

# Agenda Item 3

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## PLANNING APPLICATIONS COMMITTEE

16 JULY 2020

(7.15 pm - 11.42 pm)

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

ALSO PRESENT: Councillor Nigel Benbow

Neil Milligan (Development Control Manager, ENVR), Sarath Attanayake (Transport Planning Project Officer), Tim Bryson (Development Control Team Leader (North)), Jonathan Lewis (Development Control Team Leader (South)), Catarina Cheung (Planning Officer), Tim Lipscomb (Planning Officer), Louise Fleming (Senior Democratic Services Officer) and Amy Dumitrescu (Democratic Services Officer)

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

Apologies for absence were received from the Chair, Councillor Linda Kirby. The Vice-Chair, Councillor Najeeb Latif chaired the meeting in her absence and Councillor John Dehaney was present as a substitute.

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

There were no declarations of pecuniary interest.

The Committee noted that Councillor Najeeb Latif from time to time chaired Design Review Panel meetings. At these meetings he did not take any part in the debate nor vote on the proposals.

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

RESOLVED: That the minutes of the meeting held on 2 July 2020 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 and 11.

The Chair advised those present and viewing the meeting of the procedure for considering the applications and that the order of items would be as they appeared in the agenda.

5 ABBEY WALL WORKS, STATION ROAD, COLLIERS WOOD, SW19 2LP  
(Agenda Item 5)

Proposal: (1) Demolition of existing buildings and redevelopment of site to provide a part three, part four, part five storey block of 54 flats and a commercial unit (204 sqm) at ground floor level (comprising flexible A1 (excluding supermarket), A2, A3, B1 and D1 uses) and associated landscaping, bin/cycle storage, parking, highway works and alterations to listed wall.

(2) Listed Building Consent for demolition of existing buildings and redevelopment of site to provide a part three, part four, part five storey block of 54 flats and a commercial unit (204 sqm) at ground floor level (comprising flexible A1 (excluding supermarket), A2, A3, B1 and D1 uses) and an associated landscaping, bin/cycle storage, parking, highway works and alterations to listed wall.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

Two objectors had registered to speak in objection and at the invitation of the Chair, made the following points:

- The application would result in a loss of privacy due to overdevelopment. The road was narrow and there would be limited parking. The application conflicted with development plan policies. The concerns of the committee in relation to the previous application for this site had not been addressed by the new application.
- The application would have a negative impact on the Wandle Valley area and the historical value of Merton Priory. The number of affordable homes proposed was too low and too many were single aspect. The development would be overbearing and contrary to planning policy.
- The impact of the proposed residential development on the Eddie Katz site should also be taken into consideration.

The applicant's agent spoke in support, addressing the concerns of the objectors and outlining the benefits of the proposal.

The Development Control Team Leader (North) advised that there was no live application on the Eddie Katz site. The listed building consent application in respect of the Priory wall had received no objection from the Council's conservation officer. He drew Members' attention to the changes to the scheme and the previous reasons for refusal.

At the invitation of the Chair, the Senior Democratic Services Officer read out a written statement on behalf of Councillor Nigel Benbow, submitted on behalf of the ward residents. The statement made the following points:

- The new application still demonstrated height and mass and had not been scaled back enough since the previous application.
- The area had historical links to Merton Priory and should be preserved.

- There were concerns over the inclusion of a commercial unit, noise and pollution from Merantun Way, loss of light to residents on Station Road.
- The forthcoming application at the Eddie Katz site should be taken into consideration.

In response to Member questions, the Development Control Team Leader (North) advised that:

- The application was 16.5m at its tallest point, and the previous scheme was 19.5 at its tallest height.
- The scheme had been subject to a viability assessment which had concluded that the inclusion of affordable housing was not viable. Despite this the developer was offering 3 affordable units.
- Although single aspect units are discouraged, it is difficult in a development of this size to not have any and this point was addressed in the officer report.
- Each unit would have good natural light. The light would be better on the south side than the north, however large windows and glazed doors were proposed to mitigate.
- The appeal against the previous refusal was currently going through the process of being considered by the Planning Inspectorate. If the current application was approved it would not prejudice the previous decision, and there had been no indication from the applicant that the appeal would be withdrawn.
- Supermarket had been specifically excluded from the A1 commercial use and this had been agreed with the applicant.
- The affordable units would be 3 3-bed social rented properties on the eastern side of the building, 2 at ground floor level and 1 at first floor above.
- Overlooking was a matter of judgement. The previous reasons for refusal did not include overlooking as a specific issue.

