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## PLANNING APPLICATIONS COMMITTEE

7 NOVEMBER 2013

(19.15 - 23.10)

**PRESENT:** Councillors Philip Jones (in the Chair), John Bowcott, John Dehaney, Richard Hilton, Russell Makin, Ian Munn, Peter Southgate, Gregory Udeh, Simon Withey and Maurice Groves

**ALSO PRESENT:** Councillors Margaret Brierly, Andrew Judge, Diane Neil Mills and Rod Scott.

Sam Amoako-Adofo (Planning Enforcement Team Leader), Neil Milligan (Development Control Manager, ENVR), Tony Ryan (South Team Deputy Leader - Development Control) and Michael Udall (Democratic Services)

### 1 DECLARATIONS OF INTEREST (Agenda Item 1)

Councillor John Bowcott declared an interest (but not a disclosable pecuniary interest) in the following items by reason that he had been Chairman of the Merton Design Review Panel which had considered these applications, but that in each case he hadn't taken a part in the debate or voted on the proposal –

Item 8 - 247 The Broadway, Wimbledon, SW19 1SD (Ref.13/P0952);

Item 11 - 18 Commonside West, Mitcham, CR4 (Ref. (A) 13/P1479 & (B) 13/P1480);

Item 13 - Fair Green, Market Square, Mitcham CR4 2PE (Ref. 13/P2575);

Item 18 – Land at the former Grove Hotel, 2 Morden Road, South Wimbledon, SW19 3BH (Ref. 13/P1238)); and

Item 20 – Pelham Primary School, Southey Road, Wimbledon, SW19 1NU

### 2 APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies for absence were received from: Councillor David Dean.

### 3 MEMBERSHIP (Agenda Item )

It was noted that since the publication of the agenda, Councillor Geraldine Stanford had resigned from the Committee and had been replaced by Councillor Russell Makin.

### 4 MINUTES OF THE MEETING HELD ON 10 OCTOBER 2013 (Agenda Item 3)

**RESOLVED:** That the Minutes of the meeting held on 10 October 2013 be agreed as a correct record.

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

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

a) Modifications: A list of modifications for items 6, 7, 8, 9, 11, 12, 13, 16, 17, 18, 20 & 23 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 8, 13, 14, 15, 17 & 19. In each case where objectors spoke, the Chair also offered the applicants/agents the opportunity to speak; and the Chair also indicated that applicants/agents would be given the same amount of time to speak as objectors for each item.

The Committee also received oral representations at the meeting from the following Councillors (who were not members of the Committee for this meeting) in respect of the items indicated below –

Items 8 & 18 – Councillor Diane Neil Mills; and  
Item 15 – Councillor Rod Scott.

(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 –  
13, 8, 15, 19, 17, 14, 24, 18, 5, 6, 12, 11, 9, 23, 20, 7, 10, 16, 21 & then 22.

RESOLVED: That the following decisions are made:

6 30 ARTHUR ROAD, WIMBLEDON, SW19 7DU (VILLAGE WARD) (REF. (1) 13/P2263 & (2) 13/P2342) (Agenda Item 5)

Decision: Item 5(1) - Ref. 13/P2263 (30 Arthur Road, Wimbledon, SW19)

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

Decision: Item 5(2) - Ref. 13/P2342 (30 Arthur Road, Wimbledon, SW19)

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

7 THE GLASS HOUSE, 177-187 ARTHUR ROAD, WIMBLEDON, SW19 8AE (VILLAGE WARD) (REF. 13/P0426) (Agenda Item 6)

Decision: 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.

8 52 THE BROADWAY, WIMBLEDON, SW19 1RQ (TRINITY WARD) (REF.13/P1113) (Agenda Item 7)

Decision: 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.

9 247 THE BROADWAY, WIMBLEDON, SW19 1SD (ABBEY WARD)  
(REF.13/P0952) (Agenda Item 8)

1. Extra Conditions – Officers suggested that extra conditions should possibly be imposed regarding -  
(i) Obscured Glazing (for balconies); and  
(ii) Planting.

