

**Merton Council**  
**Planning Applications Committee**  
**15 July 2021**

**Supplementary agenda**

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## **Planning Applications Committee 15<sup>th</sup> July 2021**

### **Supplementary Agenda**

### **Modifications Sheet.**

#### **Item 5. 2 Blenheim Road SW20 – 20/P1852 – West Barnes Ward**

Page 15 (LBM Heritage Officer Comments) –

Please note the comments made by the Heritage Officer were directed towards the initial scheme submitted to the Council. The design of the new build at rear has since been revised by the applicant, with the accommodation at loft level removed including removal of window openings at roof level. The proposed accommodation is now arranged over ground and first floor levels only.

#### **Item 6. 11 Blossom Square, SW20 – 21/P1108 – Raynes Park Ward.**

No amendments.

#### **Item 7. Nonsuch House, 31 Chapter Way, SW19 – 21/P1082 – Colliers Wood Ward**

Page 65 (Consultation)

1 additional letter of objection has been received, raising concerns on similar issues to those set out in the summary of objections in the Committee report.

Page 73, Paragraph 4.11 (Independent Financial Viability Assessors (Altair Ltd)

Comments have now been received, which indicate that the scheme could yield a contribution of £97,191 and remain financially viable. The reason for the difference in positions relates to build costs, contingency rates, finance rates, sales rates, professional fees and the Residual Land Value.

Page 84, Paragraph 7.5.8 (Affordable Housing)

Officers note that the applicant has made an offer of a commuted sum for affordable housing of £160K following the issuing of comments by Altair Ltd.

The Council's independent financial viability assessors have concluded that the scheme could deliver a commuted sum of £97,191 and remain viable. However, the applicant has set out that due to the nature of the development (a rooftop scheme as opposed to a more conventional build) and the current climate in terms of securing finance from funders, the imposition of a late stage review would make it very difficult to secure lending for the proposed development. The applicant has made a 'without prejudice' offer of £160K on the basis that no late stage review mechanism is included in the s.106 agreement. (The

projected profit from the scheme would reduce in order to allow for this additional contribution over and above the level indicated as viable by the Council's advisors).

Officer response:

The provision of affordable housing is a key corporate priority.

The Mayor's SPG on Viability sets out that: “

A Late Stage Review will be required on all developments which follow the Viability Tested Route at the point at which 75 per cent of units are sold or let. This will result in a financial contribution for additional affordable housing provision in the event that viability has improved since the application stage...

The benefit of this approach is that the review can be based on values achieved and costs incurred.”

Whilst the review mechanism is an important tool for Local Planning Authorities when seeking to maximise affordable housing contributions from a scheme, Officers conclude that the offer put forward by the applicant would go above and beyond what could reasonably be levered from the scheme (on the basis of the conclusions of the Council's independent financial viability advisors).

Officers conclude that there are exceptional circumstances that would justify the approach suggested by the applicant and officers consider that this offer could be reasonably taken up by Members, as it would secure the provision of a greater commuted sum that could reasonably be expected from any uplift in profit at the Late Stage review, thereby ultimately increasing the funding for affordable housing in the borough. A similar approach was utilised at the nearby Bennetts Courtyard at the June Planning Applications Committee meeting.

Notwithstanding the above, the Viability Tested Route remains the starting point for all planning applications and this approach does not represent a precedent in terms of procedure, as any deviation from the Viability Tested Route would need to be fully justified.

Page 73, Paragraph 4.1.2 (Environment Agency)

Formal comments have not yet been received from the Environment Agency. Informal discussions indicated that the positioning of the bin and bike stores, within Flood Zone 3, may not be an acceptable approach, notwithstanding the type of construction, as in addition to water runoff functions, the provision of bin and bike stores in this location (albeit directly next to existing stores in this area), could at some point in the future present an obstacle in the EA accessing the riverbank for maintenance for emergency purposes. The agent has indicated that alternative positions on site could be chosen, which would be outside of Flood Zone 3. The Environment Agency has indicated that this would be a workable solution. Therefore, officers recommend the imposition of a further condition to ensure that the siting of the bin and bike stores is suitable from both a general amenity viewpoint but also in terms of flooding and emergency access to the water course.

