

# Agenda Item 3

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## PLANNING APPLICATIONS COMMITTEE

19 JULY 2018

(7.15 pm - 8.20 pm)

PRESENT Councillor Linda Kirby (in the Chair), Councillor Najeeb Latif, Councillor Laxmi Attawar, Councillor David Chung, Councillor David Dean, Councillor Russell Makin, Councillor Simon McGrath, Councillor Peter Southgate and Councillor Dave Ward and Councillor Rebecca Lanning

ALSO PRESENT Councillor Dickie Wilkinson  
Neil Milligan, Tim Bryson, and Lisa Jewell

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

Apologies for absence were received from Councillor Marsie Skeete.  
Councillor Rebecca Lanning attended as substitute

### 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 28 June 2018 were agreed as an accurate record.

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

### 5 LAND AT 1A KENLEY ROAD, MERTON PARK, SW19 3JJ (Agenda Item 5)

Proposal: Demolition of the existing garage and the erection of a single storey dwellinghouse

The Committee noted the officers report and presentation and information in the Supplementary Agenda

The Objector raised residents' concerns, including:

- Design out of character with the rest Merton Park
- Will have negative impact on characteristic tree lined roads
- This is overdevelopment of a small back garden plot
- It will be an eyesore for neighbours, who will be able to see it from their first floor windows
- It will negatively affect neighbours enjoyment of their gardens
- If allowed it may set precedent for developers to buy up and build on other back gardens in the area
- Kenley Road is already congested, an extra house will add to parking problems in the area.
- Tree roots will be affected by the building
- Residents will suffer during the construction phase

- Drainage in the area is poor – the development will add to flood risk

The Applicant's Agent made points including:

- The Applicant is not a developer, he bought the land in order to build a house for a family member
- The application is for an elegant single storey house that will be well hidden behind a 1.8m fence
- The applicant has worked with the Planning Department and reduced the scale of the proposal from previous refused schemes
- It won't look out of place in its setting, the roof is a smart contemporary design

In reply to the objectors comments Officers said that neither the Tree Officer nor Highways Officers had any objections to the Scheme. Building works is not a Planning issue, and standard Construction Times and Construction Vehicles conditions are already included. The area is not in a flood risk zone

In reply to Members' questions Officers replied:

- The proposed building is roughly 2 to 3m away from the front fence, and is now roughly 2m away from fence at rear boundary. Previous application had been set right next to this boundary back fence.
- It is not uncommon for gardens in residential areas to contain garages
- Windows are placed at the front of the property onto Kenley Road, and at the rear overlooking the open space
- Previous applications on this site have been much bigger, and the most recently rejected included a basement, was right up to back fence, and included a parking area. The current proposal is very different to the previously refused applications; it has a better roof design, it is more hidden, it is of reduced size and has less impact on neighbours.
- With regards to precedent, there are other similar sites with road access in the area but they do not all have the necessary plot size. All planning applications have to be considered on their own merits.
- If the applicant wanted to add a basement to the proposal they would have to come back to Committee to gain approval.

Members made comments including:

- Applicant has noted past refusals and made this application much smaller and less dominant.
- Flooding is not an issue
- There is a desperate need for all types of housing in the Borough and even though this is only for 1 or 2 people it will help to alleviate this problem
- Housing is needed across the Borough and all areas will need to accommodate development
- Support Officers views on parking
- Concerned about usage of back garden space to build housing – Deputy Mayor of London has spoken about not using such land.
- Proposal is between two garages and squashed on 3 sides, not happy about standard of accommodation and available light for the future residents of the proposed property.

- There is no off street parking so this will be a burden on the public realm
- Long back gardens are a characteristic of Merton Park. This proposal would change the open and leafy characteristics of Merton Park

## RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

6 237 KINGSTON ROAD, WIMBLEDON, SW19 3NW (Agenda Item 6)

Proposal: Erection of single storey rear extension

The Committee noted the officers report and presentation and additional information in the supplementary agenda.

