a provision for a review mechanism for determining whether it would be viable for the scheme to make an affordable housing contribution later in the development timetable.

3. Refuse Store – Extra Condition – In response to a Member's query, officers undertook to ensure that any approval was subject to an extra condition regarding the need for approval of the location of the refuse store, if such a condition was not already proposed.

4. External Materials – Submission to Members – During discussions, various Members suggested that, if the application was approved, the external materials which would be required to be submitted for approval (further to the proposed conditions) should be submitted to the Committee for approval (instead of only to officers).

5. Design Review Panel – It was noted that the current application had not been submitted to the Design Review Panel (DRP) for comment. Reference was made to the significance of the application site within the Conservation Area and its location next to two locally listed buildings and the need therefore for a good quality design and materials. As indicated below the Committee decided that the application should be referred to the DRP prior to the Committee making any decision.

Decision: Item 14 - ref. 15/P0890 (The Cricketers PH, 340 London Road, Mitcham, CR4 3ND)

That consideration of the application be DEFERRED to a future meeting in order that the application can be first submitted to the Design Review Panel (DRP) for comment.

15 THE WILLIAM MORRIS PH, 20 WATERMILL WAY, COLLIERS WOOD, SW19 2RD (REF. 15/P0615) (COLLIERS WOOD WARD) (Agenda Item 15)

1. Proposal - Alteration and extension to existing public house and restaurant, including new Micro-Brewery (B2 Use) and Shop

2. Coloured Images – Officers circulated to Councillors at the meeting coloured hard copies of some of the 3D computer generated images (of the proposed alteration and extensions) included in the officer report and tabled modifications sheet.

Decision: Item 15 - ref. 15/P0615 (The William Morris PH, 20 Watermill Way, Colliers Wood, SW19 2RD)

GRANT PERMISSION subject to the conditions set out in the officer case report and the tabled modifications sheet.

16 MEETING BREAK (Agenda Item)

After consideration of item 7, at about 10.10pm, the Committee adjourned its discussions for about 10 minutes.

17 PLANNING APPEAL DECISIONS (Agenda Item 16)

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18 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 17)

1. Modifications: Officers drew attention to the list of modifications for various items tabled at the meeting detailing amendments to this item including to (a) paragraph 2.05 (Burn Bullock PH, 315 London Road, Mitcham, CR4).

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19 MODIFICATIONS SHEET (FOR VARIOUS ITEMS) (Agenda Item 18)

See above Minutes on

- (a) Item 4 (Town Planning Applications – Covering Report); and
- (b) Item 17 (Planning Enforcement – Summary of Current Cases).

20 MICHAEL UDALL, DEMOCRATIC SERVICES OFFICER (Agenda Item)

The Chair referred to this being Michael Udall's last meeting prior to retiring and leaving Merton; and expressed her appreciation of his work for the Committee over a number of years.

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