## RECOMMENDATION (Page 95)

Amend to read:

Grant planning permission subject to s106 agreement securing the following:

- Restrict parking permits.
- Carbon offset fund commuted sum of £25,085, or a suitable carbon off set contribution in the event that CO2 reductions fail to meet the target indicated in the submission.
- Commuted sum (£1,549.80) towards off-site children's playspace.
- Affordable housing commuted sum £160,000 (with no late stage review).
- The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations.

### **Additional condition:**

24. Notwithstanding the approved plans, prior to the commencement of development, details of the locations and construction of the proposed bin and bike stores shall be submitted to and approved in writing by the Local Planning Authority. The bin and bike stores shall be constructed in accordance with the approved details and made available for use prior to the first occupation of any of the dwellings hereby permitted and shall be retained thereafter.

Reason: Having regard to the amenities of the area and to reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS14, CS16, DMD2, DMF2 and London Plan policies D3 and SI 13.

### **Item 8. AELTC Church Road, SW19 – 20/P3635 – Village Ward.**

No amendments.

### **Item 9. 67 Clarendon Road SW19 – 20/P3608 – Colliers Wood Ward.**

Amended drawings (page 217)

Amended elevation drawing and additional artistic impression CGIs received 07/07/2021. So, the Drawing No's are amended as follows:

909-MP-01 Rev F (Landscape Masterplan); 7831-P107 Rev C (Proposed First Floor Plan); 7831-P109 Rev C (Elevations 01/02); 7831-P110 Rev B (Elevations 02/02); 7831-P118 (Proposed First Floor CCTV & Obscure Glazing Location); 7831-P117 (Proposed Ground Floor CCTV & Obscure Glazing Location); 7831-P106 Rev D (Proposed Ground

Floor with Context); 1912049-03 Rev C (Proposed Layout); 7831-P108 Rev D (Proposed Roof Plan); 7831-P113 Rev A (Artistic Impression – Clarendon Road); 7831-P116 Rev A (Artistic Impression – Clarendon Road Access); 7831-P112 Rev A (Artistic Impression – Merton Vision entrance); 7831-P114 Rev A (Artistic Impression – Courtney Road); 7831-P115 Rev A (Artistic Impression – Corner).

The amended drawing and new CGIs shall be included in the PAC presentation to Members.

Amended condition (pages 247-248)

Condition 3, relating to the External materials, shall be re-worded as follows:

No development, other than demolition and works relating to the foundation (including excavating, marking footings, levelling and filling), shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

To partially amend para 5.4 as follows (page 227):

Following revisions to the scheme, a 14 day re-consult was carried out 18/06/2021. Objections received from 28 address points (33 individuals) – 12 new address points.

Consultation [external] (pages 221-230):

Insert the following:

3 late representations received between 05/07/2021-12/07/2021, raising concerns regarding the following:

- Increased road traffic and pollution;
- Noise and vibration;
- Removal of trees;
- Height of building;
- The GP practices did not inform the patients of the proposals;
- No consultation with properties along Colwood Gardens;
- No mention of what will happen to the existing surgeries;
- No opportunity for residents to speak with McDonagh, MP;
- Mr Ward represents people who are both for and against the proposal. Thus it's highly inappropriate for him to vote on this issue.

