

# Agenda Item 3

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## PLANNING APPLICATIONS COMMITTEE

21 AUGUST 2014

(19.15 - 22.30)

PRESENT: Councillor Linda Kirby (in the Chair), Councillor John Bowcott, Councillor Daniel Holden, Councillor Abigail Jones, Councillor Philip Jones, Councillor Peter Southgate, Councillor Geraldine Stanford, Councillor Najeeb Latif (Substitute for Councillor David Dean) and Councillor Ian Munn (Substitute for Councillor Ross Garrod)

ALSO PRESENT: Councillors Abdul Latif and Martin Whelton

(Jonathan Lewis (South Team Leader - Development Control)), Richard Lancaster (Future Merton Programme Manager), 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 DECLARATIONS OF INTEREST (Agenda Item 1)

Councillor Ian Munn declared an interest (but not a disclosable pecuniary interest) in Item 5 (The Meadows, 302-312 Commonsides East, Mitcham (ref. 14/P0561) by reason that he was a Mitcham Common Conservator and the Warden and Chair of Mitcham Common Conservators had made an objection to the application but indicated that he had not been present at the Conservators' discussion of the application and that therefore he felt able to discuss the application at this meeting.

### 3 APOLOGIES FOR ABSENCE (Agenda Item 2)

Apologies for absence were received from Councillors David Dean and Ross Garrod.

### 4 MINUTES OF THE LAST MEETING (Agenda Item 3)

RESOLVED: That the Minutes of the meeting held on 10 July 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, 6, 7, 8 & 11, 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 6, 7 (objector only) & 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 Councillor (who was not a members of the Committee for this meeting) in respect of the item indicated below –

Item 5 – Councillor Martin Whelton.

(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 - 6, 7, 5, 8 & then 11.

RESOLVED : That the following decisions are made:

6 LAND FORMING PART OF THE FORMER WINDMILL TRADING ESTATE (FORMING PART OF THE DEVELOPMENT KNOWN AS "THE MEADOWS"), 302-312 COMMONSIDE EAST, CR4 1HX (REF 14/P0561) (Agenda Item 5)

1. Extra Plan – Officers circulated an extra plan in colour comparing the outlines and footprints of the approved B1 Business Centre, the previously refused scheme (13/P0051) and the current application (14/P0561).

2. Discussion – There was considerable discussion of the past history of the site, including that the scheme for whole of the former Windmill Trading Estate had been granted on appeal; the Inspectors' decision on that appeal and the subsequent Inspectors' decision for the refused scheme for this smaller application site; and how these Inspectors' decisions related to the current application particularly in relation to loss of employment floor space, parking and traffic, and housing density.

3. Lost Motion - Reference was made to the high density of the original scheme granted on appeal and to the housing density of the current application being 343 habitable rooms per hectare (hrph) whereas the London Plan set the relevant density range for the application as between 150/200hrph. It was moved and seconded that the application be refused on the grounds that the proposed development had excessive density in excess of the levels set in the London Plan which would be likely to exacerbate existing parking and traffic problems in the area. The motion was lost by 6 votes to 2 (Councillors Philip Jones and Geraldine Stanford voting for the motion). The application was subsequently approved (Councillors Ian Munn and Geraldine Stanford abstaining).

4. Traffic Assessment – Following approval of the application, a Member suggested that traffic officers be requested to carry out an urgent traffic assessment of the area. As indicated below the Committee supported this suggestion. The Transport Planning representative noted the request.

Decision: Item 5 - ref. 14/P0561 (The Meadows, 302-312 Commonsides East, Mitcham)

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

(B) the Committee requests that traffic officers carry out an urgent traffic assessment of the area.

7 67 MURRAY ROAD, WIMBLEDON, SW19 4PF (REF 14/P0738) (Agenda Item 6)

1. On-site Contract Manager – Further to representations made by an objector including regarding the possible disruption in the area that would be caused by the proposed construction works, officers drew attention to various conditions proposed to control any construction works on site, including the proposed basement, and to mitigate any disruption arising; and confirmed that these conditions would enable officers to require the developer of the site to display the name/contact details of the on-site Contract Manager who could be contacted in the event of problems arising from the construction works.

2. Sites and Policies Plan – Policy DM D2 – Basements and Listed Buildings – Officers confirmed that (as stated in para. 7.3.5 on agenda page 69) Policy DM D2: part (b) - precluded basements under listed buildings but that this referred to Statutorily Listed Buildings only, and not locally listed buildings such as 67 Murray Road. Officers indicated that this would be clarified in the glossary to the Sites and Policies Plan.

