

# **Merton Council**

## **Planning Applications Committee**

### **19 August 2021**

### **Supplementary agenda**

14 Modifications Sheet

1 - 8

- Please note that Item 12, Planning Appeals Decisions report previously marked as to follow will now not be going to this committee meeting.

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## Planning Applications Committee 19<sup>th</sup> August 2021 Supplementary Agenda Modifications Sheet.

### **Item 5. 296 Coombe Lane SW20 – 20/P2235 – Village Ward**

#### Page 14 - Consultation

Additional letter of objection received on the following grounds:

- How can the planning officer entertain the planning application;
- Proposal is completely out of character from all neighboring properties and the sheer mass and scale of the proposed building will dominate the streetscene ;
- Proposal would be 5.5 m deeper than the existing dwelling
- Fictitious ghost lines on the visuals which give a miss-leading impression of building lines;
- Overshadow neighbouring properties;
- Computer generated front and roof elevations misrepresent and exaggerate the space between the proposed development and the existing properties on either side;
- Proposal resembles a block of flats;
- Basement impact on neighbouring properties;
- Biased consultants reports;
- Granting permission will set a precedent for others;

#### Officer response:

A number of the issues raised are subjective matters which are a matter of judgment, which are covered within the Committee Report. Officers have re-visited the issue of building line and remain satisfied that the proposed plans are accurate and reflective of the immediate neighbouring properties positions.

### **Item 6. Dundonald Recreation Ground, Dundonald Road Wimbledon SW19 – 19/P4183 – Dundonald Ward**

No modifications

### **Item 7. Hartfield Walk, The Broadway, Wimbledon SW19 – 21/P0855 – Dundonald Ward**

#### Page 102 – Consultation

Additional letter of objection received on the following grounds:

- Proposal has already been constructed without planning permission;
- Scheme was reported to Enforcement but no action taken;

- No increase in jobs
- Fully support greening the area, using sustainable materials, and having some seating, enjoying a coffee or quick meal there;
- Objection is to the design, application, materials, quality and access;
- Planning policy does not differentiate on quality of design/materials whether a development is temporary or permanent;
- Cheap wooden materials used;
- CCTV should be installed;
- Crime issues created by the proposal;
- Archway impedes pedestrian movement;
- Painted hopscotch impedes pedestrian flow;
- Harmful impact on trees

Officer response:

Whilst the proposal was constructed without the benefit of planning permission, an application has been submitted and is to be determined by the Council. The proposal would provide a more permanent solution for the traders/businesses to operate from in comparison to the use of mobile vans/units which are run off electricity generators. The visual impact of the proposal is fully considered within the Committee Report. The proposal does not create a new public space, but seeks to use an existing public space which was previously under-utilised. Traders have previously used the site with mobile vans/units and the proposal would provide a better solution. The archway allows for permeability and would provide the walkway with an entrance which would help create a sense of place. The street furniture installed do not require planning permission and do not therefore form part of the planning application. Officers consider the use of the kiosks and public use of the benches installed would provide a natural surveillance of the area. With regards to the planters and benches installed around the existing trees, these have been agreed by the Council (see below comments from Future Merton).

Merton Council - Future Merton:

Love Wimbledon successfully applied to Merton Council's Neighbourhood CIL fund to deliver public realm enhancements to Hartfield Walk. Future Merton reviewed the concept scheme at the CIL application stage and supported the principle of the project.

As with any CIL funded project, it is the applicant's responsibility to undertake due diligence on planning matters and undertake community engagement on proposals. It is unfortunate that the scheme had progressed prior to obtaining planning permission and the planning application process has been protracted.

The scheme is however, largely a public realm enhancement scheme for which many features wouldn't not require planning permission (such as benches, planters, cycle hoops, floor graphics etc).

The built structures are the key aspect of the planning application and have already been licensed as Street Trading pitches. The structures themselves are the main consideration of the planning application and are to support small, local businesses and aid high street recovery.

The project and application is supported by Future Merton in relation to Urban Design, Economic Development and Highways.

The Future Wimbledon Supplementary Planning Document actively supports activation of public spaces, the creation of more seating, pop-ups and greening of Wimbledon town centre.

Hartfield Walk was previously a laneway connecting the P3 carpark to Wimbledon Broadway.

Other than the line of trees, the environment was featureless and largely unused other than as a bland walkway. Recent additions of street traders have been welcome, but they also ran off diesel generators, adding noise and air pollution to the area. There was also a lack of seating to support the traders.

The application from Love Wimbledon BID responds positively to the priorities of the Future Wimbledon SPD by:

- Providing seating and increasing the pedestrian 'dwell time'
- Providing fit-for-purpose structures for traders - powered by electricity
- Increased planting in addition to the existing trees
- Green roofs on the street trading structures adding to the biodiversity of the area
- Enhanced lighting
- Floor and wall graphics highlighting climate change issues and adding visual interest.
- No net loss of cycle parking, with some existing racks being relocated elsewhere in the town centre to support other businesses.

