Planning Applications Committee 20th August 2020
Supplementary Agenda (Modifications Sheet)

Item 5. 3 Alan Road, Wimbledon, SW19 7PT

Consultation – (Page 13)

Additional representations received from the occupier of no. 1 Alan Road and the occupier of no. 3 Alan Road. Text below to be inserted after paragraph 5.1:

An additional representation was received from the occupier of no 1 Alan Road. No. 1 have commissioned Anstey Home to complete a daylight/sunlight assessment. The assessment is available to Members on the Merton Planning Explorer and is entitled "20P1701_Third Party Dalylight and Sunlight Impact Assessment.pdf". The main points in the assessment are outlined below:

Anstey Horne assessed 2 rooms (a living / study room at ground and a bedroom at first floor) strictly classified as habitable rooms with windows in view of the proposed development and needing assessment for daylight and sunlight.

In addition, Antsey Horne assessed the ground floor laundry which includes a work surface and sink area adjacent to the window serving that room - the room is used as a laundry / utility room and the occupants rely on the natural light received in the current conditions when working on art projects and also assessing the state of linens and laundry.

The assessment adopted two following BRE methods:

- The 'vertical sky component' (VSC) taken from the centre of the windows;
- The area of working plane inside the room with a view of sky (the 'no-sky line' method)(NSL).

The results showed the following:

Ground Floor Room 1 (Living/study room)

- The VSC test results show that the daylight to windows facing the proposed development would be reduced from 21.10% and 19.20% VSC in the current conditions to 17.71% and 16.79% VSC in the proposed (respective ratio reductions of 0.84 and 0.87 and on the cusp of BRE transgressions).
- The NSL test for daylight shows the area at working plane height with direct view of the sky is reduced from 16.41 sq.m to 16.13 sq.m (ratio reduction of 0.98).

Ground Floor – Room 2(utility/laundry room)

- The room is served by one window and the VSC test results show that it would be reduced from 17.57% to 15.82% VSC (ratio reduction of 0.9). The NSL test shows the area with direct sky visibility would be reduced from 6.20 sq.m to 6.18 sq.m.

First floor room 1

- The VSC test results show that the bedroom window facing the proposed development would be reduced from 28.86% to 28.63% VSC. The results of the NSL test for this room show no change in the area with access to sky visibility.

Conclusions

- The results for daylight using the VSC and NSL test methods show that the proposal would adhere to BRE thresholds. However, they Anstey Horne point out there are instances where the reductions to daylight lead to retained values on the cusp of BRE transgression.
- Anstey Horne state the development would cause instances of undue impacts to the amenity levels currently achieved at 1 Alan Road, with the results demonstrating some material reductions to windows that already experience restricted daylight in the existing conditions.
- The standard BRE prescribed tests for daylight do not account for how the changes would look and feel and the images above demonstrate how a significant change would occur when viewed from 1 Alan Road.
- Anstey Horne state "In our opinion, the results of our assessment demonstrate that the daylight amenity at 1 Alan Road would be compromised as a consequence of the proposed development, would adversely affect the occupant's enjoyment of rooms within and we would ask that the Council look to take a similar sensitive view."

An additional representation was received from the applicant (3 Alan Road) in response to the daylight sunlight assessment received from the occupier of no. 1. The following points were raised:

- The Anstey Horne report illustrates that there is no issue.
- We feel confident that this report is consistent with the advice that we have received that there are no daylight and sunlight issues or any such issues are negligible (which is consistent numbers referred in the Anstey Horne report even if the descriptive language is intended to be more persuasive).
- The proposals would adhere to the BRE thresholds and therefore this cannot be used as a valid planning reason for refusal.
- The amenity question is somewhat different, but our strong view is that the significant improvement of the property as a whole and particularly the poorly constructed existing garaging arrangements will be greatly improved by the proposed plans. Any refurbishment of the garaging arrangements was always going to be an issue with our neighbours, but as you know we have tried exceptionally hard to ensure that the designs proposed have no or minimal negative impact on them.
- One critical point not being pricked up in the committee report is how much we are planning to do to improve the property as whole and the street scene. A significantly more aggressive proposal could have been presented - we know, for example, that the previous owner had plans for full demolition and replacement with three terrace houses. We feel that our neighbours would be keen to support our proposal to be accepted if they knew what the alternatives might be.

Item 6. Tooting and Mitcham FC, Bishopsford Road, SM4 6BF

Para 7.31 and 9.1
The MP for Sutton Elliot Colburn should be included in list of objectors.

Item 7. 159 Commonside East, Mitcham, CR4 2QB

2.1 The CPZ extension includes the front of the site as well as the length of Hallowell Close.

3.9 Changes to the current proposal from the previously refused scheme can be summarised as

- Reduction in eaves height of 0.85m at third floor level
- 19% reduction in the amount of development at 3rd floor level and greater set back distance and fitted with pitched back roof
- Use of horizontal emphasis to reduce sense of height
- Inset by lift shaft to break up massing of the block
- Greater articulation of the facades and roof
- Reduction of 2 car spaces from 19-17 but same proportion 0.68 per unit as deemed acceptable by PINS and the site is now in a CPZ.
- Reduction of number of units from 28 to 25
- Housing mix, now 24% family compared to 14% on refused scheme.