Letter of support by Merton Vision (received by officers 14/07/2021):

*I write in regard to the Planning Application for: MertonVision Site, The Guardian Centre, 67 Clarendon Road, Colliers Wood, SW19 2DX*

*We have tried very hard to cooperate with the CCG and The Colliers Wood Practice to bring forward a practical and attractive scheme which has sadly taken an inordinate length of time. It has been difficult for MertonVision as we are not presenting the Application but clearly are most anxious that it receives approval. Throughout the journey we have insisted on informal Public Consultation before the statutory process.*

*We have been informed by those submitting the proposals that planning issues and requests by the Department have been met. I hope this advice is correct.*

*We are a small charity who, as you know, enjoys a close working partnership with The Borough. It is crucial to us that this project moves forward and trust that before long Colliers Wood will benefit from a new GP practice and replacement facilities for MertonVision.*

Letter of support by the Colliers Wood Doctors Surgery (branches in Colliers Wood and Lavender Fields – which are to be amalgamated and relocated at 67 Clarendon Road), received 15/07/2021:

As a practice we provide NHS primary care services for 11,500 patients across all social groups and economic circumstances in east Merton. Many of you will know our premises. At 58 High Street Colliers Wood, we practice from a converted shop and converted flats over. The building dates from the pre 1900s and was never built as a surgery. Our Lavender Fields surgery is a converted Nissen hut, built in the 1940s. Both sets of premises have, for at least the last 15 years been recognised by the NHS as fundamentally unfit for modern primary care.

The proposal before you represents the opportunity to radically change the environment in which we deliver services, to the benefit of all local people who access NHS primary care. The proposal will take services from two sets of unfit premises, to modern purpose-built premises that will last many generations and which will enable better patient care for those from the very young to the very old. It will provide space for better chronic disease management through group consultations and education; better disease prevention through vaccination and cancer screening and better health promotion and wellbeing services, especially for those who need it most. It will also assist training of GP registrars and help mitigate the current recruitment and retention crisis in General Practice by attracting more GPs.

The proposal is the result of years of effort across the NHS Clinical Commissioning Group, Merton Vision, PHP Developments and our Partnership. It is an opportunity to provide fit-for-purpose premises and significantly enhance the delivery of NHS primary care services to our local population, which comprises pockets of deprivation falling in the bottom 10% of the country. East Merton has not benefitted from the investment in primary care premises that has taken place elsewhere in the Borough and we, as a partnership, urge the Committee to approve the application and seize the opportunity to realise lasting benefit to our community and help address longstanding inequalities in healthcare.

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## **Item 10. 8 Clement Road SW19 – 21/P1278 – Village Ward.**

Page 294 - Consultation - Additional comments in support from the applicant:

### *Energy Strategy*

The reduction in CO2 Emissions would be higher than stated on your report. Please refer to the attached summary from the engineers. Additional document supplied in support of energy and sustainability, labelled Energy Strategy Summary July 2021.

### *Structure*

Comments have been raised in relation to the construction in close proximity to the historic boundary wall and noise generated by the building works.

The structural approach has been driven by the desire to reduce the embodied carbon associated with the new house. Sustainably sourced timber has generally been adopted for all structural elements above ground level, with the roof formed from softwood rafters and the upper floors comprising engineered timber joists. The structural walls are formed from timber studs, reducing both the embodied carbon and weight of these elements compared to a more traditional brick and blockwork cavity wall. The use of timber will result in a quicker construction programme compared to a traditional masonry approach, and the possibility of adopting some elements of off-site manufacture could provide further time savings.

A beam and block suspended ground floor reduces the weight and embodied carbon compared to a traditional cast in-situ concrete floor slab. The reduced weight of the new building results in smaller, lower-carbon foundations, minimising the impact on any tree roots whilst reducing the quantity of concrete or soil to be transported.

The new house has been positioned away from the historic boundary wall in order to avoid the root protection zone for the Ash tree in the neighbouring garden (over 2.5m). This distance ensures that any excavation for the new foundations will be outside the zone of influence of the wall foundations and will not affect the wall's structural integrity either during construction or in the permanent condition.

### *Materials*

Comments have been raised in relation to the roof tiles and the bricks. The proposed tiles will provide the following benefits.

1. Light-weight construction with less material, resulting in less weight to transport, less embodied energy and smaller foundations



2. Excellent thermal performance with no thermal bridging
3. Improved acoustic performance
4. Long term, low maintenance, weather resistant and durable solution in all climates.
5. Naturally non-combustible and will not support the spread of flame
6. Vapour permeable, can significantly reduce the risk of condensation
7. Sustainable material. A+ rating in the green guide (BRE assessment)
8. Factory waste can be recycled. Hard waste, being non-hazardous, can be used as hardcore.

