

# Agenda Item 3

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## PLANNING APPLICATIONS COMMITTEE

22 JUNE 2017

(7.15 pm - 9.50 pm)

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

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

Apologies for absence were received from Councillor Philip Jones, Councillor Joan Henry attended as his substitute.

The Vice-Chair apologised that he would be leaving the meeting at 9pm. He was present in the meeting for items 9, 10 and 5, but absent for 6,7 and 8

The committee welcomed Councillor Jerome Neil to the Planning Committee

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

There were no declarations of pecuniary interest.

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

RESOLVED: That the minutes of the meeting held on 25May 2017 are agreed as an accurate record.

### 4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

Before starting the meeting, the Chair asked all to join her in one minute silence in memory of those who lost their lives in Grenfell Tower.

Supplementary Agenda: A details of modifications for Items 5,6,8, and 9 were published as a supplementary agenda.

Order of the Meeting – The Chair announced that the order of items taken at the meeting would be: 9,10, 5, 8, 6, and 7

5 5-6 ALT GROVE, WIMBLEDON, SW19 4DZ (Agenda Item 5)

Proposal: Erection of a single storey residential unit

The Committee noted the officers report and presentation, and additional information in the Supplementary Agenda. The Development Control Manager informed members that the block of nine units on the site, allowed under prior approval, was not relevant to this application.

The Objector representing local landlords raised concerns including:

- This application is backfilling and contravenes council policy
- The proposal will result in a development which is too dense
- There will be overlooking into existing flats

The Objector representing a local business raised concerns including:

- Building work will disrupt the work of employees – noise and dust will be created.
- Trees have already been lost

The Agent to the application made points including:

- This application seeks a one bedroomed flat, that meets London plan standards in a highly sustainable location.
- Mature tree will be replaced
- The development is permit free
- Construction nuisance is not a planning consideration

In reply to members questions, the Development Control manager made the following points:

- There will be 10 permit free units on the site– so it is up to future residents how they arrange to use the remaining 2 parking spaces
- No reason to refuse this application on transport, parking, design, trees. Because of its siting overdevelopment would be difficult to justify. The prior approval of 9 units makes refusal difficult.
- Prior approval does not require affordable housing contribution, so the fact that there are 10 units is not relevant
- It could be termed an infill development but owing to its 'hidden away' siting it does no actual harm
- It exceeds the standards in the provision of amenity space
- Amenity space for 9 allowed under prior approval is not relevant

RESOLVED

The Committee voted to GRANT Planning Permission subject to Section 106 Obligation or any other enabling agreement and conditions

6 34 COTTENHAM PARK ROAD, WEST WIMBLEDON, SW20 0SA (Agenda Item 6)

Proposal: Demolition of the existing detached dwelling and the erection of a semi-detached pair of 5 bedroom dwellings including basement accommodation for both dwellings

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

The Objector raised residents' concerns including:

- The lack of time given to residents to respond to the consultation on the amended application
- Would like to defer this application to give residents a chance to negotiate with the applicant, residents do not object to the proposal in principle but want to talk to the applicant about some details

In response to Members questions the Development Control Manager made points including:

- Residents had commented on the original application. As this proposal was smaller than the original, and the changes minor, residents were only consulted as a courtesy. In this case the fact that the residents feel that they did not have time to reply is not a reason to defer, because we already have their comments on the previous scheme
- Engineers have checked the technical details of the basement design and found them to be satisfactory. The proposed methods of dealing with groundwater are standard and satisfactory.
- Amenity space at the rear is satisfactory

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

7 10-12 LEOPOLD ROAD, WIMBLEDON, SW19 7BD (Agenda Item 7)

Proposal: Change of use of No. 10 Leopold Road from retail use (Use Class A1) to restaurant (Use Class A3) and internal alterations in order to merge No. 10 Leopold Road with the existing restaurant that operates at Nos. 12 and 14 Leopold Road.

