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## PLANNING APPLICATIONS COMMITTEE

18 MARCH 2021

(7.15 pm - 10.35 pm)

**PRESENT:** Councillor Dave Ward (in the Chair),  
Councillor Stephen Crowe, Councillor Stephen Alambritis,  
Councillor Billy Christie, Councillor David Dean,  
Councillor Nick Draper, Councillor Joan Henry,  
Councillor Simon McGrath, Councillor Carl Quilliam and  
Councillor Peter Southgate

**IN ATTENDANCE:** Tim Bryson (Development Control Team Leader (North)),  
Amy Dumitrescu (Democratic Services Officer),  
Jonathan Lewis (Development Control Team Leader (South)),  
Tim Lipscomb (Case Officer), Neil Milligan (Development Control  
Manager, ENVR) and Farzana Mughal (Democratic Services  
Officer)

### 1 APOLOGIES FOR ABSENCE (Agenda Item 1)

There was no apologies for absence.

### 2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

### 3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

**RESOLVED:** That the minutes of the meeting held on 11<sup>th</sup> February, 2021 were agreed as an accurate record.

### 4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

The Committee noted the amendments and modifications to the officers' report (see item no. 14). This applied to items no. 5, 9, 10, 11 and 12.

Furthermore, the Chair advised that the order of the agenda was changed and would be considered in the order as follows: items, 5, 9, 11, 12, 6, 7 and 10. For the purpose of the minutes, items were minuted in the order they appeared in the published agenda.

5 12 CECIL ROAD, WIMBLEDON, SW19 1JT (Agenda Item 5)

Proposal: Replacement of extension with a new single storey rear extension and an additional single storey infill extension to property along with the erection of a rear roof extension.

The Committee noted the report and the plans presented by the Development Control Team Leader (North). The Committee also noted the modification sheet contained in the supplementary agenda. An update on various matters relating to the amendments was also provided to the Committee.

Two residents had registered to speak in objection to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- they did not have any objections to the proposal, on condition that, the ground floor extension remained on the same line and footprint as the neighbouring properties;
- the proposal exceeded the line of the original kitchen and violated onto the north facing glass extension;
- the proposal illustrated a parapet construction which was not in keeping with the vernacular of the building and style of the neighbouring properties;
- the proposal would potential restrict natural daylight received in the kitchen to the property of number 10;
- the proposal exceeded the length of all nearby properties;
- the elevation and the length of both extensions would have adverse effects on other properties;
- the scale and height of the extensions were not in keeping to the line of other properties;
- the over development would block light from neighbouring conservatory.

The applicant had submitted a speech which was read out by Democratic Services Officer. The following points were highlighted:

- the applicant stated that the ground floor extension did exceed current boundary by 85cm and the height of the ground floor was increased by a small amount. However, the design had been discussed with the architects and it was reassured that the impact on light would be minimal;
- with regards to privacy, given there were no windows on the side of the 85 cm beyond the current boundary. It was recognised there was a risk of privacy being impacted given number 10's ground floor extension had windows overlooking to the garden, however, sky lights would be used and not side wall windows;
- one of the main objectives in the renovation would be to build with high quality materials to protect against any damp issues;
- there was a parapet proposed for the ground floor which exceeded boundary by 85 cm. Other properties of exact design already had top floor bedroom built;

- Furthermore, that applicant had proposed not to do the first floor extension and only do the ground floor extension.

Councillor Nigel Benbow (Ward Member for Abbey) had submitted a speech which was read out by Democratic Services Officer. The Committee had noted that Councillor Benbow stated that the proposed scheme exceeded the boundary line, compared to other extensions at 16, 18 and 20 Cecil Road. The proposed development would potential cause loss of sunlight to the neighbouring properties gardens and conservatory. There was a very high wall behind the properties, however, this was not clear on the plans, and therefore, the sense of enclosure was not understood. Both neighbours at properties 10 and 14 felt betrayed by the proposed overdevelopment extension at property 12. It would considerably impact their lives as they spend a lot of time in their gardens and conservatory. Furthermore, it was sated that the residents were not opposing to the extension, provided it was in line with the other neighbouring properties.

In the ensuing debate, Members' raised a number of points and in response to Members' questions and comments the Development Control Team Leader (North) stated the following points:

- The 85cm building line was within the boundary of the development's garden;
- The large boundary wall to the back of the property would remain;
- The proposed development was not considered to be visually harmful or to neighbouring immunity.

The Chair moved to the vote on the officer's recommendation and it was

**RESOLVED** that the application number 20/P3477 be GRANTED planning permission subject to conditions.

## 6 18 CLIFTON ROAD, WIMBLEDON, SW19 4QT (Agenda Item 6)

Proposal: Refurbishment works to original house, including conversion of 4 flats back to single family home and demolition of existing garage block and reconfiguration of driveway.

The Committee noted the report and the plans presented by the Development Control Team Leader (North).

