

Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at www.merton.gov.uk/committee.

PLANNING APPLICATIONS COMMITTEE

18 OCTOBER 2018

(7.15 pm - 10.30 am)

PRESENT Councillor Linda Kirby (in the Chair), Councillor Najeeb Latif, Councillor David Chung, Councillor Russell Makin, Councillor Peter Southgate, Councillor Marsie Skeete, Councillor Dave Ward, Councillor Dennis Pearce, Councillor Stephen Crowe, and Councillor Carl Quilliam

ALSO PRESENT Neil Milligan – Building and Development Control Manager
Jonathan Lewis – Planning Team Leader South
Tim Bryson – Planning Team Leader North
Sarath Attanayke – Transport Planning Officer
Lisa Jewell – Democratic Services Officer

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillors Laxmi Attawar, David Dean and Simon McGrath.

The Chair welcomed Substitutes: Councillors Dennis Pearce, Stephen Crowe and Carl Quilliam

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 20 September 2018 are agreed as an accurate record.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

Supplementary Agenda: Amendments and modifications to the Officer's report were published in a Supplementary Agenda. This applied to items 5 and 7.

Order of the meeting – The Chair announced that the items would be taken in the following order 5,6, 7,10,8,9, 11 and 12

5 SOUTHEY BOWLING CLUB, 557 AND 559 KINGSTON ROAD, SW20 8SF (Agenda Item 5)

Proposal: Application for variation of condition 2 (approved drawings) attached to LBM planning application 15/P4083, to allow for additional dormer windows and a/c units relating to the demolition of existing buildings and redevelopment of site with erection of 9 houses with new access from Kingston Road; erection of new bowls

club building and associated facilities, including a new changing room building and relocation of groundsman's store using existing access to Lower Downs Road.

The Committee noted the officer's report and presentation and information in the Supplementary Agenda. Members noted that a more robust noise control was suggested that would include an control to limit the timing of the use of the air handling units to match the hours of operation of the function rooms.

The Objector raised residents' concerns, including:

- Proposed location of the air handling units is 5 steps away from the boundary of our property
- Dirty air will be expelled directly into our living space
- There will be unacceptable levels of noise in our garden
- The units will be visually intrusive
- The proposal is against Merton Policy DMD2(i)
- This development does not need air con, it has already taken away our sunlight and our alleyway

The Applicant's agent made points including:

- The Air handling units are required because of the need to soundproof the function rooms
- The units will operate at 27dB, which is quieter than average speech
- The units just chill the air, so they don't expel 'dirty' air
- The units are near the boundary, but they are necessary to protect the residents from any noise in the function rooms

Members asked officers about the location of the units, and if they could be positioned elsewhere. The Chair agreed that the Applicant's agent could answer this question and he explained that the Bowling Green Side is too narrow to accommodate the louvres of the units, and that the proposed location is where the units need to be, and by the main entrance would not be ideal.

Members asked about enforcement and control of the noise emissions from the units. Officers explained that the amendment to the noise control condition would limit the times that the units could operate and that this was a measurable and enforceable condition. Members asked about maintenance of the units, as it is known that units become noisier if not well maintained. Officers suggested that the noise limits in the condition were enforceable but an informative could suggest to the applicants that they maintain the units, and that they only run the units when they are using the function rooms, rather than running on a set timer.

Members noted that the noise levels drop from 27dB at the unit to 10dB at the boundary fence, but that Officers do not know what the noise levels would be at nearby properties. Members also noted that the units were positioned at

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions in the officer's report, an amended condition regarding noise control, an additional informative regarding noise control and deed of variation to s.106 legal agreement.

Note: The wording of the amended condition and informative is delegated to the Director of Environment and Regeneration.

6 42 LINGFIELD ROAD, WIMBLEDON SW19 4PZ (Agenda Item 6)

Proposal: Erection of a single storey rear extension, erection of side dormer window to second floor left flank roof slope, first floor rear bay window and relocation of front door from side elevation to front elevation.

The Committee noted the officer's report and presentation, and noted that the property is locally listed but that the proposals are to facilitate easy access for an occupant with disabilities.

The Committee received verbal presentations from two Objectors who made points including:

- The proposal is overdevelopment, it is too big and bulky.
- It will block light to the neighbours houses and gardens, it will give the neighbours gardens a 'walled in' feel.
- Too much of the garden will be covered by the extension, this will affect wildlife and permeability
- Neighbours objections have not been considered.
- The Council's approach is inconsistent, other properties have not been allowed such extensions
- The Houses are architecturally consistent, and we are unhappy with the changes proposed.

