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PLANNING APPLICATIONS COMMITTEE

30 APRIL 2014

(19.15 - 22.10)

PRESENT: Councillors Councillor Philip Jones (in the Chair),
Councillor John Bowcott, Councillor David Dean,
Councillor John Dehaney, Councillor Ian Munn,
Councillor Peter Southgate, Councillor Geraldine Stanford,
Councillor Gregory Udeh and Councillor Maurice Groves
(Substitute for Councillor Simon Withey)

ALSO PRESENT: Councillors Debbie Shears and Miles Windsor

Jonathan Lewis (South Team Leader - Development Control),
Neil Milligan (Development Control Manager, ENVR), Michael
Udall (Democratic Services) and Sue Wright (North Team
Leader - Development Control)

1. FILMING (Agenda Item)

The Chair confirmed that, as stated on the agenda, the meeting would be filmed and broadcast via the Council's web-site.

2. APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from: Councillor Simon Withey.

3. DECLARATIONS OF INTEREST (Agenda Item 2)

Councillor Maurice Groves declared an interest (but not a disclosable pecuniary interest) in Item 7 (88 Bushey Road, Raynes Park, SW20 0JH (ref. 13/P1802) by reason that (a) he was on the Board of Merton Priory Homes; and (b) he had worked on the site many years previously in the 1960's/1970's.

4. MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the Minutes of the meeting held on 27 March 2014 be agreed as a correct record.

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

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

(a) Modifications Sheet: A list of modifications for items 6, 7, 8 & 10 and additional letters/representations and drawings received since agenda publication, were tabled at the meeting.

(b) Oral representations: The Committee received oral representations at the meeting made by third parties and applicants/agents in respect of items 5, 6, 8 (objectors only) & 9. In each case where objectors spoke, the Chair also offered the applicants/agents the opportunity to speak; and the Chair also indicated that applicants/agents would be given the same amount of time to speak as objectors for each item.

(NB. These oral representations included Councillor Debbie Shears speaking as a private individual (and not in her capacity as a Councillor) in respect of Item 5.)

The Committee also received oral representations at the meeting from the following Councillor (who was not a member of the Committee for this meeting) in respect of the items indicated below –

Items 5 & 9 – Councillor Miles Windsor.

(c) Order of the Agenda: Following consultation with other Members at various times during the meeting, the Chair amended the order of items to the following – 8, 9, 7, 6, 5 & then 10.

RESOLVED: That the following decisions are made:

6. 92 ASHRIDGE WAY, MORDEN, SM4 4ED (REF. 14/P0279) (CANNON HILL WARD) (Agenda Item 5)

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

7. 68 BATHGATE ROAD, WIMBLEDON VILLAGE, SW19 5PH (REF. 14/P0010) (VILLAGE WARD) (Agenda Item 6)

1. Existing Conditions - It was noted that the application was for variation of Condition (2) (approved plans) attached to an earlier planning permission (ref. 11/P1985) so as to allow alterations to the layout and footprint of the proposed basement. Officers confirmed that the conditions attached to the earlier planning permission would still apply including those relating to basement construction works which included the requirement for adherence to the Construction Method Statement.

2. Extra Condition – Detailed Drainage Proposals – Officers advised that it was now the Council's normal practice to also impose a condition with specific reference to detailed drainage proposals and recommended that such an extra condition be imposed on this latest application. As indicated below, the Committee subsequently agreed that such an extra condition be imposed and that officers be delegated authority to agree the detailed wording.

Decision: Item 6 - ref. 14/P0010 (68 Bathgate Road, Wimbledon Village, SW19 5PH)

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

(i) Extra Condition – Detailed Drainage Proposals subject to (B) below.

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

8. 88 BUSHEY ROAD, RAYNES PARK, SW20 0JH (REF. 13/P1802) (RAYNES PARK WARD) (Agenda Item 7)

1. Modifications Sheet – Officers explained that the quite extensive modifications relating to this item on the tabled modifications sheet related to -

- (a) late representations and responses received since publication of the agenda;
- (b) officer comments on these late submissions;
- (c) adjustments to the recommended conditions to secure off-site highway works (instead of via means of a S.106 Agreement); and
- (d) various other additional (generally) standard conditions.

2. Condition (20) (BREEAM - Pre-Occupation (New Build non-residential)) – Officers advised that, in addition to the changes on the Modifications Sheet, Condition (20), which related to meeting the Building Research Establishments sustainability standards, also needed to be amended to read as follows -

“Within 6 months of the occupation of the development, a copy of the summary score sheet and Post-Construction Review Certificate under BREEAM shall be submitted to the Council verifying that the BREEAM standard has been met.”

2.1 As indicated below, the Committee subsequently agreed to this amendment.

3. Highway Safety – In response to concerns about the design of the road layout and the safety of cyclists/pedestrians, officers advised that the car park plan on agenda page 74 had been superseded by the revised plan on the Modifications Sheet; and any proposed road layout and crossings would need to be reviewed/approved by TfL and Merton Highway/Planning officers and this would include looking at the safety implications for all users including cyclists/pedestrians.

Decision: Item 7 - ref. 13/P1802 (88 Bushey Road, Raynes Park, SW20 0JH)

GRANT PLANNING PERMISSION subject to:

- (a) A direction from the Mayor of London that Merton Council can determine the application;
- (b) Any direction from the National Casework office, as the proposed development is a departure from the development plan; and
- (c) Planning conditions,
as set out in the officer case report and the tabled modifications sheet, subject to the following -

(d) the amendment to Condition (20) (BREEAM - Pre-Occupation (New Build non-residential)) detailed above.

