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PLANNING APPLICATIONS COMMITTEE

11 DECEMBER 2014

(19.15 - 22.20)

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 Gilli Lewis-Lavender and Oonagh Moulton

Richard Lancaster (Future Merton Programme Manager),
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 DECLARATIONS OF INTEREST (Agenda Item 1)

Prior to consideration of Item 14 (Kings College School, Southside Common, Wimbledon, SW19 4TT) (ref. 14/P3646), Councillor David Dean declared an interest (but not a disclosable pecuniary interest) in Item 14 by reason that Kings College School supported (including financially) various other schools, including the school which his children attended, and therefore he would not vote on this application.

3 APOLOGIES FOR ABSENCE (Agenda Item 2)

None

4 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

It was noted that the list of modifications for various items tabled at the meeting detailed an amendment to this item updating the list of those present at the November meeting.

RESOLVED: That the Minutes of the meeting held on 13 November 2014 be agreed as a correct record as set out on the agenda and the tabled modifications sheet.

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, 12, & 13 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, 9, 12, & 13. 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 6 – Councillor Gilli Lewis-Lavender

Item 9 – Councillor Oonagh Moulton

(c) Order of the Agenda – Following consultation with other Members during the meeting, the Chair amended the order of items to the following - 5, 6, 7, 8, 9, 10, 12, 13, 11 & then 14.

RESOLVED : That the following decisions are made.

6 AELTC (THE ALL ENGLAND LAWN TENNIS & CROQUET CLUB), CHURCH ROAD, WIMBLEDON, SW19 5AE (REF. 14/P3481) (VILLAGE WARD)
(Agenda Item 5)

1. Proposals –

- (a) Provision of a new retractable and fixed roof over No.1 Court and associated plant. alterations to the existing seating bowl, improvements to seating arrangements;
- (b) modernisation of corporate hospitality facilities; removal of court 19 and creation of a new public plaza with associated landscaping and extension to existing light well;
- (c) improvements to ground level concession areas; extension of new officials canteen; alterations to create new facades; installation of new temporary screen (for use during the championships) and living green walls facing aorangi terrace.
- (d) associated hard and soft landscaping and removal of an external spiral staircase from north-west of the site.

2. Other related application elsewhere on agenda – It was noted that the current application was directly linked to the application for Raynes Park Playing Fields, Grand Drive, SW20 for 3 new outdoor and 3 covered tennis courts within an air dome (agenda item 6 refers) because the proposed construction works at AELTC, Church Road would impact on the current facilities there for the Wimbledon Junior Tennis Initiative (WJTI) and it was proposed to relocate the WJTI to the Raynes Park Playing Fields on a temporary basis..

Decision: Item 5 - ref. 14/P3481 (AELTC, Church Road, Wimbledon, SW19 5AE)

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.

7 RAYNES PARK PLAYING FIELDS, GRAND DRIVE, SW20 9NB (REF. 14/P3466) (WEST BARNES WARD) (Agenda Item 6)

1. Proposals –

- (a) The provision of additional tennis 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 8, ten 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,
- (d) the resurfacing and formalising of the area currently used for car parking and the widening of the existing vehicular access from Grand Drive with associated landscaping, drainage, fencing and entrance gates.

2. Other related application elsewhere on agenda – It was noted that the current application was directly linked to the application for AELTC (The All England Lawn Tennis & Croquet Club), Church Road, Wimbledon, SW19, for various works including provision of a new retractable and fixed roof over No.1 Court (agenda item 5 refers) because the proposed construction works at AELTC, Church Road would impact on the current facilities there for the Wimbledon Junior Tennis Initiative (WJTI) and it was proposed to relocate the WJTI to the Raynes Park Playing Fields on a temporary basis..

3. Changes since previous refusal – It was noted that an application for similar proposals had been refused in June 2014. Officers highlighted the changes in the current application from the proposals previously refused planning permission (as detailed in para. 3.16, agenda page 76) including -

- (i) the height of the air dome reduced from 12 metres to 10 metres;
- (ii) the height of the screening hedging around the dome increased from 1.5 metre to 2 metres;
- (iii) the introduction of further screening hedging at a height of 2 metres around the car park;
- (iv) the provision of increased screening planting along the playing field boundary closest to Canon Hill Lane;
- (v) a reduction in the time period that the air dome and external floodlighting will be in use, this use now stopping at 9.45pm;
- (vi) consideration by the applicant of options for allowing community use of the proposed new facilities.

