

Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

18 JULY 2017

(7.15 pm - 9.05 pm)

PRESENT Councillors 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 and Councillor Jerome Neil

ALSO PRESENT Neil Milligan – Development Control Manager
Jonathan Lewis – Planning Team Leader South
Lisa Jewell – Democratic Services

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Philip Jones.
Councillor Judy Saunders attended as 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 22 June 2017 are agreed as an accurate record.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

Supplementary Agenda: Amendments and modifications to the Officers' report were published in a Supplementary Agenda. This applied to items; 5, 6, 7, 9 and 12.

Order of the meeting – The Chair announced that the order of items taken at the meeting would be; 9, 6, 5, 7, 8, 10, 11, and 12

5 TRAVELODGE, 1B AMITY GROVE, RAYNES PARK, SW20 0LQ (Agenda Item 5)

Proposal: Erection of bin storage area in car park to replace one parking space.

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

In answer to Members questions, Officers replied that:

- It would be unreasonable to put a time constraint on rubbish collections as this is a small enclosure and is not adjacent to any windows

- Fire safety is not a Planning consideration, it is covered by Building Regulations. Planning Officers do not have the expertise to assess fire risk, it would be for the applicant to assess the flammability of the external cladding and ensure that the smoking area and its proximity to external cladding was safe.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

6 260 CHURCH ROAD, MITCHAM, CR4 3BW (Agenda Item 6)

Proposal: Demolition of existing building and the erection of a part 3 storey, part 4 storey (with setback) residential block comprising 14 x residential units, provision of 8 on-street car parking spaces (subject to traffic management order) and 20 cycle parking spaces

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

The Planning Officer reported that this application was originally brought to the Planning Committee in April 2017, but Members decided to defer their decision so that the application could be referred to the DRP (Design Review Panel). However the applicant withdrew the application from the DRP Agenda, and has now submitted an amended application with changes made to the design of elevations. There is no mandatory requirement for applications to be reviewed by the DRP. The Planning Officer reminded members that there had been a full discussion of the proposal at the Planning Applications Committee in April 2017.

The Objectors raised residents' concerns, including:

- Comparisons with Noble Court are not valid as that is smaller and set back from the highway
- There has been a lot of public opposition to this application
- This application fills the plot, will cause overshadowing and relies on parking bays on the street.
- The amendment are not effective and should have changed the skyline of the application design
- Design does not relate to the rhythm of the surrounding streets
- The site is not in a Conservation Area but it is in an area defined as of interest in the area Character Study
- An initial complaint submitted to Merton Council has never been answered

- The development does not meet London Policies – it will result in loss of light and privacy for its neighbours, and will be oppressive
- Residents are not against development of this site, but not this design

The Applicant commented that this application was policy compliant and would deliver much needed homes in Merton.

In answer to points raised by objectors the Planning Officer said:

- The matter of an ongoing complaint should not prevent Members from deciding on the application before them
- The local Grid Iron Terraces are not statutory heritage assets
- Church Road contains diverse and tall buildings. The proposed building is slightly lower than the ridge of the block opposite.
- Residents are concerned about the large brick area facing Hawthorne Avenue, but this will not be viewed directly from their homes

Councillor Ross Garrod spoke and raised points including:

- The Developer has ignored recommendations
- I have personally received many objections to this development
- The main concerns are still applicable despite amendments; the height, it not being set back, the mass, the footprint is far bigger than the existing buildings,
- Appreciate that the address is Church Road but it will have big impact on Hawthorne Avenue with the bike stores, refuse collection and entrances all on this road. Planners have ignored this impact

Councillor Ian Munn spoke and raised points including:

- It is an Attractive design but it is in the wrong place
- The character in this area is low rise, this is up to twice the size
- Fails to relate positively to the site
- Only 7m from Hawthorne Avenue neighbours, and will affect their privacy and enjoyment even with obscure glazing
- Policies to protect such sites are DMD2(i),CS14, DMD2(vi)

In answer to comments regarding Employment lost at the site, the Planning Officer asked members to note that the site had been marketed as a commercial site for 16 months with no offers received, and under NPPF (National Policy Planning Framework) guidance a local authority should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose.

In answer to Members questions regarding affordable housing, the Planning Officer explained that although the Council sought 40% affordable housing in such developments. But an independent viability review of this application has said that 3 units on a shared ownership basis, which equates to 21%, is acceptable, or a cash in lieu payment of £312,000.

