

**Merton Council**  
**Planning Applications Committee**  
**13 February 2020**  
**Supplementary agenda**

16 Modifications

1 - 10

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## Planning Applications Committee 13<sup>th</sup> February 2020 Supplementary Agenda (Modifications Sheet)

### **Item 5. 177-187 Arthur Road Wimbledon SW19 – 19/P4084 – Wimbledon Park Ward.**

#### New paragraph 7.9 Refuse/Recycling/Cycle Store

‘Refuse and recycling for the additional units would comprise 1 x 120L mixed recycle waste bin and 1 x 120L general waste bin and three additional secure cycle storage spaces, provided within a self-contained enclosure within the existing basement of the building’.

#### New paragraph 7.10 Local Financial Considerations

‘The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton’s Community Infrastructure Levy was implemented on 1<sup>st</sup> April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces – local infrastructure that is necessary to support new development. Merton’s CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected’.

### **Item 6. 8 Blenheim Road, Raynes Park SW20 – 19/P1794 – West Barnes Ward.**

No modifications.

### **Item 7. 265 Burlington Road and 300 Beverley Way, New Malden, Surrey, KT3 4NE**

#### INTRODUCTION Page 45

Amended as follows:

Para 1.2:

This application is one of three concurrent and interlinked applications, including applications, 19/P3085 (Change of use of land from business and warehousing to provide remodelled car park for retail unit) and application 19/P2578 (provision of temporary road to provide egress from Tesco car park to Burlington Road for Tesco shoppers).

#### SITE AND SURROUNDINGS Page 45

Amended as follows:

Paragraph 2.1:

The larger parcel of land comprises the eastern part of the car park and accommodates a two-storey office building and warehouse distribution with surface car parking for 102 cars to serve the office use.

#### PROPOSAL Page 48

Amended as follows:

Paragraph 3.1:

- 577 Tesco customer parking spaces would be retained.
- 40% affordable housing, of which 60% are affordable rent and 40% shared ownership, equating to 171 affordable housing units.

Paragraph 3.18 (Page 40):

Amended as follows:

The west elevation, abutting the Tesco Extra car park, would be landscaped with a green wall installed.

Paragraph 3.27 (Page 50):

Amended as follows:

Whilst not part of this application, the associated application, 19/P3085, deals with alterations to the retained Tesco Extra car park. The revised layout factors in the implementation of the application the subject of this report.

Proposals (page 51).

Insert after paragraph 3.31.

Planning Agent additional comments (in relation to funding a consultation for the introduction of a CPZ in the vicinity):

Redrow are aware of the concerns expressed by some residents in relation to the impact of overspill parking from the development at 265 Burlington Road.

As you know, the parking stress survey has shown that parking in the area is operating below 'stress' capacity and therefore this does not trigger the need for parking controls.

Notwithstanding this, my client is prepared to offer a financial contribution within the s106 agreement to fund the cost of a CPZ consultation if this is considered necessary by Members (up to a maximum of £40,000). We would be grateful if this is put forward at tomorrow's committee meeting.

The s106 would also include an obligation that in the event a CPZ is introduced, residents of the development would not be eligible to apply for parking permits.

*Officer comment:*

*Whilst the parking stress survey showed there to be spare parking capacity in surrounding roads, officers recognise that parking availability is a concern of existing residents and given the number of proposed residential units this offer from the applicant would go some way to relieve that concern and is welcomed.*

PLANNING HISTORY Page 52

Amended as follows:

Paragraph 4.6 to be removed as it is covered in paragraph 4.9.

Consultations (page 55)

An additional 13 letters of objection have been received (a total of 505 objections to the scheme), objecting on grounds that are reported in the agenda and on the following new grounds:

- Given the level of objection from both consultees and residents, it is clear this scheme should be refused.
- The consultation process throughout the application appears to have been designed to coincide with Summer and Christmas holidays depriving residents of the opportunity to comment.
- More car club bays should be provided.
- Targets for Electric Vehicle Charging Points should be higher.
- Concern that this will set a precedent for other open spaces to be developed, such as the playing fields between the A3 and Somerset Avenue.

