

# Agenda Item 3

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## PLANNING APPLICATIONS COMMITTEE

26 SEPTEMBER 2019

(7.15 pm - 10.35 pm)

PRESENT Councillors Councillor Linda Kirby (in the Chair),  
Councillor Najeeb Latif, Councillor Russell Makin,  
Councillor Simon McGrath, Councillor Peter Southgate,  
Councillor Billy Christie, Councillor Rebecca Lanning,  
Councillor Joan Henry, Councillor Stephen Crowe and  
Councillor Dave Ward

ALSO PRESENT Neil Milligan – Building and Development Control Manager  
Awot Tesfai – Senior Estates Development Management Officer  
(High Path Item only)  
Tim Bryson – Planning Team Leader North  
Jonathan Lewis – Planning Team Leader South  
Sarath Attanayake – Transport Planning Officer  
Lisa Jewell – Democratic Services Officer

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

Apologies for absence were received from Councillor David Dean

Councillor Steven Crowe attended as substitute

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

There were no declarations of interest.

Councillor Linda Kirby made a statement to inform the Committee that she and Councillor Najeeb Latif had both Chaired recent Design Review Panel meetings. At these meetings neither take any part in the debate or vote on the proposal.

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

RESOLVED: That the minutes of the meeting held on 22 August were 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 6, 7, 8, 9, 10, 11 and 16.

Order of the meeting – The Chair announced that the items would be taken in the following order 8, 7, 6, 9, 10, 11, 12, 14, 15, and 16.

5 18 BELVEDERE GROVE, WIMBLEDON VILLAGE, SW19 7RL (Agenda Item 5)

Proposal: Construction of enlarged basement to existing dwelling and extensions and alterations to the rear and side, and front porch.

The Committee noted the officer's report, presentation and additional information in the Supplementary Agenda - Modifications

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

6 120 THE BROADWAY, WIMBLEDON, SW19 1RH (Agenda Item 6)

Proposal: Alterations and extension to six storey building, including front, rear and side extensions to fifth floor, remodelling of main entrance, formation of roof terrace and provision of screening/enclosure above fifth floor, plus the consolidation and relocation of roof-level plant and upward extension of northwest access stairway

The Committee noted the officer's report, presentation, and additional information in the Supplementary Agenda – Modifications, including an amended condition.

The Committee received a verbal representation from a local resident who raised objections including:

- The application is not positive and is against policy
- It creates a dark looming grey building in an area of red terracotta buildings including the grade II listed Wimbledon theatre
- It will cause noise disturbance
- Would welcome improvements to this building but this application does not achieve this, it is not of the quality required in this area.
- There are no other grey buildings on the Broadway

The Committee received a verbal representation for the Applicant's Agent and Architect who made points including:

- We have worked with officers on this application
- The application provides a relatively modest extension, 6% of floor area, to a building in a sustainable location
- The proposal aims to improve the quality of this tired and partially vacant building by improving the quality of the workspace
- The Broadway is extremely diverse, and this proposal aims to demonstrate this diversity.

The Committee received a verbal representation from the Ward Councillor Hayley Ormrod, who made points including:

- The site notice outside was damaged and illegible
- Not all local residents were informed about the application

- The dark grey colour is awful. Neighbouring buildings are all terracotta red.
- The Grade II listed Wimbledon Theatre is just across the road.
- The proposal will cause noise and traffic problems only 10 years after it was first built.
- There will be ongoing noise and privacy issues for local residents from the plant room and terrace
- Is there a requirement for extra office space in this area?