Members made the following comments:

- There was not enough difference between this and the previous scheme and there was concern that the issues had not been resolved. Single aspect units were not reasonable and the number of affordable homes was too low. The application should be rejected on the grounds of bulk, massing and height. Current residents should be respected and also those residents who will live there in the future. The site was a difficult site to develop.
- The applicant had thought about how to address previous concerns. Although it was regrettable that the number of affordable homes was so low, the viability has been affected due to the reduction in size of development. It was welcomed that the applicant was still offering 3 social rented units despite it not being viable and therefore the application should be supported.
- Although it was a shame that the number of affordable units was lower, if the Committee is minded to refuse bigger developments then it must accept that a smaller application will include less. The application should be supported.
- It was welcomed that the developers had taken previous concerns into consideration and therefore the application should be approved.
- It was felt that the applicant had made changes to the application and the appearance of the wall would be improved by the application. There were

concerns over finding a registered provider willing to take such a low number of units on. It was welcomed that the affordable units were 3-bed properties.

- The applicant should be invited not to progress with the previous appeal as a gesture of goodwill in the event that Committee was minded to approve.
- It was noted that the Committee did not have the authority to request that the applicant not progress with the previous appeal.

At the conclusion of the debate, the Chair called for a vote and it was

RESOLVED that

1. Application 20/P1412 be GRANTED Planning Permission subject S106 agreement and conditions.
2. Application 20/P1672 be GRANTED Listed Building Consent subject to conditions.

6 300 BEVERLEY WAY AND 265 BURLINGTON ROAD NEW MALDEN KT3 4PJ (Agenda Item 6)

Proposal: Partial demolition of b1 office building and change of use of part of office building car park to facilitate the reconfiguration of supermarket car park to provide a total of 684 car parking spaces (a loss of 19 car parking spaces), to provide trolley parking shelters, changes to white line marking and provision of a new servicing area and alterations to office car park with a loss of 29 car parking spaces. The alterations to the supermarket car park layout and associated works have been submitted in connection with the concurrent planning application 19/p2387 for the erection of a mixed use development comprising 456 flats and 499 sq.m of b1 floor space.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

The Chair moved to a vote and it was

RESOLVED that Application 19/P3085 be GRANTED Planning Permission subject to conditions.

7 247 BURLINGTON ROAD, NEW MALDEN, KT3 4NF (Agenda Item 7)

Proposal: Demolition of building and formation of temporary road for the tesco car park (2 year period), providing pedestrian and bicycle access plus vehicular egress, with associated works including the relocation of bus stop.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

In response to Member questions, the Planning officer advised that there was no restriction on the start of the construction which could begin immediately. There would be no need for the access road until the point that an application was approved for a wider development.

A Member made a comment that there was concern that granting this application could prejudice future consideration of applications for the wider development.

Another Member felt that the application should be approved.

At the conclusion of the debate, the Chair moved to a vote and it was

RESOLVED that Application 19/P2578 be GRANTED Planning Permission subject to conditions and s.106 legal agreement.

The Development Control Team Leader (South) presented item 12 before the consideration of items 8, 9, 10 and 11. For ease of reference, the items are listed below as they appeared in the agenda.

#### 8 ELM NURSERY CAR PARK, LONDON ROAD, MITCHAM, (Agenda Item 8)

Proposal: Erection of a five storey building to create 21 new residential units. Comprising of one and two bedroom apartments, associate cycle parking, disabled parking bays and public realm enhancements.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

An objector had registered to speak in objection and at the invitation of the Chair made the following points:

- There was a lack of parking in the area for businesses and the application site was currently used by patients of the GP surgery and the local businesses. The nearby multi-storey car park was not considered safe. The proposal was out of character and there were other suitable brownfield sites which could be redeveloped.

The applicant's agent spoke in support of the application, addressing the concerns of the objector and stated that the site had been designated for residential use and had a PTAL rating of 5 with spare capacity for parking in the area.

The Development Control Team Leader (South) advised that the Government's national planning guidance stated that developments must be determined in accordance with the area's local development plan. The Merton Plan had designated the site for residential use. In response to Member questions, he advised the following:

- As the quantum of affordable housing was across all four applications as a package then if one or two of the applications were refused, the viability assessment would need to be re-examined.

In response to a Member question, the Transport Planning Officer explained the PTAL rating and how this was calculated. A PTAL rating of 5 was considered to be

high and access to public transport in the area was good and therefore less parking was required.