1.1 As indicated below, the Committee subsequently agreed to these extra conditions and that officers be delegated authority to agree the detailed wording.

2. Privacy/Overlooking – Reference was made to concerns about privacy and overlooking from objectors particularly due to the proposed balconies at the rear of the development. Officers drew attention to the proposed measures, including screening, to mitigate overlooking and advised that the development complied with Merton policies and Supplementary Planning Guidance in this regard including meeting requirements for separation distances.

3. Approval Motion - It was moved and seconded that permission be granted. The motion was carried (Councillors Maurice Groves and Richard Hilton dissenting).

Decision: Item 8 - ref. 13/P0952 (247 The Broadway, Wimbledon, SW19)

(A) 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., and subject to the following extra conditions -

(i) Obscured Glazing (for balconies) - subject to (B) below; and  
(ii) Planting - subject to (B) below.

(B) Delegation: The Director of Environment & Regeneration be delegated authority to agree the detailed wording of the above two extra conditions.

10 2A CHESTER ROAD, WIMBLEDON, SW19 4TW (VILLAGE WARD) (REF. 13/P2485) (Agenda Item 9)

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

11 45 CHESTER ROAD, WIMBLEDON, SW19 4TS (VILLAGE WARD) (REF. 13/P2186) (Agenda Item 10)

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

- 12 18 COMMONSIDE WEST, MITCHAM CR4 4HA (FIGGES MARSH WARD)  
(REF. (A) 13/P1479 & (B) 13/P1480) (Agenda Item 11)

Decision: Item 11(A) - ref. 13/P1479 (18 Commonsides West, Mitcham CR4 4HA)

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

Decision: Item 11(B) - ref. 13/P1480 (18 Commonsides West, Mitcham CR4 4HA)

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.

- 13 LAND WITHIN CURTILAGE OF 17A COPSE HILL, WIMBLEDON, SW20 0NB  
(VILLAGE WARD) (REF. 13/P2072) (Agenda Item 12)

1. Side Extension – Officers confirmed that the proposal didn't include a side extension.

2. S.106 Contributions – A Member referred to the lack of figures for some of the proposed S.106 financial contributions in the report's recommendation (on page 162) Officers explained the background to the calculation of S.106 contributions and confirmed that the relevant amounts would be sought in each case, and that figures would normally be shown where appropriate, including a specific figure for the proposed contribution towards sustainable transport.

3. Trees - A Member referred to the proposal involving the removal of 9 trees and the need for replacement trees. Officers advised that the proposed tree/landscaping conditions would enable the Council to specify the number/type/location of replacement trees and undertook to draw the issue to the attention of the relevant officer.

Decision: Item 12 - ref. 13/P2072 (Land within curtilage of 17a Copse Hill< Wimbledon, SW19)

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.

- 14 FAIR GREEN, MARKET SQUARE, MITCHAM CR4 2PE (FIGGES MARSH  
WARD) (REF. 13/P2575) (Agenda Item 13)

1. Design Review Panel (DRP) – Officers drew attention to the list of modifications circulated at the meeting which included -

(a) the Panel's latest views on the application including objections to the proposal and a "Red" verdict; and

(b) Officer's comments on the Panel's objections.

2. Refusal Motion: Following extensive discussion, it was moved and seconded that permission be refused as detailed below, subject to the detailed grounds of refusal being agreed by officers. The motion was carried by 8 votes to 1 (Councillor Russell Makin dissenting). Subsequently the Committee also agreed (C) below.

