

Planning Applications Committee

9th December 2021

Supplementary Agenda

Modifications Sheet.

Item 5. 274-320 Cannon Hill Lane – 21/P1851 – Lower Morden Ward

No modifications.

Item 6. 18 Clifton Road – 21/P2567 - Village Ward.

Consultation – Page 30

A further representation was received from occupants of 8 Southside Common raising the following points:

- Concerns the use of successive planning applications to achieve permission which would not otherwise be achieved than through a single application.
- Concerns the greenhouse building is not being accurately described.
- Concerns the planning application resulted in residents being:
 - provided with plans that failed to contain full relevant and contentious information of the development intended. (This fact has been blamed on a one off fault in Merton’s scanning equipment)
 - presented with plans containing garden buildings deliberately misdescribed as garages, notwithstanding that a motor vehicle could neither enter nor exit the claimed garages. (When this fact was presented to the council the garages were relabelled as a garden room, interestingly with a bathroom and bedroom in what was described by the planning officer as a non material change).
 - not informed of serial changes - in particular a change of location of the main entrance. (once again dismissed by the planning officer as an immaterial change).
 - observing Merton sanction the felling of all the mature trees in the rear garden of this property in contradiction to its stated policy DM O2. (conflicting explanations have been given for this outrage and this matter is being referred to the local Government ombudsman for investigation).
- The planning department need to carefully consider the integrity of the current application before them, which it proposes to hear in a mere eight days and for which no notification to residents has been given.
- Concerns that nothing that is actually applied for, is what is really intended to be constructed, but is merely an interim stage to provide a launching platform for that really intended.

A further representation was received from the occupant of no. 20 Clifton Road noting raising the following points:

- The final day for comment is listed as December 1st. The decision to recommend approval was posted on the morning of December 1st

- A Tree Development Report was added to the application on November 22nd, a completely new Planning Statement was added on November 24th. An amended Hard and Soft Landscape Plan was added on December 1st
- None of these changes to the application were communicated to me and the other neighbours affected. Even if they had been made aware, it would have been impossible to register comments when the decision had already been taken.
- It seems clear that the applicant wanted to get a recommendation of approval to submit to the Planning Committee meeting on December 9th and that the Planning Department again bent the rules to favour the applicant.

Policy Context – Page 31

National Planning Policy Framework 2021

Conditions - Page 38

Delete condition 7 (B4 Details of Surface Treatment). A hard and soft landscaping plan has been provided upfront.

Item 7. R/O 441 Commonsides East – 21/P1863 - Pollards Hill Ward

Description of development changed from:

DEMOLITION OF EXISTING SINGLE DWELLINGHOUSE AND ERECTION OF 7 X TWO STOREY DWELLINGHOUSES, ALONG WITH PARKING, HARDSTANDING, LANDSCAPING, CYCLE AND REFUSE STORAGE.

to

DEMOLITION OF EXISTING SINGLE DWELLINGHOUSE AND ERECTION OF 7 X TWO STOREY DWELLINGHOUSES, ALONG WITH PARKING, HARDSTANDING, LANDSCAPING, CYCLE AND REFUSE STORAGE.

(To correct spelling error *dwellinghouse*)

Condition 13 changed from:

No dwelling shall be occupied until the application has provided written confirmation as to the installation of a fire hydrant (or otherwise agreed fire management and safety plan), and that such measures have been agreed by the London Fire Brigade.

to

No dwelling shall be occupied until the applicant has provided written confirmation as to the installation of a fire hydrant (or otherwise agreed fire management and safety plan), and that such measures have been agreed by the London Fire Brigade.

Item 8. Wimbledon College, Edge Hill – 21/P1519 – Hillside Ward

Consultation – Page 64

A further 4 letters of objection have been received with the following concerns:

- The submitted aerial photos exaggerate how worn the playing surface is;
- Lack of details of proposed floodlights and fencing;
- Light spill and visual intrusion of proposed floodlights;
- Flood risk and drainage;
- Cost of maintenance;
- Increase in carbon footprint;
- Impact on wildlife.

Policy Context – Page 63

5.6 National Planning Policy Framework 2021

Trees and ecology – Page 68

Additional paragraph

7.25 The applicant has submitted an Ecology Report which concludes that the site is to be of limited value to wildlife and ecology given its existing use as a recreation area. It further outlines that the site has little value for foraging bats or badgers. It does however recommend that should any shrub removal should be undertaken outside of the nesting season (1st March to 31st August). A condition is therefore recommended to be attached to ensure compliance with the Ecology Report.