The applicant's agent made a verbal representation and made points including:

- The application was originally submitted to allow wheelchair access to the house. Following the advise of the Heritage Officer the original plans were amended to retain the front bay window.
- The Officers report has considered loss of daylight and sunlight, as the proposal is single storey with a flat roof, and so not unacceptable
- The remaining garden is heavily vegetated
- The back extension is set back from the boundary and so it is not considered harmful to neighbour amenity
- The proposal will not cause any harm to the Conservation area.

In reply to Members' Questions, The Planning Team Leader North gave replies:

- Officers did consider the Daylight and Sunlight assessments
- The extension is too deep to be allowed in a conservation area under permitted development

Members commented that the proposal will cause a loss of symmetry between the property and its neighbours. However the reason for the proposal; to make the house wheelchair accessible, outweighs this loss of symmetry

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

7 WIMBLEDON HIGH SCHOOL, MANSEL ROAD, SW19 4AA (Agenda Item 7)

Proposal: Multi-phase project to expand existing science block with erection of new storey, the refurbishment of the Hastings building, demolition of existing dining hall, part demolition of Lewis House, erection of new assembly hall, erection of sixth form centre and rooftop junior play area plus the creation of a sixth form courtyard on the site of the old dining hall and Lewis House footprint. Formation of new entrance from Wimbledon Hill Road to sixth form centre together with associated landscaping works.

The Committee noted the officer's report and presentation and additional information in the supplementary Agenda.

In answer to Members' Questions, The Planning Team Leader North replied:

- The School have thought about construction safety and have produced a phased construction plan which will be finalised by condition. Ultimately the School is responsible for the on-site safety of Pupils and Staff.
- We do not know how many staff currently hold parking permits. But these will not be renewed and no further permits will be issued to staff.
- Solar Panels are proposed and the School has an Energy Strategy
- There is currently some degree of overlooking onto the ground floor playground. The proposed 6th form breakout area and new rooftop playground will be screened but there will still be some overlooking. The School have also assessed noise levels

Members commented that generally they liked the Scheme but that they expressed concerns with the Design of the Roof of the STEAM building. The Architect of the building was present and at the request of the Chair, he explained that following the DRP review of the original scheme the design of this roof had been changed. The new design sought to tie the whole site together. He commented that the design plans that Members were looking at could be better. He continued that at this stage it would be difficult to make changes to the proposed design.

Planning Officers proposed that an additional condition be added asking the School to review the materials to be used on this roof, in an attempt to improve its appearance.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to completion of a S.106 Agreement, conditions in the Officer's Report and an additional condition requiring the STEAM building's roof materials to be reviewed and brought back to the Chair and Vice Chair to seek their approval.

The wording of this additional condition will be delegated to the Director of Environment and Regeneration.

8 THE WILLIAM MORRIS & THE 1929 SHOP, 18 & 20 WATERMILL WAY, COLLIERS WOOD, LONDON, SW19 2RD (Agenda Item 8)

Proposal: Alterations and extensions to existing public house and restaurant involving partial demolition works and new outdoor dining facilities, and new brewery and ancillary shop

The Committee noted the officer's report and presentation.

In answer to members' questions, The Planning Team Leader made points including:

- Condition 12 does not specify the method that should be used to control odour from the microbrewery. It is for the applicant to obtain expert advice and then submit this method for scrutiny by the Council's Environmental Health team
- Allowing the microbrewery operating hours of 7am to 7pm, 7 days a week gives the operator flexibility to meet the demand for their product. There are conditions proposed in place to control any harm arising from the brewery process. An additional noise condition is proposed.
- The Environment Agency issues permits to safeguard the integrity of the water course, these are entirely separate to the planning process.

Members made comments including:

- This development will be a valuable addition to the area
- Impressed by the description of the cladding of the microbrewery

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions.

9 2 VECTIS GARDENS, TOOTING, SW17 9RE (Agenda Item 9)

Proposal: Construction of a single storey rear extension and side extension with dormer window to the property and the construction of 1 x self-contained flat above the side extension.

NOTE: Councillor Linda Kirby left the Chair, and the dais, for the duration of this item. She spoke from the floor of the chamber and declared that she would not vote on the item.

Councillor Najeeb Latif took the Chair for the duration of this item.