There has been a significant, and largely unjustified back-lash to the proposals online.

Benches and planters surrounding the existing trees are designed to be open-slat and are raised off the ground to ensure water run-off can reach the tree pits and air can still get to the trunks. There are long-standing examples of this in Merton Abbey Mills which have not undermined the health of the trees. I understand Love Wimbledon have sought arboricultural advice and have committed to monitoring the trees as the project progresses.

The project echoes other approaches to covid economic recovery by providing pop-up business space, seating and greenery. Future Merton considers the project a welcome addition to Wimbledon and would encourage PAC to approve the application.

Relevant conditions should be applied re maintenance, upkeep of the planters, graphics and ongoing monitoring of tree health.

Page 113 – Additional Condition:

Condition

It is the applicant's full responsibility to maintain the kiosks, archway, planters and green roofs to a good condition to the satisfaction of the Local Planning Authority so that they do not impair the visual amenity of the site and surroundings.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D4 of Merton's Sites and Policies Plan 2014.

**Item 8. 40A and rear of 40 Lambton Road Raynes Park SW20 - 21/P1442 – Raynes Park Ward**

Two additional letters of objection have been received by the Council. The majority of these matters have already been summarised with the Consultation Section of the Committee Report.

One comment stated that the notice period for Committee Meetings was too short and during a holiday period. Therefore the objector would be unable to attend the Committee Meeting in person.

The applicant has also provided a response to the objections received by the Council, as follows:

*“Having viewed the comments from local residents, the increases in height of the overall built form at various increments (as shown on the submitted) would be increased by 965mm, 980mm and 990mm.*

*Whilst the buildings are taller than the existing dwellings, by 290mm at the southern end of the site and 190mm at the northern end of the site, a direct comparison between the heights of the existing and proposed, this is not really comparable because the new buildings would be sunk into the ground by these same amounts.*

*As such, it is only from inside of the site that the buildings are taller.*

*I believe all of these matters are accurately demonstrated within the submitted documentation.*

*I would also mention that within the representations by neighbouring residents, none of the residents seem to have mentioned that the height of the rear gardens within Tolverne Road are set at a discernibly higher level than the application site. Thus comments regarding the increase in height of built form is somewhat misleading with regard to any affect the development may possibly have upon these properties.*

*Drawings showing daylight / sunlight have been submitted and demonstrate that there would not be any undue impact on neighbours in this regard.*

*There have been no objection from statutory consultees, the Council’s conservation / heritage officer and the application is, accordingly, being recommended for approval.”*

**Item 9. 38 Lyveden Road, Tooting SW17 – 21/P1988 – Colliers Wood Ward**

Recommendation (page 169 and 183).

Amend to: Grant planning permission subject to conditions and the completion of a S106 planning agreement to secure 4 of the 5 flats to be ineligible for parking permits.

#### Planning considerations.

There is an error at para 7.10. Officers confirm that the upper ground floor extension would finish level with the extension at no. 36 Lyveden Road rather than extending 2.17m past the current flank wall of the neighboring building, as stated in the report. The 2.17m projection would be from the flank wall of the application property.

#### Recommendation (page 183 -187).

The following conditions have also been amended:

#### Condition 3

The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

Amended to:

No development 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.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

#### Condition 5

Prior to the commencement of development, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for both phases of the development. This should include but not limited to the incorporation of passive measures for drainage around the basement structure.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy SI 13 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

Amended to:

Prior to basement excavation works, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for both phases of the development. This should include but not limited to the incorporation of passive measures for drainage around the basement structure.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy SI 13 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

#### Condition 6

Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy SI 13 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

Amended to:

Prior to basement excavation works, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy SI 13 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

#### Condition 17

No construction shall take place within 5m of the water main. Should piling be proposed, information detailing how the applicant intends to divert the asset/ align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

Amended to:



No construction shall take place within 5m of the water main, unless otherwise agreed in writing with the local planning authority in consultation with Thames Water. Should piling be proposed, information detailing how the applicant intends to divert the asset/ align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

**Item 10. 21 Neath Gardens Morden SM4 – 21/P1546 – Ravensbury Ward**

**Proposals.**

There is an error at para 3.4, the GIA is proposed to be 37sqm and not 55sqm.

The Garden Layout Drawing has been amended to show the revised single bedroom internal layout and consequently the proposed drawing numbers are 20/12/02B and 20/12/03B.

Officers confirm that the new house has been designed to meet Part M of the Building Regulations and as such would meet the requirements for a disabled resident but the application has not been submitted specifically for a disabled occupant.

**Item 11. Tree Preservation Order (No. 766) Land at 35 Meadow Close, Raynes Park SW20 – West Barnes Ward**

**Item 16. Planning Appeal Decisions.**

No modifications.

**Item 17. Planning Enforcement Summary.**

No modifications.

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