

Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

16 JANUARY 2020

(7.15 pm - 8.45 pm)

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

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor David Dean.

Councillor Stephen Crowe attended as substitute

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 14 November 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 7 and 9.

Order of the meeting – The Chair announced that the items would be taken in Agenda Order

5 36 ASTON ROAD, RAYNES PARK, SW20 8BE (Agenda Item 5)

Proposal: Conversion of dwellinghouse into 2 flats, including rear roof extension with two roof lights, erection of garden outbuilding and single storey rear extension.

The Committee noted the officers report and presentation. The Chair reminded the Committee that this item was deferred from the Committee on 16 October 2019 so that legal advice from 2006 could be investigated. This advice was found to not be relevant.

The Ward Councillor, Anthony Fairclough spoke on behalf of the Apostles Estate Residents' Association and made points including:

- This application is part of an incremental attack on the Apostles area

- This is one small house being split into two tiny flats, the standard of accommodation provided needs to be considered
- Is there a need for more one bedroomed flats?
- The upstairs flat has no amenity space, and both flats are only just policy compliant for space
- How will two flats share one refuse bin located on the outside space of the ground floor flat?

Members made comments including:

- I don't like to see the conversion of a house into flats, but this application is difficult to refuse
- I understand that this application is so sub-scale that the guidance doesn't apply. The proposed flats will be too small and one does not have any amenity space, and there is a lack of space for bins. This accommodation is inappropriate.
- There is a need for all types of accommodation in the borough including small 1 bedroom flats. From my experience there will not be a problem with bins The Committee didn't have grounds to refuse in October, it deferred to check legal advice, and there are no grounds now.

A motion to Refuse was proposed and seconded for the following reason:

The house is already very small and the proposed conversion to two flats would result on sub-standard accommodation that is inappropriate, too small and does not have adequate amenity space.

This motion was not carried by the vote, and the Committee then voted on the Officer Recommendation.

RESOLVED

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

6 TRANSMITTER MAST, BLENHEIM CLOSE, RAYNES PARK (Agenda Item 6)

Proposal: Replacement of existing equipment cabinets and monopole with a 20 metre high pole with 12 x antenna apertures and new equipment cabinets

The Committee noted the officers report and presentation.

The Committee received verbal presentations from two objectors and from the applicant.

The Objectors made points including:

- The mast will be a visual intrusion, although we accept that the mast is needed to enable 5G, it shouldn't affect the lives of local residents
- The current mast is only 11m and is disguised, it was allowed by the Planning Inspector. The proposal is 20m high and new homes have been built since the current mast was installed
- There are other more suitable locations for this mast, away from housing
- This mast is unprecedented in Merton, a similar one in Edge Hill was refused
- It is accepted that such masts should not be sited near schools, and yet this mast is near the homes of 3 children and a tennis club that coaches children
- As it double the height of the current mast its emissions would reach further and it will be a danger to bats and insects

The Applicant made points including:

- We are upgrading to 5G and increasing coverage
- The NPPF 2019 seeks to encourage the delivery of improved communications infrastructure, including 5G
- 5G will encourage people to work from home
- Relevant Health Standards have been adhered to
- The other sites mentioned are not suitable and would result in gaps in coverage. The network of masts is strategically organised.
- A tree design mast was not suggested for this location as it would need to be over 25m tall. The Officers report confirms that the proposed mast will not detract from visual amenity.

In reply to Member's questions, the Planning Team Leader South made comments including:

- It is not appropriate to speculate on any future use of the land
- This application breaches the width element of Permitted development dimensions, but not the height
- Public Health England has shown that the risk from this equipment is unlikely. The operators have fulfilled their requirements.

Members commented that there was a lot of scaremongering regarding this type of equipment, but we have been presented with expert evidence, and I hope that the Committee will take this into account.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

7 252-254 HAYDON'S ROAD, SOUTH WIMBLEDON, SW19 8TT (Agenda Item 7)

Proposal: Partial demolition of the existing building and garages, increasing the height of the existing retained building by 400mm, redevelopment of the rear part of the site to provide eight residential units (4 x 2 bedroom, 2 x 2 bedroom and 2 x 3

bedroom flats) within a two storey building with accommodation within the roof space of the new building and within the retained building at 252-254 Haydon's Road.

The Committee noted the officers report and presentation and additional information, including additional conditions, in the Supplementary agenda – modifications

The committee received verbal representations from an objector to the application and from the Agent to the application.

