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PLANNING APPLICATIONS COMMITTEE

19 JUNE 2014

(19.15 - 21.40)

PRESENT: Councillors Councillor Linda Kirby (in the Chair),
Councillor John Bowcott, Councillor Tobin Byers,
Councillor David Dean, Councillor Ross Garrod,
Councillor Daniel Holden, Councillor Abigail Jones,
Councillor Philip Jones, Councillor Peter Southgate and
Councillor Geraldine Stanford

ALSO PRESENT: Councillors Ian Munn BSc, MRTPI(Rtd), Hamish Badenoch and
Brenda Fraser

Sabah Halli (Planning Officer), Pip Howson (Pip Howson
(Placemaking and Public Realm Project Officer)), Jonathan
Lewis (South Team Leader - Development Control)), Neil
Milligan (Development Control Manager, ENVR) and Michael
Udall (Democratic Services)

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. DECLARATIONS OF INTEREST (Agenda Item 1)

None.

3. APOLOGIES FOR ABSENCE (Agenda Item 2)

None

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

RESOLVED: That the Minutes of the meeting held on 30 April 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 5, 7, 8, 9, 10, 11 & 15, and a 2nd list of modifications for item 11 only, 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 (objectors only), 6,

7, 9, 10 & 11. 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.

The Committee also received oral representations at the meeting from the following Councillors (who were not members of the Committee for this meeting) in respect of the items indicated below –

Item 5 – Councillor Brenda Fraser,
Item 8 – Councillor Ian Munn, and
Item 9 – Councillor Hamish Badenoch.

(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 – 12, 5, 6, 11, 7, 8, 9 & then 10.

RESOLVED: That the following decisions are made:

6. 14 BURLEY CLOSE, STREATHAM, SW16 4QQ (REF. 14/P0787)
(LONGTHORNTON WARD) (Agenda Item 5)

1. Proposal – This application was from change of use from a house in multiple occupation (HMO) with 6 bedrooms to an HMO with 8 bedrooms.

2. HMO Licence – Reference was made to the tabled modification sheet which included the revised advice from Merton’s Environmental Health team, that as the property was only two storey, the proposal would not require a separate HMO licence issued by Environmental Health, but that the property is an HMO and would need to adhere to Merton’s HMO standards.

3. Officers confirmed that this was the case and that Environmental Health would be checking the property to ensure it met Merton’s HMO standards which included room sizes, sanitation provision, fire safety and cooking facilities.

4. Discussion – Members expressed concern that the communal kitchen of 30sqm would be of inadequate size for the occupiers of the 8 bedrooms to cook and eat meals.

5. 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 8 votes to nil. Subsequently the Committee also agreed (C) below.

Decision: Item 5 - ref. 14/P0787 (14 Burley Close, Streatham, SW16 4QQ

(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.14(d) of Merton's Core Strategy; and

(ii) Policy DM.H5 of Merton's Draft Sites and Policies Plan,

(by failing to comply with the most appropriate minimum space standards, particularly in relation to communal kitchen space);

(B) Delegation: The Director of Environment & Regeneration 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 not sufficient weight was added to the officers' case that adequate amenity space would be provided within the building to meet the needs of the proposed level of occupancy.

7. GARAGES TO REAR OF PRINCESS COURT, 115-117 HARTFIELD ROAD, WIMBLEDON, SW19 3JT (REF. 14/P9088) (DUNDONALD WARD) (Agenda Item 6)

1. Height – Officers confirmed that unlike previous proposals for the site of 1.5 storeys or more, the current application was for a single storey dwelling with a basement with a height of 3.3m above ground level.

2. Approval – The application was approved as detailed below (Councillor David Dean dissenting).

Decision: Item 6 - ref. 14/P9088 (Garages to rear of Princess Court, 115-117 Hartfield Road, Wimbledon, SW19 3JT)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report.

8. 40A KENILWORTH AVENUE, WIMBLEDON, SW19 7LW (REF. 14/P1162) (WIMBLEDON PARK WARD) (Agenda Item 7)

1. Extra Condition –Heat Pumps – Officers concurred with a suggestion that there be an extra condition regarding the installation and retention of the housing enclosure around the proposed heat pumps in the rear garden. 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.

2. Extra Condition – Decking Height – Reference was made to concerns about possible overlooking of neighbours from the proposed 0.3m high raised decking area within the rear section of the rear garden. Officers concurred with a suggestion that there be an extra condition requiring the raised decking area to be no more than 0.3m above ground level. 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.

3. Access to Green Roof – Officers confirmed that the condition attached to a previous planning consent for the site restricting access to any green roof on the building and preventing its use as an amenity area such as a roof garden or terrace, would still apply. Officers advised that if people were photographed using any green roof on the building for such leisure purposes, then enforcement action could be considered.

