

# Merton Council

## Planning Applications Committee

### Membership (Provisional)

*(NB. The Committee's membership for 2015/16 is due to be approved at the Annual Council Meeting on 13 May 2015.)*

#### Councillors

Linda Kirby (Chair)

John Bowcott (Vice-Chair)

Tobin Byers

David Dean

Ross Garrod

Daniel Holden

Abigail Jones

Philip Jones

Peter Southgate

Geraldine Stanford

#### Substitute Members:

Janice Howard

Najeeb Latif

Ian Munn BSc, MRTPI(Rtd)

John Sargeant

Imran Uddin

A meeting of the Planning Applications Committee will be held on:

**Date: 21 May 2015**

**Time: 7.15 pm**

**Venue: Council chamber - Merton Civic Centre, London Road, Morden  
SM4 5DX**

This is a public meeting and attendance by the public is encouraged and welcomed. If you wish to speak please see notes after the list of agenda items. For more information about the agenda and the decision making process contact [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) or telephone 020 8545 3357

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# Planning Applications Committee

## 21 May 2015

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| 1 | Declarations of interest   |         |
| 2 | Apologies for absence  |         |
| 3 | Minutes of the Previous Meeting  | 1 - 8   |
| 4 | Town Planning Applications - Covering Report   | 9 - 12  |
|   | Officer Recommendation:<br>The recommendations for each individual application are detailed in the relevant section of the reports. (NB. The recommendations are also summarised on the index page at the front of this agenda). |         |
| 5 | Ground Floor Flat, 85 Amity Grove, Raynes Park, SW20 0LQ (Ref. 15/P0177) (Raynes Park Ward)  | 13 - 28 |
|   | Officer Recommendation:<br>Grant Permission subject to conditions.   |         |
| 6 | 141 The Broadway, Wimbledon, SW19 1QJ (Ref. 14/P1008) (Abbey Ward)   | 29 - 60 |
|   | Officer Recommendation:<br>Grant Permission subject to S.106 Obligation and conditions.  |         |
| 7 | 48 Leopold Road, Wimbledon, SW19 7JD (Ref. 14/P4398) (Wimbledon Park Ward)   | 61 - 72 |
|   | Officer Recommendation:<br>Grant Permission subject to conditions.   |         |
| 8 | Planning Appeal Decisions  | 73 - 76 |
|   | Officer Recommendation:<br>That Members note the contents of the report.   |         |
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|   | Officer Recommendation:<br>That Members note the contents of the report.   |         |

### Declarations of Pecuniary Interests

Members are reminded of the need to have regard to the items published with this agenda and, where necessary to declare at this meeting any Disclosable Pecuniary Interest (as defined in the The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Council's Assistant Director of Corporate Governance.

**Declarations of Pecuniary Interests – Members of the Design and Review Panel (DRP)**

Members of the Planning Applications Committee (PAC), who are also members of the DRP, are advised that they should not participate in an item which has previously been to DRP where they have voted or associated themselves with a conclusion reached or recommendation made. Any member of the PAC who has also sat on DRP in relation to items on this PAC agenda must indicate whether or not they voted in such a matter. If the member has so voted they should withdraw from the meeting.

## NOTES

- 1) **Order of items:** Please note that items may well be not considered in the order in which they are shown on the agenda since the items for which there are many observers or speakers are likely to be prioritised and their consideration brought forward.
- 2) **Speakers:** Councillors and members of the public may request to speak at the Committee. Requests should be made by telephone to the Development Control Admin. Section on 020-8545-3445/3448 (or e-mail: [planning@merton.gov.uk](mailto:planning@merton.gov.uk)) no later than 12 Noon on the last (working) day preceding the meeting. For further details see the following procedure note.
- 3) **Procedure at Meetings:** Attached after this page is a brief note of the procedure at Planning Application Committee meetings in relation to
  - a. requests to speak at meetings; and
  - b. the submission of additional written evidence at meetings. Please note that the distribution of documentation (including photographs/drawings etc) by the public during the course of the meeting will not be permitted.
- 4) **Copies of agenda:** The agenda for this meeting can be seen on the Council's web-site (which can be accessed at all Merton Libraries). A printed hard copy of the agenda will also be available for inspection at the meeting.

## Procedure at meetings of the Planning Applications Committee

- 1 Public speaking at the Planning Applications Committee
- 2 Submission of additional written evidence at meetings

### 1 Public speaking at the Planning Applications Committee

- 1.1 The Council permits persons who wish to make representations on planning applications to speak at the Committee and present their views. The number of speakers for each item will be at the discretion of the Committee Chair, but subject to time constraints there will normally be a maximum of 3 objectors (or third party) speakers, each being allowed to speak for a maximum of 3 minutes.
- 1.2 Following the issue of the agenda, even if a person has previously indicated their wish to address the Committee, they should contact either
  - the Planning Officer dealing with the application (or e-mail: [planning@merton.gov.uk](mailto:planning@merton.gov.uk)) or
  - the Development Control Admin. Section on 020-8545-3445/3448 (9am – 5pm); or
  - the Development Control hotline 020-8545-3777 (open 1pm – 4pm only).
- 1.3 Requests to speak must be received by 12 noon on the day before the meeting, and should include the person's name, address, and daytime contact phone number (or e-mail address) and if appropriate, the organisation they represent; and also clearly indicate the application, on which it is wished to make representations.
- 1.4 More speakers may be permitted in the case of exceptional circumstances/major applications, but representatives of political parties will not be permitted to speak. (See also note 1.10 below on Ward Councillors/Other Merton Councillors.)
- 1.5 If a person is aware of other people who wish to speak and make the same points, then that person may wish to appoint a representative to present their collective views or arrange that different speakers raise different issues. Permission to speak is at the absolute discretion of the Chair, who may limit the number of speakers in order to take account the size of the agenda and to progress the business of the Committee.
- 1.6 Applicants (& agents/technical consultants): Applicants or their representatives may be allowed to speak for the same amount of time as the sum of all objectors for each application. (For example, if objectors are allowed to speak for three minutes each, then if there was only one objector, the applicant may be allowed to speak for a maximum of 3 minutes; but if there were 2 objectors, the applicant may be allowed to speak for a maximum of 6 minutes and so on.)
- 1.7 Unless applicants or their representatives notify the Council to the contrary prior to the Committee meeting, it will be assumed that they will be attending the meeting and if there are objectors speaking against their application, will take the opportunity to address the Committee in response to the objections.

- 1.8 When there are no objectors wishing to speak, but the application is recommended for refusal, then the Applicants or their representatives will also be allowed to speak up to a maximum of 3 minutes.
- 1.9 Applicants will not be allowed to speak if their application is recommended for approval and there are no objectors speaking. An exception will be made if an applicant (or their representative) wishes to object to the proposed conditions; and in this case they will be allowed to speak only in relation to the relevant conditions causing concern.
- 1.10 Speaking time for Ward Councillors/Other Merton Councillors: Councillors, who are not on the Committee, may speak for up to a maximum of 3 minutes on an application, subject to the Chair's consent, but may take no part in the subsequent debate or vote. Such Councillors, however, subject to the Chair's consent, may ask questions of fact of officers.
- 1.11 Such Councillors, who are not on the Committee, should submit their request to speak by 12 noon on the day before the meeting (so that their name can be added to the list of speaker requests provided to the Chair). Such requests may be made to the Development Control Section direct (see 1.2 above for contact details) or via the Councillor's Group office.
- 1.12 Points of clarification from applicants/objectors: If needed, the Chair is also able to ask applicants/objectors for points of clarification during the discussion of an application.

## **2 Submission of additional written evidence at meetings**

- 2.1 The distribution of documentation (including photographs/drawings etc) during the course of the Committee meeting will not be permitted.
- 2.2 Additional evidence that objectors/applicants want to provide Committee Members (i.e. Councillors) to support their presentation (when speaking) must be submitted to Merton Council's Development Control Section before 12 Noon on the day before the relevant Committee meeting.
- 2.3 If an applicant or objector wishes to circulate additional information in hard copy form to Committee Members, they are required to provide 16 hard copies to the Planning Officer dealing with the application before 12 Noon on the day before the meeting.
- 2.4 Any queries on the above should be directed to:
  - [planning@merton.gov.uk](mailto:planning@merton.gov.uk) or;
  - the Development Control hotline 020-8545-3777 (open 1pm – 4pm only).
  - Contact details for Committee Members and all other Councillors can be found on the Council's web-site: <http://www.merton.gov.uk>

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](http://www.merton.gov.uk/committee).

## PLANNING APPLICATIONS COMMITTEE

23 APRIL 2015

(19.15 - 22.00)

PRESENT: Councillors Councillor Linda Kirby (in the Chair),  
Councillor John Bowcott, Councillor Tobin Byers,  
Councillor David Dean, Councillor Ross Garrod,  
Councillor Daniel Holden, Councillor Abigail Jones,  
Councillor Philip Jones, Councillor Peter Southgate and  
Councillor Geraldine Stanford

ALSO PRESENT: Councillor Stephen Alambritis

Jonathan Lewis (South Team Leader - Development Control)),  
Neil Milligan (Development Control Manager, ENVR), Michael  
Udall (Democratic Services) and Sue Wright (North Team  
Leader - Development Control)

### 1 FILMING

The Chair confirmed that, as stated on the agenda, the meeting would be filmed and broadcast via the Council's web-site.

### 2 DECLARATIONS OF INTEREST (Agenda Item 1)

Councillor Philip Jones declared an interest (but not a disclosable pecuniary interest) in Item 6 – 35 Florence Avenue , Morden (ref. 15/P0364) by reason that he knew the applicant as a former Ward colleague.

Councillor Linda Kirby also declared an interest (but not a disclosable pecuniary interest) in Item 6 – 35 Florence Avenue, Morden (ref. 15/P0364) by reason that she knew the applicant.

### 3 APOLOGIES FOR ABSENCE (Agenda Item 2)

None.

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

RESOLVED: That the Minutes of the meeting held on 26 March 2015 be agreed as a correct record.

### 5 TOWN PLANNING APPLICATIONS - COVERING REPORT (Agenda Item 4)

The published agenda and the modifications sheets tabled at committee form part of the Minutes.

(a) Modifications Sheet: A list of modifications for this item 4 and items 5, 6, 8, 9 & 12 and additional letters/representations and drawings received since agenda publication, were tabled at the meeting.

(b) Further Modifications Sheet (for Item 5 – 143 Cottenham Park Road, SW20):  
A further list of modifications for item 5 only was also tabled at the meeting.

(c) Oral representations: The Committee received oral representations at the meeting made by third parties and applicants/agents in respect of items 5, 6, 8, 9 & 10. In each case where objectors spoke, the Chair also offered the applicants/agents the opportunity to speak; and the Chair also indicated that applicants/agents would be given the same amount of time to speak as objectors for each item.

The Committee also received oral representations at the meeting from the following Councillor (who was not a member of the Committee for this meeting) in respect of the items indicated below –  
Items 6 & 8 – Councillor Stephen Alambritis.

(d) Order of the Agenda – Following consultation with other Members at various times during the meeting, the Chair amended the order of items to the following - 6, 8, 9, 10, 5 & then 7.

RESOLVED : That the following decisions are made:

6 143 COTTENHAM PARK ROAD, WEST WIMBLEDON, SW20 0DW (REF. 15/P0081) (RAYNES PARK WARD) (Agenda Item 5)

1. Proposal - Demolition of existing detached dwelling house and erection of a new detached dwelling house with associated parking and landscaping.

2. Further Modifications Sheet – Officers explained that the drawings included with the tabled further modifications sheet showed the reduction in overall height of the proposed building of about 0.25m (referred to in para. 3.4).

3. Lost Refusal Motion - It was moved and seconded that the application be refused on the grounds that the proposal's bulk and massing would be excessive and inappropriate for this site. The motion was lost by 6 votes to 2 (Councillors David Dean and John Bowcott voting for the motion). The application was subsequently approved as indicated below by 7 votes to 1 (Councillor David Dean dissenting; and Councillor John Bowcott abstaining).

Decision: Item 5 - ref. 15/P0081 (143 Cottenham Park Road, West Wimbledon, SW20 0DW)

GRANT PERMISSION subject to the conditions set out in the officer case report and the two tabled modifications sheets.

7 35 FLORENCE AVENUE, MORDEN, SM4 6EX (REF 15/P0364) (RAVENSBURY WARD) (Agenda Item 6)



1. Declarations of Interest: Prior to consideration of this item, further to his previously declared interest, Councillor Philip Jones left the room while this item was discussed and voted upon.

1.1 Prior to speaking on this item, Councillor Stephen Alambritis (who was not a member of the Committee) declared an interest (but not a disclosable pecuniary interest) in this item by reason that he owned No.20 Florence Avenue which didn't back onto No.35 but was opposite and was not affected by the application.

2. Proposal - Erection of a 1 bedroom single storey dwelling house – application for outline planning permission with all matters reserved.

3. London Plan and development in back gardens – Officers advised that -  
(a) there was no overriding presumption that there should be no residential development in back gardens;  
(b) Section 3.34 of the London Plan indicated that such backland development could be considered provided the Local Planning Authority has a properly justified policy; and  
(c) Merton had such a policy in its recently approved Core Strategy, namely Policy CS.13 which required proposals for new dwellings in back gardens to be justified against certain criteria (as detailed in para. 7.3, agenda page 38) and officers had assessed the current application against those criteria (as detailed in the submitted report).

4. Emergency Access – Officers advised that they were satisfied that the access to the proposed new dwelling would be sufficient for small vans and, as regards access for fire vehicles, the matter of whether a high pressure water hydrant was needed near the property, was not a town planning issue.

5. Security and Gates on Accessway – Reference was made to objectors' concerns that the proposed development would result in an increased security risk and a member suggested that possibly the proposed gates to the development be moved closer to the highway. Officers advised that this aspect could be looked at when any detailed planning application for the site was considered, and be discussed with the police if appropriate.

5. Approval – The application was approved by 8 votes to nil (Councillor Linda Kirby abstaining).

Decision: Item 6 - ref. 15/P0364 (35 Florence Avenue, Morden, SM4 6EX)

GRANT PERMISSION subject to the conditions set out in the officer case report and the tabled modifications sheet.