The Committee noted the officers report and presentation. The Development Control Manager asked members to note that this application was for change of use, and disturbance caused by an existing extractor was for Merton Council's Environmental Health team to consider, and was not a planning consideration.

The Objector representing Wimbledon East Hillside Residents' Association raised objections including:

- This application will have adverse affect on other businesses on Leopold Road.
- Already enough food and drink businesses on the road, and too many delivery scooters

The Objector representing residents whose gardens back onto the application site raised objections including:

- There are concerns regarding noise and air quality from the existing premises – concerned that the application premises would increase these nuisances
- There is a mechanical noise that is intrusive and disturbing
- Will there be a takeaway operation from the premises?
- Access of customers to outside space should be restricted

The applicant raised points including:

- Ambiance provides award winning food, and the new restaurant would provide a new 'salad and meze' menu – this would cause less cooking fumes
- There is a good balance of A3 restaurant units on Leopold Road
- Merton Council Environmental Health have assessed the current extractor and said that the noise levels are acceptable
- The Police can verify that there has been no shisha smoking on site for at least 3 years

The applicant's supporter, the owner of another business on Leopold Road raised points including:

- It is wrong to suggest that local business owners do not support Ambiance. It is wrong to suggest that the restaurant attracts anti-social behaviour
- It is a successful local independent business, It has lots of regular customers and is he epitome of a family run business

In response to Members questions, the Development Control Manager made points including:

- This application is for the change of use of 10 Leopold Road. Number 14 will still have restaurant class use.

- Any new extractor would require planning permission and decibel limits could be set for this. Conditions could be added to control noise level of any new or relocated extraction and cold units
- Rear space is very small and could be conditioned that it is never used by customers

## RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to the conditions in the report and two additional conditions to cover a ban on clients using the outside space at any time, and to cover noise created by new or relocated extraction units and cold storage units

## 8 17 MERTON HALL ROAD, WIMBLEDON SW19 1BQ (Agenda Item 8)

Proposal: Retention of an outbuilding for use as a summerhouse

The Committee noted the officers report and presentation which included plans and photographs of the impact of the outbuilding. Members noted the additional information provided in the Supplementary Agenda

The Objectors raised the concerns of residents of 96 Dundonald Road. The detailed version of these objections are published in the Supplementary agenda, the points made included:

- The outbuilding, by its proximity to the boundary and height causes a loss of sunlight, overbearing impact and visual intrusion to number 96 Dundonald Road.
- The 2011 application was not implemented within the statutory time limit and therefore only limited weight should be given to this permission. Also this 2011 permission was flawed.
- There is a lack of screening/planting
- The roof detailing on the built outhouse is more intrusive than that allowed in the 2011 permission
- The report to Committee is inaccurate and has omissions
- The Development and Control Manager did describe the outhouse as overbearing

The Applicant and her architect made points including:

- Did not realise that 2011 planning permission had lapsed, submitted a new planning application as soon as realised this. This was in 2016, Planning department have been very slow to bring to resolve
- Have tried to negotiate with neighbour regarding screening

- The current building is very similar to that given permission in 2011, and is not taller than allowed
- Similar buildings refused in the area have been in smaller gardens

In reply to members questions officers made points including:

- Officers view is that the 2011 permission is a relevant consideration, although policies had been updated since the general thrust of the relevant policies is still the same
- On an initial visit, the Development Control Manager did say that the outbuilding was overbearing but that was before going through detailed background, subsequently he did come to a different view
- The table in the report shows the differences between the 2011 permission and the application building. These include that the overall height of the new building is greater and the separation to the boundaries of 96 and 96a Dundonald Road are reduced in the new application.
- There have been significant delays in bringing this application to Committee, mainly owing to changes of Enforcement Officers.

The Chair commented that she had never met the applicant before, and had visited the site in her role as Chair of the Planning Committee, which she does with many application sites.