A further letter of objection has been received from Raynes Park High School, objecting on the following new grounds:

- The planning report does not acknowledge that Raynes Park High School has raised objection to the application.
- No inspection of the school grounds has been carried out to inform the shading impact of the proposed development.
- Concern that throughout the day there would be variable light glare and an additional impact on varying temperature, some classrooms will become too hot whilst others become too cold.
- Concern that there would be an impact on the functioning of existing solar panels due to the overshadowing.
- The Government publication: "EFA daylight design guide" provides a framework for assessing the impact of light levels to schools and this should have been used in the assessment.

1 additional letter of support has been received (a total of 4), raising support for the following reasons:

- A much needed boost to a run-down area and will provide much needed affordable housing.

Stephen Hammond MP further comments (10<sup>th</sup> February 2020)

I am extremely surprised and disappointed that Merton Council's officers have recommended that the Planning Committee approves the application for the development of the Tesco site on Burlington Road.

I hope that members carefully consider the that there were 492 individual objections, which is an extremely high level for a planning application. As well as those individual objections, there were objections from myself, local councillors, Sacred Heart school, Residents Associations, the Design Review Panel, and the Children, Schools and Families Department.

I hope the Committee rejects this serious over-development which is wholly inappropriate for the local area.

Councillor McLean comments (12<sup>th</sup> February 2020):

I am writing to the Committee as both Leader of the Opposition and as a Councillor representing Cannon Hill Ward, which is a neighbouring ward to West Barnes Ward, to oppose planning application 19/P2387 which would see 456 new homes built at 265 Burlington Road.

Regrettably, I am unable to speak at the Planning Applications Committee on Thursday 13 February, therefore I would be grateful if this email could be provided to the members of the Committee. This revised application is still inappropriate for the site and the local area and would overwhelm public services nearby.

**Proposed Scheme Height**

I would like to draw attention to the height of the development. The buildings are proposed to range up to 15 stories in height, 11 stories higher than the current highest buildings in the area. This is both further evidence of how the development is inappropriate for the local area and leads to concerns of overlooking and loss of light and privacy.

**Impact on Local Services**

The revised application merely changes the height of the buildings and does nothing to address this point. With over 80% of these new homes being of two or three bedrooms, it is clear to see how this number of new homes, without any corresponding increase in the number of school places and resources at GP and dentist surgeries, is detrimental to the local area and those living in it.

**Impact on Traffic Flows**

The development proposes 220 car parking spaces, which will presumably add a minimum of 220 additional cars to the already congested roads in the area. The effect of the level crossing on West Barnes Lane must also be considered, with the existing traffic backlogs and the resulting air pollution.

**Consultation Period**

I also wish to raise my disappointment that the consultation period for this development ended on 01/01/2020 - only allowing representations over the Christmas period. This seems unfair for such an important and controversial development. That said, despite these restrictions, I hope that members carefully consider that there were 492 individual objections, which is an extremely high level for a planning application.

In summary, I hope the Committee rejects this serious over-development which is wholly inappropriate for the local area – and will seriously impact on neighbouring wards, including Cannon Hill.

Further comments from LBM Head of Contracts and School Organisation (9<sup>th</sup> February 2020) (summary):

- Concerns remain regarding impact on light levels to Raynes Park High School.
- The officers' report to planning committee makes little reference to the impact on the school and when it does it is quite dismissive

- In fact natural light levels are very important for teaching and learning, with references in Department for Education guidance documentation.
- Specifically the issue for most of the school year will be controlling variable light glare as parts of the design block goes in and out of shading, and impact on varying temperature. The school's design building has a single pipe system so controlling variable temperatures across classrooms for staff and pupils is not possible. Some classrooms will become too hot while others are too cold. There is also an impact on the functioning of the solar panels which the council paid tens of thousands of pounds to install on the basis it would get uninterrupted sunlight, and shading on the hockey pitch, for which there was a recent 400,000 investment to make it top International standard.
- A proper survey should be undertaken on the impact on the school, but in the meantime I struggle to see how the council can agree a planning application that seems to so demonstrably impact on the use of one of our schools' buildings for teaching and learning.

