

Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

14 NOVEMBER 2019

(7.15 pm - 10.05 pm)

PRESENT Councillors Councillor Linda Kirby (in the Chair),
Councillor Najeeb Latif, Councillor David Dean,
Councillor Simon McGrath, Councillor Peter Southgate,
Councillor Billy Christie, Councillor Rebecca Lanning,
Councillor Joan Henry and Councillor Dave Ward

ALSO PRESENT Neil Milligan – Building and Development Control Manager
Sam Lowther – Senior Estates Development Management
Officer (Ravensbury Item only)
Tim Bryson – Planning Team Leader North
Jonathan Lewis – Planning Team Leader South
Sarath Attanayake – Transport Planning Officer
Lisa Jewell – Democratic Services Officer

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Russell Makin.
Councillor David Chung attended as substitute

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

Councillor Linda Kirby made a statement to inform the Committee that she and Councillor Najeeb Latif had both Chaired recent Design Review Panel meetings. At these meetings neither take any part in the debate or vote on the proposal.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 17 October 2019 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 6, 7, 8, 9, 10, 12, 14 and 15.

Order of the meeting – The Chair announced that the items would be taken in the following order 14, 7, 9, 12, 5, 10, 15, 6, 8, 11, 13, 16 and 17.

5 61 APPROACH ROAD, RAYNES PARK, SW20 8BA (Agenda Item 5)

Proposal: Application for change of use from A1(retail) to A5 and A3 (restaurant and takeaway)

The Committee noted the officers report and presentation

The Committee received a verbal representation from a resident who made objections including:

- This change will have a negative effect on neighbours
- There are already 10 takeaway units in Raynes Park, and this unit is only 100m from the centre. Current takeaways already struggle
- There is no need for more Takeaways in the area, they detract from a healthy lifestyle
- The drawings are inaccurate, they do not show a dormer or a Velux
- The Report says that the existing flue is taller than the Ridge Height, but photo evidence shows that it is not
- The applicant has no consideration for neighbours who will be subject to noise and smells

In reply to Members questions Officers made comments including:

- Officers have worked with Environmental Health colleagues who have submitted conditions on noise and smell mitigation
- The photo does appear to show that the existing flue ends below ridge height. It can be conditioned to ensure that new flue is above ridge height
- The neighbouring Fish and Chip shop has opening hours which vary during the week. The latest it opens is to 11pm on a Thursday and Friday. It would be unreasonable to limit the proposal's opening hours, with the exception of the Sunday hours, to the same as the neighbour without good planning reason.
- There are two flats above
- There are Public Health concerns with takeaways that are sited near to Schools, but that does not apply in this case

Officers confirmed that they could add a condition requiring the new flue to be taller than ridge height and they could amend the opening times to a 10.30pm close on Sunday

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions in the officers report, a change to 10.30pm for the end of opening hours on a Sunday and an additional condition regarding the height of the exhaust flue

The wording of the additional condition is delegated to the Director of Environment and Regeneration

6 SMART CENTRE, CANTERBURY ROAD, SM4 6PT (Agenda Item 6)

Proposal: Installation of a multi-use games area with erection of perimeter fencing and roof net

The Committee noted the officers report, presentation and additional information in the Supplementary Agenda - Modifications

In reply to Members questions the Planning Team Leader South explained that there was a condition for replacement trees to be planted, and Officers will seek to link this to the use of a spare piece of land on the site.

Officers are not aware of any CCTV for this multi-use games area

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

7 LAND ADJ TO 57 GORE ROAD, RAYNES PARK, SW20 8JN (Agenda Item 7)

Proposal: Demolition of garage and erection of a one bedroom 2 storey detached house

The Committee noted the officers report, presentation and additional information in the Supplementary Agenda – Modifications. Officers acknowledged that recent information had been received that suggested that the application had floor area of less than the required 58m² but this was the case it was only slightly less and Officers still regarded the scheme as acceptable.

