

# Agenda Item 3

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## PLANNING APPLICATIONS COMMITTEE

21 MARCH 2019

(7.15 pm - 10.50 pm)

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

ALSO PRESENT Jonathan Lewis – Planning Team Leader South  
Tim Bryson – Planning Team Leader North  
Stuart Adams – Planning Officer  
Sarath Attanayke – Transport Planning Officer  
Lisa Jewell – Democratic Services Officer

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

Apologies for absence were received from Councillor Marsie Skeete. Councillor Dennis Pearce attended as a substitute.

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

There were no declarations of pecuniary interest. Councillor David Dean declared that as his family had been involved with Wimbledon Rugby Club he would not speak or vote on this item.

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

RESOLVED: That the minutes of the meeting held on 14 February 2019 were 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, 9, 10, 11, and 12. Order of the meeting – The Chair announced that the items would be taken in the following order 5, 9, 11, 13, 7, 8, 10, 12, 14 and 15.

Note: Item 6 was withdrawn from the Agenda prior to the meeting

### 5 WIMBLEDON RUGBY CLUB, BEVERLEY MEADS, BARHAM ROAD, SW20 0ET (Agenda Item 5)

Proposal: Installation of artificial grass on existing rugby pitch with associated hard and soft landscaping, fencing and floodlighting.

The Committee noted the officer's report and presentation and additional information in the Supplementary Agenda. The Committee received verbal presentations from 3 objectors (who shared the maximum time of 6 minutes) and the Applicant and Agent.

The Objectors raised points including:

- Will affect and have huge impact on the openness of the MOL (Metropolitan Open Land)
- Will reduce access across the space
- A much less intrusive application for Cricket Nets was refused in 2016
- There is no travel plan, despite requests. The site Ptal rating is 0
- Private streets cannot be considered as available for parking. These streets have no pavements
- The site does not have the capacity for 178 cars parking on the grass in the MOL.
- Application will cause loss of grass and is detrimental to the MOL
- Residents see no difference between this application and the refused previous application
- Procedural flaw in process as the Transport Survey was late. There are other pieces of information missing.
- The proposed floodlighting does not fall into a defined exception and must be deemed inappropriate. There are recent appeal decisions where floodlights have been considered inappropriate in the Greenbelt

The Applicant and Agent made points including:

- This application is part of the 'Rugby 365' program to create high quality accessible Rugby venues
- LBM supports the playing field strategy
- There is no detrimental impact on the character of the area.
- This is an upgrade of existing facilities, the existing floodlighting is to be replaced by new that creates less light spillage. The fencing is to be upgraded to blend in.
- Other such pitches in MOL land have been allowed
- The club provides many opportunities for local adult and children's sport.
- This application will improve community engagement and allow for increased participation
- It has been demonstrated that it will not cause any detrimental impact on local parking
- Floodlight training already takes place
- No use after 10pm, supported by LBM Environmental Health
- Large number of supporting representations sent in

In reply to Members' questions, Officers replied:

- The application for Cricket Nets was refused because they were proposed in a different area, an area that currently does not have any facilities on it. This application is proposing to replace an existing rugby pitch with another, and therefore Officers can support.
- We asked the applicant for their busiest peak times and carried out transport survey at those times. Not aware of Residents being asked about these times. After 8pm the traffic disappears
- The Parking Survey was done by Highways Engineers and was a technical request, this was not re-consulted on. There was a delay getting this onto the web-site as Highways Officers were reviewing the document.
- Cars can park on the grass
- This main benefit of this scheme for the Club is year round usage of the pitch.

Members made comments including:

- The Transport Survey does appear to be skewed towards the Rugby Club, another survey should be carried out to include and represent residents
- The all-weather pitch will mean more use but still only one match at a time will be played. Saturdays and Sundays 9am -3pm would still be the busiest time. Can see no reason to refuse, and will always support increased sporting facilities for residents.
- Attach weight to the comments of the Wimbledon and Putney Downs Conservators, who subject to the hours of floodlighting, are content with the application

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

6 141 THE BROADWAY, WIMBLEDON, SW19 1QJ (Agenda Item 6)

Withdrawn from this agenda prior to the meeting

7 THE ALL ENGLAND LAWN TENNIS AND CROQUET CLUB, CHURCH ROAD, WIMBLEDON, LONDON, SW19 5AE (Agenda Item 7)

Proposal: Application for temporary permission to erect 5 x air domes over existing clay courts between September and May for a period of 3 years

The Committee noted the officer's report and presentation

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

8 356 GARTH ROAD, MORDEN, SM4 4NL (Agenda Item 8)

Proposal: Erection of an end of terrace dwelling with basement level incorporating new vehicular crossover to Wydell Close and off-street parking.