Decision: Item 13 - ref. 13/P2575 (Fair Green, Market Square, Mitcham CR4 2PE)

(A) REFUSE permission on the grounds relating to the following -

(i) inappropriate size and design that fails to complement the character and heritage of the local Fair Green area and fails to enhance the Fair Green open space ;

(ii) the lack of quality of proposed materials, including the polycarbonate roof; and

(iii) economic viability, including that the proposal will not necessarily enhance Mitcham Town Centre's retail provision; and

(iv) Contrary to the following policies

(a) Policy BE.22 (Design of New Development) of the Merton Unitary Development Plan (2003):

(b) Policy CS.2 (Mitcham Town Centre), paragraphs (c) & (e), and Policy CS.13 (Open Space) of the Merton LDF Core Planning Strategy.

(B) Delegation: The Director of Environment & Regeneration (in consultation with the Chair and Vice-Chair) be delegated authority to agree the detailed grounds of refusal, including any appropriate amendments, additions and/or deletions to the proposed grounds/policies.

(C) Reasons for not following Planning Officers' recommendation for permission: The Committee considered that officers had given insufficient weight to the views of the Design Review Panel.

15 15C LANDSDOWNE ROAD, WEST WIMBLEDON, SW20 8AN (RAYNES PARK WARD) (REF. 13/P1409) (Agenda Item 14)

Objection letters – As part of their oral representations, an objector referred to the Council web-site showing six objection letters, but that the report (in para. 6.1) only mentioned two letters of objection being received. Officers apologised if the incorrect figure had been shown.

Decision: Item 14 - ref. 13/P1409 (15c Landsdowne Road, West Wimbledon, SW20)

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

16 REAR OF ASTON COURT, 18 LANDSDOWNE ROAD, WEST WIMBLEDON, SW20 8AW (RAYNES PARK WARD) (REF.13/P1118) (Agenda Item 15)

1. No car parking space – As part of their oral representations, the applicant's representative referred to the possibility of an off-street parking space at the front of Aston Court. Officers advised that (a) the current application didn't include such a parking space; and (b) the current application was proposed to be designated as a "permit free" development (meaning that the occupiers of the proposed new house couldn't apply for a parking permit within the local CPZ (Car Parking Zone)).

2. Windows at rear of Aston Court – In response to queries from Members, Officers confirmed that there were windows (including bedroom windows) at the rear of Aston Court which would face the proposed development and that these windows should have been shown, including for Flat 1, on the submitted drawing (on page 225). It was also noted that the proposed development had a blank walls with high-level glazed windows facing the rear of Aston Court.

3.. Refusal Motion – Whilst Members considered that the proposed development overcame the previous grounds for refusal shown in paragraph 4.11 in relation to the existing flats at 4 – 11 Aston Court, Members considered the proposed development hadn't done so in relation to the existing flats at 1 – 3 Aston Court. Accordingly it was moved and seconded that permission be refused on the same grounds again but in relation to flats at 1 – 3 Aston Court as shown below. The motion was carried unanimously. Subsequently the Committee also agreed (B) below.

Decision: Item 15 - ref. 13/P1118 (Rear of Aston Court, 18 Landsdowne Road, West Wimbledon, SW20)

(A) REFUSE permission on the following grounds -

'The proposed dwelling would, by reason of its height and siting have an unsatisfactory relationship with the existing flats at 1 - 3 Aston Court and would constitute a visually intrusive form of development that would be detrimental to the amenities of the occupiers of the flats, contrary to retained Policy BE.15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise) of the Merton UDP (October 2003)'.

(B) Reasons for not following Planning Officers' recommendation for permission: The Committee disagreed with the officer assessment of the impact of the proposed development on neighbouring residents.

17 PICFARE HOUSE, 197 LONDON ROAD, MORDEN, SM4 5PT (ST HELIER WARD) (REF. 13/P1641) (Agenda Item 16)

Decision: 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.

18 14 MARRYAT ROAD, WIMBLEDON, SW19 5BD (VILLAGE WARD) (REF. 13/P0543) (Agenda Item 17)

1. Extra Condition - Construction Method Statement – In response to a neighbouring objector’s concerns regarding the effect of the proposed development, which included a basement, on the stability of neighbouring properties and on flooding and the water table level in the area, Officers suggested that an extra condition be added requiring that a Construction Method Statement be submitted for approval. As indicated below, the Committee subsequently agreed to this suggestion. (NB. The applicant’s representative had earlier indicated in their oral representations that the application papers included a construction methodology report.)