Decision: Item 7 - ref. 14/P1162 (40A Kenilworth Avenue, Wimbledon, SW19 7LW)

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

(i) Extra Condition –Heat Pumps – An extra condition regarding the installation and retention of the housing enclosure around the heat pumps, subject to (B) below;

(ii) Extra Condition – Decking Height – An extra condition requiring the raised decking area within the rear section of the rear garden to be no more than 0.3m above ground level, subject to (B) below

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

9. BURN BULLOCK PH, 315 LONDON ROAD, MITCHAM, CR4 4BE (REF. 14/P0767) (CRICKET GREEN WARD) (Agenda Item 8)

1. Rubbish Removal – Officers confirmed that any enforcement notice served would include a requirement to remove rubbish etc. from the site.

2. Listed Building repairs notice – Officers also confirmed that it was proposed to issue such a repairs notice (for which officers had delegated powers).

Decision: Item 8 - ref. 14/P0767 (Burn Bullock PH, 315 London Road, Mitcham, CR4 4BE)

(1) REFUSE PERMISSION for the reason set out in the officer case report and the tabled modifications sheet; and

(2) AUTHORISE ENFORCEMENT ACTION for the reason set out in the officer case report and the tabled modifications sheet.

10. 1 MARRYAT PLACE, WIMBLEDON, SW19 5BL (REF. 14/P0525) (VILLAGE WARD) (Agenda Item 9)

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

11. 1 PEEK CRESCENT, WIMBLEDON, SW19 5ER (REF.14/P1171) (VILLAGE WARD) (Agenda Item 10)

Marryat Road frontage wall (to 1 Peek Crescent) –Reference was made to the 3rd sentence of paragraph 7.6 (on page 127) of the submitted report which stated that “The 1.275m high section (of wall) which continues along most of the proposed flank elevation on Marryat Road.....” and an objector’s contention that the 1.275m high section represents 12m out of a total of 40m of wall and should not be described as “most”. Officers agreed that this was the case and that the report should be amended accordingly.

Decision: Item 10 - ref. 14/P1171 (1 Peek Crescent, Wimbledon, SW19 5ER)

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

12. 84 QUEEN MARY AVENUE, MORDEN, SM4 4JR (REF.14/P0422) (LOWER MORDEN WARD) (Agenda Item 11)

1. Modifications – Officers drew attention to the changes to the report included in the tabled modifications sheet and the tabled 2nd modifications sheet, the latter only relating to this item.

2. Access – The application site was located to the rear of 84 & 86 Queen Mary Avenue and was accessed via an existing access of about 3m in width and 45 length from Hillcross Avenue (between Nos. 410 & 412). Officers confirmed that the emergency services had been consulted regarding the proposed access, and also indicated that a fire hydrant was to be provided on the site.

3. Refuse collection – Reference was made to the proposals (outlined in para. 7.16) that residents of the proposed two new dwelling-houses would transport refuse to the front of the site (i.e. on Hillcross Avenue) on the night before collection days. Officers drew attention to the revised Condition (13) on the 2nd modifications sheet requiring the submission of details of refuse and recycling facilities for approval (to officers).

Decision: Item 11 - ref. 14/P0422 (84 Queen Mary Avenue, Morden, SM4 4JR)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet and the tabled 2nd modifications sheet.

13. 191-193 WESTERN ROAD, MITCHAM, SW19 2QD (REF.14/P1241) (LAVENDER FIELDS WARD) (Agenda Item 12)

Officers advised that the applicant had requested that consideration of the application be deferred as additional information was needed about affordable housing and viability of the scheme. Officers indicated that if the application was deferred, then further consultation on the proposals would be undertaken.

Decision: Item 12 - ref. 14/P1241 (191-193 Western Road, Miltcham, SW19 2QD)

Consideration of the application be DEFERRD to a future meeting.

14. PLANNING APPEAL DECISIONS (Agenda Item 13)

336 Lynmouth Avenue, Morden (ref.13/P1163) (agenda page 220) – Officers confirmed that the report should be amended to show that this application had been refused by Committee (and was not a Delegated Decision).

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15. PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 14)

(a) Clarendon Grove, Mitcham - Councillor Geraldine Stanford expressed concern that a development in Clarendon Grove was not being built in accordance with the planning consent previously granted; advised that the matter had been raised with the Enforcement Section but they had yet to respond, and requested that a report on the matter be submitted to the next meeting. Officers noted the request and advised that there was a temporary staff vacancy in the Enforcement Section which it was hoped to fill shortly.

(b) 25 Malcolm Road, Wimbledon, SW19 – Councillor Philip Jones requested an update on enforcement action at this site. Officers undertook to check on the current position and advise Councillor Philip Jones.

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16. FUTURE MEETING DATES - UPDATE (AS NEEDED) (Agenda Item 15)

A list of modifications for various items (including item 15) was tabled at the meeting. This reminded Members that the dates of the next two meetings had been moved and the Committee would now meet on Thursdays 10 July and 21 August 2014 (instead of 17/7/14 & 14/8/14). There was discussion of the changes and it was confirmed that the Committee would meet on the new dates.

17. MODIFICATIONS SHEET (FOR VARIOUS ITEMS) (Agenda Item 16)

See above Minutes on Item 4 (Town Planning Applications – Covering Report) and Item 15 (Future Meeting Dates).

18. 2ND MODIFICATIONS SHEET (ONLY FOR ITEM 11 - 84 QUEEN MARY AVENUE, MORDEN) (Agenda Item 17)

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