8 FLAT 2, 26 KINGS ROAD, WIMBLEDON, SW19 8QW (REF. 15/P0491)  
(TRINITY WARD) (Agenda Item 7)

Proposal - Erection of single storey rear infill extension to create a 2 bed flat.

Decision: Item 8 – ref. 15/P0491 (Flat 2, Kings Road, Wimbledon, SW19)

GRANT PERMISSION subject to the conditions set out in the officer case report.

- 9 RAVENSBURY PARK CAFÉ ADJACENT TO RAVENSBURY PARK MEDICAL CENTRE, RAVENSBURY LANE, MITCHAM, CR4 4DQ (REF 14/P4113) (RAVENSBURY WARD) (Agenda Item 8)

1. Proposal - Change of use from a café (Use Class A3) to a community centre / training and educational use (Use Class D1).

1.1 It was noted that it was proposed that the new use would serve the Turkish community.

2. Existing Café – Some members expressed concern that the existing café (now closed) hadn't been open when the Park had been in most use, like at weekends. The owner of the café, who was present, advised that they had tried opening on 10 consecutive Saturdays but there had been little custom.

2.1 Reference was also made to the relatively short period for which the café had been marketed (para. 7.8 refers).

2.2 The applicant also confirmed that the proposed new use would not include a café function.

3. Toilet facilities – Officers confirmed that -

(a) the original planning permission for a medical centre, café and various other facilities on the site in 2006 had included a condition that the toilets associated with the café use would be accessible to members of the general public (such as users of the Park)

(b) a similar condition was proposed for any permission granted for the current application.

3.1 Members expressed concern that any such toilets facilities in the new community centre use be made available to members of the public for the longest hours feasible, and advertised as such. Officers explained that the exact hours/availability of the toilets would be the subject of discussion with the applicants if permission were to be granted.

4. Metropolitan Open Land (MOL) – There was considerable discussion of

(i) the history of the site, particularly the planning permission for a medical centre, café and various other facilities granted in 2006 on this MOL site;

(ii) whether the proposed use was suitable for this site/location and whether temporary permission as recommended by officers would be appropriate; and

(iii) whether the proposed use was appropriate for an MOL site.

5. Refusal Motion: It was moved and seconded that permission be refused as detailed below. The motion was carried by 7 votes to 3 (Councillors Tobin Byers, Ross Garrod and Abigail Jones dissenting). Subsequently the Committee agreed that officers be delegated authority to agree the detailed grounds of refusal and also agreed (C) below.

Decision: Item 8 - ref. 14/P4113 (Ravensbury Park Café adjacent to Ravensbury Park Medical Centre, Ravensbury Lane, Mitcham, CR4 4DQ)

(A) subject to detailed grounds of refusal being agreed in accordance with (B) below, REFUSE permission on grounds relating to the following -

(i) The proposed use is not appropriate use on Metropolitan Open Land (MOL) since it is not a use associated with an appropriate use of the MOL itself.

(ii) The proposals would fail to meet the criteria for development of MOL as it fails to meet the policy aim of Policy DM.01 of the Merton Sites and Policies Plan (July 2014), namely to protect and enhance open space and to improve access to open space

(B) Delegation: The Director of Environment & Regeneration be delegated authority to agree the detailed grounds of refusal, including any appropriate amendments, additions and/or deletions to the proposed grounds/policies.

(C) Reasons for not following Planning Officers' recommendation for permission: The Committee disagreed with the recommendations of the officer report and in particular officers views on the application of Policy DM.01 of the Merton Sites and Policies Plan (July 2014) to this case.

10 24 RAYLEIGH ROAD, WIMBLEDON, SW19 3RF (REF 15/P0714)  
(DUNDONALD WARD) (Agenda Item 9)

1. Proposal - Erection of new roof to side infill extension, single storey rear extension, erection of a rear roof extension with Juliette balcony and alterations to windows on ground floor flank elevation and front elevation.

Decision: GRANT PERMISSION subject to the conditions set out in the officer case report and the tabled modifications sheet.

11 THE ALEXANDRA PH, 31-33 WIMBLEDON HILL ROAD, WIMBLEDON,  
SW19 7NE (REF. 14/P4488) (HILLSIDE WARD) (Agenda Item 10)

1. Proposal - Refurbishment of existing partially covered roof terrace including new glazed canopy over an external bar area, new 'shed' providing covered seating area, and installation of kitchen ventilation plant, removal of chimney stack to first floor roof terrace, and new door connections with the external space (internal alterations including relocation of manager's flat and replacement with new kitchen, bar and patron seating area do not require planning permission).

1.1 Officers responded to queries regarding which parts of the proposed works required planning permission and which didn't; and also queries regarding which matters (including issues raised by objectors) were town planning issues and which were (alcohol) licensing issues (outside of the purview of this Committee).

2. Extra Informative - Roof Terrace: Time limit – In response to a member's query, officers confirmed that the existing planning condition preventing the use of the first floor roof terrace after 11pm would still apply to the current proposal; and that it would be possible to add an Informative to remind the applicant that this earlier condition would still apply. As indicated below, the Committee agreed that such an Informative be added. The application was then approved (Councillor Daniel Holden abstaining).

Decision: Item 10 - ref. 14/P4488 (The Alexandra PH, 31-33 Wimbledon Hill Road, Wimbledon, SW19 7NE)

GRANT PERMISSION subject to the conditions set out in the officer case report and subject to the following extra Informative –

Extra Informative - Roof Terrace: Time limit – An Informative be added to remind the applicant that the earlier existing planning condition preventing the use of the first floor roof terrace after 11pm would still apply.

## 12 PLANNING APPEAL DECISIONS (Agenda Item 11)

1. Reason for Urgency - The Chair had approved the submission of this report as a matter of urgency for the following reasons – “To keep the Committee up to date on appeal decisions.”

2. 54 Marryat Road, Wimbledon Village, SW19 5BD (Ref. 14/P2295) (Supplementary Agenda, page 2) – A member highlighted that the Inspector's appeal decision letter referred to -

- (a) the Council's reasons for refusal including that insufficient details of materials (for the replacement roof covering and windows) had been submitted; but
- (b) the appellant had contended that sample materials for these matters had been shown to the Council (before its refusal decision).

2.1 Officers confirmed that the appeal decision and its implications would be reviewed by officers.

RECEIVED

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

1. Modifications Sheet – The tabled modifications sheet for various items included a replacement table of figures (for those on agenda page 126).

25 Malcolm Road, Wimbledon, SW19 (para. 2.03) – Officers advised that  
(a) a recent visit had been made to the property;

- (b) some aspects of the Section 215 Notice for the front garden had been complied with; and the occupant had advised that further works would be carried out to the front garden (by contractors) and officers had asked for confirmation of this in writing; and
- (c) the visit had disclosed the existence of various structures in the rear garden and possible action regarding the rear garden was being discussed with Legal Services.

RECEIVED

14 MODIFICATIONS SHEET (FOR VARIOUS ITEMS) (Agenda Item 13)

*See above Minute on Item 4 (Town Planning Applications – Covering Report)*

15 FURTHER MODIFICATIONS SHEET (FOR ITEM 5 - 143 COTTENHAM PARK ROAD, SW20) (Agenda Item 14)

*See above Minutes on*

- (a) Item 4 (Town Planning Applications – Covering Report): and*  
*(b) Item 5 (143 Cottenham Park Road, SW20) (Ref. 15/P0081)*

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## Agenda Item 4

**Committee: PLANNING APPLICATIONS COMMITTEE**

Date: 21/05/2015

Wards: ALL

**Subject:** TOWN PLANNING APPLICATIONS – Covering Report

Lead officer: James McGinlay - Head of Sustainable Communities

Lead member: COUNCILLOR LINDA KIRBY, CHAIR OF PLANNING APPLICATIONS COMMITTEE

Contact officer: For each individual application, see the relevant section of the report.

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**Recommendations:**

A. The recommendations for each individual application are detailed in the relevant section of the reports. (NB. The recommendations are also summarised on the index page at the front of this agenda).

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**1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY.**

1.1. These planning application reports detail site and surroundings, planning history, describe the planning proposal, cover relevant planning policies, outline third party representations and then assess the relevant material planning considerations.

**2. DETAILS**

2.1 This report considers various applications for Planning Permission and may also include applications for Conservation Area Consent, Listed Building Consent and Advertisement Consent and for miscellaneous associated matters submitted to the Council under the Town & Country Planning Acts.

2.2. Members' attention is drawn to Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

- 2.3 In Merton the Development Plan comprises: The London Plan (March 2015) the Merton LDF Core Planning Strategy (July 2011), the Merton Sites and Policies Plan (June 2014), and The South West London Waste Plan (March 2012). The National Planning Policy Framework (“NPPF”) which came into effect in March 2012 and the National Planning Policy Guidance, published in March 2014 are also of particular relevance in the determination of planning applications.
- 2.4 Members’ attention is also drawn to Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1990 Act), regarding applications for Listed Building Consent which places a statutory duty on the Council as local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.
- 2.5 With regard to Conservation Areas, Section 72(1) of the 1990 Act provides that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance” of the conservation area when determining applications in those areas.
- 2.6 Each application report details policies contained within the Development Plan. For ease of reference and to introduce some familiarity, the topics covered by the policies are outlined in brackets. In the event that an application is recommended for refusal the reasons will cover policies in the Development Plan.
- 2.7 All letters, petitions etc. making representations on the planning applications which are included in this report will be available, on request, for Members at the meeting.
- 2.8 Members will be aware that certain types of development are classed as "Permitted Development" and do not require planning permission.
- 2.9 The Council’s Scheme of Management provides for officers to determine generally routine, applications, including householder applications, applications for new housing that have not been the subject of local interest at consultation stage and with which there is an associated S106 undertaking, provided that it would not contain any heads of terms or contributions that are not a standard requirement of the Local Plan or (for proposals where a standard requirement has been subject to modification through negotiation or otherwise) depart significantly from the standard requirement of the Local Plan; and applications for advertisement consent.

### **3. SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL IMPACT ASSESSMENT**

- 3.1 There is a need to comply with Government guidance that the planning process should achieve sustainable development objectives. It is for this reason that each report contains a section on sustainability and environmental impact assessment requirements.



- 3.2 Resolution 42/187 of the United Nations General Assembly defined sustainable development as "development which meets the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF states that "the purpose of the planning system is to contribute to the achievement of sustainable development" and that "there are three dimensions to sustainable development: economic, social and environmental".
- 3.3 The NPPF states that "pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life", and that "at the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking".
- 3.4 It is also important that relevant applications comply with requirements in respect of environmental impact assessment as set out in the Town & Country Planning (Environmental Impact) Regulations 2011 (As amended). Each report contains details outlining whether or not an environmental impact assessment was required in the consideration of the application and, where relevant, whether or not a screening opinion was required in the determination of the application. Environmental impact assessments are needed in conjunction with larger applications in accordance with relevant regulations. In some cases, which rarely occur, they are compulsory and in others the Council has a discretion following the issue of a screening opinion. In practice they are not needed for the large majority of planning applications.

#### **4 ALTERNATIVE OPTIONS**

- 4.1. None for the purposes of this report, which is of a general nature outlining considerations relevant to the reports for specific land development proposals.

#### **5. CONSULTATION UNDERTAKEN OR PROPOSED**

- 5.1 Not required for the purposes of this report.

#### **6 TIMETABLE**

- 6.1. As set out in the body of the report.

#### **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. None for the purposes of this report unless indicated in the report for a particular application.

#### **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. As set out in the body of the report.

#### **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. These applications have been considered in the light of the Human Rights Act ("The Act") and in particular, the First Protocol of Article 1 (Protection of Property); Article 6 (Rights to a Fair Trial) and Article 8 (Private and Family

Life) which came into force on 2 October 2000.

- 8.2. Consideration has been given to the impact of each application on the people living and working in the vicinity of that particular application site and to the impact of the proposals on the persons who have made written representations on the planning merits of the case. A full assessment of material planning considerations has been included in each Committee report.
- 8.3. Third party representations and details of the application proposals are summarised in each Committee report. It may be that the policies and proposals contained within the Development Plan and/or other material planning considerations will outweigh the views of third parties and/or those of the applicant.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. As set out in the body of the report.

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. As set out in the body of the report.

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- 11.1 None for the purposes of this report.

## **12. BACKGROUND PAPERS**

- Background papers – Local Government (Access to Information) Act 1985
- Planning application files for the individual applications.
- London Plan (2015)
- Merton LDF Core Planning Strategy (2011)
- Merton Sites and Policies Plan (2014)
  
- Appropriate Government Circulars and Guidance Notes and in particular the NPPF and NPPG.
- Town Planning Legislation.
- The Mayor of London's Supplementary Planning Guidance.
- Merton's Supplementary Planning Guidance.
- Merton's Standard Planning Conditions and Reasons.
- Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (As amended).

**PLANNING APPLICATIONS COMMITTEE**  
**21 May 2015**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	15/P0177	12/01/2015
<b>Address/Site:</b>	Ground floor flat 85 Amity Grove, Raynes Park, London, SW20 0LQ.	
<b>Ward:</b>	Raynes Park	
<b>Proposal:</b>	Erection of a single storey rear and side infill extension.	
<b>Drawing No's:</b>	A499-002-001 B04, A499-002-002 B04, A499-002-003 B04, A499-002-005 B04, A499-002-006 B04]	
<b>Contact Officer:</b>	Ike Dimano (020 8545 3300)	

**Recommendation: GRANT PLANNING PERMISSION subject to conditions**

**CHECKLIST INFORMATION.**

- " S106: N/A
- " Is a screening opinion required: No
- " Is an Environmental Statement required: No
- " Has an Environmental Impact Assessment been submitted - No
- " Press notice - No
- " Site notice - Yes
- " Design Review Panel consulted - No
- " Number of neighbours consulted - 5
- " External consultations – No
- " Density - N/A

**1. INTRODUCTION**

- 1.1 This application is brought before the Planning Applications Committee as a result of the nature and content of representations.