The Committee received a verbal representation from two objectors who made points including:

- There are already problems with parking and dangerous turning vehicles – this proposal will make both worse and reduce pedestrian safety further
- The property is not big enough, there must be a reason for the setting of minimum space standards
- The proposal does not have enough outdoor space and overlooks a main road
- The proposal will block sunlight to its neighbour
- The proposal will cause security issues by creating a narrow side entrance.
- It is not logical to replace a garage with a house

The Committee received a verbal representation from the applicant's agent who made points including:

- The Garage is no longer fit for use
- A recent application was refused, but this proposal does compliment Gore Road
- It would provide adequate internal and amenity space
- 4 out of 5 adjacent roads are of the same width and have the same issues. This site has a dropped kerb but other kerbs could be used
- The main habitable rooms have windows facing east.

The Ward Councillor, Anthony Fairclough, made a verbal representation including points:

- Amplify resident's concerns
- This application will make the turning circle more difficult and dangerous
- The proposal will affect neighbour amenity
- The standard of accommodation is not policy compliant; it is too small and does not meet the minimum outdoor space standards
- It is not acceptable to suggest that the future occupants can take out a gym membership

The Planning Team Leader North addressed issues raised by objectors:

- Regarding the turning circle in Gore Road, he explained that issues with vehicle turning cannot be considered as a reason to withhold planning permission as the applicant is perfectly entitled to erect a 1m fence on their boundary, tomorrow, without any permission required. If this was done it would have the same effect on the turning circle as the proposal.
- The site is in a CPZ and the proposal is permit free and so will not impact on parking.
- Any effect on light is in non-habitable rooms
- The previous application was not refused on highway grounds

The Planning Team Leader North confirmed that the owner/occupier of the land south of the application site was consulted on the application but chose not to respond. It was suggested at the meeting that this land was owned by Thames water.

In reply to Members' questions Officer made comments including:

- The amenity space is less than would normally expect, but as the house is only one bedroomed Officers have taken a balanced view and believe that the proposal would work.
- It is possible to ask the applicant for a construction logistic plan regarding vehicle turning
- Issues with vehicle turning cannot be considered as a constraint on planning as the applicant could erect a 1m fence on their boundary, tomorrow, without any permission required and this would have the same effect on the turning circle as the proposal
- We do carry out checks on measurements supplied by applicants, in this case there is a small discrepancy
- The 58m² is for two storeys, a one bedroomed flat would have a minimum space standard of 50m²

Members made comments including:

- Concerned about the floor space being less than 58m², this sets a dangerous precedent
- Should not defer this for 2 months given that size difference is not confirmed and is only very small

A member proposed a deferral for this item, so that the discrepancy in measurement could be investigated, but this did not receive a seconder.

A refusal, for the reasons of size and overdevelopment was proposed and seconded. This was not carried by the vote and Committee then voted on the Officers recommendation

RESOLVED

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

8 14 GROSVENOR HILL, WIMBLEDON, SW19 4SA (Agenda Item 8)

Proposal: Erection of a two storey dwelling house (with accommodation at basement level and within the roof space) together with provision of off-street parking and associated landscaping

The Committee noted the officers report and presentation and additional information in the Supplementary Agenda – Modification. Members noted that the height of the proposal is the same as that previously allowed

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

9 OAKLEIGH, HERBERT ROAD, WIMBLEDON, SW19 3SH (Agenda Item 9)

Proposal: Two storey rear extension and change of use to facilitate 15 bedroom, house in multiple occupation (HMO)

The Committee noted the officers report and presentation, and noted that Condition 10 had been amended so that there were now only 11 occupants allowed.

