

Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

17 AUGUST 2017

(7.15 pm - 8.55 pm)

PRESENT Councillor Najeeb Latif (in the Chair), Councillor Philip Jones, Councillor Laxmi Attawar, Councillor Peter Southgate, Councillor Geraldine Stanford, Councillor Stephen Crowe, Councillor Jerome Neil and Councillor Brenda Fraser, Councillor Joan Henry and Councillor Daniel Holden

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 the Chair, Councillor Linda Kirby, and Councillor David Dean

Councillors Joan Henry and Daniel Holden attended as substitutes

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 18 July 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, and 9

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

5 14 LEOPOLD ROAD, WIMBLEDON PARK SW19 7BD (Agenda Item 5)

Proposal: Minor internal alterations in order to subdivide existing A3 unit (to remain under A3 use class) from No. 12 Leopold Road for both units not to operate jointly. Installation of a ventilation duct at the rear elevation.

The Committee noted the officers report and presentation and additional information relating to late representations in the Supplementary Agenda.

The Objectors raised residents' concerns, and asked the Committee to add conditions to control the following issues:

1. That the extraction duct should be placed 1m above the highest point of the building, which would be 1.5m higher than the application height
2. No audible mechanical noise or vibration from the extraction unit and other cold store equipment should be heard beyond the premise boundary.
3. There should be no use of the outside area at rear of the premises
4. There should be no A5 takeaway/delivery use of the premises
5. No Charcoal Grill to be used
6. Staff should be quite in the rear of the building
7. Sunday opening hours to be limited to 12 noon – 10pm.
8. To consider limits on parking and residents parking

The Applicant's Agent raised points including:

- The applicant has provided an acoustic report that confirms that standards will be met
- Objectors must note that this application relates to a new stand alone premises - The extractor and ducting will be new system, whilst a lot of the residents concerns relate to the existing system at the next door premises.

In answer to the objectors points and Members questions The Development Control Manager made points including:

- Merton's Environmental Health Officers have considered the duct its height and are satisfied that it is appropriate in this location.
- This application is only for the installation of a new extractor unit and ventilation duct. The majority of the objectors points are irrelevant to this application and the committee is not able to consider them as part of this application.
- The premises has an existing A3 (and associated conditions) use class as a restaurant therefore hours of operation cannot be considered under this application as there is no request for a change of use.
- There is no A5 takeout use for this premises – the applicant would need to make a separate application to get this. Issues of a takeaway business at 10-12 Leopold Road are not relevant
- Issues relating to traffic and type of cooking are irrelevant to this application.
- Issues related to noise from the outdoor area at the rear of the premises are not relevant, again because of the existing use of the premises as a restaurant. If the use of this area is not established by existing use and it starts, then this can be investigated.

Members asked further questions regarding the duct and its position and height. The Development Control Manager replied:

- The duct could not be moved any further away from the windows of the habitable rooms as this would encroach on the neighbouring property
- A condition could be added requiring the applicant to submit plans showing the duct in the higher position of 1m above the highest point of the building, and for these plans to be consulted on.

The addition of this additional condition was proposed, seconded and agreed by a vote.

RESOLVED

- A. The Committee voted to GRANT Planning Permission subject to the conditions in the Officer's report
- B. The Committee voted to add a condition such that, notwithstanding the original application the applicant should provide plans to show the height of the duct at 1m above the highest point of the building.
- C. The Director of Environment and Regeneration be given delegated authority to agree the detailed wording of the additional condition

6 HOLT LODGE, 170 LONDON ROAD, MORDEN, SM4 5AN (Agenda Item 6)

Proposal: Demolition of Holt Lodge, one half of a semi-detached pair of dwellings (Class C3), and redevelopment of the site to construct two, three storey buildings comprising 9 residential units (4x1 bed and 5x2 bed) in use class C3.

The Committee noted the officers report and presentation and the additional condition regarding window form and glazing on the Supplementary Agenda and an additional condition on boundary treatment.

The Planning Officer asked the Committee to note that there was an extant permission on this site that could be implemented up to November 2017.

The Objector raised residents' concern including:

- Would like to see an employment use on this site
- Concerned about lack of parking provision in this development
- Concerned about loss of privacy from overlooking of proposed development
- The objector currently has 7 windows in her property, this development will block the light to all but 2 windows. This will increase electricity usage and lack of natural light and sunlight is bad for health.

- This proposed development is very dense and not in keeping with the residential nature of Morden.