In response to a Member question, the Development Control Team Leader (South) advised that

- the route from the dwellings to London Road will remain. The report set out proposed improvements to the footpath.
- The presence of the flats on the site would create surveillance on the footpath which could improve the sense of security for its users.
- The designation of the site for housing would have been the subject of significant consultation as part of the development of the current and draft local plan. The traffic and parking issues had been addressed in the report.
- Each application must be determined on its own merits, however the package of affordable housing was based on all four applications being approved and if Members were minded to refuse one or more of the applications, then the financial viability of the package of four applications would be affected.

Some Members were concerned that each application should be considered on its own merits and the ability of the developer to deliver affordable housing separately should not be a concern of the Committee.

One Member welcomed the strategic approach of Mertantun Development Ltd and the achievement of 21 affordable homes in Mitcham if approved. They felt that the application was a good one which added positively to the neighbourhood.

At the conclusion of the debate, the Chair moved to a vote and it was

RESOLVED that Application 19/P4047 be GRANTED Planning Permission subject to the completion of any enabling agreement and conditions.

## 9 FARM ROAD CHURCH, FARM ROAD, MORDEN, SM4 6RA (Agenda Item 9)

Proposal: Demolition of existing church buildings and erection of a four storey development comprising 15 self-contained units (9x 1b and 6x 2b units), and erection of 3 x three storey dwellinghouses (1x 5b and 2x 4b); provided with associated cycle parking, refuse stores, parking bays and landscaping.

The Committee noted the report and presentation of the Planning officer.

At the invitation of the Chair, the Senior Democratic Services Officer read out a written statement on behalf of an objector, making the following points:

- The proposed development would be too high and would result in a loss of privacy.

The applicant's agent addressed the concerns of the objector, highlighting the distance between the two properties and addressed the approach taken by the developer.

The Development Control Team Leader (South) advised that the officer report addressed the overlooking point and set out the separation distances.

In response to Members' questions, the Transport Planning officer advised that the area had a PTAL rating of two, however a car free development was proposed due to existing pressures on parking in the area. The London Plan standard was to discourage additional parking.

Members made the following comments:

- The development should be subject to a CPZ with all residents being treated the same way in relation to access to parking permits.
- The architects had created a good development for the site.
- Occupiers should be able to purchase permits. There was no point in having PTAL ratings for developments if they were to be ignored.
- The 9 1-bed and 6 2-bed units should not all be given parking permits as this would impact the already busy roads nearby.

A proposal was made to approve the application but to remove the restriction on residents being able to apply for parking permits.

In response to a Member question of clarification, the Development Control Team Leader (South) advised that if Members were minded, officers could negotiate with the Transport Planning officer, and a short report brought back to Members on the parking permit issue. The Council had declared a climate emergency and a commitment to reducing carbon emissions, and it was important that if an approach was taken that was not in line with Council policy, then this should be balanced. The recommendation of officers was that there was a restriction on parking permits, however there may be some flexibility on this point and officers requested an opportunity to consult with colleagues and report back to the Committee.

Following that clarification, a proposal was made to vote on the officer recommendation with no amendment.

The Chair moved to a vote and it was

RESOLVED that Application 19/P4046 be GRANTED Planning Permission subject to the completion of any enabling agreement and conditions.

The Chair adjourned the meeting at 9.47pm and the meeting resumed at 9.57pm.

10 DEVELOPMENT SITE NORTH OF 11 TO 17 MADEIRA ROAD, MITCHAM  
(Agenda Item 10)

Proposal: Erection of a three storey development comprising 11 self-contained units (7x 1b and 4x 2b), and erection of 7 x three storey townhouses (4b); with associated cycle parking, refuse stores, 4 x parking bays (2 disabled bays) and landscaping.

The Committee noted the report and presentation of the Planning officer.

An objector had registered to speak in objection and at the invitation of the Chair made the following points:

- The development would break the link with the Canons and its historic grounds. It was a poorly conceived design and visually intrusive and would have a negative impact on the conservation area. Proposed amenity space was not policy compliant. The pergoda tree would be pruned by 50%.

The applicant's agents responded to the objections as follows:

- The site was underused and inaccessible and this development was an opportunity to open this up. No objection had been received from Heritage Lottery and the tree would be made a central point of the development. Care had been taken to create a design sensitive to the conservation area.

The Development Control Team Leader addressed the comments in the report of the Design Review Panel and responded to Members' questions as follows:

- The tree would need to be properly maintained so as not to impact on neighbouring properties, however the development had been designed to make a feature of the tree.
- The officer report addressed the access to the site and the advice received from the Transport officer on restricting parking on the site.
- Conditions were proposed in relation to landscaping and these could be adjusted to incorporate in relation to management of the tree.
- The officer report addressed the shortfall in garden space. The developer had sought to address through a unique design. In the round, the development was considered to be positive.

