

Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

13 FEBRUARY 2020

(7.20 pm - 11.15 pm)

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

ALSO PRESENT Neil Milligan – Building and Development Control Manager
Tim Lipscomb – Planning Officer (Tesco Site 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)

No Apologies for absence were received at the start of the meeting
Councillor Dave Ward gave apologies as he had to leave the meeting after Item 7.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

Councillor Lanning declared that she had sought legal advice that confirmed that she does not have a disclosable pecuniary interest in Item 7. She confirmed that she would be able to assess the application with an open mind.

Councillor McGrath declared that in the interest of openness and transparency he has a connection to the applicant of Item 5, and so would not take part in the debate or vote on the item.

Councillor Latif declared that in the interest of openness and transparency he knows the applicant of Item 5, and so would not take part in the debate or vote on the item

Councillor Dean declared that in the interest of openness and transparency he has had discussions with the applicant for Items 8 and 9, and so would not take part in the debate or vote on both items.

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 nor vote on the proposal

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 16 January 2020 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 5, 7, 8, 9, 11 and 12.

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

5 177-187 ARTHUR ROAD, WIMBLEDON, SW19 8EA (Agenda Item 5)

Proposal: Erection of a part third and part fourth floor extension to provide 1 x 1 bedroom and 1 x 2 bedroom flats

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

The Committee received a verbal representation from ward Councillor Ed Gretton who made points including:

- This application will still cause the same level of overlooking as the previously refused scheme. The issues have not been resolved
- Residents of Strathmore Road are very concerned about the overlooking
- The application should have three additional conditions to require all glazing on the Strathmore Road side to be fully obscure; to further set back the third floor and to reduce the height of the roof extension.

The Planning officer responded by saying that there was already a standard condition for obscure glazing. However the plans cannot be changed by condition.

RESOLVED

The Committee voted to GRANT Planning Permission subject to completion of a S.106 Agreement and conditions

6 8 BLENHEIM ROAD, RAYNES PARK, LONDON, SW20 9BB (Agenda Item 6)

Proposal: Conversion of existing property from 3 to 8 flats involving the erection of single storey side extensions and a two storey rear extension (with basement level) with associated landscaping, off-street car parking, cycle parking and refuse storage.

The Committee noted the officer's report and presentation.

The Committee received verbal representations from two objectors to the application, who made points including:

- We acknowledge the changes made by the developer and but are disappointed that there are eight units in the development
- There are documents missing from the planning portal

- There are a number of planning applications in this area . Each one places more pressure on the infrastructure and more pressure on street parking in the area.
- Loss of oak tree
- The area is in a flood plain with an underground a river, this puts the basement at risk

The Committee received a verbal presentation from the Applicant's agent who made points including:

- We have worked with Officers on this application, and have the full support of the Council's conservation Officer
- This application takes the opportunity to reinstate many of the original features including the plaster and brickwork of this locally listed building, and to bring the building back to its former glory
- We recognise that there is an issue with the parking but have been advised that 5 spaces is acceptable
- The Council's engineers have found the small basement acceptable, and there is a basement method statement
- The landscaping will include mature planting

In reply to the objectors, The Planning Team Leader South explained that there are robust conditions in place to control the basement construction drainage. There are also conditions on the construction method statement and timing of construction. It is considered preferable to have landscaping at the front rather than one additional parking space.

Officers answered Members questions with the following points:

- Some units have their own outdoor space but all have access to shared garden
- The number of three bedroomed units is being maintained
- The units meet national space standards
- If required by a resident, a disabled parking bay could be created by widening one of the provided spaces
- The allocation of parking spaces is not a planning matter
- The Character of the street is houses with a small number of flats
- The area does is not a CPZ, and parking spaces are available on the nearby road

One members commented that this proposal was very slightly too big, whilst another Member commented that the design was very attractive and of a high quality.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

- 7 TESCO SITE, 265 BURLINGTON ROAD, NEW MALDEN, KT3 4NE (Agenda Item 7)

Proposal: Demolition of the existing buildings at 265 Burlington road and 300 Beverley way and erection of two blocks of development ranging in height between seven and 15 storeys and comprising 456 new homes, of which 114 will be one beds, 290 will be two beds and 52 will be three beds. 499sqm of b1(a) office space will be accommodated at ground floor level along with 220 car parking spaces, 830 cycle parking spaces, a realigned junction onto Burlington road, hard and soft landscaping and associated residential facilities. The application also includes minor changes to the layout and configuration of the retained Tesco car park

The Committee noted the officer's report and presentation and additional information in Supplementary Agenda – Modifications. The Planning Team Leader South reminded Members that recent guidance had suggested that the emerging London Plan should be given moderate weight when assessing schemes such as this.