The Planning Team Leader north replied to these comments by saying that

- all neighbours were consulted in-line with policy requirements. The site notice did appear to be damaged but it was displayed and this damage is not a material consideration
- The extension is set back, windows would remain, and as a commercial building it is acceptable in the streetscene

In reply to Member's questions Officers replied:

- There is no indication on the plans that this proposal would create an access between the office and residential accommodation
- The proposed dark grey colour would not be a robust reason for refusal
- The landscaping shown on the plans can be secured by condition
- The fencing around the plant room is required as acoustic protection for residents of adjacent flats
- Officers do not consider the proposal to be out of character with the area. The sympathetic set back remains, it does improve the streetscene at ground level and it is considered to be visually acceptable

A Member commented that the dark grey colour appeared disjointed from neighbouring buildings and felt oppressive. When asked by the Chair, the committee indicated that the proposed dark grey colour of the building was an issue for all of them. The Architect confirmed that the purpose of the application was to upgrade the building and the proposed grey colour was not a key factor in this.

The Committee voted on the application, including the amended condition in the Supplementary Agenda that required the Chair and Vice-Chair to have final approval on materials. The Committee confirmed that they requested an additional condition requiring landscaping.

## RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions in the officers report, an amended condition in the Supplementary Agenda – Modifications regarding the Chair and Vice Chair having final approval on materials and a new condition to ensure landscaping.

The Committee agreed to delegate the wording of the additional condition to the Director of Environment and Regeneration.

7 18 COMMONSIDE WEST, MITCHAM, CR4 4HA (Agenda Item 7)

Proposal: Erection of a rooftop extension to form a two bedroom self-contained flat, externally clad with dark grey zinc cladding to match the existing. (amended)

The Committee noted the officer's report and presentation.

The Committee received a verbal representation from a local resident who raised objections including:

- Residents are concerned that they will be living in a building site and they are worried about safety
- When the original application was allowed in 2014 the height was reduced following DRP comments, what material changes have occurred since then?
- Residents are concerned about the bulk and massing

The Committee received a verbal representation from the Applicant who made points including:

- We have worked with Officers to find an acceptable scheme
- The proposal uses materials that blend in with existing buildings and is set back to make it less intrusive
- We are a family business and want the construction to be as less intrusive as possible for residents

In reply to the residents' concerns the Planning Team Leader South explained:

- The construction method statement would be expected to cover issues including dust control, operation and construction and this plan will be signed off before construction begins.
- The DRP considered various iterations of schemes for this site

In reply to Member's questions Officers replied:

- Issues relating to the provision of services to the new flat are not planning matters but will be covered by Building Regulation Officers
- The Construction Management Plan will be signed off before construction begins, in order to safeguard current residents as far as possible
- The safety and fire safety of the material used will be covered by Building Regulations
- Officers accept that in 2012 the DRP suggested that the site could take a three storey building, but they requested a reduced height for the application approved in 2014. This is a matter of judgement. The current proposal is stepped back and Members have to consider what impact it will have. From their previous judgements Officers do not believe that the DRP would say no to the additional floor in this application as it is set back with minimal impact.

RESOLVED

The Committee unanimously voted to GRANT Planning Permission subject to conditions

8 HIGH PATH ESTATE, SOUTH WIMBLEDON, SW19 2TG (Agenda Item 8)

Proposal: Application for approval of reserved matters (scale, layout, access, landscape and appearance) (phase 2) following outline permission 17/P1721 for the comprehensive phased regeneration of high path estate comprising demolition of all existing buildings and structures; erection of new buildings ranging from 1 to 10 storeys max, providing up to 1570 residential units (C3 use class); provision of up to 9,900 sqm comprising of use class A1 and/or A2, and/or A3 and/or A4 floorspace, including flexible work units (use class B1), use class D1 (community) and use class D2 (gym).