3. Sites and Policies Plan – Policy DM D2 – Basements and Carbon Reduction – A Member referred to the requirement of Policy DM D2: part (c) - for basement developments to demonstrate that the development proposal meets the carbon reduction requirements of the London Plan. Officers advised that it would be possible to impose an extra condition to ensure the proposed development at 67 Murray Road met the carbon reduction requirements of the London Plan, and that officers were already looking at possible wording of such a condition, including that used by used by Kensington & Chelsea.

3.1 Extra Condition – Carbon Reduction – In the circumstances the Committee agreed, as indicated below, that an appropriate extra condition be imposed in this respect, but that officers (in consultation with the Chair & Vice-Chair) be delegated authority to agree the detailed wording.

4. Extra Informative – Party Walls Act – A Member referred to the need for a party walls agreement to be in place prior to any construction works on site. Officers

advised that it would be possible to impose an extra standard informative to remind the developer of the need to meet the requirements of the Party Walls Act. As indicated below, the Committee agreed that such an extra informative be imposed.

Decision: Item 6 - ref. 14/P0738 (67 Murray Road, Wimbledon, SW19)

(A) 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 subject to the following -

(i) Extra Condition – Carbon Reduction – An extra condition requiring that this development, which includes a proposed basement, meets the carbon reduction requirements of the London Plan in accordance with Policy DM D2: part (c) of the Sites and Policies Plan subject to (B) below.

(ii) Extra (standard) Informative – Party Walls Act

(B) Delegation - The Director of Environment & Regeneration (in consultation with the Chair & Vice-Chair) be delegated authority to agree the detailed wording of the above extra condition regarding carbon reduction.

8 RO 7 SOMERSET RD, WIMBLEDON, SW19 5JU (REF 13/P2414) (Agenda Item 7)

Decision: 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.

9 191-193 WESTERN ROAD, COLLIERS WOOD, SW19 2QD (REF 14/P1241) (Agenda Item 8)

1. Affordable Housing – Revised Recommendations – Officers drew attention to the revised recommendations for this item contained in the circulated Modifications Sheet.

1.1 Officers explained that -

(a) the original report reflected the position as of the middle of the previous week but that since then there had been further discussions involving the applicant and the registered housing provider with whom the applicant was in active discussion;

(b) the original proposal had been for one stair core of a block comprising 11 units to be affordable housing representing 23% affordable housing and that instead of 40% affordable housing, an off-site financial contribution be also made;

(c) it was now proposed that a further stair core of a block comprising 10 units be also affordable housing representing about 43% affordable housing, but the registered provider had indicated that only a slightly lesser extra number (8 units) would be viable; and in the circumstances officers were suggesting that support

funding might be made available to the registered provider to encourage them to agree to an extra 10 units;

(d) the monies for the support funding would come from S.106 financial contributions designated for affordable housing from various previous development sites in the Borough, but this would be subject to approval by Cabinet at its meeting on 15 September 2014; and

(e) therefore officers were now suggesting two alternative revised recommendations depending on whether or not Cabinet gave approval for such support funding.

1.2 As indicated below, the Committee agreed the revised recommendations.

Decision: Item 8 - ref. 14/P1241 (191-193 Western Road, Colliers Wood, SW19)

(A) GRANT PLANNING PERMISSION subject to planning conditions and a S106 legal agreement including on site affordable housing in the form of 11 affordable rented units and (subject to Cabinet approval for support funding) 10 shared ownership units (as set out in the officer case report and the tabled modifications sheet). *(See also (B) below.)*

(B) In the event that Cabinet approval for support funding is not confirmed by the 16 September 2014, GRANT PLANNING PERMISSION subject to planning conditions and a S106 legal agreement including on site affordable housing in the form of 11 affordable rented units and an off site financial contribution equivalent to on site affordable housing provision or that which is possible as part of a viable development as confirmed by the independent third party assessor (as set out in the officer case report and the tabled modifications sheet).

10 FORMER COMMUNITY CENTRE LAND, WOODSTOCK WAY, CR4 1BA  
(REF: 14/P1232) (Agenda Item 11)

1. Reason for Urgency – The Chair had approved the submission of this report as a matter of urgency for the following reason – delay in determination of the proposals would have a harmful impact on potential GLA funding if implementation of the project is delayed.

2. Proposal – Housing scheme (known as “Y Cube”) - Erection of a part two, part three storey development comprising 36 x studio apartments (all to be affordable rented accommodation) and site manager’s office.

3. Late Representations – Officers reported on late representations received separately from Ward Councillor Brenda Fraser and the Chair of the Longthornton Residents Working Party (LRWP), including: -

- (a) neither were able to attend this meeting to make oral representations;
- (b) concerns about the late submission of the report;
- (c) concerns about the impact of the proposals on parking in the area; and

(d) concerns (from LRWP) about the revised external colours of the scheme. (See also (5) below.)