2. Extra Condition - Noise/Disturbance to neighbours – As part of their oral representations, a neighbouring objector expressed concern regarding noise emanating from the proposed development after its completion, and in particular from ventilation condensers on pillars in the rear garden near the boundary with No.16 Marryat Road.

2.1 It was noted that list of modifications for various items circulated at the meeting, included in relation to this item that “Amendments include existing path moved away from boundary with 16 Marryat Road and underground condensers moved to front of house.” In the circumstances, the Chair requested the applicant’s representative to clarify the situation regarding ventilation condensers and the proposed pillars in the rear garden.

2.2 As requested by the Chair, the applicant’s representative addressed the Committee and their advice included that

- (a) the condensers had been moved to the basement at the front of the house;
- (b) the condensers would still need inlet/outlets but these would be noise attenuated;
- and
- (c) there would be no condensers or inlet/outlets on the pillars in the rear garden.

2.3 Officers suggested that a standard extra condition be imposed requiring that, after construction, there be no excessive noise/disturbance to neighbours. As indicated below, the Committee subsequently agreed to this suggestion and that officers be delegated authority to agree the details of both extra conditions.

Decision: Item 17 - ref. 13/P0543 (14 Marryat Road, Wimbledon, SW19)

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

(i) Construction Method Statement – Submission for approval subject to (B) below.

(ii) Noise/Disturbance to neighbours - subject to (B) below.

(B) Delegation: The Director of Environment & Regeneration be delegated authority to agree the detailed wording of the above two extra conditions.

19 LAND AT THE FORMER GROVE HOTEL, 2 MORDEN ROAD, SOUTH

WIMBLEDON, SW19 3BH (ABBEY WARD) (REF. 13/P1238) (Agenda Item 18)

1. Extra Condition – Landscaping – As part of her oral representations, Ward Councillor Diane Neil Mills requested that trees be planted within the application site on its boundaries with Milner and Morden Roads. In response, Officers suggested that an extra Standard Landscaping Condition possibly be added. As indicated below, the Committee subsequently agreed to this extra condition.

2. Amendment to Condition (20) (Refuse and Recycling Facilities) – As part of her oral representations, Ward Councillor Diane Neil Mills also expressed concern about the frequency of rubbish collection. In response, Officers suggested that proposed Condition (20) be amended so as to allow officers to ask for details about the frequency of rubbish collection. As indicated below, the Committee subsequently agreed to such an amendment and that officers be delegated authority to agree the detailed wording.

3. Financial Contribution towards amenity/open space improvements – Officers advised that a S.106 financial contribution towards the provision of amenity/open space improvements wasn't proposed in the report by Officers because it was understood, following consultation with the Council's Green Spaces Team, that there were no suitable projects in the vicinity of the site which could use such monies.

3.1 As part of her oral representations, Ward Councillor Diane Neil Mills advised that a residents association had submitted a list of green projects for the Morden Road area. A Committee Member also referred to the need for improvements to the nearby Nelson Gardens. In the circumstances Officers undertook to liaise with the Green Spaces Team to ascertain why no list of potential amenity/open space projects had been available for a possible S.106 financial contribution.

3.2 Officers explained that in the absence of a list of potential projects, it was not possible to require the applicant to make a financial contribution towards the provision of amenity/open space improvements in the vicinity, but that it would be possible to request the applicant to make a voluntary financial contribution. As indicated below, the Committee subsequently agreed that such a request be made.

Decision: Item 18 - ref. 13/P1238 (Land at former Grove Hotel, 2 Morden Road, South Wimbledon, SW19)

(A) 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, and subject to the following -

(i) The addition of an extra Standard Landscaping Condition.