The Objectors made points including:

- The daylight and sunlight studies were carried out in August, the levels will be very different in the winter
- There is a sense of encroachment, this is a major extension
- The report is incorrect regarding the number of windows that will be overlooked, my windows are not considered

The Agent made points including:

- This is a redevelopment of the site and will provide new homes including one 3 bedroomed unit
- The Daylight and Sunlight studies were carried out to BRE recommended standard and show that there will be no adverse impact from the proposal

The Chair asked a question regarding the 3 Bedroomed flat. From the plans it is unclear if this is for 4,5 or 6 people. The Building and Development Control Manager answered that if it is for 6 people the floorspace does not meet London Plan standards, but if it is for 5 or 4 people than it does comply standards. However there has been confusion regarding the information submitted by the applicant and he could not be sure if the flat was for 4 or 5 people. He offered to find out this information and either bring back to the Committee if members wanted to defer, or, if the Committee were minded to approve the answer could be put to the Chair and Vice Chair for their final approval.

In reply to Members' questions, Officers made points including:

- Officers are happy for the development to be permit free, although the ptal rating appears low it is a sustainable location for public transport.
- Proposal does include refurbishment of the whole building, including new windows, formal and soft landscaping. So the frontage will be improved.
- Members were advised to vote on the plan before them, which included a 3 bedroomed, 4 person flat.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions and S106 agreement and the additional conditions in the Supplementary Agenda.

8 74 HAZELWOOD AVENUE, MORDEN. SM4 5PR (Agenda Item 8)

Proposal: Demolition of existing detached garage and erection of a 2 storey (with roof level) end of terrace 3 bed dwellinghouse.

The Committee noted the officers report and presentation. The Planning Team leader North explained that the proposal was actually for a 4 bedroom dwelling, as stated within the Officers report, but that there was an error in the original proposal.

Members asked officers about parking provision and noted that once the new hardstanding was created there would be 4 parking spaces and that Hardstandings and dropped curbs were characteristic of the street.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

9 34 LINGFIELD ROAD, WIMBLEDON SW19 4PZ (Agenda Item 9)

Proposal: Demolition of existing garage and erection of a three-bedroom dwelling house involving extension to existing basement.

The Committee noted the officers report and presentation and additional information and conditions in the Supplementary agenda - modifications

The Committee received verbal representation from two objectors to the application, who made points including:

- The proposal is of a contemporary design that is incongruous in the streetscene, and is at odds with the rest of the road and the Conservations area.
- The two oversized windows do not fit the character of the street and will overlook property across the road
- The proposal is the height of the existing garage and will cause a loss of light to the houses across the road
- The basement and the 9m³ rain water harvesting tank will impact on the trees, and there is concern about felling trees in a conservation area. The trees can be seen from the road.
- The loss of the garage will impact on off street parking and the new build will block existing parking spaces.
- There are inaccuracies in the Officers Report, there are currently 5 flats in number 34

In reply to these objections the Planning Team Leader North made points including:

- The oversized windows have been reduced in size, although modern they do reflect features in the road

- The Tree Officer has approved the plans for trees, and an additional condition has been added
- There is an acceptable distance across the street to prevent overlooking
- Daylight and sunlight studies show only an impact on two windows in number 35, the development meets BRE standards

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

- It is Officers view that the distance between the proposed house and houses across the road are acceptable and not harmful.
- The trees shown on the CGIs are an artistic impression but are based on the tree survey
- Flat 2 does have a right to park, under its lease, but this is not an issue for Planning permission

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions, including the additional conditions in the Supplementary Agenda.

10 TPO LEEWARD GARDENS, WIMBLEDON, SW19 (Agenda Item 10)

The Committee noted the Officer's report and presentation.

Neil Milligan explained that there was an ongoing legal debate about ownership of the land the tree stood in, however in planning terms this debate is not an issue.

The Committee received a verbal representation to the TPO and a representation from Councillor Daniel Holden, ward Councillor.

The Objector made points including:

- There are Legal and procedural issues yet to be resolved that involve other areas of the Council
- There are questions of ownership and maintenance of the land that are not yet resolved, and ask that a decision on this TPO is deferred until these issues are clarified
- It is incorrect for Planning Officers to dismiss these issues with other departments, the TPO would risk prejudicing this process

Councillor Daniel Holden made points including:

- Would not normally oppose a TPO but this situation is unusual.
- Asking for this TPO to be deferred or refused until the ownership of the land is resolved
- It is unfair to place the burden of a TPO on the potential owners of the lands as they do not live near or benefit from the tree
- Crucially, there is no current risk to the tree, Highway Trees do not have TPOs, the Council are being unfair.

In answer to Members Questions, The Building a Development Control Manager replied:

- If Committee defers the TPO the tree is at risk
- The Tree has been assessed by the Tree Officer, and is considered worth protecting
- If the TPO is approved then the felling of the tree can be appealed
- Maintenance of the tree is relevant to whoever owns the site, whether or not there is a TPO
- The TPO requires the owner of the land to apply and pay if the Tree needs maintenance

RESOLVED

That the Merton (No.743) Tree Preservation Order 2019 is confirmed without Modification

11 PLANNING APPEAL DECISIONS (Agenda Item 11)

The Committee noted the report on recent Planning Appeal Decisions

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

The Committee noted the report on current enforcement cases, and congratulated officers on recent progress.

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