4. Late submission of report – Officers gave further background to the reasons behind the late submission of the report, including representations from the applicant that an early decision on the application would assist in securing funding for the scheme; and in particular that the scheme was backed by the YMCA who needed to approach trustees of various organisations in September 2014 and that the scheme needed to be completed on site by March 2015 so as to qualify for particular GLA funding.

4.1 In response to concerns included in the oral representations from an objector, officers indicated that they were satisfied, on the basis of phone calls received, that other residents who had made objections, had received notification of the late submission of the report to this meeting.

5. External Materials - Colours – Officers advised that the images shown on the Council's web-site showed quite a highly coloured scheme (including bright yellow, dark orange and dark brown) but that today, on the afternoon prior to this meeting, the applicants had submitted a revised planning document which indicated that the scheme would now revert back to its original mix of external colours. Officers displayed the latest colour scheme on the screen at the meeting and highlighted that the colours now included lighter brown, slate grey and a very pale sandy colour.

5.1 Officers suggested that the external materials, including the various colours now proposed, could be submitted at a later date to Committee for approval if necessary, but that a decision on the overall scheme should be made at this meeting. As indicated below, the Committee agreed to this suggestion.

6. Standard of accommodation – There was extensive discussion regarding the proposed units each having a gross internal floor area of only 26sqm per unit, some 30% below the recommended London Plan minimum gross internal area for 1 person units of 37sqm. It was noted that the scheme would provide 36 affordable housing units, be an innovative design by highly regarded architects and be highly sustainable with low energy requirements.

6.1 Extra Informative - Standard of accommodation – Members were concerned that if the application were approved with units with gross internal area below the standard minimum due to the application's special circumstances, then this should not be taken as a precedent that the Council would compromise on such standards for other future development proposals. Officers suggested that an appropriate informative be added in this respect, but that officers be delegated authority to agree the detailed wording. As indicated below, the Committee agreed to this suggestion.

7. Wheelchair Accessibility – Officers advised that the Council would be seeking a minimum of 10% of the units provided to be wheelchair accessible (Condition (9) refers); that the application included fully detailed dimensions of the proposed units; and so officers were satisfied that they could be made wheelchair accessible.

8. Approval – The application was approved by 8 votes to nil (Councillor Tobin Byers abstaining).

Decision: Item 11 - ref. 14/P1232 (Former Community Centre Land, Woodstock Way, Mitcham)

(A) 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 subject to the following –

(i) External Materials – Colours – Samples of the materials, including the various colours now proposed, to be used on all external faces of the building which are required to be submitted further to Condition (2) (B2 – Materials to be approved), shall be submitted to Committee for approval (instead of being dealt with by officers under delegated powers) in order that the Committee can be satisfied as to their suitability.

(ii) Extra Informative - Standard of accommodation – An extra informative explaining that, notwithstanding the approval of this application with units with gross internal area below the standard minimum due to the application's special circumstances, then this should not be taken as a precedent that the Council would compromise on such standards for other future development proposals, subject to (B) below.

(B) Delegation - The Director of Environment & Regeneration be delegated authority to agree the detailed wording of the above extra informative regarding the standard of accommodation.

11 PLANNING APPEALS DECISIONS (Agenda Item 9)

RECEIVED

12 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 10)

(a) Fowler Road, Mitcham – Councillor Geraldine Stanford requested an update on enforcement action regarding the alleged use of a property in Fowler Road as a mosque/prayer hall. Officers undertook to check on the current position and advise Councillor Geraldine Stanford.

(b) Burn Bullock PH, 315 London Road, Mitcham (paragraphs 2.02 & 3.4) – Councillor Ian Munn requested an update on (a) whether an appeal had been lodged against the enforcement notice referred to in paragraph 2.02 (on page 170); and (b) whether the requested Listed Building Repairs Notice referred to in paragraph 3.4 (on page 173) had been issued. Officers undertook to check on the current position and advise Councillor Ian Munn.

(c) 25 Malcolm Road, Wimbledon - Councillor Philip Jones requested an update on enforcement action at this site - which had been referred to in the report to the

previous meeting in July. Officers undertook to check on the current position and advise Councillor Philip Jones.

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13 MODIFICATIONS SHEET (FOR VARIOUS ITEMS) (Agenda Item 12)

Officers advised that hard copies of the Modifications Sheet (a) had been circulated to Members at this meeting and (b) had been made available for the public at this meeting; but that due to IT problems the Modifications Sheet had yet to be published electronically on the Council's web-site

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

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