The proposed bricks from Petersen Tegel are of the highest quality in Europe. They are one of the only brickworks using traditional production methods, resulting in a beautiful colour play of light and dark shades.

### *Building Form & Chimney*

Comments have been raised in relation to the roof and the chimney. The chimney is a typical feature in the Conservation Area and adds an element of verticality to the project. It breaks down the volume and adds richness of detail with the intricate brick screen detail. The three roofs all have identical pitches of 25 degrees, similar but marginally less steep than the adjacent houses. This provides a harmonious well-balanced appearance and creates generous internal spaces while maintaining a low ridge line to the neighbouring properties.

### *Existing building*

Comments have been raised regarding the replacement of the existing gable and the quality of the existing cottage. The existing gable is an insignificant gable with white painted render. It does not have ornate carved bargeboards, tiles, brick or painted timber. The ceiling height of the existing bungalow is unusually low. At 2.25m floor to ceiling height it does not meet the minimum requirement for habitable rooms (2.5m).

## **Item 11. 296 Coombe Lane SW20 – 20/P2235 – Village Ward**

No amendments.

## **Item 12. Dundonald Recreation ground SW19 – 19/P4183 – Dundonald Ward**

Page 405 (Introduction) and Page 408 (Consultation)

Council's Greenspaces Manager (Additional comments):

### **1. INTRODUCTION**

1. The application, No. 19/P4183, represents an intensification of development of this local recreation ground in an area that has undergone recent transformation through the expansion and refurbishment of the school (No. 12/P1058), including the creation of a two storey extension partly into the park to house public changing facilities, toilets, hall with kitchen and associated storage. In addition, the creation of a Multi-use Sports Area (MUSA) which is governed by a Community User Agreement (CUA).
2. The area outlined within the proposed development is an area used for quiet reflection and is unique within the recreation as being the area where more formal horticultural features are located.
3. The proposed development, through the installation of built features within this area, would have a long term detrimental impact to the intended purpose of this area as a formal open space, impacting on wider park users who utilise this space for purposes not associated with sporting activity.

### **2. ARBORICULTURE IMPACTS**

1. The proposed development is to occupy an area in close proximity to significant arboriculture assets within the park. The proposal has not sufficiently demonstrated the potential impacts to these assets during the proposed construction phase and any longer term impact that the proposed structures may have on these assets. The close proximity of the development within the trees *root protection zone* raises concern that the

intensification of development may have a longer term negative impact on these trees.

### 3. APPROPRIATE DEVELOPMENT

1. The proposed development, within submitted documents and in the application, has not substantiated the need for these facility based on site user numbers and the available opportunities that the MUSA can be used by users to support tennis and other activities. It should be noted that Dundonald Primary School has primary access and use of the MUSA during school operating times to support the education and health of our young people. It would be inappropriate during these times to potentially intensify the use of this area and supporting evidence of current use to support the development is lacking.
2. The use of the MUSA to support tennis activity to the wider community within permissible hours is fully supported by the Greenspaces team. However, the proposed development should be considered in the widest context, within very close proximity of this site, a formal tennis club, Wilton Tennis Club, provides a local provision of high quality tennis facilities. The comparable rates for this provision are competitive to those of applied to club users at the Dundonald Recreation Ground.
3. The community hall and changing rooms are managed through the Greenspaces service provider, *idverde*, and there is potential opportunity for Community use of the facility. In specific detail, during the week, from 6:30pm and during the weekends, availability exists for use of the space. Including access to toilet facilities. Evening periods for community use of this facility would address the needs that have been purported within the application and current use data supports capacity.
4. Regarding the provision of a café, The Greenspaces team has developed a commercial interest within Dundonald Recreation Ground that provides the users of the site with access to high-quality refreshments. The service is also working with the provider to develop the controlled use of the toilet facilities with the provider acting as the key holder to ensure that the toilet facilities are not damaged. It is important to note that the service does not provide uncontrolled toilet facilities at any of the parks and open spaces

across the borough. Publicly available facilities are only available in Wimbledon Park as there is a permanent site presence by *idverde* at this location.

