

Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

18 JANUARY 2018

(7.15 pm - 10.55 pm)

PRESENT Councillor Linda Kirby (in the Chair), Councillor Najeeb Latif, Councillor Philip Jones, Councillor Laxmi Attawar, Councillor Peter Southgate, Councillor Stephen Crowe, Councillor David Dean, Councillor Andrew Judge, Councillor Geraldine Stanford and Councillor John Dehany

ALSO PRESENT Ward Councillors Gilli Lewis Lavender, Brian Lewis Lavender and John Sargeant
Neil Milligan – Development Control Manager
Jonathan Lewis – Planning Team Leader
David Gardiner – Planning Officer
Tim Lipscomb – Planning Officer
Sarath Attanayake – Transport Planner
Lisa Jewell – Democratic Services Officer

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Jerome Neil. Councillor John Dehaney attended as Substitute for Councillor Neil

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 14 December 2018 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 Supplementary Agenda. This applied to items 5,6,7,8,9,10,13 and 16.

Order of the meeting – The Chair announced that the order of items taken at the meeting would be: 10,5,6,7,8,9,11,12,13,14,15 and 16

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

Proposal: Erection of a single storey rear extension

The Committee noted the officer's report and presentation, including the information in the supplementary agenda and the additional plan. Members noted that Historic England had not yet submitted a formal view regarding demolition of the Air Raid

Shelter, but that the planning decision was separate to this process and that Historic England's view will be taken into account if necessary.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

6 46 ALWYNE ROAD, WIMBLEDON, SW19 7AE (Agenda Item 6)

Proposal: Erection of 5 bedroom detached dwelling arranged over four floors including basement and roof space accommodation

The Committee noted the officer's report, presentation, amendments in the Supplementary agenda and an amended plan. The Committee received verbal representations from two objectors and the Agent to the application.

The Objectors made points including:

- There are already flooding problems on the road. The basement will make this worse and will be at risk of flooding
- The basement will add to subsidence risk in the area
- The basement is very large
- There is no confidence that the applicant will adhere to building regs.
- The applicant has not carried out a proper flood risk assessment
- The development would cause a loss of light to neighbours
- The balcony would cause a loss of privacy to neighbours
- Construction vehicles would be a risk to school children using the road
- Applicant has already cut down 5 mature trees
- There is no contribution to affordable housing
- This is overdevelopment and will cause a real environmental impact

The Agent made points including:

- The trees were cut down lawfully as none had TPOs and the site is not in Conservation Area. An Apple tree was kept by request and an eucalyptus felled by request.
- This will be 5 bedroomed dwelling that will assist with meeting Merton Council's housing target
- It does not cause overshadowing
- There will be a sustainable drainage strategy for the development, and a sustainability and energy statement

- The development is policy compliant in all respects

In reply to points raised by the Objectors, Officers commented that:

- There is no balcony – it is a green roof and will be ‘no access’ by condition
- The Council’s flood and structural engineers have approved the details submitted so far. Applicant will need to provide a more detailed construction method statement regarding the basement construction
- There is no requirement to provide affordable housing as this is a single unit

In reply to points raised by the Members, Officers commented that:

- It is not possible to specify a basement contractor by condition, or to request monitoring equipment. Party Wall agreements are not a planning issue.
- The loss of light to number 51 is considered acceptable, as the windows facing the development are a stairway and a bathroom
- The proposed parking space is the same depth as the existing space at number 51.

RESOLVED

The Committee voted to GRANT Planning Permission subject to a S106 Legal Agreement and Conditions.

7 GARAGES RO GRANGE LODGE, THE GRANGE, WIMBLEDON, SW19 4PR (Agenda Item 7)

Proposal: Demolition of existing garages and the erection of a 1 x single dwelling house comprising of lower ground, ground and part first floor.

The Committee noted the officer’s report, presentation, amendments and additional information in the Supplementary agenda. The Committee received verbal representations from an objector and the Agent to the application.

The Objector raised residents’ concerns including:

- There are British Standards that make recommendations to protect trees
- The Corner of the proposal is within the root protection area
- The Footprint of the proposal is not outside the root protection area
- Even shallow excavations can damage trees
- This development will damage trees

The Agent to the Application made points including:

- The building has been designed on the basis of the site constraints

- It is a sustainable design
- It has been agreed that it is unlikely that the tree roots are growing under the present garage
- Special pilling rig will be used in construction to protect tree roots and all pilling will be done within the footprint to give roots more room
- TPOs will be served on the Holly and Lime trees

Members commented that they were reassured by the tree officer's expert view that trees would not be harmed by this development and the tree protection conditions imposed on the application

RESOLVED

The Committee voted to GRANT Planning Permission subject to to s.106 legal agreement and conditions.

8 237 KINGSTON ROAD, WIMBLEDON, SW19 3NW (Agenda Item 8)

Proposal: Erection of single storey rear extension

The Committee noted the officer's report and presentation and additional information in the supplementary Agenda. The Committee received verbal representations from an objector, the applicant and the Ward Councillor.