The Committee received verbal representations from three objectors. A representative of Raynes Park High School made points including:

- Tall buildings are against policy
- The proposed 12 storey block is only 18m from the school boundary and 33m from the nearest classroom.
- There will be constant shadowing of the school's design classroom. This will affect pupils learning as light levels will be variable.
- Research shows that natural light is of benefit to student progress
- Department of Education advice on classroom design gives priority to natural daylight
- We are sensitive to the need for housing but this application is too close to the school

A representative from a local Business made points including:

- Good Vehicle access is essential to local businesses
- The station and level crossing already affect our business
- The level crossing is a major source of congestion as it causes long traffic queues. This traffic will also block access to the proposed development
- Measures to improve this congestion, such as a stacking lane, have not been incorporated into this proposal
- This development should encourage local businesses but it does not

A local resident made points including:

- I understand the need for housing but do not support this proposal, as it is not of a suitable quality
- The use of a podium for parking creates a poor interface with the street
- The DRP gave an earlier version of the proposal a red and commented on the podium, but this proposal still includes the podium and design and quality is not improved
- There are numerous quality issues with the design of the units from the dual aspect to the balconies that will be windy, lacking in privacy, unsafe and useless
- Only 12% of the units are three bedroomed, 33% less than the London Plan
- 492 letters of objection were received by the Council

The Committee received a verbal presentation from the Applicant's agent who made points including:

- This proposal will provide 465 new homes with 40% (171 units) affordable, and the other 60% for market rent. The independent viability assessment said that only 24% should be offered as affordable but developer choose to provide 40%
- The developers understand the problems and factors in the area, but few affordable homes were built in Merton in 2019 and in order to provide more the Committee must accept the height of this proposal
- The new London plan supports brownfield sites such as this, and the Mayor has given strategic support to this scheme
- Recent call-ins to the Secretary of State have supported proposals similar to this one where the need to provide housing has been given great weight
- The site is not constrained by immediate residential neighbours and performs well for maintaining daylight and not overlooking. It responds positively to its surroundings
- The Scheme has changed in response to the views of the DRP, the Council, the GLA and local stakeholders
- The scheme use high quality materials including brick, as noted by the GLA
- The height was amended following a meeting with Raynes Park High School. There are numerous example across London of such schemes next door to schools. The nearest school buildings are 34m away and the performance for daylight, sunlight and overlooking is good. WE will continue to meet with the school
- The Developers are aware of the traffic issues and level crossing. The Councils Traffic Officers and TfL have considered the proposal and have no problems.
- The existing site has the same level of parking that could be used now
- The Development will generate a CIL payment that can be spent on local services and local transport
- The scheme meets local, regional and national planning policy and provides affordable housing

The Committee received verbal representations from three Ward Councillors. Councillor Stephen Crowe representing the residents of Raynes Park made points including:

- There are no similar tall buildings in this area. The London Plan requires tall buildings to be of high quality design. The original application received a red from the DRP, but the proposal has hardly changed
- There were nearly 500 letters of objection
- This development would have an impact on traffic and congestion in the area, and would cause overlooking
- The density is 27% higher than the density matrix in the London Plan, and the housing mix does not comply with Merton Policy. The development is not policy compliant

Ward Councillor Eloise Bailey representing the residents of West Barnes made points including:

- We are not against development of this site in principle, but it must be right for this area. Planning policy says development must be in keeping and add to quality of the area, but how can a 15 storey block be in keeping with the existing 2 storey buildings
- There is a huge strength of feeling that this development is not in keeping with the surrounding area, and the DRP gave it a red; the experts agree with the residents. The scheme did not go back to DRP.
- The representations have been removed from the website so I have to trust the report.
- Redrow have listened and made some changes to the plans and affordable housing, but they haven't listened enough.
- If the affordable housing can be changed, what else could be improved?

Ward Councillor Hina Bokhari representing the residents of West Barnes made points including:

- This development is damaging and does not have enough positives
- Hundreds of residents have objected
- West Barnes does not have the infrastructure to cope with this development; step free access is needed at Motspur Park and Raynes Park stations, a new level crossing is needed, an extra medical centre is needed, local schools need extra classes. Local facilities are already struggling.
- Residents are worried by the environmental impact, loss of trees, there will be more traffic and more idling, there is a flood risk.
- The S106 monies should be focused and spent in West Barnes, its not enough to say there will be a few extra buses.
- The 220 car parking spaces are not enough.