The Committee received verbal representations from two residents, who raised objections including:

- Bedroom 10, does not have any natural light, neither does the passageways, Staircases, ground floor bathroom
- The proposal is not policy compliant as it only has 2 kitchens, and these have no cookers and insufficient counters
- The proposal does not meet the minimum standard for bathrooms
- The plans submitted are incorrect and misleading
- In some rooms the ceiling height is less than 1.5 and this reduces the floor area
- There is an error in the Planning Officers Report – Oakleigh is not an existing HMO
- 62 Local residents have opposed as this will have an unacceptable impact on the area and is a flawed and misleading application that fails to meet Merton Standards

- Neighbours were not consulted, and the application is of a low standard
- The area is predominantly family homes
- The Reduced proposal is still too big
- The Metropolitan Police are concerned, and there are concerns about safety

The Committee received a verbal representation from the Applicant's Agent, who made points including:

- Although this property does not currently have HMO use, it has been used as an HMO for the last 8 years. This application seeks to regulate this usage whilst creating higher quality accommodation.
- We have worked closely with Planning Officers, who contest that this proposal does meet standards
- The property already has 11 bedrooms

The Ward Councillor, Anthony Fairclough, addressed the Committee, and made points including:

- The House is currently used as an HMO by a religious community
- Standards of accommodation proposed do not meet Merton Policy or minimum space standards
- Bedrooms do not all have windows
- Kitchens are not of a suitable size or standard
- The development will cause the loss of a family home

The Planning Team Leader North replied to points raised by the speakers:

- The property is still considered to be a C3 Dwelling House
- To operate as an HMO the Property will need to get an HMO License from the HMO Licensing Team
- There are conditions to limit the number of bedrooms and number of occupants
- There are conditions on security measures
- The roof design and room sizes have been taken into account and all bedrooms meet HMO minimum standards

In reply to Members' questions The Planning Team Leader made Points including:

- Confirm that it is not currently a licensed HMO, it has no HMO Licence and is still classed as a C3 Dwelling House. The application includes the change of use
- Bedroom 9 does have a roof light, so all other bedrooms have natural light
From a planning perspective hallways do not have to have natural light
- The Guidance says 5 occupant per kitchen, this proposal has 11 occupants with 2 kitchens – Officers consider this acceptable

Members commented that the development appeared to be a massive over intensification of the site

RESOLVED

The Committee agreed to:

1. REFUSE Planning Permission for the following reasons:

The proposal would result in overdevelopment on a small plot, and is over intensification of the site

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

10 LAND RO 111 KENILWORTH AVENUE, WIMBLEDON, SW19 7LP (Agenda Item 10)

Proposal: Erection of a two bed dwelling house with basement.

The Committee noted the officers report, presentation and additional information in the Supplementary Agenda - Modifications

The Committee received a verbal representation from a resident who raised objections including:

- All neighbours have objected
- Previous application on this site was rejected
- This is a big project on a small plot, the outdoor space will only be 30m², when it should be 50m².
- The basement is very large and its construction will cause a lot of disturbance for neighbours
- The proposal, when built, will not be in keeping with the neighbourhood and will cause noise disturbance and a loss of privacy for neighbours
- There are already considerable problems with sewers and flooding in the area – this will be a further burden

In reply to Members Questions Officers replied:

- The separation distances are 12m at ground floor but 18m at first floor
- Obscure glazing is not proposed because the proposal will have a similar relationship to neighbours as existing properties
- Thames Water have been consulted, there are conditions on flood risk and further details are to be submitted.

Members made comments including:

- This road is too narrow for this proposal
- The separation distance are too small
- The amenity Space is not adequate and is below standard
- The Ptal rating is only 2 but the proposal will be permit free

A motion to refuse was proposed and seconded for the following reasons:

1. Inadequate Separation distances
2. Amenity Space of 30m² is below standard
3. There is a very poor Ptal rating but the proposal is also permit free

This refusal was put to the vote but not carried. The Committee continued by voting on the Officers recommendation to approve.

RESOLVED

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

11 186 MARTIN WAY, MORDEN, SM4 4AJ (Agenda Item 11)

Proposal: Erection of a 1 storey dwellinghouse to rear, with associated refuse storage and cycle and vehicle parking.