The Committee noted the officer's report and presentation

Members made comments including:

- The Committees previous refusal was for one specific reason and the applicant has tackled this issue with this application
- We cannot turn this down just because we would not want to live in it
- The amenity space, 17.5m<sup>2</sup>, is now acceptable

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

9 27 - 39 HARTFIELD ROAD, WIMBLEDON, SW19 3SG (Agenda Item 9)

Proposal: Demolition of existing buildings and structures, and redevelopment for a new 8 - storey building (plus additional plant at roof level) comprising of a hotel (use class C1) and three commercial units (a flexible use within classes A1, A2, A3 and / or A4); substation; alterations to existing access and creation of new access on Graham Road; hard and soft landscaping, ground works and associated infrastructure.

The Committee noted the officer's report and presentation and additional information in the Supplementary Agenda. The Committee received verbal presentations from two objectors, the applicant's agent and a Ward Councillor

The Objectors raised points including:

- Concerned about the Safety of pedestrians using Graham Road
- Graham Road is used by many children and families walking to School. This application proposes that Graham Road is an exit road for service vehicles 7am -11pm every day. What safety analysis has been carried out on this?
- It is assumed that all vehicles will turn left onto Graham Road but this is to be encouraged and not enforced.
- If this application is allowed the servicing plan should be reduced and the left hand turn should be enforced.
- This application repeats the design planning mistakes of the past; its height, massing and scale all being too big. It will dominate its surroundings and is against new Planning Policy
- Is this the right place for such a big hotel?
- There are no CGI plans to show what impact it will have on the 2 storey houses in Graham Road
- The Police have advised that reception should be at Ground Level, not on the first floor as the design indicates

The Applicant made points including:

- This is a high quality design and a £50million investment that will create 150 jobs.
- We have listened and evolved the scheme. Officers say the height is acceptable and is less than Pinnacle House next door. The DRP gave it a green light. The Application is submitted to fit the requirement of the emerging local plan
- There was concern regarding Service Vehicles using Beulah Road, and we have changed this so that vehicles will turn left onto Graham Road and then left onto Hartfield Road.
- The building will be have a BREEAM 'very good' rating and will have environmentally friendly features including photovoltaic panels and green roofs

The Ward Councillor, Councillor Anthony Fairclough made points including:

- This application will have an impact on pedestrian safety, it is not an easy site for servicing. There is a plan for vehicles to turn left onto Graham Road but it is not enforceable.
- This is a main walking route for children and families
- Local Businesses are concerned about the impact of the application
- The NPPF and Merton policies could relate to pedestrian safety in this case
- Condition 32 limits the hours of service vehicles.

The Planning Team Leader North made points in answer to the Objectors concerns:

- Design is subjective and this application has been given a green light by the Design Review Panel (DRP)
- The Design staggers down from higher neighbouring buildings
- Following discussions the servicing was changed to using a left hand turn onto Graham Road as the exit for service vehicles

Members discussed the traffic/highway issues of servicing to the rear of the site. The Transport Planning Officer gave information in reply to members Questions:

- This is a highly sustainable location for transport
- Taxis will not use the service entrance. They can drop off in the Bus Lane during off peak times. We do not expect many taxi drop offs to the hotel
- This type of Hotel does not attract guests arriving in large parties by coach,
- Vehicles are much more likely to turn left out of Graham Road. It is highly unlikely that there will be more than 3 to 4 vehicles per day
- It would be possible to add further signage to encourage this left hand turn.
- It would be possible to fit a bollard to prevent a right hand turn, and it would be possible to make the service road one way, but it is up to the applicant to make these arrangements.

The Chair asked the Applicant about the proposal to install a bollard to ensure a left hand turn out of Graham Road onto Hartfield Road, and about the proposal to make the section of Graham Road one way – the applicant responded that he would do both.