In response to a Member question, the Planning officer advised that low level planting was proposed at the boundary with Park Place to stop people stepping over from the car park.

Members made the following comments:

- Mitcham Cricket Green and the oldest building in the borough was very close to the site and the Council had worked to secure funding to enhance the area. To destroy the vista would be highly damaging. It was felt that the style was not in keeping with the area and the Design Review Panel had not awarded the scheme a green rating. The scheme did not respect the Council's own values.
- Part of what the Council stood for was delivering affordable family homes and that is what this scheme delivered. The design is sensitive to the area and the Design Review Panel had commended the application.
- The current site was underused and the proposal was sensitive to the area. The scheme would deliver much needed affordable units which was central to the Council's aims and values and would be supported.
- There was some concern that the developer was using a small space to create new homes, however the application would be supported due to the need for new housing and the current condition of the site.



At the conclusion of the debate, the Chair moved to a vote and it was

RESOLVED that Application 19/P4050 be GRANTED Planning Permission subject to the completion of any enabling agreement and conditions.

#### 11 CAR PARK, RALEIGH GARDENS, MITCHAM (Agenda Item 11)

Proposal: Redevelopment of existing car park to allow for the erection of a part five, part six storey development comprising 36 self-contained units (29x 1b and 7x 2b); with associated cycle parking, refuse store, 3x disabled parking bays and landscaping.

The Committee noted the report and presentation of the Planning officer, and the modifications contained in the supplementary agenda.

Two objectors had registered to speak in objection and at the invitation of the Chair, made the following points:

- The need for development on this site and the provision of housing was accepted, however the proposed development did not include any affordable housing. The design was poor and the site would represent overdevelopment. There would be a loss of light to the residents of Glebe Court, harm to the conservation area and contrary to Council policy.

The applicant's agents spoke in support of the application and addressed the objections. The site was designated for residential and it was not felt that a commercial use would be viable. The affordable housing provided on the other sites allowed this site to be developed for private rent in a busy town centre location. It was considered that the degree of loss of light was acceptable in a town centre setting. The design had been developed in consultation with planning officers and was considered to be sensitive.

The Development Control Team Leader (South) responded to the points raised by the objectors and advised that the officer report addressed the light to Glebe Court. The proposal did not deliver affordable housing but did diversify the Borough's housing stock and the overall package of affordable housing across the sites should be kept in mind.

At the invitation of the Chair, the Senior Democratic Services Officer read out a written statement on behalf of Councillor Owen Pritchard on behalf of the ward. While sympathetic to the concerns of residents, he felt that the positives outweighed the negatives and was in support. Part of his statement was given to a statement of the Glebe Court residents association which set out concerns relating to loss of light, density, height and overdevelopment.

In response to Members' questions, the Development Control Team Leader (South) advised as follows:

- The original pitched roofs on the site had been amended on the advice of planning officers to reduce the height and it was felt that the design of the flat roof was acceptable.

- Designers had created layouts with internal bathrooms to ensure that the most used habitable rooms had the most light.

In response to a Member question, the Transport Planning officer advised that the area had a PTAL rating of 4 due to it being a sustainable location. The multi-storey car park could offer alternative parking provision.

Members made the comments:

- Residents in London Road used to have spaces until the CPZ was introduced so used the car park at Raleigh Gardens. Something should be done to improve St Marks multi storey car park as it was not currently fit for purpose. The residents' concerns were acknowledged however agreed with the comments made by Councillor Pritchard and the proposal should be supported.
- The Committee had received the views of all three ward members, and it was recognised that there are issues but all were in support and the application should be supported.
- The multi-storey car park was well used over the Christmas period.
- There was concern that the proposal did not make the contribution to the public realm that should be hoped for and it did appear to be overdevelopment. There had been much justification for elements that Members were not happy with. Members were in a difficult position as the Borough needed the affordable housing.
- Reassurance was sought that the multi-storey car park would be made secure.
- The proposal was not reasonable for the residents of Glebe Road and should be looked at again.

At the conclusion of the debate, the Chair moved to the vote and it was

RESOLVED that Application 19/P4048 be GRANTED Planning Permission subject to the completion of any enabling agreement and conditions.

## 12 MERANTUN AFFORDABLE HOUSING REPORT (Agenda Item 12)

The Committee noted the contents of the report.

## 13 PLANNING APPEAL DECISIONS (Agenda Item 13)

The Committee noted the contents of the report.