In answer to Members questions regarding the density of development in relation to its PTAL (Passenger Transport Accessibility Level) of 2, Planning and Transport Planning Officers believed that in these particular circumstances this was acceptable.

The Planning Officer outlined the parking situation that had been discussed at the April meeting; there were 8 on-site parking spaces for the 14 flats and 9 on-street parking bays would be created, Officers believed that the local roads had the capacity to support this.

Members disagreed on the bulk, height and massing of the building, with some saying it was acceptable and others saying that the proposal was too large for the site and would have an unacceptable impact on residents in Hawthorne Road.

Members also expressed the view that this was a very attractive high quality design, that would raise the design quality on Church Road, and that housing was needed in the borough.

Members expressed disappointment that the developers had withdrawn the application from the DRP process.

Whilst accepting that more housing was needed, a motion to refuse for reasons of height, bulk, massing and siting was proposed but refused by the vote.

The Committee then voted on the Officer's recommendation to grant Planning Permission.

RESOLVED

The Committee agreed to grant permission subject to the completion of a section 106 agreement and conditions.

7 6 GREENOAK WAY, WIMBLEDON SW19 5EN (Agenda Item 7)

Proposal: Erection of a single storey rear extension

The Committee noted the officer's report and presentation and the additional information in the supplementary agenda. Members noted that a correction had been made as the Objector had commented about the depth of the extension not the height. Officers asked Members to note that they understood the proposed depth to be 2.94m, but the Neighbour objecting believed the proposed depth to be 2.96m

The Objector raised concerns including:

- There have been 13 planning proposals for this property and permitted development rights have been removed
- Solicitors have said that there should be no further development of the site
- The increased depth of the current proposal reduces the depth to the boundary of Langholm cottage, which will be only 6m if proposed scheme allowed.
- The proposal will create a footprint that is too big and intensify development. There have been many attempts to increase the depth
- There are misleading measurements in the proposals
- This proposal will set a precedent for additional extension above the single story.

The applicant raised points including:

- This is a single storey rear extension and is extremely modest in size
- It cannot have an impact on neighbours
- The property has good sized gardens and this proposal cannot be overdevelopment

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

8 5 RUSHMERE PLACE, WIMBLEDON VILLAGE SW19 5RP (Agenda Item 8)

Proposal: Reconstruction of roof involving increasing the roof pitch from 40 to 50 degrees and ridge height by 300mm and installation of two roof lights to rear roof elevation (as approved by LBM Planning Permission Ref.16/P2487 dated 30/11/2016) with the addition of roof lights to side elevation, access door and new window to garage, provision of porch, refuse store and installation of air conditioning units.

The Committee noted the officer's report and presentation

The Objector raised residents' concerns including:

- The information on changes to the roof angle and the resultant increase to ridge height provided in the Officers report is at odds with the information previously provided by the agents. Residents want to be sure that the ridge height will not increase above 300mm

- The development includes the installation of air conditioning units. No background noise assessments have been undertaken and no details of noise emissions from the units have been submitted as part of the planning application before you
- In order to protect the amenity of neighbouring occupants, residents request conditions are imposed to control the following matters;
 1. the submission and approval of a noise survey to establish the background ambient noise levels (day and evening);
 2. that noise emissions from the air conditioning units do not exceed 10dB(A) below night background noise levels; and
 3. the submission and approval of the methods of noise attenuation prior to the first use of the air conditioning units, with these measures retained in perpetuity.

In reply to the residents concerns the Planning Manager offered to add a condition that limits the increase of the ridge height to 300mm.

With regard to conditions relating to the air conditioning unit the Planning Manager explained that the first proposed condition was unnecessary as long as a condition is added stating that noise emissions from the units do not exceed 10dB(A) above ambient. Environmental Health could take action if this level did exceed 10dB(A). He also explained that the third requested condition was already covered by condition D4 in the Officers Report

RESOLVED

- A. The Committee voted to GRANT Planning Permission subject to the conditions in the Officer's report and the addition of a condition to limit the increase in ridge height to 300mm and a condition regarding the noise levels emitted by the air conditioning unit, stating that these should not rise to 10dB(A) above ambient noise levels.
- B. The Director of Environment and Regeneration be given delegated authority to agree the detailed wording of the additional conditions

9 12 ST MARY'S ROAD, WIMBLEDON SW19 7BW (Agenda Item 9)

Proposal: Erection of a 4 bedroom detached dwelling house with accommodation at basement level and within the roof space together with the provision of associated car parking and landscaping and front boundary wall/railings and gates.