The Objector made points including:

- Extension is vast, over 3m long and wider than the house, and will cover 2/3 of the current garden.
- Following previous refusal the applicant has made small changes to depth and height but not width, and so has rejected officer advice
- There is no regard to the neighbours for noise and nuisance
- An insurance company has said that the extension will invalidate current insurance
- The roof will be a security risk
- Kingston Road is narrow and will cause difficulties for construction vehicles

The Applicant made points including:

- This is my home.
- I am a professional in the industry and will ensure building standards are high
- The original footprint and ridge height have been reduced

- Neighbouring extensions are more substantial
- It is acceptable in policy terms

The Ward Councillor John Sargeant made points including:

- Applicant has not followed Planning Officer's advice
- This extension is overbearing
- The roof sloping towards the building is unacceptable and is designing weakness into the building
- This extension will cause security and other problems for residents of the flats
- Access issues – no room for construction vehicles on Kingston Road

In response to members questions, officers replied that:

- There is no problem with having a roof that slopes towards the main building, it is possible to use engineering solutions to cope with this.

Members commented:

- The property is in a Conservation Area and this extension impacts on the frontage and unbalances the house.
- The building currently remains in its original proportions, this proposal would impact negatively on the original building, and is against policies DMD2 and DMD3
- That the amenity of the first floor residents would be affected, where they now see a drop outside their window the development would replace this with a roof.
- They also commented that the proposal was a very unsympathetic extension that was disproportionate and out of balance with the original building.

RESOLVED

The Committee agreed to:

1. REFUSE the application for the following reasons:
 - The bulk and scale and width of the extension are too great and are not proportionate or sympathetic to the existing building
 - The extension would cause a loss of amenity to the residents of the first floor flat
2. DELEGATE to the Director of Environment & Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refusal including references to appropriate policies

9 HIGH RANGE, 2 LANSDOWNE ROAD, WEST WIMBLEDON, SW20 8AP
(Agenda Item 9)

Proposal: Erection of 2 x 2 bed flats at rooftop level

The Committee noted the officer's report and presentation and amendments in the supplementary agenda. The Committee received a verbal representation from an objector and the applicant.

The Objector raised residents' concerns regarding loss of light to rooms in Aston Court. In particular daylight and sunlight to her kitchen which she believed to be a 'habitable' room.

The Applicant/Agent stated that a full daylight survey showed that the development caused no loss of light to habitable rooms, and that a kitchen was not classed as a habitable room with regard to the BRE daylight and sunlight recommendations. This view was endorsed by the Planning Officer

Members asked officers about the separation distance between the application site and the objectors property and heard that this was over 20m.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to s.106 legal agreement and conditions

10 CANONS HOUSE, 19 MADEIRA ROAD, MITCHAM, CR4 4HD (Agenda Item 10)

Proposal A: Alterations and extensions to Canons House to provide a mix of workspace (B1), education and community spaces (D1) involving demolition of toilet block and part of wall for erection of new entrance and community wall, partial demolition and extension to Madeira Hall to provide café, play/community room and public toilets, repair works to the Dovecote, provision of a new civic space in location of current northern car park, provision of new play area to replace existing play area, and associated landscaping and external works including reinstatement of historic running track, installation of outdoor gym equipment, new fencing, entrances, paths and lighting, and resurfacing of driveway.

Proposal B: Application for Listed Building Consent for alterations and extensions to Canons House to provide a mix of workspace, education and community spaces involving demolition of toilet block and part of wall for erection of new entrance and community wall, partial demolition and extension to Madeira Hall to provide café, play/community room and public toilets, repair works to the Dovecote, provision of a new civic space in location of current northern car park, provision of new play area to replace existing play area, and associated landscaping and external works including reinstatement of historic running track, installation of outdoor gym equipment, new fencing, entrances, paths and lighting, and resurfacing of driveway.

The Committee noted the officers report, presentation, amendments and additional information in the Supplementary agenda. The Committee received two verbal representations on the application.

Jonathan Lewis, Planning Team Leader, presented the item and drew members' attention to the additional information in the Supplementary Agenda, in particular the legal advice received by officers regarding the determination of the Listed Building Consent. He confirmed that further time would be given to allow outstanding consultees time to reply. He also asked the Committee to note the commentary regarding how the revised scheme addresses the comments made by the DRP (Design Review Panel) by the applicants architect, the head of Future Merton and the Council's Conservation Officer. In particular he asked the Committee to note how the architect had responded to the DRP views on the entrance.

He informed the Committee that the Business Plan was not material to the planning application.

He guided the Committee through the application and associated plans, as presented in the Officer's Report, and the Committee took some extra time to read the additional information provided in the Supplementary Agenda.