Members made comments for both sides saying that the variations were minimal, with other members saying that they understood the objection.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

9 HASLEMERE INDUSTRIAL ESTATE, RAVENSBURY TERRACE,  
WIMBLEDON PARK (Agenda Item 9)

Proposal: Demolition of existing buildings and a phased redevelopment of site to provide; a part 4 and part 6 storey mixed use building, comprising 826 sqm GIA of commercial use and 79 residential units and a part single, part 2, part 3 and part 4 storey terrace of 50 residential units and 341.4 sqm GIA of commercial use (totalling 129 dwellings and 1,176.6 sqm commercial space within use Class B1) with the formation of a riverside park, car parking, servicing, access and landscaping

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

The Objector raised residents' concerns including:

- Not opposed to the principal of developing this site as recognise that housing is needed in this area
- This proposal is too high. Policy states that tall buildings are only appropriate in town centres
- Why is there no masterplan for this area given that two other large developments are planned? We need a masterplan to address the issues of impact on all local services
- Local schools are massively oversubscribed.
- Housing mix is not right – more 3 bedroomed family homes are needed
- Not enough affordable housing is provided

Planning Officers made the following points in answer to members questions:

- A 'pocket park' just means a small park
- There are currently 50 commercial parking spaces, this will reduce to 2 in the new development.
- The proposal offers 19% affordable housing which is below the Merton policy, but the viability assessment has shown that this 19% is the maximum this development can support.
- Although the housing mix does not meet that desired by guidance, it is recognised that there is a demand for all types of housing in the borough.
- Proposals for other nearby developments are well advanced.
- In the wake of the Grenfell Tower tragedy, materials are being looked at in great detail. Fire Safety is a matter for Building Control
- CIL is a specific calculation and is separate to provision of affordable housing
- CIL could provide funding towards pocket park and links to cycle route and recreation ground
- The application went to the DRP (Design Review Panel) at pre-application stage and they gave it an Amber. Given the amendments that have been made to this development it would now be closer to green

Members made comments for the application:

- Welcome the application it will be an asset to the community
- Like the design, following revisions the development is acceptable
- Like that this development maximises residential space whilst also providing employment space.

- Site is accessible to public transport and development will reduce heavy traffic in the area

Members made comments against the application:

- Application should be rejected on massing and bulk,
- The development proposed is not good enough

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

10 223 STREATHAM ROAD & 1 RIDGE ROAD, MITCHAM CR4 2AJ (Agenda Item 10)

Proposal: Demolition of buildings and redevelopment to provide 30 x residential units within a residential block of 2 and 3 storeys with a fourth storey set back, with associated access, car and cycle parking, landscaping and associated works. The ground floor will also provide 195 sq.m of flexible commercial floorspace for use within classes A1 (retail) and/or B1 (business) and/or D2 (assembly & leisure).

The Committee noted the officers report and presentation. The Planning Officer asked members to note that following the Committee's refusal of the previous scheme, the developers had made changes including reducing the commercial floorspace, reducing the height of the building, increasing parking spaces. This new scheme had fewer residential units and the viability study showed that affordable units could not be supported by the development. An s106 agreement was proposed that included a clawback mechanism if there was any uplift of property prices in the area.

In response to members questions. The Planning Team Leader replied:

- Viability studies are carried out by members of The Royal Society of Quantity Surveyors. This is a complex process but developers are allowed to make a profit of 17.5-20% before any contribution to affordable housing is triggered.
- Officers will strive to deliver developments that provide accommodation that is above minimum standards, but if developments meet, rather than exceed these standards this should be acceptable

Members commented that the applicant had made the changes that the committee had requested at the time of the refusal

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions and s106 agreement.

Councillor David Dean asked for his vote against the approval to be recorded.



11 PLANNING APPEAL DECISIONS (Agenda Item 11)

The Committee noted the report on recent Planning appeal decisions

12 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 12)

The Committee noted the report summarising current enforcement cases

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