5. To demonstrate the services investment in the above provision, the service has invested in secure electrical cabling to the café kiosk so it can be operated without causing additional noise or air pollution associated with mobile power provision.

#### **4. CONCLUSION**

1. The proposed development, whilst noting the ambition to improve use and enjoyment of the recreation ground, is not needed for the reasons and risks outlined above. The service would not look to support this development and objects to the intensification of any development within the garden area impacted by this proposal.

#### The Wimbledon Synagogue

They confirm that there is not a Holocaust memorial within the Rose Garden.

#### Additional comments in support from the Applicant

The applicant would like to address some of the questions raised by the Planning Committee from the April 2021 meeting:

1. Is the Application for the 'tennis club'?

No. The tennis club is only the leading organisation because it has charitable status and is a not-for-profit organisation with the specific charitable aims of:

“Promote sport and fitness activities to encourage community participation in healthy recreation in Dundonald Recreation Ground. Encourage involvement of local school children in tennis programmes both during school time and after school hours on weekdays and at weekends. Encourage involvement of individuals of all ages and abilities to develop and extend their tennis skills.”

It can also access suitable funding which are only available to sports organisations. This will facilitate fundraising and ensure the scheme has a secure financial basis.

This application was conceived in 2018 with members of the Friends of Dundonald Park Committee, as well as local parents, retired residents, and sports and leisure groups using the Rec. It is truly an application from the local community for the local community.

The applicant suggests that the community status of the application is secured by condition to ensure access to the Friends of Dundonald Park and other community users.

2. Is there a Holocaust memorial in the Rose Garden?

No, the rose garden is not a designated holocaust memorial – there is a plaque which commemorates the planting of a rose on Holocaust Memorial Day in 2003. This is some distance from the proposed location of the building and the rose bush has since disappeared.

However, as the proposed Dundonald community building will be an inclusive centre which values all groups, we have spoken to a representative of the Wimbledon Synagogue and proposed that we should retain the plaque and plant a new rose bush in remembrance, for the entire community. The Wimbledon Jewish Community supports this proposal and Rabbi Adrian Schell has said that he would be willing to be involved in the commemorative planting. If necessary the planting of the new rose can be secured by condition.

3. Won't the proposal affect the trees and spoil the Rose Garden?

No, it has been carefully designed to have a positive impact on both the trees and the visual aspects of the rose garden.

The current location of the building was agreed during the pre-application phase with the planning officer Richard Allen. As stated in his report the location is in a corner with "poor quality grass". It is next to the busy main access gate to the children's playground and tennis courts. This application offers an opportunity to improve a part of the Rec. which was not upgraded when these facilities were extended.

The project will use the latest technology to prevent any damage to the trees and their roots, and will ensure that rainwater will be channelled to the surrounding plants. The Council's Tree Officer was satisfied with the solutions offered.

The building will have a 'green wall' and associated planting to integrate it into the garden thus providing an attractive focal point in an area which is currently unplanted bare earth. This would offer a considerable improvement in the overall look of the rose garden as well as providing additional plants for wildlife.

As suggested by the Tree Officer, the trees will be protected by condition. In addition the applicant would be happy to contribute to new planting in the immediate area; again this could be secured by condition.

**Item 13. 35 Florence Avenue SM4 – 21/P1233 – Ravensbury Ward**

No amendments.

**Item 14. Former Fire station, Lower Green West CR4 – 20/P0801 – Cricket Green Ward.**

No amendments.

**Item 15. Wimbledon Stadium Plough Lane SW19 – 21/P1136 – Wimbledon Park Ward.**

No amendments.

**Item 16. Planning Appeal Decisions.**

No amendments.

**Item 17. Planning Enforcement Summary.**

No amendments.