In reply to Members Questions the Planning Team Leader North replied:

- Proposal does include measures to encourage a left hand turn out of Graham Road
- Police concerns have been dealt with by the new condition 37. Reception is on a mezzanine floor, overlooking the ground floor, which deals with a main police concern.
- The Service Plans are based on 100% occupancy
- The Building will be 28.4m high to the top of the plant room, 25.9m to the top of the roof. It is angled away from Graham Road to reduce impact, and is staggered down from its taller neighbours. The photovoltaic panels will lie flat so will not create ant reflection issues.

Members made comments including:

- Have worked in Hotels and the deliveries/service vehicles per day are very limited – one linen truck per day, drinks delivery once a week and then smaller food and drink delivery vans 2 or 3 times a week
- Applicant must enforce the left hand turns for service vehicles
- Reassured about service vehicle frequency
- This application is reasonable in its Town Centre location
- This is a residential area, has always been residential and it is not appropriate to put a nine storey building next to housing, it is not the Town Centre
- No measures can be taken to stop lorries finding their way onto the residential roads
- First time we have seen Police involvement, with the Police unhappy with an application
- The DRP actually gave the application a red light on two previous occasions. We should reject it based on height, massing and size
- Concerned for residents with this servicing arrangements
- Propose we consider changing Condition 32 to reduce servicing hours to 10am-10.30pm
- Can't see a good reason to refuse, the service vehicles are a restricted number, and the DRP has given it a green light
- DRP is not a legal body.

The Committee voted to Grant Planning permission subject to conditions and S106 Agreements. A vote to amend condition 32 regarding servicing hours was defeated.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions and S106 Agreement

10 58 HAYNT WALK, RAYNES PARK, SW20 9NX (Agenda Item 10)

Proposal: Erection of a two storey end of terrace dwellinghouse with associated off street car parking.

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

In reply to a Member's question the Planning Team Leader South explained that if the appeal on the previous application for this site is allowed and the application currently being considered allowed, then the applicant will have two permissions and will be able to choose which scheme to build.

## RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

11 WIMBLEDON STADIUM, PLOUGH LANE, TOOTING, SW17 0BL (Agenda Item 11)

Proposal: Application under Section 73 to vary conditions 3 (approved plans) and 20 (opening hours) and omit conditions 22, 23, 44 and 46 (all relating to café and crèche) attached to LBM planning permission 14/P4361 (football stadium, commercial and residential development).

The Committee noted the officer's report and presentation and additional information in the Supplementary Agenda. The Committee received verbal presentations from two objectors, the applicant's agent and a Ward Councillor

The Objectors made points including:

- Concerned about the scraping of the crèche as it was the only community provision in this application
- Unclear who decided that this childcare was unnecessary in this area
- In fact there are a growing number of young children in Wimbledon Park and there is a demand for childcare. This is shown in Merton Council's own Childcare Sufficiency Report
- Why isn't the Council asking the Developer to provide childcare within this huge development
- Air pollution kills 33 people in London every day.
- Merton's Planning Guidelines say that applications must be refused if they will make air pollution worse.
- NO<sub>2</sub> Levels in this area have not been properly considered and a survey should be carried out by an Environmental Statistical expert should be carried out.
- A decision on this application should be delayed until these levels have been quantified

The Applicant made points including:

- We did discuss the crèche with childcare providers but they thought that a crèche would not be commercially sustainable as there were problems with the site that could not be overcome.

- There are other community uses on the site; the Squash and Fitness Club
- The application is supported by a full statement of Air Quality that was undertaken by specialists who concluded that there were no issues. As part of this we have reduced the residential and stadium car park.
- We are now providing 28 additional affordable homes in the development

The Ward Councillor Ed Gretton made points including:

- The Childcare Sufficiency Study does say that there is a need for childcare in the Wimbledon Park area
- There are serious issues with air quality in the area. It would be appropriate to adjourn the decision on this application until further investigation has been done
- Would like to re-instate the previous design of a softer radial curve.