The Committee noted the officer's report and presentation, and noted that the majority of the development proposed has previously been found acceptable and granted planning permission.

Councillor Linda Kirby said that she had called this item into the Committee owing to a neighbour's concerns. Councillor Kirby also has concerns with the number of conversions occurring in Graveney and Longthornton ward, and the rapidly rising number of HMOs in the area. In the case of this application she was concerned about the size and cramped nature of the proposed new first floor flat and its lack of amenity space, and that the proposal would add to the loss of small family homes in the area.

In reply to Members' questions the Planning Officer made points including:

- The proposed extension is acceptable in planning terms, and if the property was to be maintained as a single dwelling the rear extension would be allowed under permitted development rights.
- The Roof addition already has a certificate of lawfulness
- The proposed family sized flat comfortably meets the Merton garden size standard for new homes.
- Merton Council often allows one bedroomed units with no amenity space, and given that the flat was acceptable in other respects the absence of amenity space was not considered a basis to withhold permission.
- The Transport Planning Officers are content with the proposed parking arrangements

Members made comments including:

- Members felt that they could not make a decision on this application until they had received clarification on this proposed parking arrangement, as it was Member's belief that this configuration of parking was unsatisfactory and against Merton Policy.
- Members were concerned about the small size of the 1 Bedroomed unit and its lack of amenity space. Members believed that Merton Policy required high quality design and the protection of the amenities of future occupiers

RESOLVED

The Committee voted to DEFER this item to the next meeting so that Officers can re-examine the parking to the front of the property and the lack of amenity space for the one bedroomed flat.

10 TREE PRESERVATION ORDER (NO.732) AT 45, 51 & 53 MYRNA CLOSE, COLLIERS WOOD, SW19 (Agenda Item 10)

The Committee noted the Officer's report and recommendation to confirm the Tree Preservation Order (No. 732) at 45,51 & 53 Myrna Close. The Committee noted that a temporary TPO had been issued on the three trees and they were now being asked to confirm a permanent TPO on the trees that would require the tree owners to

consult with the Council's tree officer before carrying out any work on the trees, and prevented the trees from being removed.

The Committee received verbal representations from two objectors to the TPO and from one supporter of the TPO.

The Objectors made points including:

- The trees are over 35ft tall and if one fell it would be a disaster. They need to be removed for safety reasons
- The people who have supported the TPO do not live in the houses threatened by the trees
- The report is inaccurate as there are 49 mature trees in the area and the loss of these three trees would not have a significant impact.
- Objectors believe that it is their Human Right to be protected from the threat of these trees falling.
- By imposing this TPO the Council will be penalising residents who sought to follow correct procedure by applying for Planning Permission
- Who is responsible if a tree does fall down

A supporter of the TPO made points including:

- Trees are much need to help counter the damaging effects of air pollution. One tree can replace the oxygen used up by one car in a day
- The Mayor of London is supporting the planting of more trees for this reason.
- It would be better to think about trimming or pollarding these trees
- Car covers can be used if falling leaves are a problem

In reply to Members Questions The Planning Officer made points including:

- The Council has no duty to maintain these three trees as they are not on Council land. It is the duty of the tree owners to maintain
- The Police comment in the report is not of particular importance
- If expert evidence of bad health issues is supplied it will be considered
- If the Lime Tree does cause a problem by covering a street light then something can be done.
- The comment in the report about 'no other mature trees' was not made by the tree Officer, it was just reporting what a resident had said.
- These are healthy trees and are not causing sufficient problems to warrant their removal.
- Pollarding may be too extreme – the Tree Officer can advise
- The photo showing a fallen branch is not an indication that the tree is rotten. Trees do need maintenance, there are 1000s of street trees in the borough that the Council maintains.

Members of the Committee made comments including:

- Do not want to set a precedent letting people cut down healthy trees
- The Council should help and advise residents to maintain their trees

RESOLVED

To Confirm without modification Merton (No. 732) Tree Preservation Order 2018

11 PLANNING APPEAL DECISIONS (Agenda Item 11)

RESOLVED

The Committee noted the Officer's Report on Planning Appeal Decisions

12 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 12)

The Planning Development Manager asked the Committee to note the new enforcement action for 1 Caxton Road.

Members enquired about the Burn Bullock site and noted in enforcement terms little has happened recently.

Members asked if 299 Bishopsford Road can go back on the list of reported items

RESOLVED

The Committee noted the Officer's Report on Planning Enforcement