In reply to the points raised by the Objectors and Ward Councillors the Planning Team Leader South made points:

- He referred Members to page 89 of his Agenda report, where there is consideration of the relevant guidance and policies that apply to Tall Buildings. He explained that there has to be judgement in balancing these policies.
- He referred members to page 97 of his Agenda Report which covered loss of light to surrounding buildings. He continued that the Department of Education Guidance relates to new build and does not apply in this situation
- The Density guidance in the London Plan is being modified so the housing density matrix will no longer apply.
- The emerging London Plan says that we should no longer be prescriptive about the Housing mix. We have our own plan from 2014 that has to weighed against the emerging plan, that will be adopted by spring 2020
- There will be substantial CIL monies which will be available for local facilities. There are strict regulations governing contributions

In reply to Members Questions the Planning Team Leader South made points including:

- It is rare for 40% affordable housing to be offered in a development. The actual rent figures charged would need to meet relevant criteria to ensure affordability used in London wide guidance

- The closing of the level crossing depends on the frequency of the trains. Traffic modelling has been examined by TfL and Merton Highways officers, and no overall concerns raised. It is accepted that there the proposal will have some local impact but there is a requirement for improvements at the nearby junction and pedestrian improvements
- The site is outside the limits of Crossrail 2 safeguarding, but was identified as a potential Crossrail 2 worksite. However there is no formal safeguarding of the site that would preclude a decision being made. Members must consider what is proposed and not speculate on what might happen in the future regarding delivery of Crossrail 2.
- The affordable housing would be located in core A and core B but not the upper floors of Core B
- 2%, i.e. 9 units, are single aspect. All face east
- There is an office/meeting space of 103m² available for residents as a community space
- Officers do not take issue with the proposed housing mix being different to the Merton preferred mix given the imminent adoption of the London Plan. Planning Officers and Housing Officers have instead focussed on the provision of family sized social housing as advised by the LBM Housing Officer.
- The high density taller buildings proposed could be considered as a reasonable way to achieve regeneration of this area. The area has previously been identified as an area of regeneration as it has good transport links. This application will fund improvements to the bus services in the area.
- The development provides playspace that meets the requirement for toddlers, and children. It does not provide space for teenagers and so a contribution for this is sought, which can be used to provide facilities in the future
- The development does not meet the on-site carbon saving target, so Planning Officers are bound to seek financial mitigation. This does not mean that the scheme does not have good environmental credentials
- Details of the heating fuel will be in the Energy Statement
- There are a number of refuse points on the site.

Members made comments including:

- Developments of this high density would be expected close to transport hubs, with a ptal rating of 5 or 6. This location, with a ptal of 2 is not appropriate for this density
- Disappointing that there is no environmental statement
- There are serious traffic problems in the area associated with the level crossing. This development would add to those issues
- There is not enough amenity space in the development, It will not be a good place to live. The first/ground floor will have no life, it will not be a good place for families
- The DRP gave the original application a red, the developer should have gone back to the DRP with this application. This application is still poor quality design
- The development does not meet or respect the Merton Council recommended housing mix

- There has been no account taken of the DRP's comments. There is no rationale for the height of the blocks
- The Development is out of keeping with the area. This density should be car free and close to a transport hub

A member spoke to support the development:

- There is an undeniable housing crises across London, with targets about to increase.
- We are offered 40% affordable housing from this development only because of its size
- There are significant concerns about this development, but the positive points for this development are the 450 units and the 40% affordable housing it provides

A motion to refuse was proposed and seconded.

RESOLVED

The Committee voted to:

1. REFUSE Planning Permission subject to any direction from the Mayor of London, for the following reasons:
 - Bulk, Mass and Height of the proposed development is too great
 - Traffic, Access and Parking
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

8 579-589 KINGSTON ROAD, RAYNES PARK, SW20 8SD (SCHEME A)
(Agenda Item 8)

Proposal: Scheme A - demolition of existing buildings and redevelopment of site to provide office space and residential units in buildings of two to six storeys, comprising 118 self-contained flats, car and cycle parking, vehicle access, landscaping, plant and associated works.

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

In reply to Members Questions Officers made point including:

- The Council commissions external viability experts to assess the viability of proposed schemes. Costs, the financial environment and other factors can change with time which will influence the viability. A previous application for this site did provide affordable housing but the viability assessment for this proposal concludes that this scheme cannot support any affordable housing. A

clawback mechanism is proposed so that viability can be reassessed in the future.