4. Hours – Officers explained that conditions were proposed restricting the time of the use of the three tennis courts within the dome and the three outdoor courts to 0700 – 2130hrs , Monday to Saturday and 0900 – 2130hrs on Sunday; and restricting the use of the floodlights to no later than 2145hrs.

5. Dome Height – Officers confirmed that the maximum height of the proposed dome was 10m above the current ground level of the Playing Fields.

6. Use of Grass Courts – Further to a query about the Wimbledon Junior Tennis Initiative (WJTI) possibly using the existing grass tennis courts on the Playing Fields, at the Chair's request, the applicant's representative explained that grass courts were not appropriate for WJTI's intensive coaching programme and therefore the application was for synthetic surface tennis courts.

7. Temporary Period – Officers confirmed that all the development proposed in the application would be subject to the proposed condition that the development would be for a temporary period of 10 years.

8. Sub-Station and associated plant – In response to a member's query about possibly moving the sub-station to a location less upsetting to local residents, officers explained the location of the sub-station(s) and associated plant, highlighting that the plant associated with the dome, was located on the north side of the dome, the other side from residential properties. However, officers confirmed that, if necessary, the possible relocation of the sub-station(s) and associated plant could be looked at, but pointed out that there was a proposed condition restricting noise levels of plant and machinery etc.

9. Drainage – Reference was made to the underground attenuation tank proposed as part of the drainage system for the development. Officers confirmed that in calculating the size of the tank, this took account of the possible water run off from the dome and the outdoor synthetic surface courts.

Decision: Item 6 - ref. 14/P3466 (Raynes Park Playing Fields, Grand Drive, SW20)

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

8 DATE VALLEY SCHOOL, CRICKET GREEN, MITCHAM CR4 4LB (REF. 14/P2812) (CRICKET GREEN WARD) (Agenda Item 7)

1. Proposal – Conditions (4) & (6) of the previous planning approval (ref. 10/P2905) for the site restricted the use to primary school teaching and limited the hours of operation to Monday to Friday, 7am – 6pm. The current proposal sought to extend the school's hours and vary the condition which currently restricts the school to primary aged children so as to enable -

(a) teaching on Saturdays, 8.30am – 5.30pm (which the applicants indicated would be for a maximum of 90 young people aged 5 to 17 years).

1.1 Officers advised that since the Committee in October had deferred consideration of the original application, the proposal to extend opening hours to enable evening classes on Mondays to Fridays had been deleted from the application.

1.2 Officers also highlighted various conditions proposed including -
(i) a temporary permission of one year only so as to give an opportunity to assess the impact, if any, of the extended hours on Saturdays; and
(ii) a requirement that no music or other amplified sound generated on the premises shall be audible at the boundary of any adjacent residential premises.

2. Hours of operation – In response to queries as to when and how many pupils would arrive at the school at one time on Saturdays, officers advised that the proposed hours of operation of Monday to Saturday, 7am – 6pm, included the time when staff arrived and tidying up time after pupils left the school. Officers advised that, if needed, it would be possible to amend the wording of the relevant proposed condition to clarify when staff and pupils would be permitted to be on site.

3. Environmental Health comments – There was discussion of the comments from the Environmental Health section included on the tabled modifications sheet, which are set out below –

“The location is such that it is close to residential properties and whilst I accept that it is unlikely that noise from the school building will be a problem, the associated activity of cars, doors slamming, people noise and general outside activity would cause additional disturbance and disruption to residents and therefore would object to the application.

The original conditions were imposed because they would have been necessary to protect the local amenity to some degree whilst allowing the development to go ahead, I feel that these conditions should not be allowed to be eroded at the expense of the local amenity.”

4. School Travel Plan – There was also discussion of the effectiveness and enforceability of any new Travel Plan in mitigating the possible adverse impact of parking, especially on Saturdays, on local residents...

4.1 Officers confirmed that since the October Committee, officers had observed the presence of a steward (appointed by the school) outside the school during drop off/collection periods during the school’s current Monday to Friday operating period.

5. Refusal Motion – Following extensive discussion, including the possible impact on local residents of the school operating on Saturdays as compared to Monday to Friday only, and the possible effect of a wider age range of pupils on Saturdays, it was moved and seconded that the application be refused on the grounds shown below. There were 4 votes for and 4 votes against the motion. The motion was carried on the Chair's casting vote. Subsequently the Committee agreed that officers be delegated authority to agree the detailed grounds of refusal and the Committee also agreed (C) below.

Decision: Item 7 - ref. 14/P2812 (Date Valley School, Cricket Green, Mitcham CR4)

(A) subject to detailed grounds of refusal being agreed in accordance with (B) below, REFUSE permission on grounds that the proposal was likely to result in unacceptable impact on residential amenity.