A further representation has been received from LBM Head of Contracts and School Organisation (10<sup>th</sup> February 2020) (summary):

The shadowing document just shows my email from yesterday was correct i.e. once we get into September the school's Design building gets into the shadow of the building throughout the afternoon, getting much worse to the winter solstice. Hardly *"there is only very limited and transient shadowing of the school grounds"* and no understanding of classrooms.

The report quotes some guidance which suggests that if there is 2+ hours of sunlight on March 21<sup>st</sup> then everything is fine, which I presume is the reason the Planning Committee report says there will be some minor overshadowing of the Raynes Park High School that would be acceptable.

However, I cannot understand how this can be in the case of the school as variable shadowing entirely changes the environment of the classrooms throughout the afternoon, both in variable lighting and glaring, and heating strategy. It would actually be better if there was a permanent shadow, as at least there would be consistency to have a consistent environment.

Planning Agent response (summary):

The overshadowing diagrams confirm that there is no significant impact on the school as per the previously submitted reports.

*Officer comments:*

*The EFA daylight and design guide January 2014 does not provide a framework against a proposal for development adjacent to a school can reasonably be assessed against, as it relates to internal design and lighting as much as external barriers. Officers are satisfied that the limited overshadowing would not be so harmful as to warrant a refusal of planning permission, given the existing tree belt which overshadows much of the southern elevation of the school currently.*

Network Rail (further comments):

Network Rail are currently not in a position to provide sufficient evidence to address the issues of overcrowding at Motspur Park and Raynes Park Stations. The comments Network Rail previously raised in our response to the application 19/P2387 were intended to inform Merton Council that Network Rail would be investigating current issues who were raised by the train operating company who manage these stations. Concluding our assessment of the railway stations and when suitable upgrades have been identified we will look to meet with the council to discuss future developments in the area and the appropriate mitigation measures that will be required.

Officer comment:

*Network Rail were requested to provide further detail regarding the contributions/improvements that could be justified by this development. However, Network Rail is not in a position to provide a costed assessment of the impact on the station's capacity and wishes to address this matter at a later date. Therefore, no requirements can reasonably be appended to this development proposal.*

CONSULTATION Page 74

Paragraph 5.10.3 – TfL have now advised that the highway modelling submitted is acceptable and no further mitigation is required on the TfL highway network.

Principle of development Page 81

Paragraph 7.3.14:

Amended as follows:

The proposal involves the loss of 102 parking spaces associated with the vacant office building and 98 retail parking spaces. The Tesco store will retain 577 car parking spaces out of the existing 675 spaces, which would be in excess of London Plan standards and therefore, not objectionable in principle.

Need for additional housing, residential density and housing mix Page 82

Paragraph 7.4.1:

Amended as follows:

While AMR data shows the Council has exceeded its current 411 target, the target of 918 units per year will prove considerably more challenging.

Impact on visual amenity and design Page 95

Paragraphs 7.6.52-7.6.58 (Lighting)

Officer comment:

*Officers note that the paragraph numbers do not follow in the correct order. However, notwithstanding the paragraph numbers, Members are advised that the contents of the paragraphs are in the intended order.*

Paragraph 7.6.57 (Page 95) (Trees):

Amended as follows:

An Arboricultural Impact Assessment, Arboricultural Method Statement and Arboricultural Survey accompanies the application. The assessment identifies that 21 category B trees, 17 trees and four groups of category C trees and four category U trees will need to be removed.

Paragraph 7.10.23 (Page 104)

Additional text to read:

Notwithstanding the position of LBM Transport Planning in that a CPZ is not required at this point, the applicant has offered to meet the costs of a CPZ consultation and subsequent changes to the Traffic Management Order, which could be controlled by way of s.106 unilateral undertaking.

Paragraph 7.10.30 (Page 105):

Amended as follows:

It is noted that TfL has suggested that there should be 871 cycle parking spaces, in line with the draft London Plan. However, the draft plan, whilst an important material planning consideration, is not part of the Development Plan. The proposal meets the requirements of the current London Plan and as such it would be unreasonable to raise a reason for refusal on this basis.

Conditions Page 115

Condition 3 amended as follows:

Non-standard condition. The development is to be carried out in accordance with the following approved documents: (see list of documents at paragraph 3.31).