Local Financial Considerations - Page 69

Replacement paragraph

9.1 The proposal will not result in residential or commercial floorspace provision and therefore would not be liable to pay a Community Infrastructure Levy (CIL).

Conditions – Page 71

Delete Condition 9.

Additional conditions:

14. Condition

The development hereby permitted shall be carried out in accordance with the conclusions and recommendations of the Ecology Report titled 'Preliminary Ecological Appraisal Report dated 09/01/2021 by indigo Surveys'.

Reason

To protect, enhance and mitigate the biodiversity of the site in accordance with the following Development Plan policies for Merton: Policies G6 and G7 of the London

Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.

15. Condition

No development [including demolition] pursuant to this consent shall commence until an Arboricultural Method Statement and Tree Protection Plan, drafted in accordance with the recommendations and guidance set out in BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority and the approved details have been installed. The details and measures as approved shall be retained and maintained, until the completion of all site operations.

Reason

To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.

Item 9 – 290-302A Kingston Road – 21/P3165 - Merton Park Ward

Illustration of the area of the building to be developed with the infill extension:





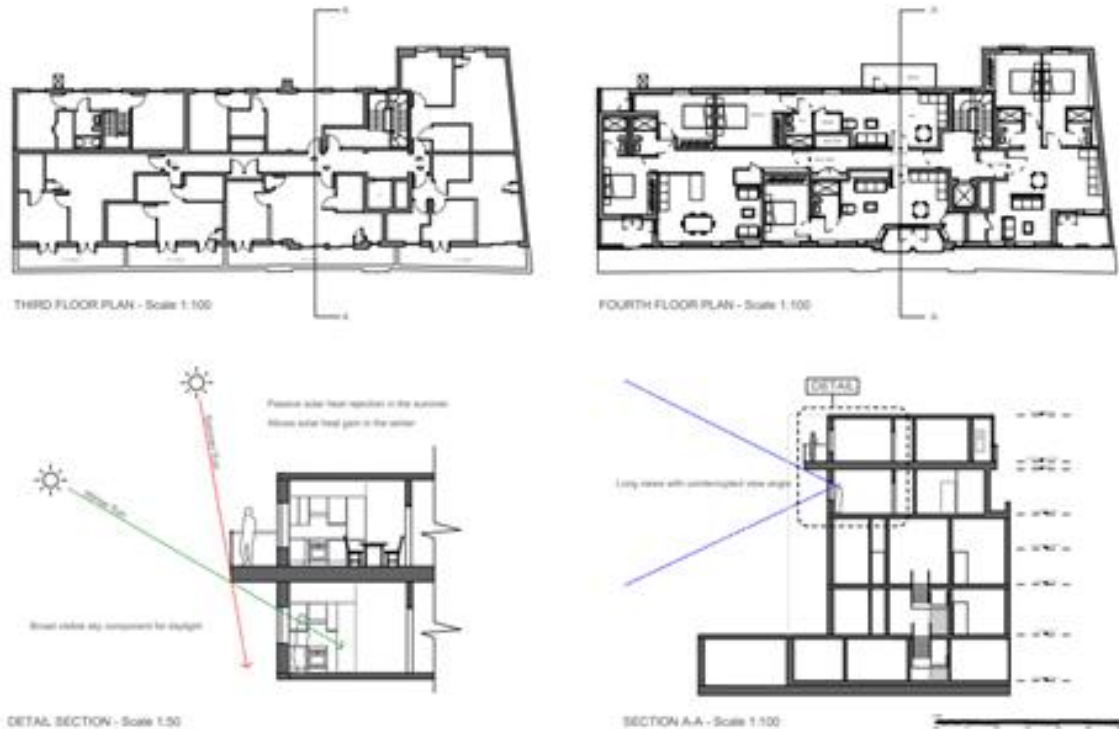
Officer comment: The drawing above illustrates the position of the infill extension in relation to the main building to assist Members' understanding of the proposals – effectively 'squaring-off' one corner of the building.

The rooftop extension (Item 10 on the agenda) includes the rear infill extension in addition to a rooftop extension above.