7.6.7Amend to read "In relation to the third floor the eaves height of the third floor has reduced from 12.85m on the refused scheme to 12m on the scheme now before members, and the second floor parapet height from 10.7m to 10.1m Although overall storey heights remains the same, the third floor on Commonside East has been significantly reduced by 53sqm, a 19% reduction in floorspace and set back by 4 – 4.5m from the Hallowell Close Elevation. Similarly heights along Hallowell Close have reduced such that the top of the 2nd floor eaves height has been reduced from 10m to 9m, and top of first floor from 7.4m to 6m. Further, the use of horizontally wider balconies and the set back from the front elevation mean that visually the development will have a greater horizontal rather than vertical emphasis."

Para 3.2 and 7.10)

Correction; The number of cycle parking spaces stated is incorrect. In addition to the 35 spaces provided in the secured bike storage shed 8 additional spaces are provided within secured rear gardens of the duplex units. As a result 43 long stay cycle parking spaces are provided. 2 short stay visitor spaces are also provided.

7.6.8 – Amend to read:

"The Inspector also raised concerns about the bulky nature of the proposed statement building but officers consider that as stated above the changes to the third floor have made a significant reduction in the bulk of the scheme to the degree that the block could sit suitably in this position with no detrimental impact on the character and appearance of the wider setting.

Para 7.13 and 10 ii)

Amend to read; the level of off-site affordable housing contribution is £66,904

Para 9.3

Correction, 17 parking spaces are proposed. The proportional level (0.68 cars per unit) of parking provision is the same, as that which was found acceptable by the Planning Inspector.

Section 10 Heads of Terms, Please note that section; S106 Heads of Agreement vi) is blank but should have been removed.

The applicants wished members to be aware that;

- The footway will be reinstated and the redundant cross over will be made good on Commonside East
- New crossover provided on Commonside East
- New footway on Hallwell Close can be adopted by LBM

The provision of parking bays would not meet the test for planning obligations as PINS have determined the parking to be adequate, future residents will not be allowed permits and currently there is no parking allowed out the Hallowell Close side of the site and therefore no loss of on-street parking provision will occur.

Proposals are more than 20m from the nearest neighbouring windows on Hallowell Close.

The changes from the DRP proposal involve;

- Changes to the arrangement and number of windows on the Hallowell close elevation to improve the rhythm and symmetry
- Addition of planting buffers adjacent to the rear secondary windows to improve privacy
- Introduction of an entrance lobby

Item 8. 37-39 Cottenham Park Road, West Wimbledon, SW20 0SB

No modifications.

Item 9. 115 Graham Road, Wimbledon, SW19 3SP

No modifications.

Item 10. 64-76 Kingston Road, Wimbledon, SW19 1LA

Consultation (Page 320)

6.16 Thames Water – no comments have been received.

Standard of Accommodation (Page 323)

Accommodation schedule:

Building A (11 Flats) - Flat No.	Level	Type	Proposed GIA (sqm)	Required GIA (sqm)	Compliant
Flat 1	Ground/Basement	3B/6P	128	102	Yes
Flat 2	Ground/Basement	3B/5P	110	93	Yes
Flat 3	Ground/Basement	3B/6P	115	102	Yes
Flat 4	Ground/Basement	3B/6P	122	102	Yes
Flat 5	First	2B/4P	77	70	Yes
Flat 6	First	1B/2P	52	50	Yes
Flat 7	First	2B/4P	73	70	Yes
Flat 8	Second/Third	1B/2P	69	50	Yes
Flat 9	Second/Third	1B/2P	68	50	Yes
Flat 10	Third	1B/2P	55	50	Yes
Flat 11	Third	1B/1P	40	37	Yes

Building B (15 Flats) - Flat No.	Level	Type	Proposed GIA (sqm)	Required GIA (sqm)	Compliant
Flat 1	Ground	1B/2P	57	50	Yes
Flat 2	Ground/Basement	3B/4P	104	84	Yes
Flat 3	Ground/Basement	3B/5P	114	93	Yes
Flat 4	Ground	1B/2P	55	50	Yes
Flat 5	First	2B/3P	64	61	Yes
Flat 6	First	2B/3P	64	61	Yes
Flat 7	First	1B/2P	50	50	Yes
Flat 8	First	1B/2P	50	50	Yes

Flat 9	Second	1B/1P	37	37	Yes
Flat 10	Second	1B/2P	51	50	Yes
Flat 11	Second	1B/2P	55	50	Yes
Flat 12	Second	1B/2P	57	50	Yes
Flat 13	Third	3B/4P	76	74	Yes
Flat 14	Third	1B/1P	47	37	Yes
Flat 15	Third	1B/1P	40	37	Yes

Item 11. 8 Preshaw Crescent, Mitcham, CR4 3GA

A letter of representations was submitted 19th August by a local resident raising concerns relating to;

- Access to the site is too tight for anything other than the smallest of cars
- This and the surrounding streets are very narrow and easily gridlocked which may affect emergency vehicles
- The proposal do not adequately compensate for the mature trees illegally felled to clear the site
- This is not a waste land site but was once thriving garden space
- No added value of a community amenity space provided
- No capacity for infrastructure
- There is no shortage of land as Benedict Wharf has been hugely expanded.