The Objector made points including:

- This is the 3rd application and the 5th set of amended plans. And the applicant has still not followed officers' advice
- Application is still wider than the existing building and is still more than 3.5m deep.
- This application is materially harmful to neighbours
- Application is higher than floor of first floor flat
- It will be visible from the road and it will unbalance the house and does not respect the existing house
- The roof slopes down towards the house
- It's height will be above the fence line, and the flat roof is a risk to the security of the first floor flat
- Building Insurers say it would invalidate the insurance of all properties in the house
- Would affect the freeholds within the house

The Applicant made points including:

- This application is 29% smaller than last application and 42% smaller than first application
- The dimensions side and back have been pulled in to reduce the massing of the extension
- Added artificial grass to the roof for neighbours benefit

The Ward Councillor Dickie Wilkinson made points including:

- Applicant purchased the flat knowing that it was a one bedroomed flat in a Conservation Area. He is asking for too much and has not taken enough account of previous refusals
- Does not enhance the Conservation Area

In answer to Members' Questions Officers made comments including:

- Can't say if the roof is above or below the floor of the first floor flat, but the parapet wall is below the window sill level of the first floor bay window – even at highest point it is 20cm below the sill. It is now set back so will not be seen.

- The roof does slope down towards the house but all flat roofs are built at a slight angle which is not visible to the eye. Water will be guided to the guttering
- The garden serves the ground floor only and the proposal is less than half the depth of the garden
- The depth plus the new lighwell is 4.5m
- Dimensions meet policy requirements
- Can't say exactly what first floor residents will see, but the parapet wall is now set back and there is not enough harm to the first floor outlook to warrant a refusal

Members made comments including:

- It is not acceptable for the first floor to look out on this roof. The extension is too high and slopes the wrong way. It is not acceptable for parts of the roof to be higher than the floor of the property above.
- The applicant has not reduced the width enough, so it will still have a negative impact on the Conservation Area
- Concerned about upward tilt of the roof as it will impact on the amenity of a property in different ownership.
- Do not think artificial grass is an improvement on previous design, would much prefer to see a sedum green roof
- Annoyed that applicant has not followed Officers advice in full and has instead presented their compromise.
- It is not creating new housing
- Too much of the garden is being used
- The Applicant has not given enough information with the dimensions

One Member spoke in support of the application:

- There is a housing crisis in Merton and this type of application increasing bedroom numbers should be encouraged where it is possible
- Applicant has taken Officers' Advice to reduce the size of the proposal
- Officers say it is acceptable, cannot see reason for refusal

A motion to refuse was proposed and seconded on the same grounds as previously:

- The property is in a Conservation Area and this extension impacts on the frontage and unbalances the house.
- The building currently remains in its original proportions, this proposal would impact negatively on the original building, and is against policies DMD2 and DMD3
- That the amenity of the first floor residents would be affected, where they now see a drop outside their window the development would replace this with a roof.
- They also commented that the proposal was a very unsympathetic extension that was disproportionate and out of balance with the original building.

And added further concerns:

- It uses too much of the garden
- Applicant has looked at the previous refusals and presented his compromise, the Committee does not want to be forced into accepting a compromise

RESOLVED

The Committee agreed to:

1. REFUSE the application for the following reasons:

- The bulk and scale and width of the extension are too great and are not proportionate or sympathetic to the existing building
- The extension would cause a loss of amenity to the residents of the first floor flat
- As per the previous reasons for refusal under the previous application

2. DELEGATE to the Director of Environment & Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refusal including references to appropriate policies

7 LEE HOUSE, 2 LANCASTER AVENUE, WIMBLEDON SW19 5DE (Agenda Item 7)

This Item was withdrawn from the Agenda prior to the meeting

8 PLANNING APPEAL DECISIONS (Agenda Item 8)

Members noted that the Planning Inspector had allowed an Appeal for the scheme at 1A Courthorpe Road, that had been refused by the Committee. The Inspector had awarded costs against the Council. The Inspector believed there was no evidence for the Refusal on Highways grounds, given that Council Highways Officers were content with the scheme.

RESOLVED: Members Noted the Report on Planning Appeal Decisions

9 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 9)

RESOLVED: The Committee noted the report on current Enforcement cases

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