

## Development and Planning Application Committee

Call in decision form

Application number: 23/P1640

Application address: Selbridge Court 35 Prince's Road Wimbledon London SW19 8RH

Proposal: Construction of one additional storey to provide additional four residential units

Ward: Wimbledon Town and Dundonald

Name of requestor: Councillor Anthony Fairclough

Date request made: 04/08/23

Planning reason(s) provided by requestor for call-in:

1. The application of National Planning Policy Framework, para 120, Policy CS14 of the Core Strategy 2011 and DM D2(A)(i) of the Sites and Policies Plan 2014 in relation to building heights (NPPF, para 120 provides that developments should “allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers”(emphasis added). Policy CS14 seeks to ensure development is designed to contribute to Merton's sense of place and identity. And DM D2(A)(i) provides that developments must “Relate positively and appropriately to the siting, rhythm, scale, density, [etc] and massing of surrounding buildings”). We feel it would be useful to have member input on the meaning of: consistency with prevailing height and form of neighbouring properties and overall street scene, contribution to Merton’s sense of place and identity and positive relation to siting, rhythm, scale, density and massing (there is also a tolerance to be examined on the impact of proposed development on Conservation areas).
2. The impact of additional storeys on communal external amenity space to existing occupiers (residents argue that it would result in a substantial adverse impact on the standard of accommodation for existing residents, contrary to Policies D3, D6 and S4 of the London Plan 2021, Policies CS13 and CS14 of the Core Planning Strategy 2011 and Policy DMD2 of the Sites and Policies Plan 2014). We feel it would be useful to have member input on the balance of amenity against development.
3. The impact of the planned construction work on the public realm (under DM D2 (A)(xiii) of the Sites and Policies Plan 2014, the development must “Ensure that the traffic and construction activity do not adversely impact or cause inconvenience in the day to day lives of those living and working nearby, and do not harm road safety or significantly increase traffic congestion”). We feel it would

be useful to have member input on the conditions necessary to ensure that traffic and construction activity to not impact and cause inconvenience in the day to day lives of those living and working nearby in line with the provision, and how much 'impact and inconvenience' is acceptable. Indeed it might be useful to have member feedback on whether there are any circumstances when proposed development might be considered to be so inconsistent with DM D2(A)(xiii) that it could be refused by reference to that provision.

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**Date decision made:** 04/09/23

**Decision makers:** Cllr Mundy (Chair), Cllr Willis (Vice Chair).  
Advised by: Jon Berry and Stephen Hill.

**Decision:** Call-in request to proceed to committee.

**Validation outcome:** Reason 2 and 3 are not valid planning reasons for a call-in.

Reason 2: amenity space in the context of the application relates to the existing gardens, and proposed balcony space. The primary areas of amenity space that are proposed for the new units are the balconies. The new occupiers may be able to access the shared gardens, but the enjoyment of existing occupiers is not materially affected by the application, and the change does not engage planning policy because the amount of amenity space for existing occupiers is the same and well within limits.

Reason 3: Construction methodology is a flexible agreement between the local authority and applicant. It is not a material ground for rejection.

Reason 1 is a valid planning reason if made in relation to the impact of this application. It may not be for other applications of a similar type due to site specific reasons.

Details: The Chair and Vice Chair agreed the committee could add value to the decision-making process by reviewing the application with a specific focus on height in context of neighbouring properties. There was also agreement that discussions should be constrained to the specifics of the application rather than general policy.

**Further actions:**

Include in any further training or guidance development for Councillors relating to construction methodology.