The Committee noted the officer's report, presentation and additional information in the Supplementary Agenda-Modifications

The Committee received a verbal representation from two local residents who raised objections including:

- Residents of the Estate object to the application on the grounds of appearance – the colours proposed are unacceptable
- The applicant needs to ensure that the most sustainable building materials used to ensure that carbon emissions are as low as possible,
- The applicant needs to ensure that the London Plan requirements for sustainability and carbon emissions are met
- The applicant should optimise the use of natural building material and energy saving materials
- Objectors are concerned about the provision of toilet facilities in flats. One toilet within the bathroom of the 4, 6 and 7 person flats is not adequate, and will cause potential lack of hygienic facilities to residents
- One bathroom is not enough, these flats require a second bathroom and this was raised during the public consultation.
- There is concern that these facilities will be inadequate if future landlords are unscrupulous and allow the properties to be over occupied

The Committee received a verbal representation from the Applicant who made points including:

- Clarion has worked with local residents and LBM to deliver 700 new social rented homes, with infrastructure, green space and 2000 private homes
- This application is for 130 homes, 82% of these will be socially rented with the remainder replacing homes of other current residents
- All will be tenure blind with no separate entrances
- All units will have underfloor heating, and once phase 3 is built, this will be powered by a low carbon central heating system.
- Dual aspect units are maximised, the single aspect units have wide frontages and floor to ceiling windows are north facing
- There will be a courtyard of 200m<sup>2</sup>
- 5 category C trees will be removed and replaced by 27 specific semi-mature trees
- There will be an underground refuse system

- A Construction Management plan has been developed that ensures that residents are disturbed as little as possible
- Current residents will be offered a new home that is at least as large as their current home.

In reply to the Objectors comments the Senior Estate Planning Officer made comments including:

- The proposed materials to be used on all external faces of the development are considered acceptable and samples of these materials are to be submitted to officers, by condition, prior to construction
- The applicant has submitted an Energy Strategy which has been agreed by the Council's Energy and Sustainability Officer.
- The development meets all policy and legislative requirements for sustainability
- The Standard of accommodation proposed, which includes the provision of bathrooms, has been assessed and meets the requirements of the Mayors Housing SPG 2016. Therefore the provision of bathrooms is considered to be policy compliant

In reply to Member's questions Officers made comments including:

- The entire scheme has been tested by Officers against the Space and amenity standards of the London Plan and all units meet the space standards
- All units receive acceptable levels of daylight and sunlight and therefore meet BRE (Building Research Establishment) guidelines.
- There are 31 single aspect units but they all have an active frontage with floor to ceiling large windows to maximize light entry. All these units have been designed to ensure that light levels meet standards
- All habitable rooms receive adequate daylight and sunlight but some non-habitable rooms (e.g. hallways) may not
- Electric car charging points will be provided and are covered by the S106 agreement
- The application includes conditions covering sustainable energy, including solar panels.
- The waste collection system will be designed by expert, and the implementation of this system is included in the S106 agreement
- The majority of the larger units will be allocated as affordable. All the affordable units will be dual aspect and will have amenity space
- The provision of toilets and bathrooms in all units is policy compliant, and meets the requirements of the London Space standards
- The trees to be removed are on Pincott Road and Abbey Road. There is an arboriculture condition which covers the replacement of these trees with more suitable trees, and this will be overseen by the Council's Tree Officer.
- The parking spaces will be allocated on a like-for-like basis. The Houses will retain their parking spaces. There will be designated spaces for wheelchair users. There will be free for all street parking.

Members made comments including:

- Two members expressed concerns about the bathroom provision in the larger units
- One member expressed concerns about the rooms that do not meet minimum light requirements
- Other members expressed support for the scheme and reminded the Committee what the Planning Officer had said; that the provision of bathrooms is policy compliant and it is only some non-habitable rooms that do not meet minimum light standards

## RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

9 SOUTHEY BOWLING CLUB, 72 LOWER DOWNS ROAD, RAYNES PARK, SW20 8QQ (Agenda Item 9)

Proposal: Erection of new storage shed to replace existing. Materials to match new changing rooms.

The Committee noted the officer's report, presentation, and additional information in the Supplementary Agenda – Modifications.