(ii) Subject to (B) below, an amendment to proposed Condition (20) (Refuse and Recycling Facilities) so as to allow officers to ask for details about the frequency of rubbish collection.



(B) Delegation: The Director of Environment & Regeneration be delegated authority to amend condition (20).

(C) Financial Contribution towards amenity/open space improvements – The applicant be requested to make a voluntary financial contribution towards the provision of amenity/open space improvements in the vicinity of the application site.

20 237-239 NORTHBOROUGH ROAD, NORBURY, SW16 4TR  
(LONGTHORNTON WARD) (REF. 12/P1937) (Agenda Item 19)

1. Deliveries and Servicing - As part of her oral representations, the representative of the Longthornton Development Working Party requested that the revised delivery arrangements of one delivery per day between 6.30am and 7am to the retail unit (now proposed by the applicant and included with the application papers), be specifically set out in the conditions attached to any permission for this site.

2. Officers confirmed that this could be looked at when the applicant submitted a Delivery and Servicing Plan for approval further to proposed Condition (8). A Member suggested that delivery times included in the Delivery and Servicing Plan be subject to further consultation with Ward Councillors and the Longthornton Development Working Party. As indicated below, the Committee subsequently agreed to this suggestion.

3. As part of her oral representations, the representative of the Longthornton Development Working Party also expressed concern that the provision of parking for servicing and deliveries for the site could decrease the width of pavement available to pedestrians outside the application site. Officers gave an assurance that it was not proposed to use part of the existing footway.

Decision: Item 19 - ref. 12/P1937 (237-239 Northborough Road, Norbury, SW16)

(A) GRANT PERMISSION subject to the conditions set out in the officer case report, and subject to (B) below.

(B) Delivery times included in the Delivery and Servicing Plan - to be submitted (to Officers) for approval further to Condition (8) - be subject to further consultation with Ward Councillors and the Longthornton Development Working Party.

21 PELHAM PRIMARY SCHOOL, SOUTHEY ROAD, WIMBLEDON, SW19 1NU  
(ABBEY WARD) (REF. 13/P2659) (Agenda Item 20)

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

22 28-32 TRAMWAY PATH, MITCHAM, CR4 4BD (RAVENSBURY WARD)  
(REF. 13/P1838) (Agenda Item 21)

Decision: GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report.

- 23 50 WANDLE ROAD, MORDEN, SM4 6AQ (RAVENSBURY WARD) (REF. 13/P2290) (Agenda Item 22)

Decision: GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report.

- 24 FOOTBRIDGE (OVER RIVER WANDLE) CONNECTING WANDLE MEADOW NATURE PARK TO BEWLEY STREET, WIMBLEDON, SW19 1XF (COLLIERS WOOD WARD) (REF. 13/P2573) (Agenda Item 23)

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

- 25 FLAT B, 168 WORPLE ROAD, RAYNES PARK, SW20 8PR (HILLSIDE WARD) (REF. 13/P2010) (Agenda Item 24)

Decision: GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case officer report.

- 26 MEETING BREAK (Agenda Item )

After consideration of item 24 at about 10.15pm, the Committee adjourned its discussions for about 10 minutes.

- 27 PLANNING APPEAL DECISIONS (Agenda Item 25)

Officers drew attention to the list of modifications for various items tabled at the meeting which included an amendment correcting the address in paragraph 1.2.

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- 28 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 26)

(a) Burn Bullock PH, London Road, Mitcham (para.3.4); and  
(b) Cricketers PH, 340 London Road, Mitcham (paragraph 2.08) – Councillor Ian Munn thanked officers for their work to date in relation to these two sites.

(c) 23A Bruce Road, Mitcham (para.2.05) – Officers outlined the background to this case and undertook to look at the case further and assess possible options.

(d) Rookwood Avenue, New Malden – Officers also reported on action being taken and proposed regarding a triangular site in Rookwood Avenue (not included in the officer report), formerly owned by Kingston Council, located behind the nearby B & Q store, which had been subject to the unauthorised dumping of gravel.

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