(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 the officers had given insufficient weight to the evidence of the Environmental Health section on the impact of the proposal on local amenity.

- 9 2 DAWLISH AVENUE, WIMBLEDON PARK, SW18 4RW (REF.14/P1145)
(WIMBLEDON PARK WARD) (Agenda Item 8)

1. Proposal – Erection of a hip gable and rear roof extension, demolition of existing single storey rear extension to be replaced by a new single storey rear extension.

2. Other related applications – It was noted that the current application was one of three connected planning applications (agenda items 8, 9 & 10). Officers confirmed that the applications could be considered independently.

Decision: Item 8 - ref. 14/P1145 (2 Dawlish Avenue, Wimbledon Park, SW18 4RW)

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

- 10 LAND BETWEEN 2 DAWLISH AVENUE AND 49 HASLEMERE AVENUE,
WIMBLEDON PARK, SW18 4RW (REF.14/P1146) (WIMBLEDON PARK
WARD) (Agenda Item 9)

1. Proposal – Erection of 1 x 2 bedroom dwelling between 2 Dawlish Avenue and 49 Haslemere Avenue. The proposed dwelling would -

(a) infill the land that is either side of the respective flank walls of the two adjacent properties, namely 2 Dawlish Avenue and 49 Haslemere Avenue; and
(b) be built over the existing alleyway dwelling (between 2 Dawlish Avenue and 49 Haslemere Avenue) at first and roof level, and the alleyway would be gated and maintain a right of way for residents.

2. Other related applications – It was noted that the current application was one of three connected planning applications (agenda items 8, 9 & 10). The applicant owned 2 Dawlish Avenue (agenda item 8 refers) and the applicant's mother owned 49 Haslemere Avenue (agenda item 10 refers); and this infill proposal involved the creation of a shared garden extending across the three properties.

3. Gate to alleyway – Materials – Officers advised that, if the application were approved, then proposed condition (3) (B1) (External Materials to be approved)

would need to be amended so to include the proposed gate to the alleyway, so that the materials used for the gate's construction could be controlled.

3.1 Gate to alleyway –Access – Officers advised that if residents had rights of access through the proposed gate along the alleyway (between 2 Dawlish Avenue and 49 Haslemere Avenue) to the alleyways running behind the gardens of properties in Dawlish Avenue and Haslemere Avenue, then the maintenance of such rights would be a civil matter, and not a town planning issue.

4. Shared Garden – Members expressed concern as to whether the proposed shared garden would remain a shared garden, especially if one of the three of properties were to be sold off. Officers explained that a condition (15) was proposed requiring details of the revised layout of the shared garden to be submitted for approval, and any future proposal to fence off part of the shared garden would necessitate an application being made to the Council for the removal of the condition.

5. Discussion – Some Members were concerned that the proposals by filling in a gap between terraces, would give rise to a long row of houses which would also turn a corner, which would be out of keeping with the rhythm of the surrounding area, which depended on blocks of about 6 houses and would impact on the sense of spacing between housing in the area.

6. Refusal Motion: It was moved and seconded that permission be refused on the on the grounds shown below. The motion was carried by 5 votes to 4 (Councillors Linda Kirby, John Bowcott, Tobin Byers and Ross Garrod dissenting). Subsequently the Committee agreed that officers be delegated authority to agree the detailed grounds of refusal and the Committee also agreed (C) below.

Decision: Item 9 - ref. 14/P1146 (Land between 2 Dawlish Avenue and 49 Haslemere Avenue, Wimbledon Park, SW18 4RW)

(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 DM.D2 (particularly para. (a)(i) of Merton's Sites and Policies Plan, which states that proposals will be expected to "relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns.....of the surrounding area".

(ii) Policy CS.14 of Merton's Core Strategy in relation to design.

(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 the officers had failed to

sufficiently to take into account the significance of the prevailing pattern of streets and the spaces between the blocks of houses.

- 11 49 HASLEMERE AVENUE, WIMBLEDON PARK, SW18 4RW
(REF.14/P1141) (WIMBLEDON PARK WARD) (Agenda Item 10)

1. Proposal – Enlargement of an existing rear roof extension.

2. Other related applications – It was noted that the current application was one of three connected planning applications (agenda items 8, 9 & 10).