**2. SITE AND SURROUNDINGS**

- 2.1 The application site is currently occupied by a two storey semi-detached building which is divided into two self-contained units. The subject accommodation is laid out as a one bedroom flat. The adjoining property, 83, is also arranged as two

flats. 87 Amity Grove is currently occupied as a single family dwellinghouse. The property is on the west side of Amity Grove. There is an alleyway which runs adjacent to the bottoms of rear gardens serving nos. 79 - 85 Amity Grove and along the side of no. 84 Durham Road.

- 2.3 The Merton Sites and Policies Plan, accords the site no specific land use designation, the building is not listed and the site does not fall within a conservation area or a flood risk area. There are trees in the rear garden area of the site, however these are not protected.

### **3. CURRENT PROPOSAL**

- 3.1 The applicant seeks planning permission to erect a single storey side and rear extension measuring a maximum width of 4.45m, maximum height of 3.3m (with a shallow-pitched roof, adjoining no. 87) and a maximum length of 7.2m (3.5m where it adjoins no. 87).
- 3.2 Five high level windows would be sited in the side elevation of the rear addition. A total of three new windows and one set of French doors are proposed in the side and rear elevations of the extension.
- 3.3 The application plans indicate that the extension is to be used as a "living room, kitchen and bathroom". Additional storage would be provided along the length of the passage.
- 3.4 The proposed section drawings show that the extension would have a maximum height of 3.3m, when measured from the rear garden level of the adjacent house at no. 87.

### **4. RELEVANT PLANNING AND ENFORCEMENT HISTORY**

- 4.1 MER796/84 – Conversion into 2 flats.
- 4.2 05/P1737 – Top flat - Erection of rear mansard roof extension. Planning permission granted September 2005.

### **5. RELEVANT POLICIES.**

#### National Planning Framework [March 2012]

- 5.1 The National Planning Framework was published on the 27 March 2012. This document is put forward as a key part of central government reforms '...to make the planning system less complex and more accessible, and to promote sustainable growth'.
- 5.2 The document reiterates the plan led system stating that development which accords with an up to date plan should be approved and proposed development

that conflicts should be refused. The framework states that the primary objective of development management should be to foster the delivery of sustainable development, not to hinder or prevent development. To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, local planning authorities need to approach development management decisions positively and look for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.

5.3 Site and Policies Plan 2014

The relevant policies in the Merton Sites and Policies plan include:  
DM.D2 (Design Considerations in all Developments)  
DM.D3 (Alterations and extensions to buildings).

5.4 Merton LDF Core Planning Strategy (2011)

The relevant policies in the Merton LDF Core Planning Strategy include:  
CS14 (Design)

5.5 London Plan 2011

The relevant policies in the London Plan include:  
7.6(Architecture)

**6. CONSULTATION**

6.1 The submitted planning application was publicised by means of a site notice and individual consultation letters sent to 5 neighbouring properties. In response, 3 comments and 2 letters of objection have been received raising concerns with regard to the following:-

- The proposed extension would result in loss of day and sunlight to the adjacent occupiers at no 87 Amity Grove
- The proposal would be visually intrusive to adjacent occupiers. at no 87 Amity Grove
- The resulting extension would be out of character in with the building and surrounding area.
- The proposed extension would result in an over development of the site.
- Concerns over the accuracy of drawings.
- The extension would result in undue dominance in the locality.
- The flank wall of the extension would encroach on boundary with no 87 Amity Grove

6.2 Following receipt of revised plan, which comprised a reduced length (down from 4.5m to 3.5m), width (down from 4.6m to 4.45m) and height (down from 3.8m to 3.3m), one further letter of objection was received, which reiterated earlier concerns.

## **7. PLANNING CONSIDERATIONS**

7.1 The main issues to consider are impact on the residential amenities of adjoining occupiers and design and impact on the character of the building. The impact on existing trees will also be assessed.

### Neighbour amenity

7.2 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.

7.3 The extension would be set away from the boundary with adjacent property at no.83a by 0.7m and would sit on the boundary and be adjacent to that of no. 87. The plans show that it would have a projection of approximately 3.5m beyond the existing rear wall of no.87. Given the single storey nature of the extension, its separation distance from one boundary, projection beyond no.87 and the orientation of the site, it is not considered that there would be any severe adverse impact on the amenities of the adjacent occupiers in terms of visual intrusion, and loss of daylight as a result of the extensions. Whilst the proposal fails the Merton daylight/sunlight test, this can throw up anomalies, even in instances where an extension would otherwise have been permitted development.

7.4 Concerns have been raised regarding the extension and these are listed above, however it is considered that the amended drawings adequately address the issues of concern. The applicant has offered to finish the north facing elevation in white render and members may consider this a suitable finish so as to further reflect light and could be made a condition of any permission.

### Character of the Building and Surrounding Area.

7.5 Policy DM D2 seeks to ensure a high quality of design in all development, and states that development will respect the form, scale, bulk and proportions of the original building and respect space between buildings where it contributes to the character of the area. It continues to state that appropriate materials should be used which would complement and enhance the character of the wider setting. Policy DM.D3 expects extensions to respect and complement the design and detailing of the original building and its form scale bulk and proportions.

7.6 The extension is single storey and its rear element would span 4.45m across the width of the host building. Given its single storey nature, location on the site and overall size when compared to that of the host building, it is not considered that the proposed extension would be detrimental to the character of the building and

the design and appearance of the enlarged building would be acceptable and in accordance with Policy DM D2 and DM.D3.

7.7 Impact on Trees

Whilst there are trees on the site, there are no Protection Orders registered against any of them and the site is not within a Conservation Area. The Tree Officer has been consulted and has raised no concerns, suggesting that tree protection measure be enforced by way of a condition in order to protect existing trees from harm/damage.

**8 CONCLUSION**

- 8.1 The proposed extension as amended is considered to be appropriately designed and sited, and would neither detract from the visual amenity of the area nor would it result in a harmful impact on amenities of adjoining occupiers. Concerns raised in respect of neighbour amenity have been noted but are considered to have been mitigated by modifications to the plans, reducing the scale of the proposed extension.

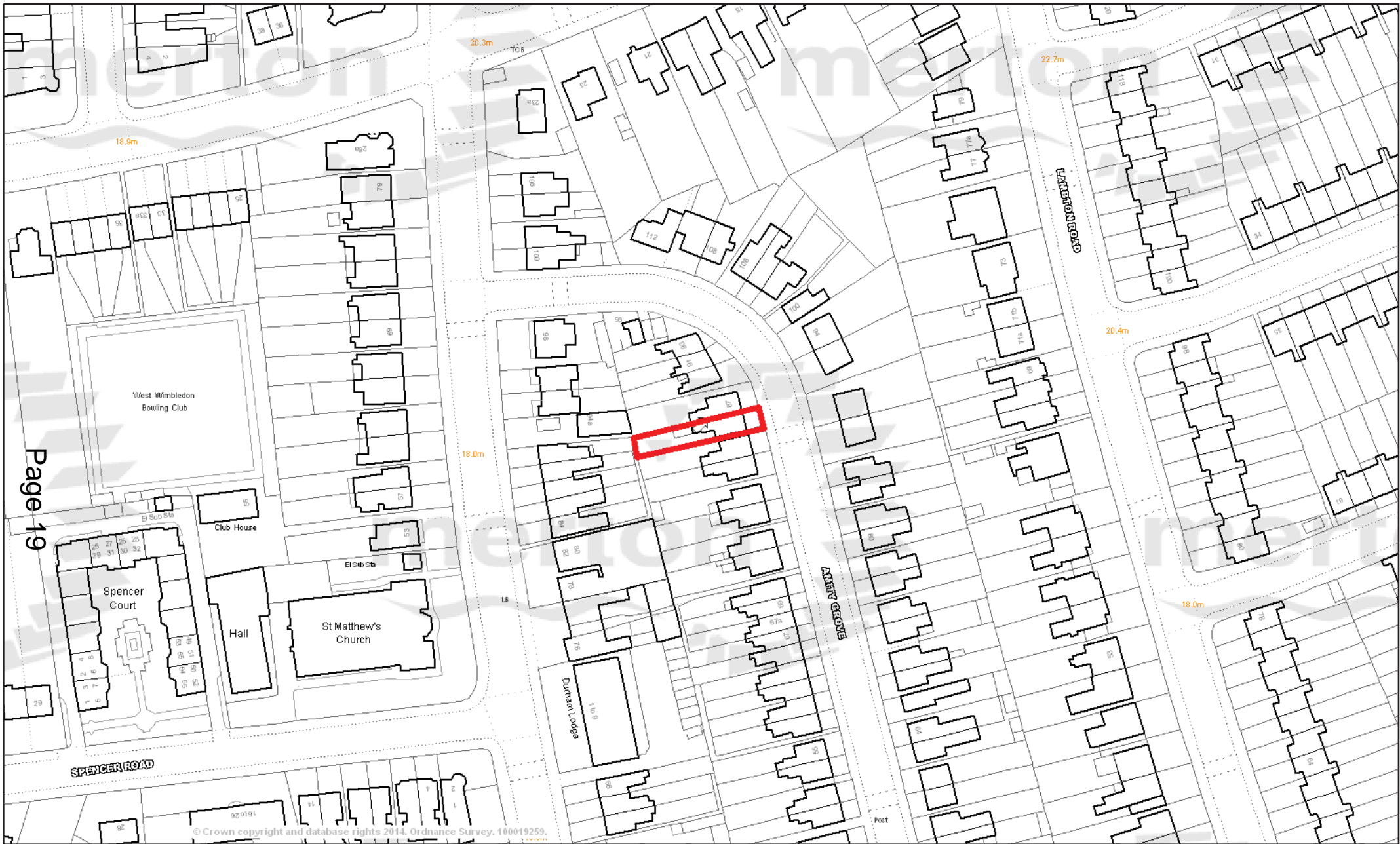
**RECOMMENDATION**

**Grant permission subject to the following conditions**

1. A.1 Commencement of development within 3 years
2. A.7 Approved Plans
3. B.2 Matching Materials (other than the flank wall facing 87 to be rendered and painted white)
4. D.11 Construction Times
5. F.5D Tree Protection