- The previous application was 'build to rent'
- The Housing Mix of the Scheme is not supported by the Housing Officer. Given the move away from prescribed housing mix figures in the emerging London Plan and the applicants arguments Planning Officers consider the failure to provide three bedroomed units is justified
- There is a formula for calculating play space which depends on the 'child yield' of a scheme. This is influenced by the amount of affordable housing. As this scheme has no affordable housing the amount of play space provided, whilst considerably less than the previous scheme, meets requirements the requirements of the housing mix of the scheme.

Members commented on the application and expressed concern about:

- The loss of three bedroomed units, against the Housing Officers advice
- The sustainability of the development, the Climate Change Officer described it as fairly compliant, but Members would expect better than this.
- The development should be permit free, in line with TfL advice
- Loss of children's play space, by departing from the previous housing mix the scheme is less child friendly
- Overdevelopment of the site, it expands on the previously allowed scheme, and has a higher density
- Concerns regarding Trees on site, and their replacement

A motion to refuse was proposed and seconded. This was agreed by a vote

RESOLVED

The Committee voted to:

1. REFUSE Planning Permission for the following reasons:
 - Inappropriate housing mix, specifically the lack of 3 bedroomed units, with reference to the LBM Housing Officers comments at 7.3.11 and 7.3.12 of the Officers Report
 - Sustainability credentials not satisfactory, with Reference to the LBM Climate Change Officers comments at 5.8 of the Officers Report
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

9 579-589 KINGSTON ROAD, SW20 8SD (SCHEME B) (Agenda Item 9)

Proposal: Scheme B - demolition of existing buildings and redevelopment of site to provide office space and residential units in buildings of two to seven storeys, comprising 124 self-contained flats, car and cycle parking, vehicle access, landscaping, plant and associated works.

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

In reply to Members' questions, Officers made points including:

- The previously allowed scheme had blocks that dropped down at either end, this scheme has a more uniform height
- There is an additional floor to Block C, compared to the previously allowed scheme
- There is no requirement for affordable housing, according to the results of the viability assessment

Members commented that the additional Bulk and Massing of this scheme would have a negative visual impact. Members were concerned that the housing mix of this scheme did not include any 3 bedroomed units, and that the sustainability measure were not as they would expect for such a scheme.

RESOLVED

The Committee voted to:

1. REFUSE Planning Permission for the following reasons:

- Inappropriate housing mix, specifically the lack of 3 bedroomed units, with reference to the LBM Housing Officers comments at 7.3.11 and 7.3.12 of the Officers Report
- Sustainability credentials not satisfactory, with Reference to the LBM Climate Change Officers comments at 5.8 of the Officers Report
- Bulk and massing – the proposal would give a greater sense of enclosure within the development and would impact on the public realm

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

10 FLAT 1, 29 MERTON HALL ROAD, WIMBLEDON CHASE (Agenda Item 10)

Proposal: Application for variation of condition 2 (approved plans) attached to LBM planning permission 19/P0597 relating to the conversion of existing ground floor flat to create 1 x one bedroom flat and 1 x studio flat. Demolition of existing rear extension and replacement with full width single storey rear extension.

The Committee noted the officer's report and presentation.

An Objector could not be present and asked for a statement to be read out. This covered points including:

- The Planning Officer's report contains material errors. Serious difficulties with design and construction are not addressed.
- The plans and descriptions are inadequate, and do not provide sufficient information on which to make a decision. Key features have been left out. The errors and omissions suggest major changes are involved, making it impossible to determine whether the application adheres to planning rules.
- The construction difficulties are due to the differences in internal floor levels within the two flats.
- There is contradictory information given about the height of the extension
- This extension compromises the structural integrity of the building and the adjacent houses.

RESOLVED

The Committee voted to GRANT Variation of Condition, subject to conditions

11 LAND ADJ TO 2 PARK AVENUE, MITCHAM, CR4 2EL (Agenda Item 11)

Proposal: Change of use of site from former scaffold yard to residential use, and erection of a residential block providing 5 self-contained units

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

The Committee received a verbal representation from an Objector to the application and from the Applicant's architect and Agent.

The Objector made points including:

- This application will be very close to the boundary with my property and will be an invasion of privacy, bedrooms will be overlooked, there will be a loss of daylight and sunlight.
- The development is very dense and does not have enough garden space. It does not fit with the local character.

The Applicant's architect and Agent made points including:

- The design has been inspired by Victorian architecture, taking cues from the nearby shopping parade, and using the correct materials
- The comments of DRP were taken on board, the first scheme was too dense and inwards looking
- We have considered the representations of neighbours. The Design is policy compliant and construction will be controlled by condition.