Decision: - ref. 14/P1141 (49 Haslemere Avenue, Wimbledon Park, SW18)

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

- 12 1 HOMEFIELD PLACE, 14B HOMEFIELD ROAD, WIMBLEDON, SW18 4QF
(REF.14/P3337) (VILLAGE WARD) (Agenda Item 11)

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

- 13 26 LINCOLN AVENUE, WIMBLEDON PARK, SW19 5JT (REF. 14/P0639)
(WIMBLEDON PARK WARD) (Agenda Item 12)

1. Proposal – Demolition of existing dwelling house and erection of 2 x dwelling houses with accommodation in the basement level and within the roof space.

2. Extra Conditions - Officers advised that the applicant had submitted detailed reports as part of their application regarding both a Construction Method Statement and drainage, but there was need for conditions requiring -

- (a) adherence to the submitted Construction Method Statement; and
(b) submission of details of the proposed drainage (based on the drainage report already submitted).

2.1 As indicated below, the Committee subsequently agreed to these two further extra conditions and that officers be delegated authority to agree the detailed wording. (NB. These two further conditions would be in addition to the extra conditions relating to trees already detailed in the tabled modifications sheet.)

3. Lost Refusal Motion – Some members were concerned about massing of the proposed development and that it would be out of keeping with the rhythm of the surrounding area. It was moved and seconded that the application be refused on the grounds that the proposal would be contrary to Policy DM.D2 of the Merton Sites and Policies Plan (July 2014) and Policy CS.14 of the adopted Core Strategy (July 2011). The motion was lost by 8 votes to 2 (Councillors John Bowcott and David Dean voting for the motion). The Application was subsequently approved as indicated below.

Decision: Item 12 - ref. 14/P0639 (26 Lincoln Avenue, Wimbledon Park, SW19 5JT)

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 additional conditions -

(i) Extra Conditions – Subject to (B) below, extra conditions be imposed requiring -

- (a) adherence to the submitted Construction Method Statement; and
- (b) submission of details of the proposed drainage.

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

14 UNIT 8, COLLEGE FIELDS BUSINESS CENTRE, PRINCE GEORGES ROAD, WIMBLEDON, SW19 2PX (REF.14/P2832) (COLLIERS WOOD WARD) (Agenda Item 13)

1. Proposal – Change of use to a micro-brewery (Class B2) with ancillary brewery shop and tap room/bar.

2. Waste Water – Reference was made to the proposed use of a steam condenser system to filter out and reduce fumes/odours from the production system, resulting in the vapours that cause odour being carried away in cold water. The applicant confirmed that the discharge of any waste water arising from the brewing process would have to comply with the requirements of Thames Water.

Decision: Item 13 - ref. 14/P2832 (Unit 8, College Fields Business Centre, Prince Georges Road, Wimbledon, SW19 2PX)

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

15 KINGS COLLEGE SCHOOL, SOUTHSIDE COMMON, WIMBLEDON, SW19 4TT (REF.14/P3646) (VILLAGE WARD) (Agenda Item 14)

Declaration of Interest – Further to his declaration of interest in this item, Councillor David Dean did not vote on this application.

Decision: Item 14 - ref. 14/P3646 (Kings College School, Southside Common, Wimbledon, SW19 4TT)

GRANT Discharge of Condition (16) (Community Use Agreement for Multi-Use Games Area (MUGA) and Hall attached to planning permission ref.13/P0090) as set out in the officer case report.

16 PLANNING APPEAL DECISIONS (Agenda Item 15)

Post Office, 317 Haydon's Road, SW19 8TX (ref. 14/P1782) (agenda page 337) – Officers advised that the costs awarded against the Council were likely to be minor.

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17 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 16)

1. 25 Malcolm Road, Wimbledon, SW19 (para. 2.03) – Officers advised that, whilst some improvements had been made to the front garden area as indicated in the submitted report, the possibility of serving a further Section 215 notice to deal with the rear garden would have to be reconsidered in light of recent High Court decision quashing a Section 215 notice relating to a rear garden in Dorking.

2. Garage rear of 48 Eveline Road, Mitcham – Councillor Ross Garrod indicated that he had not yet received the promised update on the alleged unauthorised use of the garage for car repairs which he had raised at the October Committee meeting. Officers undertook to provide the Councillor with an update.

3. Enforcement Section – Staffing Levels – In response to a query, officers advised that the two vacant posts in the Enforcement Section had now been filled by temporary appointments bringing the Section back to 4 staff.

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18 PROPOSED MODIFICATIONS (FOR VARIOUS ITEMS) (Agenda Item 17)

See above Minutes on

(a) Item 3 (Minutes of the previous meeting); and

(b) Item 4 (Town Planning Applications – Covering Report)

Attached to the tabled modifications sheet for information was also a Note on “Amendments to national planning policy and associated changes to securing affordable housing contributions from 1-10 units in Merton”.