The Chair moved to the vote on the officer's recommendation and it was

**RESOLVED** that the application number 20/P2899 be GRANTED planning permission subject to conditions.

7 1 CRICKET GREEN, MITCHAM, CR4 4LB (Agenda Item 7)

Proposal: Application for the removal of condition 1 (retention of residential flat) and variation of 4 (number of children) attached to planning permission Ref 10/P1388, thereby allowing for the use of all the property as a nursery by the change of use of the existing flat to provide further floor space for the nursery and to increase the total number of children that can attend the nursery to a maximum of 42 children (currently 30).

The Committee noted the report and the plans presented by the Development Control Team Leader (South).

Members' welcomed the proposal and stated it was prudent to the Committee that a safe environment was provided for the children of Merton.

The Chair moved to the vote on the officer's recommendation and it was

**RESOLVED** that the application number 20/P3778 be GRANTED planning permission subject to conditions.

8 DUNDONALD RECREATION GROUND, WIMBLEDON, SW19 3QH (Agenda Item 8)

The application number 19/P4183 was withdrawn and will be considered at the next Planning Applications Committee pending further information to be submitted.

9 UNITS C AND D ELM GROVE, BUSINESS CENTRE, WIMBLEDON, SW19 4HE (Agenda Item 9)

Proposal: Erection of first and second floor extension in connection with creation of two self-contained flats (2 x 2 bedroom).

The Committee noted the report and the plans presented by the Development Control Team Leader (North). The Committee also noted the modification sheet contained in the supplementary agenda.

An objector had registered to speak to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- the development comprises seven or eight industrial units, with some in industrial use and three or four were under development providing residential accommodation. The development was deemed to be massive and this had a huge impact on the local resident on Elm Grove;
- there were limited car parking spaces provided on the site; no access limited vehicle provided, this would potentially cause big problem with parking and deliveries;
- there were no space for bin or cycle storage provided;
- the development being build would potentially have a poor outlook to the area.

The applicant's agent had registered to speak and at the request of the Chair addressed the Committee with the following points:

- with regard to overlooking and privacy, the proposed two flats were an extension to an existing building, the nearest residential buildings that look towards the site would be an oblique angle. The closest window of this development was 31 meters from houses on Bail houses. The closest gardens in Elm Grove was 45 meters from the proposal and Bail houses. This would not cause unacceptable overlooking to any residential properties or their immediate amenity spaces;
- the proposal was not over development, both flats exceed minimum space standards for two bedroom dwellings by a significant margin and all the rooms also exceeded the standards, the flats would have large windows and which would receive plenty of natural daylight;
- the development also had amenity spaces that were well in excess of the minimum standards and there was adequate space provided for bin and cycle storage;
- with regard to parking, the proposed flats would be car free, this would be enforced by a legal agreement which would prevent residents obtaining parking permits for the adjacent roads. The site had a relatively low petal rating and was within walking distance and cycling distance of Wimbledon town centre and its station. It was also close to local bus stops, nonetheless two cycle spaces would be provided for each flat.

In the ensuing debate, Members' raised a number of points including:

- that the proposed development did not provide affordable housing scheme;
- Members requested for condition to be added with regards to cycle and refuse collection arrangements;
- Members sought clarification if there were any restrictions applied with regards to the maximum vehicle size along the road;
- It was noted that there were no pavements providing for residents to walk;
- A members asked if residents where protected whilst the construction work was being carried out.

The Committee requested that additional conditions be included: for the installation of adequate street light; and for footpath installation linking the site with the Elm Grove Road.

The Chair moved to the vote on the officer's recommendation with the addition of the two conditions above and it was

**RESOLVED** that the application number 20/P2095 be GRANTED planning permission subject s106 agreement and to conditions.

10 GATEHOUSE LODGE, MORDEN HALL PARK, SM4 5JD (Agenda Item 10)

Proposals:

- A) 20/P3606 – Change of use of Morden Lodge and ancillary outbuilding from residential (C3) to Forest Primary School (F1) including an ancillary groundkeepers flat (C3) on the first floor of Morden Lodge; involving internal and external repairs, restoration and alteration to the existing buildings and the erection of new ancillary structures.
- B) 20/P3607 – Application for listed building consent for the change of use of Morden Lodge and ancillary outbuildings from residential (C3) to Forest Primary School (F1) including an ancillary groundkeepers flat (C3) on the first floor of Morden Lodge; involving internal and external repairs, restoration and alteration to the existing buildings and the erection of new ancillary structures.

The Committee noted the report and the plans presented by the Development Control Team Leader (South). The Committee also noted the modification sheet contained in the supplementary agenda. The Development Control Team Leader (South) provided updates on various matters relating to the amendments.

Members' commented on the importance to bring historic buildings back into effective use and that the building was a great asset not only to the Council and the borough for also for the children.

The Chair moved to the vote on the officer's recommendation and it was

**RESOLVED:**

- a) that the application number 20/P3606 be GRANTED planning permission subject to s106 obligation or any other enabling agreement and conditions; and
- b) that the application number 20/P3607 be GRANTED Listed Building Consent subject to conditions.