The applicant's agent spoke and made points including:

- Although the previously allowed scheme did include some employment use, Planning Officers had advised that this was no longer viable or sustainable
- The policy is to discourage parking
- The scheme has been designed so that there is no direct overlooking of existing properties, windows will be angled or obscured and fixed shut.
- Sunlight and daylight studies have been done on all windows on the neighbouring side of The Holt and have been found to be acceptable

In reply to Members questions the Planning Officer made points including:

- Since the first extant permission was granted Morden has been designated as one of the Mayor of London's Housing Zone and there is an increased emphasis on providing housing. The extant permission contained an employment area but there was no planning agreement restricting the redevelopment of the nearby Crystal Autocare site until such time as a replacement service centre was provided on the Holt Lodge site.
- The applicant has carried out detailed daylight and sunlight assessments of all habitable rooms from all surrounding dwellings.
- It is acknowledged that 21 windows in The Holt would experience a reduction in 'Vertical Sky Component' and daylight distribution below BRE guidelines. But Members are asked to note that the windows with the more significant losses are to non-habitable rooms.
- The proposal is designed to limit the impact of the loss of natural light to the windows of habitable rooms in The Holt, particularly with the a gap included between blocks.
- It is the Officers view that the benefits of this scheme, in delivering housing to the Morden area, and its design to limit the loss of light outweigh the affect the scheme would have with regards to loss of light
- With regard to parking – London Road has double red lines and the parking bays that are available only provide for limited parking with hours beyond those of a working day. The site is close to numerous Bus Routes, Morden South Overground Rail Station and Morden Underground Station. Therefore it is not realistic for residents to park and ample opportunity to use public transport

Officers agreed to a Member request to consult with the Metropolitan Police at the appropriate time to ensure that the cycle storage meets 'Secured By Design' requirements.

Officers agreed to amend the wording of Condition 8 regarding refuse storage to ensure that this storage is secure.

Members made comments approving the design of the application and its inclusion of electric car charging points in the disabled parking bays.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions in the Officer's Report and delegated to Officers that the wording of Condition 8 would ensure the security of the refuse and recycling storage facility.

7 1A MOSTYN ROAD, MERTON PARK, SW19 3LH (Agenda Item 7)

Proposal: Erection of a part single, part two storey rear extension with extension of front porch and rear roof extension.

The Committee noted the officers report and presentation and additional information in the Supplementary Agenda, particularly that the Lime tree was now to be retained.

The Objectors raised residents' concerns, including:

- The proposal will overlook its neighbours, and will overshadow and block light to rooms and the conservatory of No 1
- It will cause a serious loss of privacy to its neighbours and is overbearing
- It may damage protected trees on site
- It will block light to neighbouring gardens
- It is out of proportion to the size of the plot, and does not respect the building lines in the area.
- The number of objections must be taken into account

The Agent to the applicant made points including:

- This property is the primary residence of the applicant and his aim with this extension is to make extra space for his child with disabilities
- The proposal aims to be as sub-servient as possible and to not be overbearing
- The proposal aims to respect the Conservation Area and not provide any further negative contribution to the Conservation Area.

The Ward Councillor, John Sargeant, made points including:

- This proposal is bulkier than the refused proposal from 2013

- It creates a very intimidating wall
- Although the report refers to a distance of 2.3m at the northern boundary, this is actually only a 1m distance
- The existing property is already large and high.
- The proposal would be very close to the neighbours properties

Members commented that they could not make a decision on this application without seeing a clear comparison of the proposed scheme and the refused scheme of 2013, and they agreed to defer the item and for it to be brought back to Committee with this comparison provided.

RESOLVED

The Committee voted to DEFER this item to a future meeting so that Officers could provide the comparison information requested by the Committee.

8 PLANNING APPEAL DECISIONS (Agenda Item 8)

The Committee noted the contents of the report, and that the reported allowed appeal had not resulted in any award of costs to the Council.

9 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 9)

The Committee noted the report in the Supplementary Agenda.

Members raised concerns regarding the following addresses:

28-30 Ridgeway Place – neighbours reported work was being carried out on this site outside of agreed times and that there appeared to be a lack of Health and Safety on site.

188 Central Road – residents report a structure at the back of the premises and operation outside of hours.

163A Central Road – residents report the letting of a structure that they consider to be non-habitable.

Members asked the Planning and Development Manager about the lack of neighbour consultation lists on planning explorer, and noted that this would be investigated.