Officers note an additional letter has been forwarded to officers which has been sent yesterday (19th August) to Councillors.

Summary:

- Proposals also impact Glebe Path, Love Lane, Harwood Avenue, Preshaw crescent, Vine Cottages & Beadle Court
- Health & safety concerns due to narrow and busy nature of Russell Road with people parking on the pavement resulting in safety issues impacting emergency and refuse access.
- Transport statement inaccurate in terms of accidents and parking capacity
- Gas and sewer pipes will be affected
- Trees were illegally removed and so application should be considered as if they were still there
- Proposals do not conserve and enhance the Conservation Area.
- Noise pollution during construction

Para 3.10

Comparisons between the refused scheme 17/P1942 and this application;

- On the refused scheme the heights were 11.5m for the highest element and 9.1m for the lower level. On this proposal the heights are 8.52m and 7.31m.

- On the refused scheme there was direct overlooking into 28 Russell Road from 12.9m. There is no direct overlooking on that elevation on the current scheme.
- On the refused scheme there was direct overlooking into the windows of 26 Russell Rd from 1.7m and 14.6m. On this proposal the closest windows on the same plane are at 18.1m and 21m.
- On the refused scheme the proposals were within 2.6m and 3.1m of the northern boundary by 28 Russell Road. On this proposal it would be 6m. Similarly the separation distances to boundaries on the southern end of the site have increased from 1.9m and 0.6m to 3.4m and 1.5m respectively.

Item 12. 50 Tybenham Road, Merton Park, SW19 3LA

No modifications.

Item 13. 33-39 Upper Green East, Mitcham, CR4 2PF

Drawings on pages 545, 547 and 549:

It is noted the proposed visualisations have been orientated incorrectly for the agenda, therefore cutting out half the picture. The images shown are as follows (however, they will also be presented during the Committee presentation):

Page 545

Page 547

Page 549

Section to be inserted after paragraph 7.2.10:

Impact of updates to the GPDO (2015) (as amended)

7.2.11 From 1st September 2020, the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 will come into effect. Therefore, officers note that the changes to the current Use Classes proposed would be as follows:

Existing	New Use Class
A1 Shops	E or F.2
A2 Financial and professional services	E
A3 Restaurants and cafes	E
A5 Take away	Sui Generis
B1 Business	E
D1 Non-residential institutions	E or F.1

In light of the proposed changes to the Use Classes, future occupation of the commercial premises shall benefit from some greater flexibility. Such as uses within A1, A2, A3 and B1 would fall under Class E (Commercial, Business and Service), so change of use between those specified uses would be considered permitted development and would not require planning permission to be sought from the Local Authority.

However, Classes A1 and D1 could also fall within the classification of Classes F.1 and F.2, dependant on the size of the unit and its use:
Class F.1 (Learning and non-residential institutions): schools, non-residential education and training centres, museums, public libraries, public halls, exhibition halls, places of worship, law courts.
Class F.2 (Local Community) consists of: a shop mostly selling essential goods, including food, to visiting members of the public in circumstances where the shop premise does not cover more than 280sqm and there is no other similar facility with 1000m radius of the shop's location; or a hall or meeting place for the principal use of the local community, swimming pool, skating rink or an area or place for outdoor sport or recreation, not involving motorised vehicles or firearms.

7.2.12 Should planning permission be granted and the development works carried out, completion of the building would likely be after 1st September 2020, so, the commercial premises would fall under the provisions of the new Use Classes rather than those currently specified. Therefore, to ensure there is better clarity for future occupiers, a condition shall be attached which considers these changes and to ensure appropriate restrictions are in place to ensure flexibility pertains to a range of suitable town centre uses.

Recommendation.

Condition 21 – Amend to refer to new use classes.

Add Condition 26:

Restrictions on uses - Text to be drafted to provide flexibility to change between those uses within all classes based on the applicant's original submission and appropriate to a town centre location and referencing the amendments under SI 2020 No.757 to Schedule 2 of the General Permitted Development Order (2015) (as amended).

Reason. To maintain the vitality and attractive of the town centre and to safeguard the amenities of the area with regards to impact from noise, fumes, traffic and parking with text to reference relevant local plan policies.

Item 14. Planning Enforcement

Item 15. Review of recent changes to Town Planning legislation