11 10 ST MARY'S ROAD, WIMBLEDON, SW19 7BW (Agenda Item 11)

Proposal; Erection of swimming pool in rear garden, with plant room and associated works.

The Committee noted the report and the plans presented by the Development Control Team Leader (North). The Committee also noted the modification sheet contained in the supplementary agenda.

Two residents had registered to speak in objection to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- this was an extremely environmentally unfriendly application. Excavating the entire length of a garden and building an enormous underground dam was deemed to be inconsiderate to the environment and the surrounding neighbours who were in extremely close proximity;
- the application contravenes at least 3 planning laws; DM F1 (support for Flood Risk Management). Surrounding gardens had flooded in recent years since the excavation of three basements in a row;
- There were contravenes to DM D2 (c) Merton Basement Guidance and Policy;
- as well as a basement which was already under 4-5 metres of the rear garden amenity space, the garden was currently mostly hard paved and this would remove further vegetation as well as sinking a huge deep cement dam into the entire length of the garden;
- due to the overdevelopment of No 10, this application required full planning permission and therefore all the correct documentation should be supplied including current hydrology information;
- concerns of loss of trees;
- excavation of basements from swimming pools potentially has a huge impact on neighbouring properties with a risk of flooding.

The applicant had registered to speak and at the request of the Chair addressed the Committee with the following points:

- the scheme was proposing planting of seven new trees, in addition to the existing 18 trees;
- the applicants commissioned in a hydrology report to ensure neighbours were not affected;
- the pool would be 1.8 meters deep and therefore did not reach the water table which is 2.7 meters below ground level;
- an introduction of the suds drainage system which would be agreed by officers prior to works commencing, this would remove excess water from around the site and improve the existing situation.

Councillor Najeeb Latif (Ward Member for Village) had submitted a speech which was read out by the Democratic Services Officer. The Committee had noted that Councillor Latif fully supports the objectors' concerns with regards to the inadequate and out of date information supporting this application and the excessive flooding which was now occurring due to the construction of basements in the vicinity. Merton's own Basement and Subterranean guidance request for an up-to date Construction Method Statement (CMS) which must include current and valid ground investigations, hydrology reports, localised surface water, nearby basements causing localised flooding and an engineering design submitted by a suitably qualified engineer. Furthermore, it was requested that the committee add conditions that the applicant provided new ground investigations and engineering design that clearly identifies nearby basements.

The Development Control Team Leader (North) informed the Committee that the application was not for a basement and it was for an outdoor pool, therefore a hydrology impact assessment was not required for this proposal. Nonetheless, the

applicant had submitted the hydrology statement. The proposal was considered to be acceptable and that seven new trees would be planted.

In the ensuing debate, Members' raised a number of points. The Development Control Team Leader (North) stated that if a flood from a property causes damage to a neighbouring property, this would be a civil matter.

The Chair moved to the vote on the officer's recommendation and it was

**RESOLVED** that the application number 20/P4018 be GRANTED planning permission subject to conditions.

*(The meeting was adjourned at 21:05 and resumed at 21.12)*

12 LAND RO 2-16 WOODVILLE ROAD, MORDEN SM4 5AF (Agenda Item 12)

Proposal: Erection of a two storey buildings to provide 9 x self-contained flats on ground floor, first floor and within roofspace.

The Committee noted the report and the plans presented by the Case Officer. The Committee also noted the modification sheet contained in the supplementary agenda.

An objector had registered to speak to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- the development of eight units accommodation was not suitable for the area;
- lack of privacy, loss of light and overlooking;
- the constant use of the alleyway would be an invasion to the resident privacy;
- Impact on wildlife and open space.

The applicant' agent had submitted a speech which was read out by Democratic Services Officer. The following points were highlighted:

- there had already been many problems with fly tipping particularly at the southern end of the access way adjacent to the application site and the main reason for that was the area was unobserved. The proposed development when occupied would help deter fly tippers and improve the situation.
- the application site had a legal right of way along the access road registered on the title deeds, so consent was not required from any of the Links Avenue owners to use the access way;
- with regards to the maintenance, repair and suitability of the access way, it was acknowledged that the adjoining owners were under no obligation to maintain and repair the access to a high standard, although there was an obligation to keep the land in an adequate state of repair insofar that it does not interfere with the right of way. That obligation extends to keeping the access free of blockages.



In the ensuing debate, Members' raised a number of points and in response to Members' questions and comments the Case Officer stated the following points:

- the proposed fence would be approximately 2.8 meters, this would be in line with standard boundary;
- concerns raised in relation to the waste collection and emergency access.

The Chair moved to the vote on the officer's recommendation and it was

**RESOLVED** that the application number 20/P1091 be GRANTED planning permission subject to s106 agreement and conditions.

13 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 13)

The Committee note the planning enforcement report.

14 MODIFICATIONS SHEET (Agenda Item 14)

The Committee noted the Modifications Sheet.