The Committee noted the officers report and presentation

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

12 33 QUEENS ROAD, WIMBLEDON, SW19 8NP (Agenda Item 12)

Proposal: Demolition of garage and erection of a 3 storey side extension and two storey rear extension in connection with the refurbishment/conversion of the property (containing 4 existing flats) to provide 3 additional flats (Total 7 flats).

The Committee noted the officers report, presentation and additional information in the Supplementary Agenda-Modifications.

The Committee received verbal representations from two residents objecting to the application, who made points including:

- The proposal is overbearing and will lead to a loss of light and privacy for neighbours.
- It will increase noise and disturbance, particularly for neighbours overlooking the entrance
- The proposal will put additional strain on the foul water waste system
- The development is not sympathetic to the Conservation Area and will cause harm to the conservation area.
- Loss of a family home, setting a precedent in the area
- Planning Permission for a smaller scheme on this site was refused in 2007 for reasons including harm to the Conservation Area

The Committee received a verbal representation from Applicant's Agent who made points including:

- The property is already divided into flats but of a poor standard
- Trees have been left unchecked and are now causing subsidence
- Taking this opportunity to provide high quality accommodation in a sustainable location
- We have taken account of the Conservation Area by providing architectural detail in the front brickwork which reflects the original brickwork
- Building Gaps are maintained and landscaping introduced

- The proposal does not set a precedent because the property is already flats

The Ward Councillor, James Holmes, addressed the Committee and made points including:

- The refused application in 2007 was a smaller footprint
- This will set a precedent as there're are few flats in the area
- In the Conservation Area Appraisal this building is picked out as making a positive contribution to the Conservation Area
- The current Landscaping is better than that proposed
- There will be a loss of light and privacy for neighbours
- The proposal for 3 parking spaces is not enough, really need 7 or 8

In reply to Members' Questions the Planning Team Leader North made comments including:

- There were originally concerns about the symmetry of the building but this has been addressed by amending the design. The side extension has been moved away from the boundary and from the front.
- The previous scheme in 2007 was different to this design, it contained a lot of windows staircase at the back. This scheme is only slightly wider, and we have to balance this against the need for new homes in the borough
- At the moment this block has 1 parking space and a garage The proposal would include 2 on-site parking spaces and will be permit free. If this block was a new build it would also be permit free but with no on-site parking.
- The trees to be removed will be replaced at 6 the front and rear

Members made comments including:

- The hard landscaping is an unattractive treatment of the frontage, the property should look like its neighbours
- It is overdevelopment in the Conservation Area, it is unattractive and causes a loss of rhythm

A member proposed that an additional condition be added to allow only one parking space at the front and to ensure that the rest of the space was used for additional soft landscaping. This was seconded and so added to the Officer's recommendation

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions, amended condition regarding the parking space and soft landscaping and completion of S.106 Agreement

The wording of the amended condition is delegated to the Director of Environment and Regeneration

13 41 QUINTIN AVENUE, WIMBLEDON CHASE SW20 8LD (Agenda Item 13)

Proposal: Erection of a single storey side extension with balconied roof terrace above, alterations to elevations and rear extension roof and erection of detached garden shed.

The Committee noted the officers report and that this application has been brought to the Planning Applications Committee as the applicant is a Council employee.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

14 RAVENSBURY ESTATE, MORDEN, CR4 4DT (Agenda Item 14)

Proposal: Application for approval of reserved matters (appearance & landscaping) for Phases 2 to 4 following outline permission 17/P1718 for the regeneration of the Ravensbury Estate (on land to the west of Ravensbury Grove) comprising the demolition of all existing buildings and structures; erection of new buildings ranging from 2 to 4 storeys providing up to 180 residential units (c3 use class); provision of replacement community centre (up to 160 sqm of use class d1 floorspace); provision of new public realm, landscaping works and new lighting; cycle parking spaces (including new visitor cycle parking) and car parking spaces, together with associated highways and utilities works. Landscaping works are also proposed to the east of Ravensbury grove and along Hengelo Gardens.

The Committee noted the officers report and presentation and additional information in the Supplementary Agenda – Modifications. The Committee noted that the proposal before them was for reserved matters and conditions.