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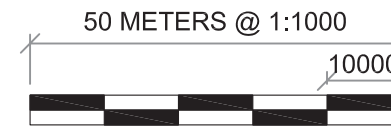
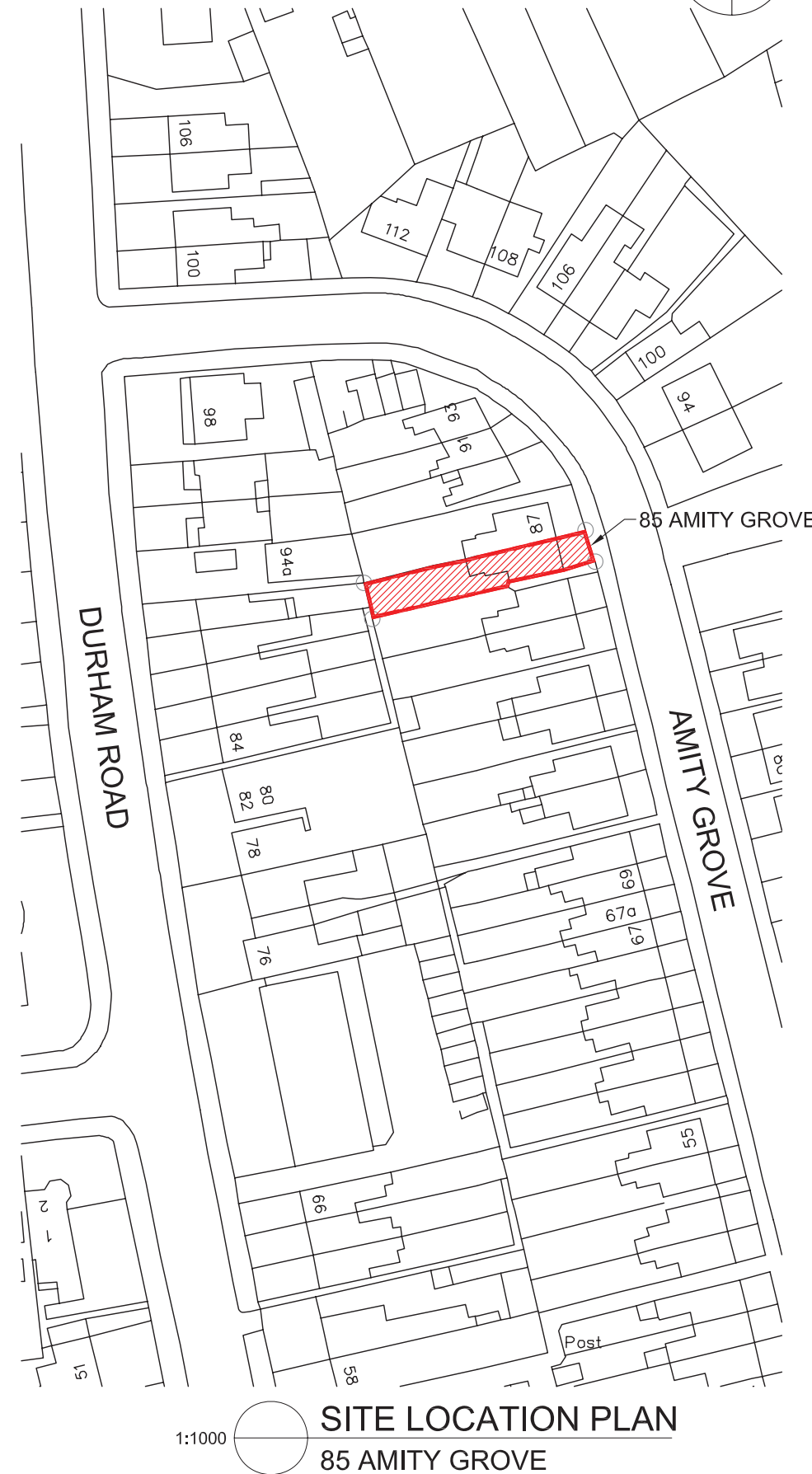
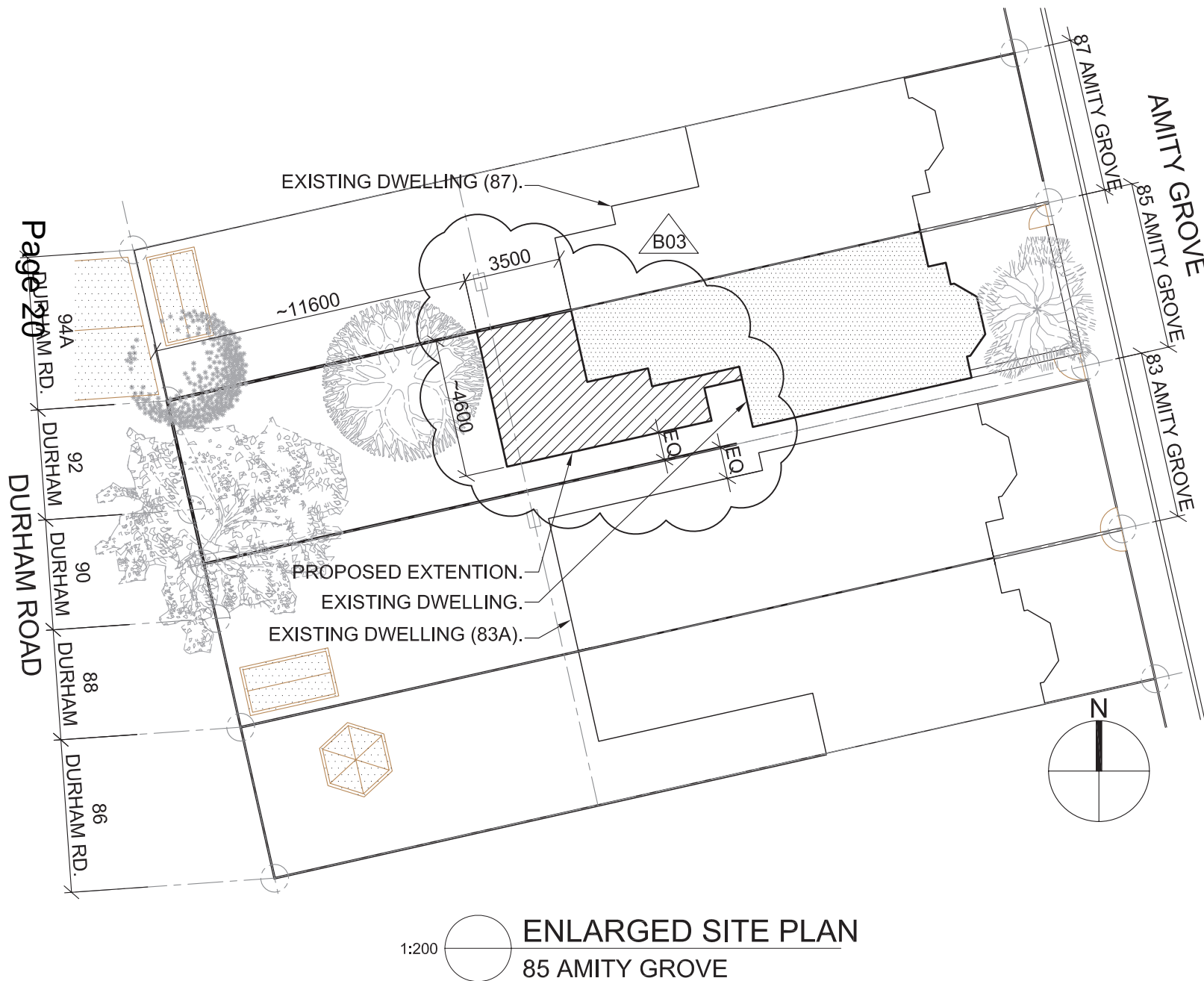
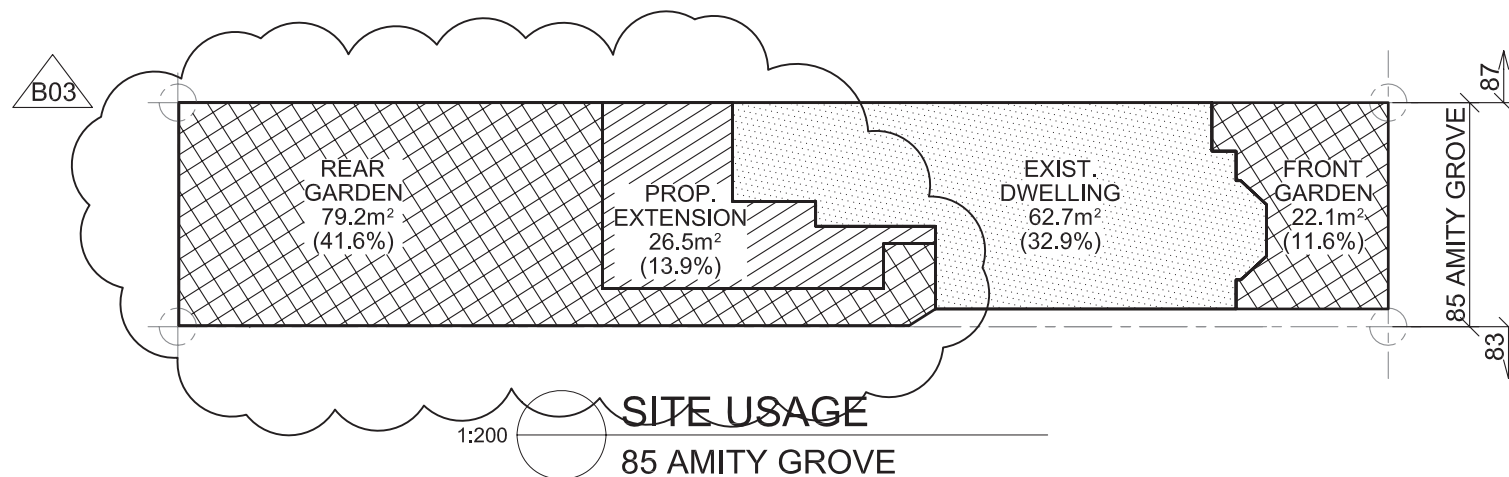
85 Amity Grove

Scale 1/1250

Date 5/5/2015

London Borough of Merton  
 100 London Road  
 Morden  
 Surrey  
 SM4 5DX





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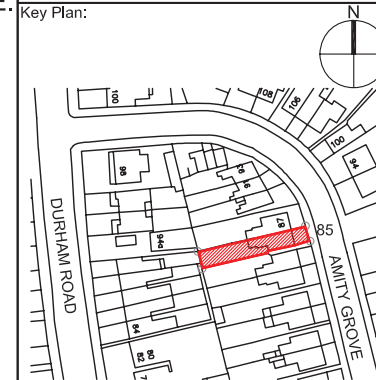
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Project Specific Finishes:

Key Plan:



Reference Documents:

A499-02-002  
A499-02-003  
A499-02-004

Revisions:

Rev:	Description:	Date:
A01	ISSUED FOR INFORMATION	20 OCT 14
B01	FOR APPROVAL	15 JAN 15
B02	REVISED TO COMMENTS	19 FEB 15
B03	REVISED TO COMMENTS	25 FEB 15

Review Status:

- STATUS A: APPROVED
- STATUS B: APPROVED WITH COMMENT
- STATUS C: NOT APPROVED

Drawing Status:

**FOR APPROVAL**

Client:

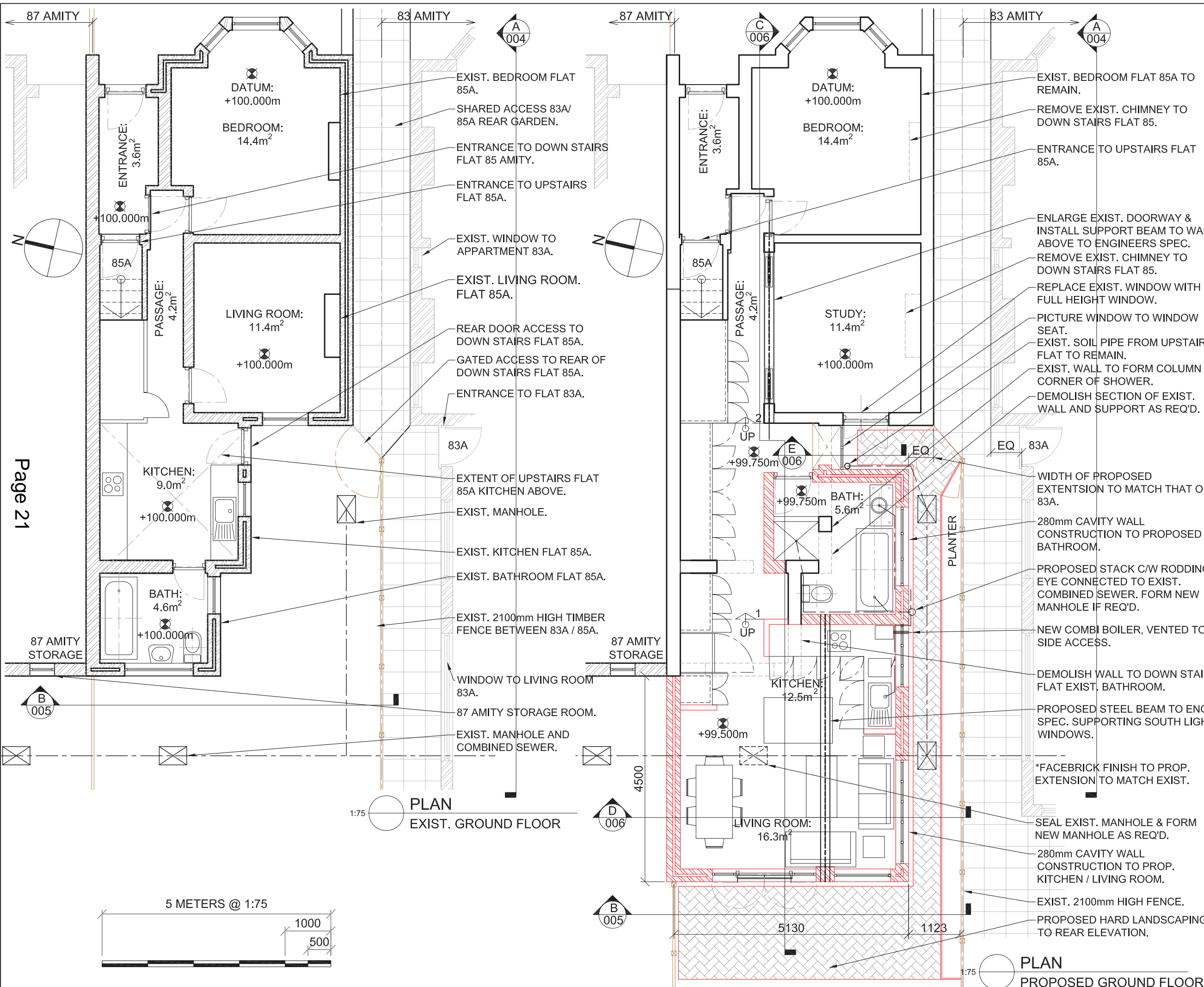
Project Title:

**85 AMITY GROVE**

Title:

**PROPOSED REAR EXTENSION  
GENERAL ARRANGEMENT  
SITE LOCATION PLAN**

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Level:	Checked:	Author:	Dwg Size:
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Drawing Number:			Rev:
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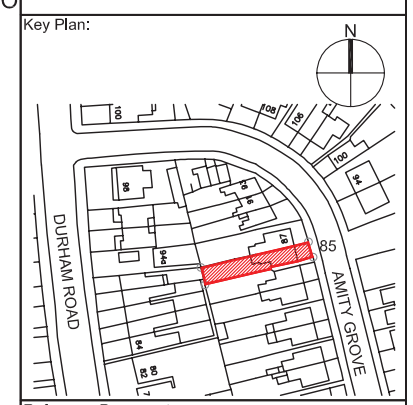
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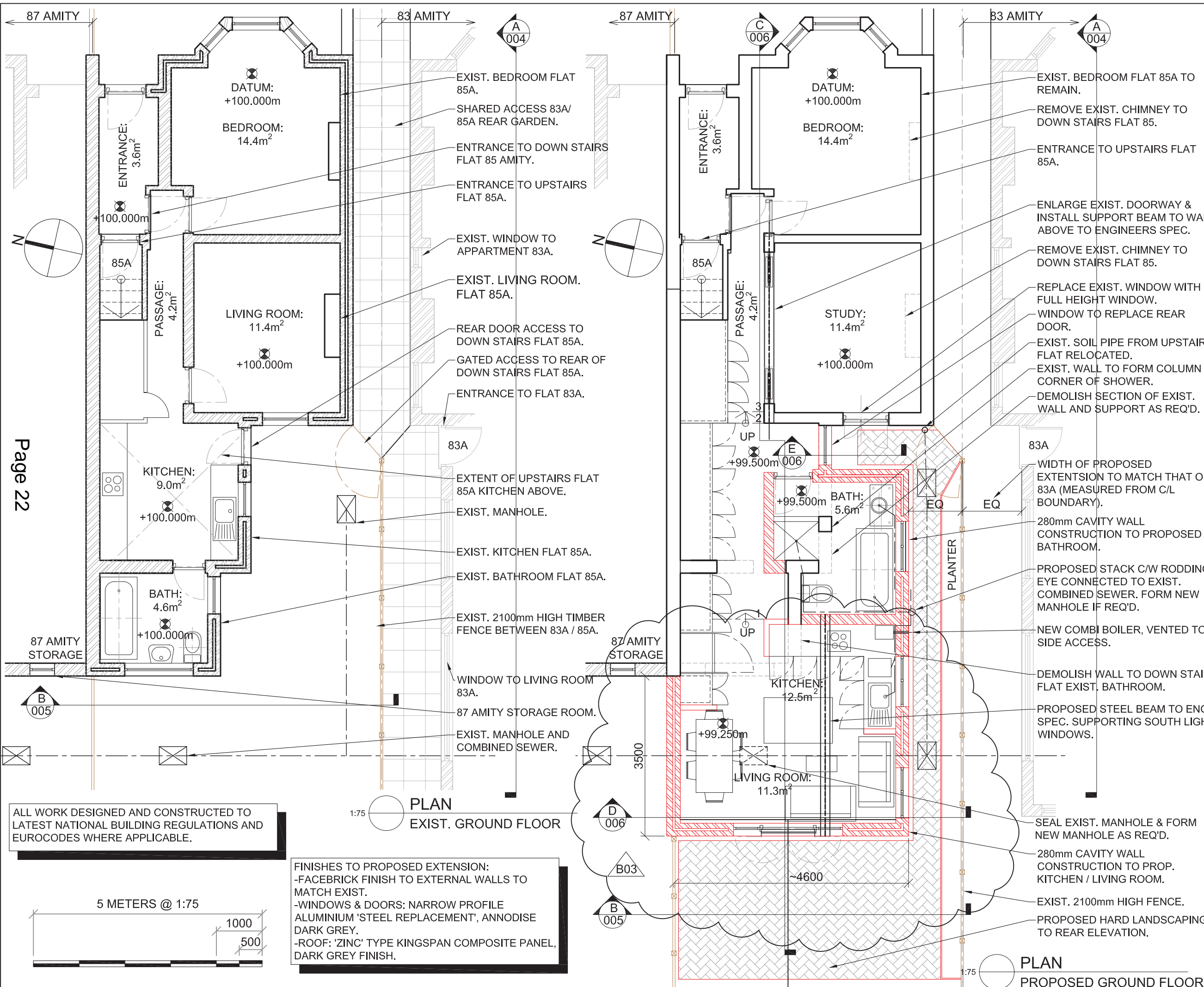
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Client:

Project Title:  
**85 AMITY GROVE**

Title:  
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A499-002-003	B01		



87 AMITY

83 AMITY

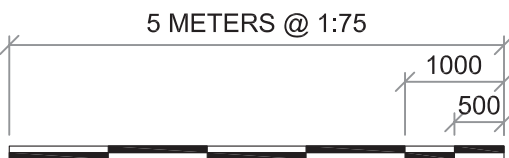
87 AMITY

83 AMITY

Page 22

ALL WORK DESIGNED AND CONSTRUCTED TO LATEST NATIONAL BUILDING REGULATIONS AND EUROCODES WHERE APPLICABLE.

FINISHES TO PROPOSED EXTENSION:  
 -FACEBRICK FINISH TO EXTERNAL WALLS TO MATCH EXIST.  
 -WINDOWS & DOORS: NARROW PROFILE ALUMINIUM 'STEEL REPLACEMENT', ANNOIDISE DARK GREY.  
 -ROOF: 'ZINC' TYPE KINGSPAN COMPOSITE PANEL, DARK GREY FINISH.

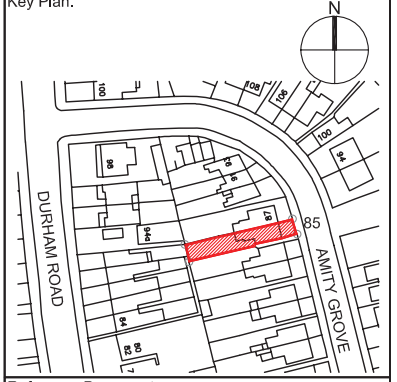


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Key Plan:



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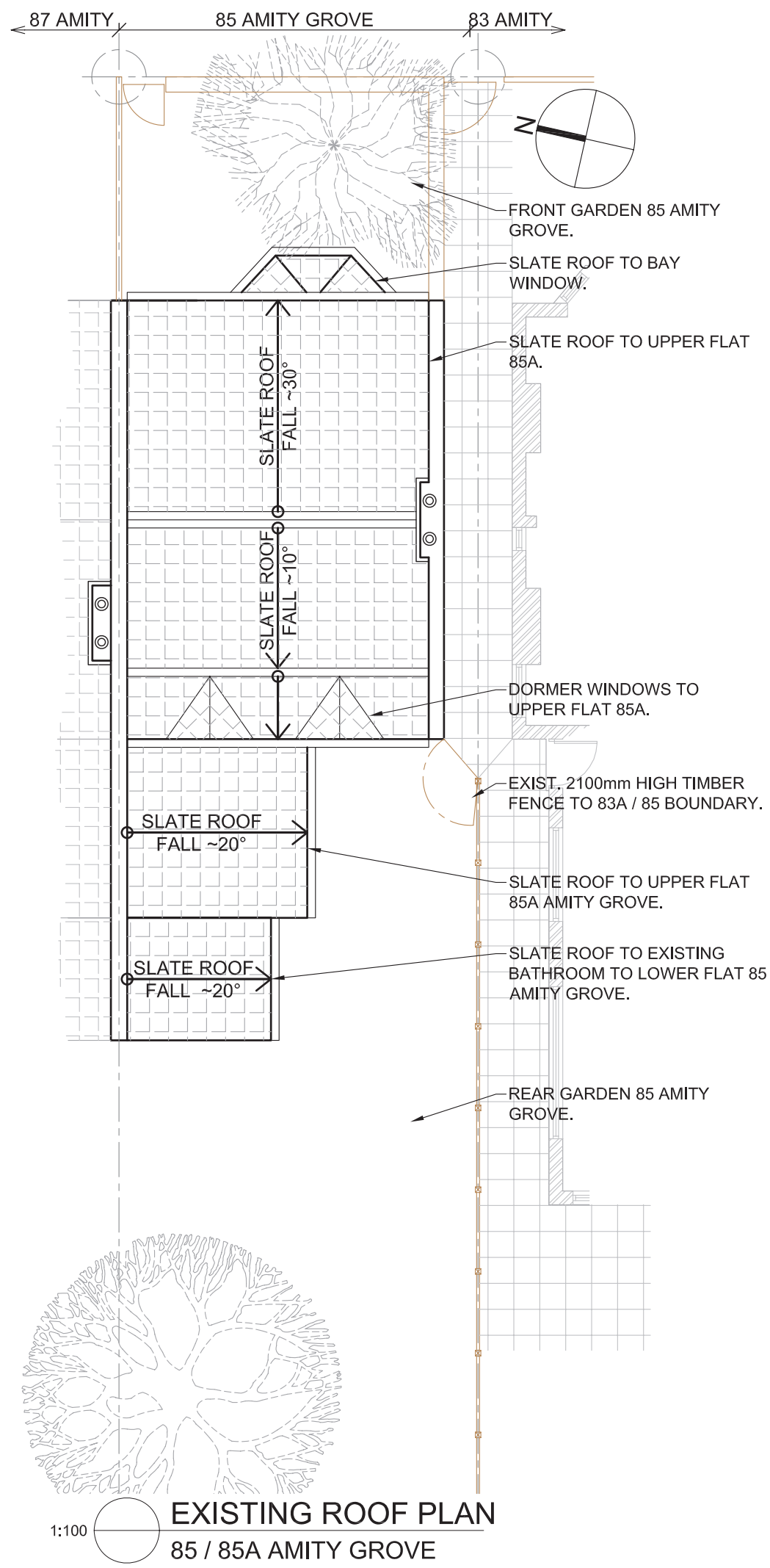
Project Title:

85 AMITY GROVE

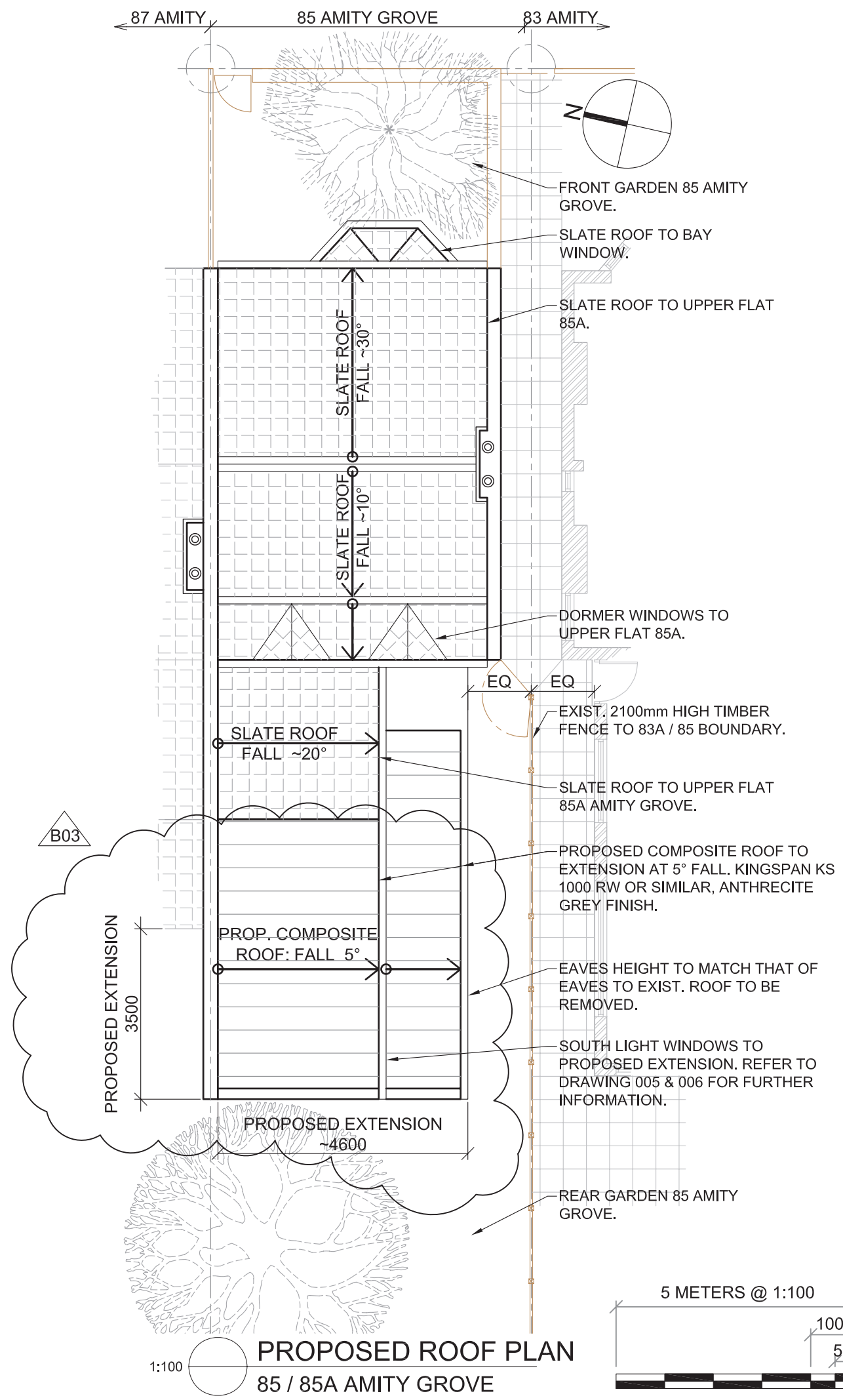
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PROPOSED REAR EXTENSION GENERAL ARRANGEMENT PROP. / EXIST. PLAN

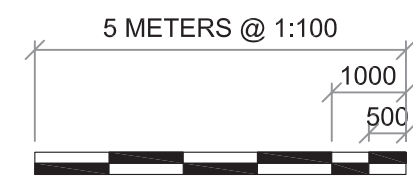
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A499-002-003			B03



1:100 EXISTING ROOF PLAN  
85 / 85A AMITY GROVE



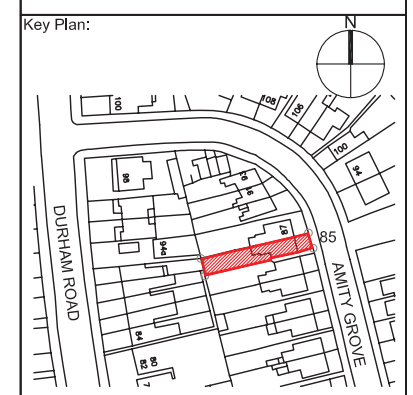
1:100 PROPOSED ROOF PLAN  
85 / 85A AMITY GROVE



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Reference Documents:

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- A499-02-003
- A499-02-004

Revisions:

Rev:	Description:	Date:
A01	ISSUED FOR INFORMATION	20 OCT 14
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Drawing Status:

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Client:

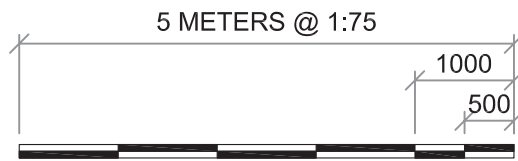
Project Title:

**85 AMITY GROVE**

Title:

**PROPOSED REAR EXTENSION  
GENERAL ARRANGEMENT  
PROP. / EXIST. ROOF PLAN**

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A499-002-002			B03

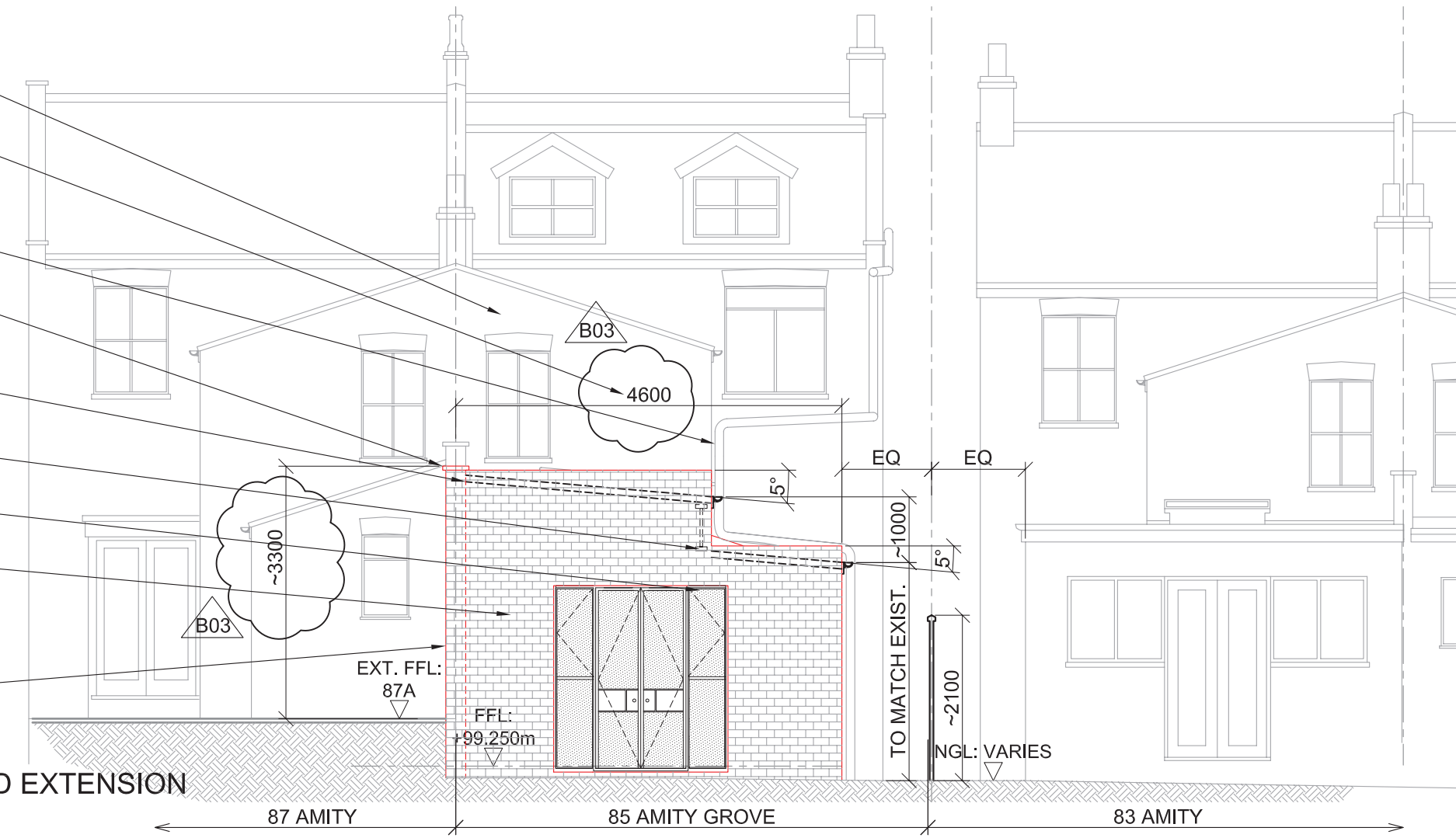


- EXISTING KITCHEN TO UPSTAIRS FLAT 85A
- EXIST. PARTY WALL
- EXIST. SLATE ROOF LAID AT ~18°.
- EXISTING BATHROOM TO DOWN STAIRS FLAT 85A
- EXISTING 2100mm HIGH TIMBER FENCE BETWEEN 83A & 85.



1:75 **B** SECTION B - B : EXISTING REAR ELEVATION 003

- EXISTING KITCHEN TO UPSTAIRS FLAT 85A
- APPROX. EXTENT OF PROPOSED EXTENSION (TO MATCH OFFSET OF EXTENSION TO 83A, MEASURED FROM BOUNDARY LINE).
- EXIST. FOUL PIPES TO UPSTAIRS FLAT TO BE RE-ROUTED.
- EXTENSION TO PARTY WALL TO A HEIGHT OF ~3300mm ABOVE EXTERNAL F.F.L 87A.
- PROPOSED 'KINGSPAN' COMPOSITE ROOF PANELS LAID TO 5° FALL.
- SOUTH LIGHT WINDOWS ABOVE STEEL SUPPORT BEAM.
- STEEL SUPPORT BEAM TO SOUTH LIGHT WINDOWS TO ENG. SPEC.
- ALL PROPOSED FENESTRATION TO BE DOUBLE GLAZED NARROW SECTION ALUMINIUM 'STEEL REPLACEMENT' FRAMES, POWDER COAT DARK GREY FINISH.
- FACEBRICK FINISHES TO PROP. 280mm CAVITY WALL CONSTRUCTION TO MATCH EXIST.



1:75 **B** SECTION B - B : PROPOSED EXTENSION REAR ELEVATION 003

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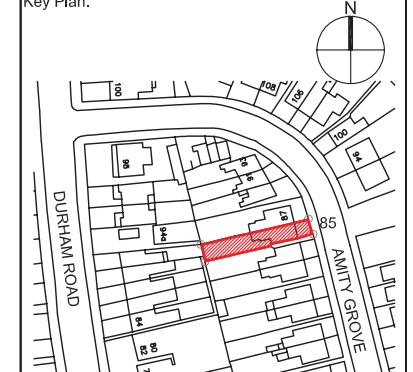
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Project Specific Finishes:



Reference Documents:  
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 A499-02-002  
 A499-02-003  
 A499-02-004

Revisions:

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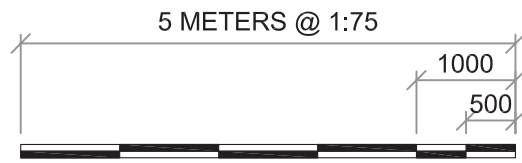
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**FOR APPROVAL**

Client:

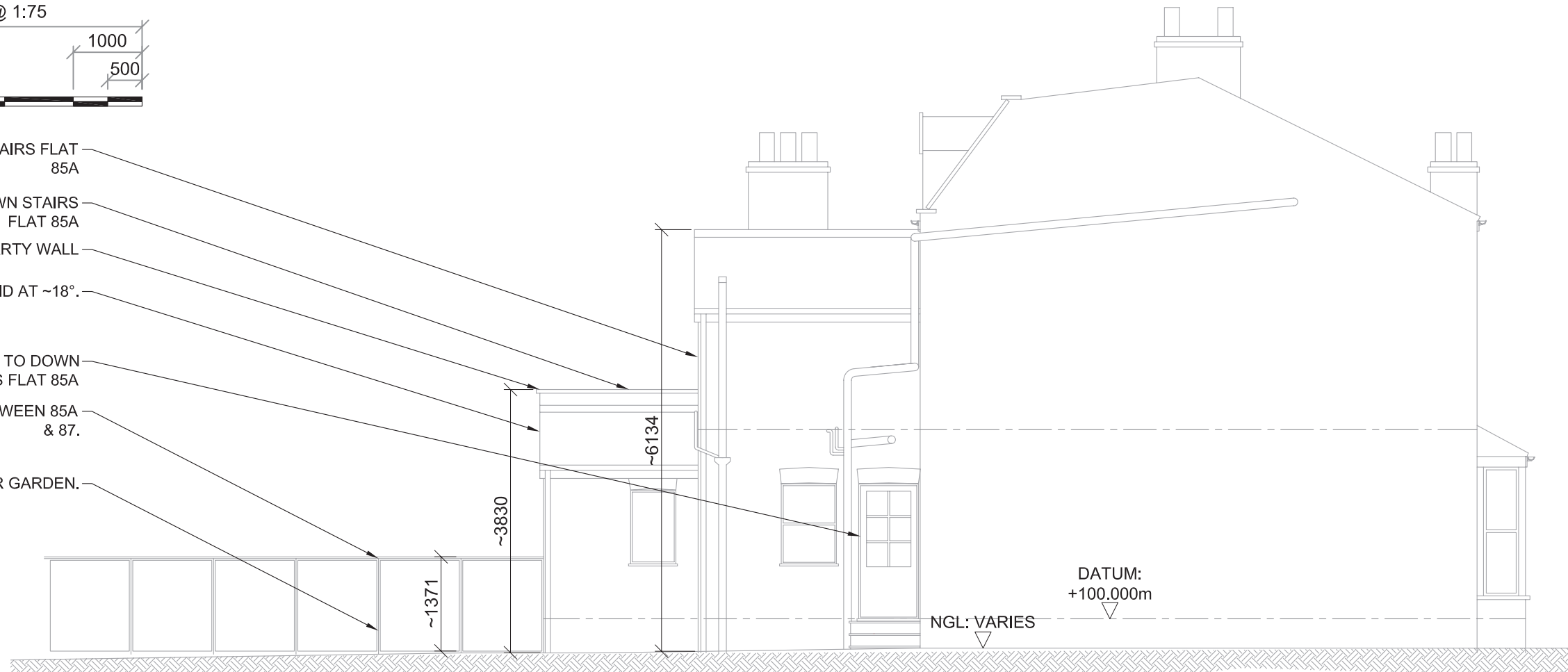
Project Title:  
**85 AMITY GROVE**

Title:  
**PROPOSED REAR EXTENSION GENERAL ARRANGEMENT PROP. / EXIST. ELEVATION SHEET 2 OF 2**

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Level:	Checked:	Author:	Dwg Size:
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Drawing Number:	A499-002-005		Rev:
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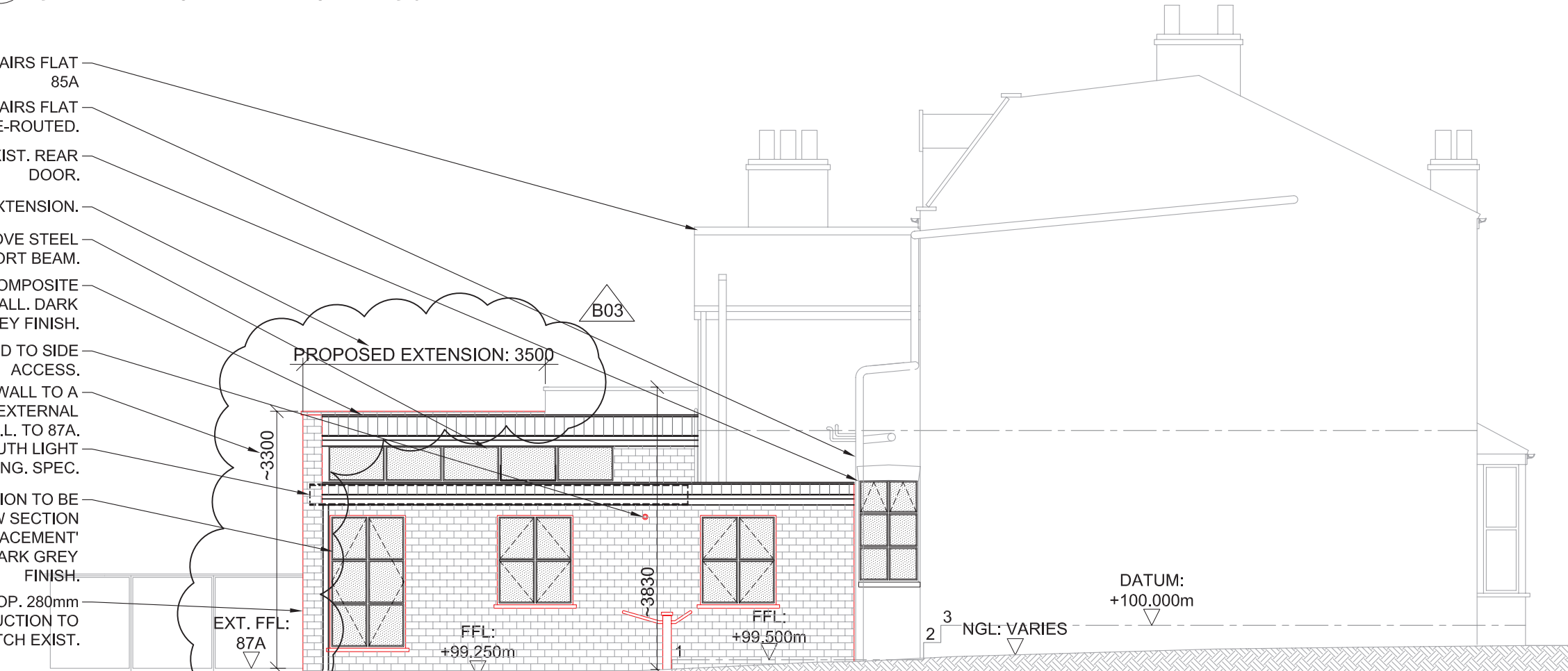


- EXISTING KITCHEN TO UPSTAIRS FLAT 85A
- EXISTING BATHROOM TO DOWN STAIRS FLAT 85A
- EXIST. PARTY WALL
- EXIST. SLATE ROOF LAID AT ~18°.
- EXIST. REAR ENTRANCE TO DOWN STAIRS FLAT 85A
- EXISTING TIMBER FENCE BETWEEN 85A & 87.
- REAR GARDEN.



1:75 **A** SECTION A - A : EXISTING  
003 SIDE ELEVATION VIEWED TOWARDS 87 AMITY

- EXISTING KITCHEN TO UPSTAIRS FLAT 85A
- EXIST. SOIL PIPES FROM UPSTAIRS FLAT TO BE RE-ROUTED.
- WINDOW TO REPLACING EXIST. REAR DOOR.
- EXTENT OF PROPOSED EXTENSION.
- SOUTH LIGHT WINDOWS ABOVE STEEL SUPPORT BEAM.
- PROPOSED 'KINGSPAN' COMPOSITE ROOF PANELS LAID TO 5° FALL. DARK GREY FINISH.
- NEW COMBI BOILER, VENTED TO SIDE ACCESS.
- EXTENSION TO PARTY WALL TO A HEIGHT OF ~3300mm ABOVE EXTERNAL F.F.L. TO 87A.
- STEEL SUPPORT BEAM TO SOUTH LIGHT WINDOWS TO ENG. SPEC.
- ALL PROPOSED FENESTRATION TO BE DOUBLE GLAZED NARROW SECTION ALUMINIUM 'STEEL REPLACEMENT' FRAMES, POWDER COAT DARK GREY FINISH.
- FACEBRICK FINISHES TO PROP. 280mm CAVITY WALL CONSTRUCTION TO MATCH EXIST.