Officers announced that a late review of the current proposal and it's relationship to the previous refusal had raised issues that needed to be further investigated and

asked the Committee to agree to defer this item to a future meeting. Officers apologised to the applicant, who had wished for the application to be heard at this meeting, and to the objectors who were also present at the meeting. The Chair proposed that the item was deferred, this was seconded and agreed by the Committee. The Chair apologised to the applicant and asked Officers to deal with the item with urgency.

RESOLVED

The Committee voted unanimously to DEFER this item to a future meeting

10 MIDDLETON COURT, 152-154 WORPLE ROAD, RAYNES PARK, LONDON, SW20 8QA (Agenda Item 10)

Proposal: Erection of electrical substation and changes to the landscaping to the rear of the building

The Committee noted the officer's report and presentation. The Planning Manager asked members to note:

- Environmental Health have not objected but have added a condition regarding noise
- The Flood Risk Officer has not objected but has added 3 Conditions that were not presented in the report or in the Supplementary Agenda

The Objector raised concerns including:

- This sub-station is only 10yards from my property but over 200 yards from the property it serves
- If the sub-station will produce no noise why have the developers offered me acoustic screening
- This sub-station would be much better located closer to the highway. It should have 24 hour access from the highway
- The distance will require additional cabling and more chance of water entering the ducting and outing the supply
- This area does flood
- Do not believe the developer when he says there is no other location for this

The applicant made points including:

- The sub-station is necessary because there is not enough capacity in the local network
- We investigated suitable locations, but this application is for the only suitable one – there is little space at the front of the new block.

- We worked with UK Power Networks to provide a unit that is silent and totally safe

In response to issues raised by the objector the Planning Manager said:

- The cabling will be designed so that water cannot cause power outages

In response to issues raised by Members the Planning Manager said:

- A condition regarding the landscaping, fencing and trellis around the substation and boundary with the neighbour could be added
- The condition regarding noise is with regard to noise generated at the Boundary
- The size of the sub-station meant that it could not be allowed under PD rights
- We don't know when the developer discovered that the network could not provide enough power for the new building

Members made comments in support of the application but said that the proposed new condition on fencing, trellis and landscaping should be as strong as possible.

Members made comments against the proposal saying that it was un-neighbourly, and they had difficulty believing that the developers did not realise that they had a problem until this stage in the development. A motion to refuse was proposed and seconded for reasons of un-neighbourliness and cited policies DMD3 and DMF2

This motion was voted on but was not passed

A vote was then taken on the Officers recommendation to allow, with the addition of the condition on fencing, trellis and landscaping and conditions supplied by the Flood Risk Officer.

RESOLVED

- A. The Committee voted to GRANT Planning Permission subject to the conditions in the Officer's report and additional conditions from Flood Risk officer and an additional condition relating to landscaping, fencing and trellis work.
- B. The Director of Environment and Regeneration be given delegated authority to agree the detailed wording of the additional conditions
- C. The Conditions provided by the Flood Risk Officer shall be:

Condition: No development shall take place until details of the proposed finished floor levels of the development, together with proposed site levels taking into

consideration flood risk to the site, have been submitted to and approved in writing by the LPA, and no development shall be carried out except in strict accordance with the approved levels and details.

Reason: To reduce the risk of flooding to the proposed development and future users of the associated development in accordance with Merton's policies CS16, DM F1 and DMF2 and the London Plan policies 5.12, 5.13.

Condition: No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the LPA. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates as reasonably practicable, and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption authority and any other arrangements.

Reason: To reduce the risk of surface and foul water flooding and to ensure the scheme is in accordance with the drainage hierarchy of London Plan policies 5.12 & 5.13 and the National SuDS standards and in accordance with policies CS16 of the Core Strategy and DMF2 of the Sites and Policies Plan.

Condition: The development hereby permitted shall not be commenced until such time as appropriate measures to reduce the risk of flooding to and from the development are submitted to, and approved in writing by, the LPA. These may include raising any water ingress points or apertures and thresholds to the substation building, to ensure it is more resilient to flooding. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the LPA.

Reason: To reduce the risk of flooding to the proposed development and future users, and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DM F1 and DMF2 and the London Plan policies 5.12, 5.13.

Members noted the Report

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

Members noted the Report