Tony Burton representing Mitcham Cricket Green Community and Heritage, and The Canons Partnership; made points including:

- Volunteers have spent a lot of time putting together the funding bid to allow this work to go ahead
- Did not expect to be speaking against the application
- The application is poor in places, but could be improved by the addition of four conditions:
 1. The Canons benefits from the flat being occupied, however this proposal threatens this occupation owing to lack of bathroom in the flat
 2. The new Café needs to be available for community use and needs to be open longer than the 10am-4pm currently proposed
 3. External lighting is intrusive and I do not support
 4. The pathways should be brick paved

Dave Lofthouse, resident of the existing flat made points including:

- Has lived in this flat for 25 years
- The plans for redevelopment do not show a bathroom in the flat
- Was advised that he would be unaffected by the work

Jonathan Lewis apologised if the plans did not show a bathroom in the flat, he confirmed that it was intended for the flat to remain habitable. He continued that if a better quality of pathway was required this could be covered by Condition. The opening hours of the Café could be made more flexible by Condition. The details of external lighting could be examined to ensure that no harm was done to the setting of the listed building or wildlife, and this could be ensured by condition.

In answer to members' questions, the Planning Team Leader replied:

- Whilst it is regrettable that some trees will be lost, these trees are self-seeded and not part of any formal landscaping. New landscaping and tree planting is proposed in the scheme
- Proposal does show remodelling and improvements of the entrances. To prevent traveller encampments on site, movement across the site could be restricted
- Although the DRP were concerned about the lift, Historic England were less concerned and officers suggested that Historic England's view should carry more weight.
- Re-investment of funds is not a material concern for the Planning Committee

Members made comments including:

- This site could be the 'Jewel in the Crown' of the Borough, and that all involved in this proposal should be commended – Local Residents and Officers

Members and Officers discussed the requests for four additional conditions and agreed that officers would add four conditions:

1. Café opening hours to be flexible to allow for additional and community use and therefore increased revenue
2. External Lighting– levels and positioning of external lighting to be reviewed to reduce any impact on wildlife and the setting of the listed building
3. That the Chair and Vice Chair of the Planning Applications Committee are to be involved in the final agreement on material selection for the pathways. The proposed bonded gravel is not acceptable.
4. That a full bathroom must be included in the flat, such that the flat is fully habitable.

RESOLVED

Proposal A: The Committee voted unanimously to GRANT Planning Permission subject to conditions contained in the officer's report, the supplementary agenda and additional conditions to cover:

1. Opening Hours of the Café to be flexible
2. External lighting and the surveys required to protect wildlife and the setting
3. The Chair and Vice Chair of the Planning Applications Committee to be included in the selection of materials for the pathways
4. A full bathroom to be included in the flat.

The Director of Environment and Regeneration be given delegated authority to agree the detailed wording of the above additional conditions

Proposal B: The Committee voted unanimously to GRANT Listed Building Consent subject to conditions contained in the officers report and the supplementary agenda.

11 LAND AT SHANNON BUSINESS CENTRE, ROOKWOOD AVENUE, NEW MALDEN (Agenda Item 11)

Proposal: Erection of 3 detached houses with vehicular access from Rookwood Avenue, footpath access between Rookwood Avenue and Blagdon Road, landscaping and a minor boundary alteration to No. 36 Rookwood Avenue.

The Committee noted the officer's report and presentation. The Committee received a verbal representation from Ward Councillor Gilli Lewis-Lavender

The Ward Councillor commented that the developers had worked hard to listen to residents and answer their questions, and Residents support this application. Councillor Lewis-Lavender supports the application and requests that the developers also do the remedial work to the bridge required.

Members asked officers about the status of the open land and heard that the proposed pedestrian paths would be transferred to Merton Council, and the land would have guaranteed public access. This associated open land would be landscaped by the developers and ownership transferred to a management company that would allow residents to become involved with a view to taking on the management company after 25 years.

Officers commented that the Bridge mentioned by Councillor Lewis-Lavender was outside of the planning application site.

Members commented that this was an innovative and imaginative solution to the use of the land.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions, the completion of a S106 legal agreement and the extinguishment of an existing section 52 legal agreement relating to the site.

12 1F SEELY ROAD, TOOTING, SW17 9QP (Agenda Item 12)

Proposal: Demolition of existing warehouse and erection of 8 dwellings comprising of 4 x 2 bed duplex flats and 4 x 1 bed flats

The Committee noted the Officer's report and presentation.

RESOLVED

GRANT Planning Permission subject to a s106 undertaking for a permit free development and conditions.

13 23 STREATHAM ROAD, MICHAM CR4 2AD (Agenda Item 13)

Proposal: Demolition of existing building and erection of a single storey Lidl foodstore with associated car parking, cycle parking and landscaping.

The Committee noted the officer's report and presentation and amendment in the supplementary agenda.

Members commented that this application fully addressed the previous reasons for refusal, and thanked the applicant for listening. However they felt that this was a lost opportunity as there was no housing associated with the development.

The Transport Planning Officer explained that officers were working with TfL to try to relieve the traffic issues on Streatham Road.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

14 7-9 HEATH MEAD, WIMBLEDON, SW19 (Agenda Item 14)

The Committee noted the Officer's report.

RESOLVED

That the Merton (No.717) Tree Preservation Order 2017 be confirmed, without modification.

15 PLANNING APPEAL DECISIONS (Agenda Item 15)

The Committee noted the report on recent Planning Appeal Decisions.

16 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 16)

The Committee noted the report on current enforcement work. It was noted that the Enforcement Appeal for 12A Commonsides West had been dismissed.