The Committee received a verbal representation from a local resident who raised objections including:

- The plans for this application are false and misleading, and the plan of the existing site is not accurate
- The application is not a shed but is an extension to a building
- The height is not as stated in the report, there is confusion
- A new water tank of 10,000 litres has been installed without planning permission
- The wall that will face residents will be 3m high and will be right on the boundary
- There will be increased security risks to local properties and an impact on privacy
- Residents already have to cope with the illumination from the club up to 11.30pm
- Used to think that the bowling club were good neighbours but no longer think this

The Committee received a verbal representation for the Applicant who made points including:

- There is no intention to mislead – this application is for a storage shed, in keeping with the development. The application has been kept in proportion and replaces existing storage.

In reply to the objector's comments the Planning Team Leader South said:

- The side of the shed closest to residents will be 2.1m high. The higher side contains the doors and faces into the club site, so we don't think the plans are misleading
- Officers can follow up with the club concerns regarding the floodlights if it is considered that there may be a breach of planning control.
- Planning Officers are already considering if the water tank requires planning permission, but this is not a matter for this application

In reply to Member's questions Officers replied:

- Planning Officers must consider the application as submitted, so it is not possible to suggest other locations for the shed
- The existing chain link fence is 1.8m high, so the shed will be 30cm higher. We do not know the height of the shed that has now been removed
- Planning Officers are satisfied that the high side of the shed will be on the club side and not on the boundary with residents. However an informative can be added to ensure this.

Members commented that they would like an informative adding which would ensure the orientation of the high side of the shed.

#### RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions and additional informative

10 6 PARKSIDE GARDENS, WIMBLEDON, SW19 5EY (Agenda Item 10)

Proposal: Part demolition of existing building (retention of dwelling façade) and erection of a replacement 2 storey dwellinghouse including accommodation at roof and basement levels, car lift in front garden and new front boundary treatment.

The Committee noted the officer's report, presentation, and additional information, including the updated basement reports, in the Supplementary Agenda – Modifications.

The Committee received a verbal representation from a local resident who raised objections including:

- Neighbours have commissioned an independent engineers report that shows that the application fails to meet council policy
- It will negatively affect neighbour amenity, and fails to consider water diversion.
- The engineers report and the concerns it raises have been ignored by Planning Officers
- Neighbours will not give permission to use their land for construction purposes
- The screening at first floor could be removed, and the bicycle shed will block access

The Committee received a verbal representation for the Applicant's Agents who made points including:

- We have consulted with Council Officers and made amendments, reducing the scale and massing, reducing the terrace and adding screening, including tree planting and adding obscure glazing to some windows
- This Conservation Area is punctuated by modern buildings, there are others on Parkside gardens
- The application is policy compliant
- A professional team have looked at the basement and its water management to alleviate the neighbours' concerns
- The current house is in poor condition, and the application will use high quality materials to update the building.

In reply to the objector's comments, the Planning Team Leader North made points including:

- The Council's engineers have assessed the basement application and are happy with the flood risk and stability arrangements
- The basement design has been amended to reduce the size and to bring it 1m in from the boundary of the neighbour's basement
- The basement is large and it does contain a car lift but this does not go above ground – this is conditioned
- The screening around the terrace cannot be removed by condition

A member asked if it would be possible to condition that the monitoring of potential movements caused by the basement construction be continued for 12 months after construction finishes. The Planning and Building Control Manager explained that this was not possible as The Party Wall Act takes over on issues between neighbouring properties once they are built, and Officers cannot replicate actions under different sections of legislation. Therefore planning conditions cannot apply once the Party Wall Act comes into force.

In reply to other Member Questions, the Planning Team Leader North said:

- The proposal will be the same height as the existing building
- The Flood Risk and Structural Engineers reports are necessary with basement construction, but Thames Water consultation is not.

A member expressed concern that the applicant originally requested total demolition, he continued by asking what recompense would the Council have if the façade did not survive the partial demolition now proposed. The Planning Team Leader North replied that the retention of the façade was requested by condition, therefore if it failed the application would be in breach of its planning permission and would have to be rectified. As it is in a Conservation Area the applicant could be prosecuted if they do not construct properly. The Council's Structural Engineer has requested further information to be submitted by condition.

Councillor Peter Southgate requested that it be noted that he had concerns that given the original request for total demolition he was not satisfied that there was adequate recompense in the case of the façade not surviving the construction process.

## RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

NOTE: Councillor Latif asked that it be noted that he did not vote on this item

11 225-231 STREATHAM ROAD, STREATHAM, SW16 6NZ (Agenda Item 11)

Proposal: Demolition of existing single storey buildings and erection of a part three, part four, part five and part six storey mixed use building comprising retail (class a1) on ground floor and 28 x residential units above

The Committee noted the officer's report, presentation, and additional information in the Supplementary Agenda – Modifications. This included an updated detailed recommendation and an additional condition.

The Committee received a verbal representation from a local resident who raised points including:

- Residents main concern is the height of this proposal, which at 6 storeys is disproportionate and much higher than surrounding buildings
- There is also concern about parking and deliveries to the retail unit and the impact on neighbours

The Committee received a verbal representation for the Applicant's Agent who raised points including:

- The principle of use of the site is established given the previously allowed scheme on this site
- However, the discovery of a mains water supply running through the site has required a re-design
- This new application has a maximum height of 19.6m compared to the previous application which had a maximum height of 19.7m. This application is on a smaller footprint
- This new design will provide more housing units and is stepped away from the neighbouring bungalows
- It will be a car free development

In reply to the Resident's comments the Planning Team Leader South explained that the previously allowed scheme was substantial and of a similar height

In reply to Member's questions the Planning Team Leader South made comments including:

- The retail unit on the ground floor is the size of many convenience stores run by major food retailers. Such a shop would be for the local community and would not generate traffic. Parking restrictions would not prevent early morning deliveries.

- All Social Housing providers approached to take on the affordable units have declined. There is often a reluctance for social housing providers to engage if only a small number of affordable units are available within a development. However in these circumstances Officers would wish to test with the applicant if it is possible to deliver further affordable units if grant money is made available.
- The mix of units in the Agenda is incorrect, the mix described in the Supplementary Agenda – Modifications is correct. The financial outcomes deriving from the viability appraisal will change with time, hence the need for review mechanisms to be in place.

Members commented that this application looks more functional than the previous and given that the height was established by approving the last scheme there is no reason not to approve

#### RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions and an S106 legal agreement

Note: The Chair did not vote on this item

12 22 WEST SIDE COMMON, WIMBLEDON, SW19 4UF (Agenda Item 12)

Proposal: Erection of a two storey side extension, single storey rear extension, excavation of basement and a single storey garage

The Committee noted the officer's report and presentation

In reply to Member's questions, Planning Officers replied:

- Two trees are to be removed from the site, an apple tree and a Japanese Maple. A third tree from outside the frontage will also be removed. None of these trees has a TPO so their replacement cannot be insisted on but the landscaping condition can be used to request replacement
- The current boundary wall will remain but a new gate is to be added

#### RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

13 41-47 WIMBLEDON HILL ROAD, WIMBLEDON, SW19 7NA (Agenda Item 13)

The Committee noted that this item had been withdrawn from this meeting and deferred to a future meeting

14 TPO (NO.741) 43 LANCASTER ROAD, WIMBLEDON, SW19 5DF (Agenda Item 14)

The Committee noted the Officer's report and presentation, and agreed the TPO

RESOLVED: That the Merton (No.741) Tree Preservation Order 2019 is confirmed without modification

NOTE: Councillor Latif asked that it be noted that he did not vote on this item

15 PLANNING APPEAL DECISIONS (Agenda Item 15)

RESOLVED: The Committee noted the report on Planning Appeal Decisions

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

The Committee noted the Officer's report on current enforcement cases and the update on the Burn Bullock site in the Supplementary Agenda – Modifications

RESOLVED: The Committee noted the report on current Enforcement cases

17 SUPPLEMENTARY AGENDA - MODIFICATIONS (Agenda Item 16b)

18 SUPPLEMENTARY AGENDA - ADDITIONAL PLANS FOR HIGH PATH ESTATE (Agenda Item 16c)