Members asked officers if the CPZ could include the future residents of this scheme. The Transport Planning Officer replied that as the CPZ is about to be introduced in this area, the residents of this scheme will not be able to have permits. This is a sustainable location despite having a ptal rating of 2, and it is policy to discourage car use.

Members commented that it was harsh to not allow permits for this scheme. and a motion was proposed and seconded to allow all units one parking permit. Members voted to grant planning permission and then voted to allow one parking permit per unit.

RESOLVED

The Committee voted to GRANT planning permission subject to Section 106 Obligation and Conditions.

The Committee voted that the development should not be permit free and that residents should be allowed 1 permit per household

NOTE: after the meeting it was confirmed that it was not in the power of the Committee to give parking permits in this area given that the CPZ is already confirmed.

12 51 PRINCES ROAD, WIMBLEDON, SW19 8RA (Agenda Item 12)

Proposal: Alterations and extensions to existing building including change of use of doctor's surgery to residential (5 x 2 bed flats) and associated landscaping, parking, cycle storage and bin storage

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

The Committee received a verbal representation from one objector to the application, who made points including:

- This application is overdevelopment on a small site. It is dense and dominant.
- The area is mainly single Victorian houses. It will impact on the neighbourhood and conservation area
- Can this building support 17 residents?
- The area CPZ is already oversubscribed. The development will affect parking and highway safety in the area
- The proposal extends the building line on Trinity Road further than existing houses. This sets a dangerous precedent
- There will be overshadowing, loss of light, overlooking and loss of privacy to local residents

The Committee received a verbal representation from the Agent to the application, who made points including:

- The Applicant had hoped that the Surgery could be refurbished but a new surgery close by has left this one redundant
- A change of use is required as it can no longer be used as a doctors surgery
- This application is smaller than previous and represents a sympathetic design that will be an improvement to the site.
- The parking is fully compliant and will be covered by the S106 agreement

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

- Not aware that the applicant had to change her business
- This application does not address the reasons that previous applications were refused, there is no visible commitment to make these changes.
- The community is disappointed that the site will no longer be used as a surgery
- The extension was described as unneighbourly and detrimental in the previous application and this is not addressed in this application
- Residents feel that this application would be worse than the previous. There is a significant extension to the width.
- How will this work for 17 residents, some of the rooms have no windows

The Planning Team Leader North explained that all rooms have some natural light but there are open plan living rooms with windows at one end only.

Members made comments including:

- The flank wall created by the proposal on Trinity Road was stark
- The offer of a permit free development is welcomed
- The Applicant has demonstrated that an alternative use is required. The surgery is re-provided at the Patrick Doody Health Centre

RESOLVED

The Committee voted to GRANT Planning Permission subject S106 agreements and conditions

13 7 RURAL WAY, STREATHAM SW 16 6PF (Agenda Item 13)

Proposal: Demolition of existing building and erection of 3 x 3 bed terraced houses. associated landscaping and creation of amenity areas, parking and cycle storage

The Committee noted the officer's report and presentation

The Committee received verbal representations from two objectors to the application, who made points including:

- 3 narrow properties on this site is over intensive, it is overdevelopment and is not in keeping with the road.
- There are other new town houses in the road but not three in a terrace
- There is a perfectly good house on the site already, and this proposal will result in the loss of trees
- This development will cause overlooking, and loss of privacy to neighbours
- The increase in hardstanding and the removal of trees will lead to an increase in the likelihood of flooding

The Committee received a verbal representation from the Applicant's agent, who made points including:

- The previously refused scheme did accept the principle of more intensive development, but was based on 6 units across 2 existing plots.
- This new proposal is half the size of that originally proposed, but is on the larger of the two plots.
- This proposal is a better wider design than the previous application
- There are no issues of overlooking, the bulk has been reduced with smaller dormers and the eaves kept low
- The precedent has already been set by number 21
- The hardstanding will improve the landscaping at the front and all details have been accepted by the flood risk officer

Members commented that two houses would look better than three, and that the frontage of 15.8m will look large on the street.

Members commented that this was overdevelopment of the site and a refusal on the grounds of Bulk and Massing being too great for the site was proposed and seconded.

RESOLVED

The Committee voted to:

1. REFUSE Planning Permission for the following reasons:
 - Bulk and massing resulting in overdevelopment of the site
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

14 PLANNING APPEAL DECISIONS (Agenda Item 14)

The Committee noted the report on recent Planning Appeal Decisions

15 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 15)

The Committee noted the report on recent Planning Enforcement cases