### **Item 8. 579-589 Kingston Road, Raynes Park, SW20 8SD**

CHECKLIST INFORMATION Page 123

Amended as follows:

Heads of Agreement: Yes, restrict parking permits, car club membership for five years, bus shelter opposite the site is upgrade contribution of £8,554.94, dedication of land as highway to the Kingston Road frontage, provision of loading bays, secure early and late stage viability review mechanisms in relation to affordable housing provision and cost to Council of all work in drafting S106 and monitoring the obligations.

RECOMMENDATION Page 156

Amended as follows:

- Grant planning permission subject to s106 agreement securing the following:
- Restrict parking permits.
- Car club membership for all eligible adults for five years.
- Bus shelter opposite the site is upgrade contribution of £8,554.94.
- Dedication of land as highway to the Kingston Road frontage.
- Provision of loading bays.
- Secure early and late stage viability review mechanisms in relation to affordable housing provision;
- and cost to Council of all work in drafting S106 and monitoring the obligations.

### **Item 9. 579-589 Kingston Road, Raynes Park, SW20 8SD**

CHECKLIST INFORMATION Page 163

Amended as follows:

Heads of Agreement: Yes, restrict parking permits, car club membership for five years, bus shelter opposite the site is upgrade contribution of £8,554.94, dedication of land

as highway to the Kingston Road frontage, provision of loading bays, secure early and late stage viability review mechanisms in relation to affordable housing provision and cost to Council of all work in drafting S106 and monitoring the obligations.

#### RECOMMENDATION Page 156

Amended as follows:

- Grant planning permission subject to s106 agreement securing the following:
- Restrict parking permits.
- Car club membership for all eligible adults for five years.
- Bus shelter opposite the site is upgrade contribution of £8,554.94.
- Dedication of land as highway to the Kingston Road frontage.
- Provision of loading bays.
- Secure early and late stage viability review mechanisms in relation to affordable housing provision;
- and cost to Council of all work in drafting S106 and monitoring the obligations.

#### **Item 10. Flat 1, 29 Merton Hall Road, Wimbledon Chase SW20 – 19/P3985 – Dundonald Ward.**

No modifications.

#### **Item 11. Land adj to 2 Park Avenue, Mitcham CR4 – 19/P2127 – Graveney Ward.**

##### Consultations (page 217)

Amend paragraph to read.

The scheme has been amended to address some of the above concerns (this is further assessed in paragraphs 7.42 to 7.44). However, conditions will be attached as appropriate, should the application be approved to ensure the necessary measures are undertaken before occupation to ensure the safety and security of future occupiers.

#### **Item 12. 51 Princes Road, Wimbledon SW19 – 19/P4326 – Trinity Ward.**

##### Consultation (Page 237)

5 additional letters of objection received following the re-consultation. The letters raise the following points:

- A planning and property consultant that specialise in D1 property states that there is a serious lack of D1 space on the market.
- The narrative that the limited type of uses within the D1 use class meaning the building is less commercially viable is completely false.
- There has been significant growth in medical facilities that provide non-surgical cosmetic enhancement and nursery facilities.

- In London, the demand for Class D1 far outstrips the supply and we have noted that typically a marketed D1 building will go for between 10% - 20% above the advertised price.
- With regards to the specific building in question we know several parties that are seriously interested in D1 space in that location.
- The property details describe a large waiting area, despite the surveyor stating that there is insufficient space, in addition to this, nurseries are less likely to have reception and waiting areas as it can at times be a waste of space.
- There is enough car parking space to allow parents to pick and drop off their children's (nursery), the site is already used to this kind of usage due to it previously being used as a doctor's surgery.
- Formal offer for the application site to be used as a day care and pre-school nursery for up to 45 children.
- Swift conservation – request that swift bricks are installed at high level.
- Additional pressure on parking
- Failed to demonstrate no viable demand for any other community use on the site.
- Original objections still stand
- Impact on highway safety
- Extends significantly beyond building lines

Additional informative relating to Swift bricks.

**Item 13. 7 Rural Way, Streatham, SW16 – 19/P3893 – Graveney Ward.**

No modifications.

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