1:75 **A** SECTION A - A : PROPOSED EXTENSION  
003 SIDE ELEVATION VIEWED TOWARDS 87 AMITY

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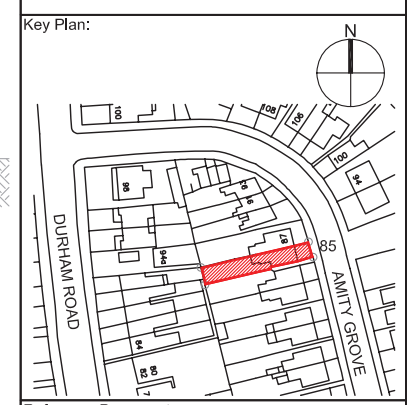
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Refer to the relevant Construction (Design and Management) documentation where applicable.

Competency and compliance of contractors, nominated by other than the Fortitude Design Alliance, shall be verified by the client and their representatives.



Project Specific Finishes:



Reference Documents:

- A499-02-001
- A499-02-002
- A499-02-004

Revisions:

Rev:	Description:	Date:
A01	ISSUED FOR INFORMATION	20 OCT 14
B01	FOR APPROVAL	15 JAN 15
B02	REVISED TO COMMENTS	19 FEB 15
B03	REVISED TO COMMENTS	25 FEB 15

Review Status:

- STATUS A: APPROVED
- STATUS B: APPROVED WITH COMMENT
- STATUS C: NOT APPROVED

Drawing Status:

**FOR APPROVAL**

Client:

Project Title:

**85 AMITY GROVE**

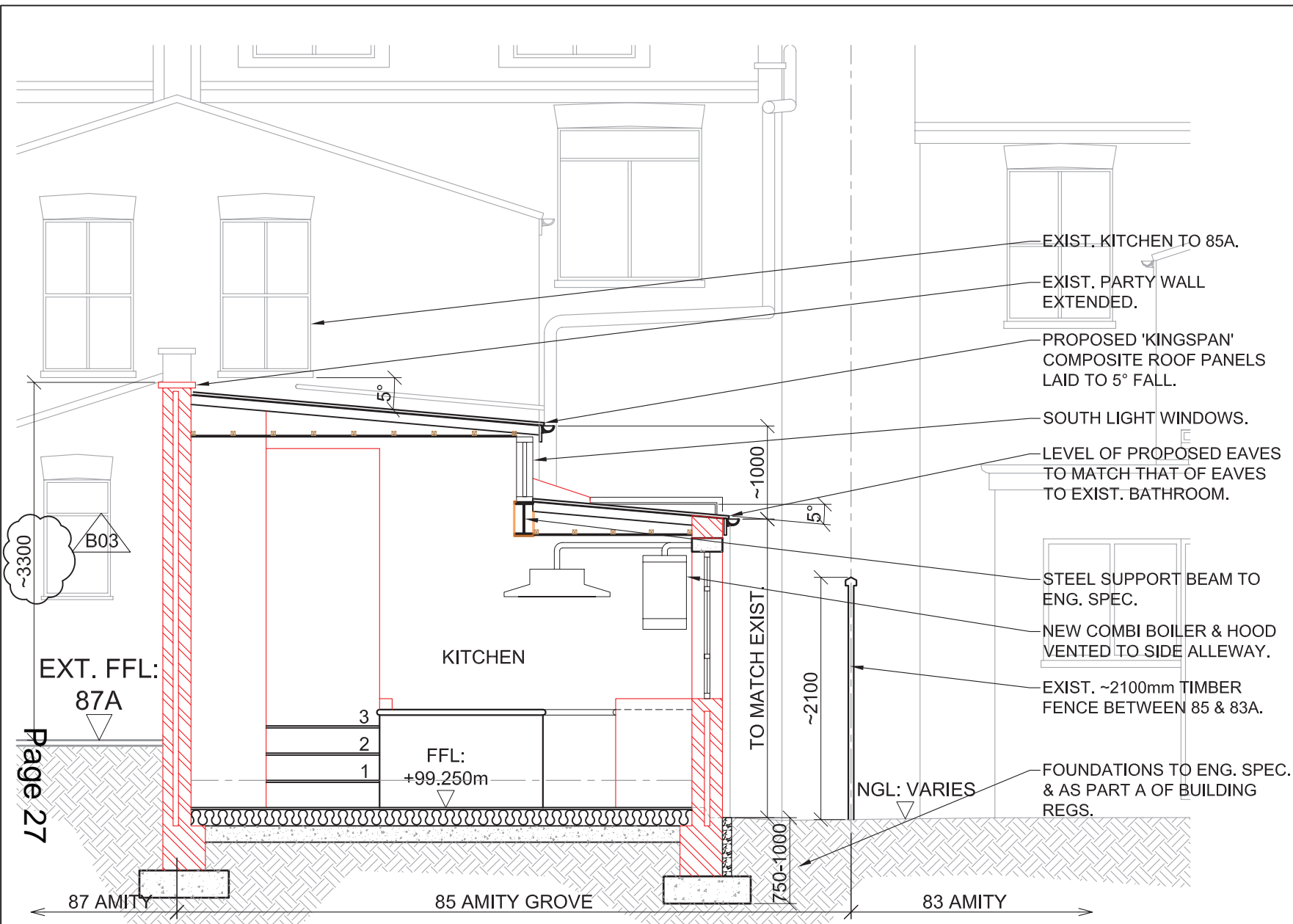
Title:

**PROPOSED REAR EXTENSION  
GENERAL ARRANGEMENT  
PROP. / EXIST. ELEVATION  
SHEET 1 OF 2**

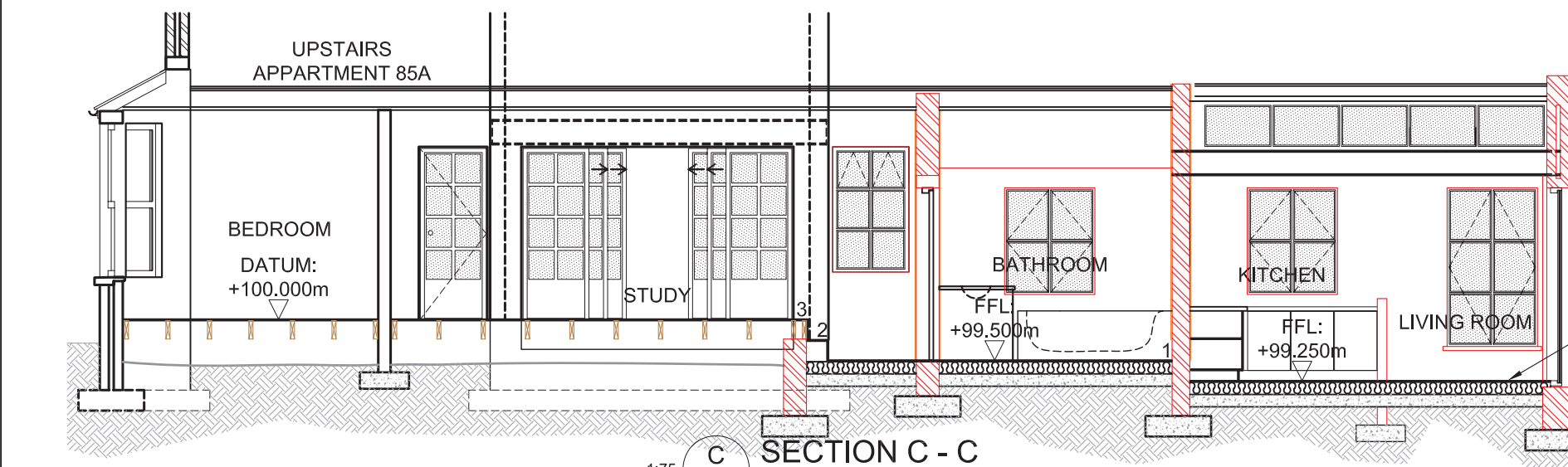
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N/A	20 OCT 14	-	1
Level:	Checked:	Author:	Dwg Size:
N/A	CM	CM	A3
Drawing Number:	A499-002-004		Rev:
			B03

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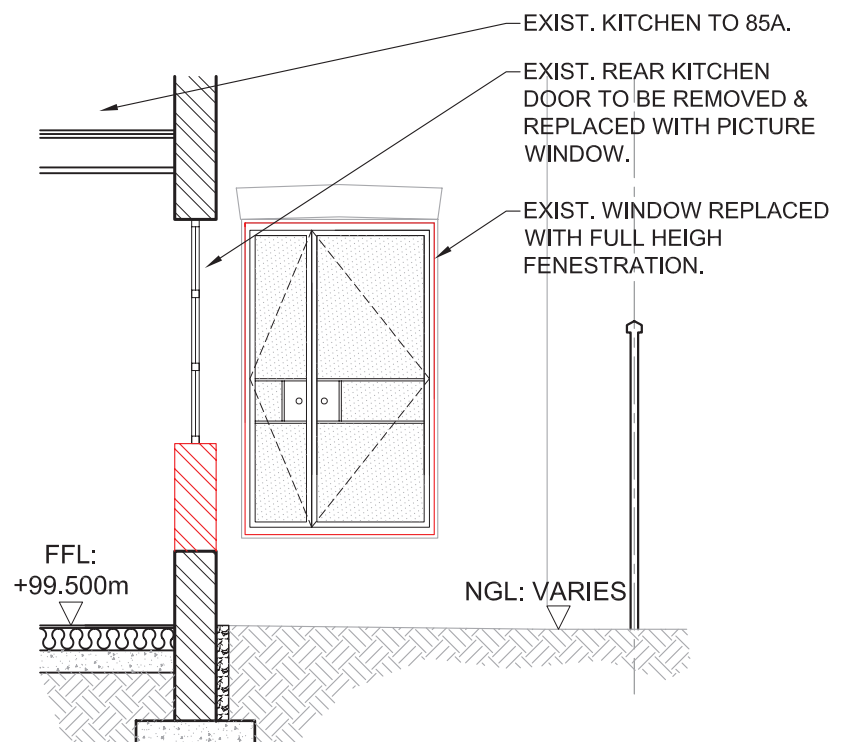
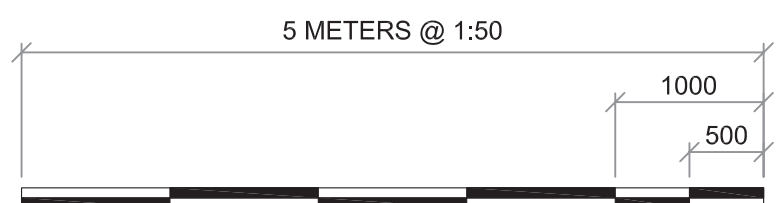
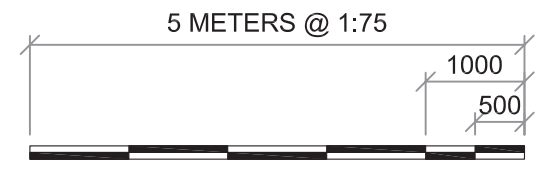


1:50 **D** SECTION D - D  
003 VIEWED THROUGH KITCHEN / LIVING ROOM



1:75 **C** SECTION C - C  
003 VIEWED TOWARDS 83A AMITY

**FINISHES TO PROPOSED EXTENSION:**  
 -FACEBRICK FINISH TO EXTERNAL WALLS TO MATCH EXIST.  
 -WINDOWS & DOORS: NARROW PROFILE ALUMINIUM 'STEEL REPLACEMENT', ANNODISE DARK GREY.  
 -ROOF: 'ZINC' TYPE KINGSPAN COMPOSITE PANEL, DARK GREY FINISH.



1:50 **E** SECTION E - E  
003 VIEWED THROUGH WINDOW SEAT

- PARAPET WALL TO REAR ELEVATION TO MATCH HEIGHT OF EXTENSION TO PARTY WALL: ~3200mm ABOVE EXTERNAL F.F.L. 87A.
- STEEL SUPPORT BEAM TO SOUTH LIGHT WINDOWS TO ENG. SPEC.
- TIMBER INTERNAL FLOOR FINISH.
- PROPOSED HARD LANDSCAPING TO REAR GARDEN TO LATER PHASE.
- ALL PROPOSED SUBSTRUCTURE TO ENGINEERS SPECIFICATION & PART A - BUILDING REGS.

ALL WORK DESIGNED AND CONSTRUCTED TO LATEST NATIONAL BUILDING REGULATIONS AND EUROCODES WHERE APPLICABLE.

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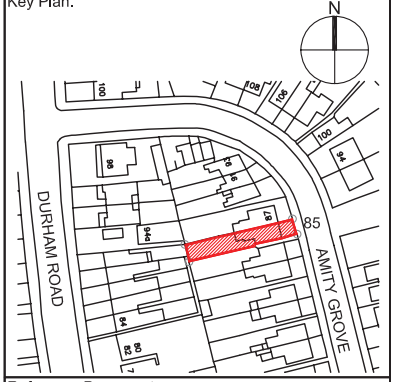
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Competency and compliance of contractors, nominated by other than the Fortitude Design Alliance, shall be verified by the client and their representatives.



Project Specific Finishes:

Key Plan:



Reference Documents:

- A499-02-001
- A499-02-002
- A499-02-004

Revisions:

Rev:	Description:	Date:
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Drawing Status:

**FOR APPROVAL**

Client:

Project Title:

**85 AMITY GROVE**

Title:

**PROPOSED REAR EXTENSION GENERAL ARRANGEMENT PROPOSED SECTIONS**

Grid Ref:	Drawn Date:	Scale:	Issue:
N/A	20 OCT 14	-	1
Level:	Checked:	Author:	Dwg Size:
N/A	CM	CM	A3
Drawing Number:			Rev:
A499-002-006			B03

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# Agenda Item 6

PLANNING APPLICATIONS COMMITTEE  
21<sup>st</sup> May 2015

Item No: 05

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	14/P1008	08/05/2014

**Address/Site** 141 The Broadway, Wimbledon, SW19 1QJ

**Ward** Abbey

**Proposal:** Demolition of first and second floors of existing building, retention of ground floor within use class a3 and erection of six storey building to provide 16 residential units.