The Committee received a verbal Representation from a Resident who made objections, on behalf of the Resident's Association, including:

- We are unhappy with the Tree Survey, not all areas were checked, the proposed loss of mature trees is wrong especially during a Climate Emergency
- Unhappy with lack of representation by Ward Councillors, and political nature of this committee
- Clarion has a poor record of Tree and hedge management, and we are worried
- Unhappy with the height and massing of the proposal
- The density of building in a flood zone is ridiculous
- 89% of residents are unhappy
- Bathroom provision is not adequate in larger properties

The Committee received a verbal representation from the Applicant, who made points including:

- The first phase on the estate is already under construction, this proposal will add 179 new homes with 59% social and affordable housing. The estate will

be tenure blind and all properties meet or exceed London Standards. The Properties are all built to excellent environmental standards

- All category A trees will remain. The removed trees are to be replaced by semi-mature trees
- The Environment Agency have been consulted with regard to flood issues
- The development will provide a community Rose Garden and a larger Community Room
- There has been Community Engagement throughout the design process

In reply to the Objectors comments the Senior Estate Planning Officer made comments including:

- The applicant has engaged with the Council's tree officer regarding the removal of the mature trees on Morden Road. They are to be replaced with semi-mature trees and additional trees are to be planted to increase the total number of trees by 68, and so is considered acceptable
- The Density and Massing of the Proposal was previously accepted in the outline application
- There were conditions in the outline application, previously allowed, to mitigate flood risk
- There was initial concern from the Environment Agency, but floor plans were amended to meet their requirements

The Chair made the point that the Planning Committee was Quasi-Judicial and that Committee members were not politically whipped, it was for each Member to make their own decision on each item

A member queried the likelihood of flood events and the fact that the applicant stated the flood zone would go from 3 to 1. The Senior Estate Planning Officer replied:

- The floor levels of proposed homes originally showed an increase in flood depth offsite onto Morden Road and initial concerns were raised by the Environment Agency and the Councils Flood Risk Officer.
- The applicant was asked to provide revised floor levels which would demonstrate that the flood levels would not increase flood depth offsite. This has subsequently been provided and reviewed by the Environment Agency and Council Officers have recommend approval on that basis.

A Members asked why it was necessary to remove the mature trees on Morden Road. The Senior Estate Planning Officer replied that the mature trees on Morden Road are not logically placed and need to be replaced to allow the new houses to move forward. It makes sense to replace these trees with more, logically placed semi-mature trees.

Members made comments including:

- Whilst I accept that Gingko Trees are very good at reducing pollution, they are not an attractive tree and are slow growing. I would urge the applicant to review the removal of the mature trees and either keep or replace with something beautiful.

- I note that DRP gave the proposal a Green , and do feel that overall it is commendable

RESOLVED

The Committee voted to GRANT approval of reserved matters and conditions.

15 129 WORPLE ROAD, WIMBLEDON SW20 8RQ (Agenda Item 15)

Proposal: Demolition and replacement of semi-detached building to form 3 x self-contained flats

The Committee noted the officers report, presentation and additional information in the Supplementary Agenda-Modifications.

The Committee received a verbal representation from a resident who made objections including:

- Neighbours have objected to this large extension
- The terraces will cause a loss of privacy and lack of light for neighbours
- Separation distances are not very big
- The glazed extension will be damaged by trees

The Committee received a verbal representation from the Applicant's Agent who made comments including:

- The case officer has judged the application to be acceptable in its impact on neighbour daylight and sunlight as separation distances are adequate and the rear extension steps down
- The privacy issue has been dealt with by glass screens
- The Applicant owns the attached neighbouring property as a private owner
- This proposal will replace an out-dated building with 3 high quality flats

RESOLVED

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

16 PLANNING APPEAL DECISIONS (Agenda Item 16)

The Planning Applications Committee noted the report on planning appeal decisions

17 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 17)

The Planning Applications Committee noted the report on current enforcement cases