9. 3-5 DORIEN ROAD, RAYNES PARK, SW20 8EL (REF. 13/P4058)
(DUNDONALD WARD) (Agenda Item 8)

1. Ward – It was noted that, as corrected on the tabled Modifications Sheet, this site was located in Dundonald Ward (not Raynes Park Ward).

2. Existing Commercial Use – It was noted that the application involved the retention of the commercial floor space on the site that is currently in use, the demolition of the derelict section of the building and the construction of a new residential building on this land and the adjacent off street car parking area. There was considerable discussion of the effect of the proposed residential development on the viability of the retained commercial use.

2.1 Officers confirmed that the whole site, including the employment land, had been designated for residential use in the Unitary Development Plan (UDP) adopted in 2003.

3. Withdrawn Motion- It was moved and seconded that the application be refused as being contrary to UDP policies BE.15 & BE.22 (1) and policy DMD2 of Merton's Draft Sites and Premises Plan. Following further discussion, the motion was subsequently withdrawn and, as detailed below, the application was approved (Councillors David Dean and Maurice Groves abstaining).

Decision: Item 8 - ref. 13/P4508 (3-5 Dorien Road, Raynes Park, SW20 8EL)

GRANT PERMISSION subject to the completion of a Section 106 Agreement or Unilateral Undertaking and subject to the conditions set out in the officer case report and the tabled modifications sheet.

10. RAYNES PARK PLAYING FIELDS, GRAND DRIVE, SW20 9NB (REF. 14/P0348) (WEST BARNES WARD) (Agenda Item 9)

1. Proposed Development – The application related to

(a) the provision of additional tennis facilities, with these facilities including a total of six permanent synthetic surface tennis courts, with three of these tennis courts covered by an air dome (temporary for 10 years);

(b) the erection of eight, 10 metre high columns providing twelve floodlights to the three uncovered courts;

(c) the erection of single storey buildings to provide temporary changing facilities, storage and WC facilities, a new electrical substation, switch room and inflation unit; and

(d) the resurfacing and formalising of the area currently used for car parking and the widening of existing vehicular access from Grand Drive plus associated landscaping, drainage and fencing.

2. Air Dome – At the request of the Chair, a representative for the applicant confirmed that the air dome would be constantly inflated and wouldn't be deflated whilst not in use.

3. Discussion – There was considerable discussion of the proposals. Various Members expressed concerns regarding the proposals including -

- (a) the proposals effect on the existing open space being contrary to Council policy;
- (b) the size of the air dome, and particularly its height of some 40 ft;
- (c) light spillage from the air dome;
- (d) the location of the dome and other sporting facilities and the parking facilities, all of which may be intensively used, close to surrounding residential properties;
- (e) the visual intrusion from the dome and other facilities for surrounding residents;
- (f) the noise pollution from the proposals which include a public address system;
- (g) loss of privacy for surrounding residents;
- (h) possible harm to surrounding trees; and
- (i) this site not being an appropriate location for these sporting facilities.

4. Refusal Motion: It was moved and seconded that permission be refused as detailed below, subject to the detailed grounds of refusal being agreed by officers. The motion was carried by 5 votes to 2 (Councillors John Delaney and Peter Southgate dissenting). Subsequently the Committee also agreed (C) below.

Decision: Item 9 - ref. 14/P0348 (Raynes Park Playing Fields, Grand Drive, SW20 9NB)

(A) subject to detailed grounds of refusal being agreed in accordance with (B) below, REFUSE permission on grounds relating to the development being contrary to the following policies -

(i) Policy CS.13(a) of Merton's Core Strategy (by failing to protect and enhance the Borough's public and private open space network including Metropolitan Open Land, parks, and other open spaces);

(ii) Policy BE.15, para.(iii) of the Merton Unitary Development Plan (2003) (by failing to protect amenities from visual intrusion); and

(iii) any similar policies in policy DMD2 of Merton's Draft Sites and Premises Plan.

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

(C) Reasons for not following Planning Officers' recommendation for permission: The Committee considered that the officer report had failed to give sufficient weight to the requirements of Policy CS.13 relating to the protection of open space and the requirements of Policy BE.15 regarding the impact on residential amenities.

11. 61 HOME PARK ROAD, WIMBLEDON PARK, SW19 7HS (REF. 14/P0006)
(WIMBLEDON PARK WARD) (Agenda Item 10)

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

12. PLANNING APPEAL DECISIONS (Agenda Item 11)

264 Church Road, Mitcham, CR4 3BW (ref. 13/P2835) (para. 1.2) – Councillor Maurice Groves queried whether the refusal of permission was a Committee decision (as indicated in the report) rather than a Delegated decision by officers, as he had no recollection of the application coming to this Committee. Officers acknowledged that the report might not be correct.

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13. PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 12)

Burn Bullock PH, London Road, Mitcham (para. 3.4) – Officers gave an update regarding this site including that -

- (a) the planning application for sale of motor vehicles in the rear car park was likely to be submitted to the next meeting of the Committee in June, possibly with a recommendation for refusal and enforcement action;
- (b) the issue of a repairs notice was being considered; and
- (c) the possibility of the building being a dangerous structure was being considered, and relevant papers had been requested from the owner.

Councillor Ian Munn reiterated his concerns regarding the building including its structural stability; use of part of the building as a car sales office; and the need for action as soon as possible.

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14. MODIFICATIONS SHEET (FOR VARIOUS ITEMS) (Agenda Item 13)

See above Minute on Item 4 (Town Planning Applications – Covering Report).