In reply to Member's questions, Officers replied that the original application proposed 60 affordable units, this has now been increased by a further 20. In addition there 100 shared ownership units proposed but these are not part of the S106 agreement; if these are delivered they will count towards the affordable housing target of the borough, but the Council will not have nomination rights on the units

A member commented that he was disappointed that the Council hadn't pursued the applicant regarding the loss of the crèche, and that he proposed a recommendation that the applicant be pursued for a clawback of money towards childcare. This was proposed and seconded. Officers advised against such a recommendation as there was no legal requirement to provide a crèche at the site and it was not covered by policy or by the S106 agreement, and it would be unreasonable to require an off-site contribution towards providing a crèche. This recommendation was defeated by the vote.

A member commented that the new design of the Stadium, with the squaring of the corners, is a backward step. He felt that the original design is preferable and it would be disappointing to lose this and these design issues could be addressed quickly and easily. Accordingly he proposed a refusal of the application on the grounds of a compromised design but did not receive a seconder.

## RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions and deed of variation to the S106 agreement

12 LAND ADJ, 65 SHERWOOD PARK ROAD, MITCHAM, CR4 1NB (Agenda Item 12)

Proposal; Erection of a two storey (with basement level) end-of-terrace property comprising 2 x self-contained flats.



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

A Member commented that it was a pity that this application was not providing one family sized home, rather than two smaller units. The South Area Team leader confirmed that advice had been provided at the pre-application stage for one dwelling on the site.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

13 52 – 54 WANDLE BANK, COLLIERS WOOD, LONDON, SW19 1DW (Agenda Item 13)

Proposal: Application to vary condition 2 (approved plans) attached to LBM planning permission 15/P4741 (34 x residential units and 459 sqm of office space). The changes relate to reconfiguring the layout of Block A to create 11 new units (taking total to 45), alterations to fenestration/terrace and additional cycle parking spaces across the development.

The Committee noted the officer's report and presentation. The Committee received verbal presentations from an objector, and the applicant's agent.

The Objector made points including:

- Previously allowed plan is already too dense, this application includes 45 more units, an increase of 30%. This a substantial increase.
- The change of the roof terraces to units will result in further substantial overlooking and loss of privacy to neighbouring properties
- More affordable Housing should be provided
- The application increases the flood and subsidence risks for neighbours and residents of the new properties
- Vital measurements are still missing
- There is no practical design reason given for these changes, it is purely about increasing the developers profit

The Agent to the Application made points including:

- This application is in accord with the London Plan
- Our transport survey suggests that there is parking capacity in the area and this has been signed off by the Council. Future residents will not get parking permits
- The application does not increase the massing of Block A, therefore there is no further effect on sunlight or daylight to neighbours. There is no additional impact on overlooking.
- This application proposes 4 affordable units on-site, the previous permission did not provide any affordable units on –site, it provided a payment for affordable housing elsewhere in the Borough

- This application is for high quality accommodation with over 40% being family sized units
- The cycling storage is in accordance with the London Plan

In reply to Members' questions, Officers gave answers including:

- Original application did not provide any on-site affordable, it provided £200,000 towards off-site affordable housing
- The Viability assessment for this application has been reviewed by an external assessor, and found that 4 on-site affordable units is viable
- Although our target for affordable housing is 40% it is Government Policy that we cannot refuse an application if the viability assessment says that it cannot support this level of affordable housing
- There is a clawback mechanism on the application
- Officers do not know what would happen regarding the payments to Crossrail, if Crossrail were to be abandoned. This is a matter for the Mayor of London to answer

Members made comments including:

- In the past we have been told that small allocations of affordable units are not very attractive for Housing Associations to manage.
- The Developers must be confident that they can secure social housing partner to provide the affordable units
- Pleased to see 3 and 4 bedroomed property included in the affordable units

Members noted the Planning Team Leader South's comments that Officers could explore the potential for using funds collected for off-site affordable housing to deliver extra affordable units on this site (London Plan policy 3.15 (g) recommends the maximum affordable housing be delivered on individual sites having regard to the funds available to fund affordable housing) if this could be shown to represent good value to the Council.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions and deed of variation to the S106 agreement.

#### 14 PLANNING APPEAL DECISIONS (Agenda Item 14)

RESOLVED

The Committee noted the report on Planning Appeal Decisions

#### 15 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 15)

RESOLVED

The Committee noted the Enforcement Officer's report.