To clarify, the rooftop extension could not go ahead without the infill extension below but the infill extension could be carried out without the rooftop extension above.

Item 10 – 290-302A Kingston Road - 21/P3168 - Merton Park Ward

The applicant has submitted a supplementary drawing illustrating the relationship between the proposed balconies and units below to seek to allay any concerns regarding light and outlook:



Officer comment: This plan does not change the proposal it simply provides some additional detail. The officer view remains that the relationship would be acceptable, albeit there would be some impact. Members should consider whether they conclude that the proposed arrangements would be acceptable in terms of the impact on residents below.

Item 11 – 81-83 Wimbledon Hill Road - 21/P0119 Hillside Ward

Consultation – Page 118

A further 6 letters of objection have been received with the following concerns:

- Loss of daylight/sunlight. Applicant's daylight/sunlight report is misleading. Daylight/sunlight distribution to surrounding properties has not been considered. Does not comply with BRE guidance;
- Proposal does not comply with the Council's Development Plan;
- Defective consultation;
- Errors in applicant's submission;
- Loss of privacy;
- Parking impact;
- Flood risk;
- Not viable and no social housing proposed;
- Overdevelopment of site;
- Impact on conservation area;
- Visual impact and loss of open space.

5.6 National Planning Policy Framework 2021

Replacement Paragraph:

7.3.6 With regards to daylight/sunlight, a Vertical Sky Component (VSC) Test has been carried out. VSC measure the general amount of light available on the outside plane of the window as a ration (%). The VSC when measure at the centre of a window should be no less than 80% of its former value (BRE baseline target). A total of eight windows in the ground and first floors of Bluegates would fail to comply with this requirement, however according to BRE guidelines the impact on these windows would still be only be minor (7 windows) to moderate (1 window) (BRE advises that where the amount of daylight/sunlight is reduced by 20 – 35% the impact is minor, and when it is reduced by 35% - 50% the impact is moderate). This is considered acceptable in this instance, given a number of the impacted windows are in the side elevation of Bluegates, with some appearing to be secondary windows. It should also be noted that the French door windows, which lead out to balconies on Bluegates are also heavily impacted by the flank wall of Bluegates, which they are attached to, and the balconies from flats above, which overhang them.

Additional paragraph 7.4.3:

Accommodation schedule

Flat	Type	GIA (sqm)	London Plan requirement	External amenity space (sqm)
1	2bed/4person	86	70	7 + 30 (garden)
2	3bed/6person	162	102	12 + 25 (garden)
3	3bed/6person	170	102	6
4	3bed/6person	160	102	6
5	2bed/4person	89	70	6.5
6	2bed/4person	86	70	7
7	2bed/4person	89	70	7
8	2bed/4person	102	70	7
9	1bed/2person	69	50	7
10	1bed/2person	71	50	7
11	2bed/4person	100	70	7
12	2bed/4person	102	70	7

13	1bed/2person	69	50	7
14	1bed/2person	71	50	7
15	2bed/4person	100	70	7
16	2bed/4person	126	70	16
17	2bed/4person	133	70	16
18 (detached)	3bed/6person	260	102	16 + 110 (garden)

Trees – Page 127

Additional paragraph

7.7.4 The applicant has submitted an Ecology Report which concludes that as a whole the site supports habitats of low ecological value. The proposal does have the potential to disrupt breeding birds and mitigation measures are proposed. It further outlines that no additional ecological surveys are required and recommends a number of biodiversity enhancement measures (such as the provision of bird and bat boxes). A condition is therefore recommended to secure a Biodiversity Enhancements and Mitigation Plan to be attached to ensure biodiversity is enhanced across the site.

Conditions – Page 134

Additional condition:

Condition 27

The development shall be carried out in accordance with the Ecology Report titled 'Ecological Appraisal Report dated December 2020 by Wychwood Environmental Ltd'. Prior to commencement of development hereby permitted (including demolition), a Biodiversity Enhancements and Mitigation Plan detailing how the mitigation and enhancement measures within the Ecology Report will be complied with, shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be installed on site and thereafter retained prior to first occupation of any residential unit.

Reason

To protect, enhance and mitigate the biodiversity of the site in accordance with the following Development Plan policies for Merton: Policies G6 and G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.

Item 12. Planning Appeal Decisions.

No modifications.

Item 13. Planning Enforcement Summary.

No modifications.