**Drawing Nos** A1-100 Rev B, 101 Rev G, 102 Rev G, 103 Rev G, 104 Rev E, 105 Rev H, 106 Rev F, 108 Rev A, 109, 110 and 111

**Contact Officer:** Stuart Adams (0208 545 3147)

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## RECOMMENDATION

**GRANT Planning Permission subject S106 agreements and conditions.**

## CHECKLIST INFORMATION.

Heads of agreement: - Affordable Housing & Permit Free  
Is a screening opinion required: No  
Is an Environmental Statement required: No  
Has an Environmental Impact Assessment been submitted – No  
Press notice – No  
Site notice – Yes  
Design Review Panel consulted – No  
Number of neighbours consulted – 103  
External consultations – No.  
PTAL score – 6a  
CPZ – VO's

---

## 1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee for consideration in light of the number of objections against the proposal.

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a three storey building located on the south side of The Broadway, Wimbledon. The site itself currently features a three storey period building with a traditional hipped roof form. The ground floor has been in use as a bar/restaurant (Class A3/A4) for a number of years and the upper floor provide residential accommodation. The building has been extended at ground floor level with a single storey rear extension with an external seating area beyond. An amount of plant equipment is currently located on the flat roof of this extension. The property is gated to the front with a low wall and metal railings to the public footpath and main road. Vehicular access is possible to a service area to the west flank of the building.
- 2.2 The immediate surrounding area can be described as being mixed both in use and townscape terms. Immediately to the west of the site is Ashville House (Nos 131-139 Broadway), a four storey mixed use building which appears to date from the 1980's whilst to the east of the subject site is 151 Broadway (CIPD), a relatively recent 5/6 storey office development with a contemporary appearance and a rather dominant presence on The Broadway due to its height and projecting front elevation. Opposite the site is 120 Broadway, Broadway House, a recent 6 storey, residential led, mixed-use development which was granted planning permission in 2005. The nearest residential accommodation to the site are properties on Palmerston Road whose rear gardens meet the largely back onto the car park area for the CIPD development.
- 2.4 The site is not in a conservation area nor is the building included on the statutory or non-statutory list.

## 3. **CURRENT PROPOSAL**

- 3.1 Demolition of first and second floors of existing building, retention of ground floor within use class A3 and erection of six storey building to provide 16 residential units. It is proposed that the existing building would be partly demolished and redeveloped to provide a 6 storey feature with elements of the existing ground floor bar/restaurant retained. There would

be a total of 16 residential units provided on the upper floors and in terms of unit mix the proposals would deliver 7 one-bedroom units and 9 two-bedroom units.

- 3.2 The redeveloped building at the upper levels would follow the existing front building line and would present a modern, contemporary external appearance with part brickwork, part metal cladding facades and front projecting bays. In terms of the height of the proposed building there would be a gradual transition between 151 The Broadway (CIPD) and Ashville House, in a more measured and stepped arrangement than the existing building. The proposed building would feature a small internal courtyard on its eastern side.

3.3 London Plan Space Standards

London Plan	Dwelling type (bedroom (b)/ persons-bedspaces (p))	GIA (sq m)
Flats	1b2p	50
	2b3p	61
	2b4p	70
Proposal		
Flat 1	2b3p	61
Flat 2	1b2p	53.4
Flat 3	1b2p	50
Flat 4	2b4p	105
Flat 5	2b3p	61
Flat 6	1b2p	53.4
Flat 7	1b2p	50
Flat 8	2b4p	105
Flat 9	2b3p	61
Flat 10	1b2p	53.4
Flat 11	1b2p	50
Flat 12	2b4p	105
Flat 13	2b3p	61
Flat 14	1b2p	50
Flat 15	2b4p	105
Flat 16	2b4p	101

4. **PLANNING HISTORY**

- 4.1 07/P0817 - Display of various internally illuminated signs to the building and a freestanding double sided internally illuminated sign in the forecourt – Grant - 04/05/2007.
- 4.2 02/P2477 - display of various externally illuminated signs to the building and forecourt – Grant - 09/01/2003

- 4.3 98/P1619 - Display of non-illuminated fascia signs and an externally illuminated pole sign – Grant - 23/03/1999 23/03/1999
- 4.4 98/P1072 - Erection of single storey front extension in conjunction with use of ground floor of property as restaurant/bar with alterations to roof of existing rear conservatory, provision of covered dining area with a canopy within existing rear beer garden and erection of 2.4m high gates across side passage – Grant - 20/11/1998
- 4.5 94/P0404 - Erection of a canopy above front entrance – Grant - 13/07/1994
- 4.6 94/P0403 - Installation of no.1 externally illuminated fascia sign on front elevation of premises – Grant - 13/07/1994
- 4.7 89/P0469 - Display of a double sided internally illuminated projecting box sign – Grant - 20/06/1989
- 4.8 87/P1598 - Erection of a single storey conservatory at rear of existing public house – Grant - 11/02/1988
- 4.9 MER7/70 - Single sided illuminated box sign – Grant - 19/03/1970
- 4.10 MER855/69 - Double sided illuminated sign – Grant - 27/10/1969

## 5. CONSULTATION

- 5.1 The application has been advertised by major site notice procedure and letters of notification to the occupiers of neighbouring properties.
- 5.1.1 In response to the consultation, 10 letters of objection were received (including one from the Wimbledon society). The letters of objection raise the following points:
- Overlooking
  - Loss of daylight and sunlight
  - Impact upon local infrastructure (schools and transport)
  - Overdevelopment
  - Impact upon trees
  - Design is very incongruous with the existing ground floor being incorporated in the whole building design
  - Reduction of legitimate parking spaces
  - Additional traffic
  - Excessive density
  - The existing building is a local landmark. Its character will be

destroyed by the proposed development.

- Lack of cycle parking
- Poor design
- Overbearing and out of character
- No family accommodation proposed
- Entrance at side is extremely cramped and insignificant
- Use of render as the main material and where is the Wimbledon character
- Lack of light to lower flats in the development
- Why is there a gap between the proposed building and CIPD, why not build right up to CIPD and abut it?
- No secondary staircase for escape
- The development should be aiming at high efficiency code 5 or 6.

5.1.2 Energy Officer – No objection

5.1.3 Transport Planning – No objection

## 6. **POLICY CONTEXT**

### 6.1 Adopted Sites and Policies Plan (July 2014)

DM H2 Housing Mix

DM H3 Support for affordable housing

DM D2 Design considerations in all developments

DM D4 Managing heritage assets

DM EP2 Reducing and mitigating noise

DM T1 Support for sustainable transport and active travel

DM T2 Transport impacts of development

DM T3 Car parking and servicing standards

### 6.2 Adopted Core Planning Strategy (July 2011)

CS 6 Wimbledon Town Centre

CS8 – Housing Choice

CS9 – Housing Provision

CS14 - Design

CS15 – Climate Change

CS18 – Active Transport

CS19 – Public Transport

CS20 - Parking, Servicing and Delivery

### 6.3 The Relevant policies in the London Plan (July 2011) are:

3.3 (Increasing Housing Supply),

3.4 (Optimising Housing Potential),

- 3.5 (Quality and Design of Housing Developments),
- 3.8 (Housing Choice),
- 5.1 (Climate Change Mitigation),
- 5.3 (Sustainable Design and Construction).
- 7.3 (Designing Out Crime)
- 7.4 (Local Character)
- 7.6 (Architecture)

## 7. **PLANNING CONSIDERATIONS**

- 7.1 The principal planning considerations relate to the principle of development, design of extensions and impact upon Wimbledon Town Centre and The Broadway street scene, impact upon neighbouring amenity and traffic and highway considerations.
- 7.2 **Principle of Development**
  - 7.2.1 The London Plan and both the Council's adopted LDF and UDP seeks to increase housing provision where it can be shown that an acceptable standard of accommodation will be provided and provide a mix of dwelling types. The London Plan published in July 2011 sets Merton with a minimum ten year target of 3,200 dwellings within the borough between 2011 – 2021. The proposed development of the site would create 16 flats on the site. The principle of development is considered acceptable, making a modest contribution towards meeting housing choice and housing targets.
- 7.3 **Design**
  - 7.3.1 The proposed building would have a modern design approach with front projecting glazed bays set between central external balconies, part brick, part metal cladding walls and a lightweight top floor which is recessed back from the frontage of the building. The proposed design approach is considered to respond to the form, scale and design of other taller buildings along The Broadway. In terms of the height of the building, there would be a gradual transition between the adjacent CIPD building and 131 – 139 The Broadway. Whilst the top floor of the proposed building would project above the glazed frontage of CIPD, the setting back of the proposed top floor would ensure a satisfactory relationship. The siting of the proposed building would also ensure that the distinctive curved frontage of the CIPD building will be maintained from both east and west directions.
- 7.4 **Standard of Accommodation**
  - 7.4.1 Planning policy DM H2 (Housing Mix) of Merton's Sites and Policies Plan



seeks to create socially mixed communities, creating for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the Borough. In assessing development proposals the Council will take account of Merton's Housing Strategy (2011-2015) borough level indicating proportions (one and two bedrooms 33 percent and three bedroom + 35 percent of the total number of units). The development of the application site would create 16 flats (7 x 1 and 9 x 2 bedroom units). This split would fall outside Merton's Housing Strategy, however the justification text of policy DM H2 (Housing Mix) states that the borough level indicative proportions concerning housing mix will be applied having regard to relevant factors including individual site circumstances, site location, identified local needs, economics of provision such as financial viability and other planning contributions. In this instance, the application site is located within a town centre location. No family sized accommodation are proposed (three bedroom plus), however this is not unusual in a town centre location given the urban fabric and constraints of the area to accommodate well designed family accommodation (lack of suitable amenity space for example).

7.4.2 In terms of the quality of the accommodation proposed, it is considered that the proposed flats would provide a satisfactory standard of accommodation for future occupiers. The proposed flats would exceed the London Plan Gross Internal Area minimum standards, each room would be capable of accommodation furniture and fittings in a suitable and adoptable manner and each flat would have direct access to amenity space (balconies/terrace). It is noted that some rooms face onto the central courtyard and the middle flats within the development have a sideward facing windows, however all flats are considered to receive adequate levels of outlook and natural light.

7.4.3 Access to the proposed flats would be gained from the existing side entrance. In order to improve access to the proposed flats, new landscaping and lighting could be controlled via a planning condition to ensure improved access both visually and from a safety perspective.

## 7.5 Neighbouring Amenity

### 7.5.1 131 – 139 The Broadway

7.5.2 The ground and first floor levels of this neighbouring building are in use as office accommodation. Therefore given the non-residential use of these floors there would be no undue loss of amenity.

7.5.3 The second and third floor levels of the building are used for residential purposes with four flats on each floor. The proposed building would not project beyond the frontage of this neighbouring property therefore there

- would be no undue loss of amenity to the front rooms of the flats. The four flank windows at second and third floor level serve the small kitchens areas for four of the flats. These are not the main habitable rooms and in this urban context the relationship is considered to be acceptable.
- 7.5.4 The proposed building at first, second and third floor levels would project 27m beyond the rear elevation of this building. The fourth floor has been set back by 9.5m. The fifth floor (top floor) would be a lightweight structure and would be inset from the flank wall of the main building and set back 11.4m from the rear elevation. The proposed flank wall of the building would follow the line of the existing building. The proposed building would therefore be inset between 4.1m at its narrowest point and 6.069m at its greatest point from the site boundary. It is considered that due to the elevated position of these neighbouring flats and the setting away of the proposed building from the boundary, this would ensure that there is no undue loss of amenity within this town centre location.
- 7.5.5 143 – 154 The Broadway (CIPD building)
- 7.5.6 The proposed building would project parallel with the flank of this building. In addition the CIPD building is as a wholly commercial building and therefore there would be no undue loss of amenity.
- 7.5.7 2 – 8 Pamlesrton Road
- 7.5.8 These neighbouring houses are located to the west and are orientated at a right angle to the application. The proposed houses are distanced at least 20 from the flank wall of the proposed building. The proposed building is also inset between 5.1m and 6.069m from the site boundary. A rear car park to the rear of 2 & 4 Palmerston Road also provides a visual barrier between the application site and these neighbours. In order to mitigate overlooking and sense of being overlooked from the proposed terraces, a planning condition requiring the terraces to be fitted with a 1.7m high obscured side screen would prevent persons being clearly visible at these elevated positions.
- 7.5.9 It is considered that the proposed building would have no undue impact upon these neighbours amenity. The proposed building, whilst projecting over five floors, would be seen in context to the larger CIPD building behind. Therefore when seen in context with the CIPD building, there would be no undue loss of light or overshadowing and the larger CIPD would assist in breaking up and reducing the bulk and massing of the proposed building when viewed from these neighbouring properties and gardens.
8. Trees

- 8.1 The application site is not located within a conservation area and no trees on the site are protected by tree preservation orders. The two trees at the far end of the application site have limited public amenity value and are not protected so they can be removed without any permission. In any event, the proposed building would be set away from these trees which would provide a suitable level of separation for their retention.
9. Traffic, Parking and Highways conditions
- 9.1 The high PTAL rating of 6a would mean that future occupants would have very good access to a number of alternative public transport options. The area is located within Wimbledon town centre which is controlled by various CPZ's and on street car parking is already very limited. Given the relative modest size of the proposal in a town centre location, it is considered that there would be no undue impact upon existing highway conditions in the vicinity. However the site is located within a CPZ which is already oversubscribed, therefore given the very good level of public transport options within the area, the development would be required to be car parking permit free. The required permit free development can be controlled via a section 106 agreement.
10. S106 Agreements
- 10.1 Affordable Housing
- 10.1.1 Planning policy CS 8 (Housing Choice) of Merton's Core Planning Strategy states that development proposals of 10 units or more require an on-site affordable housing target of 40% (60% social rented and 40% intermediate). In seeking affordable housing provision the Council will have regard to site characteristics such as site size, its suitability and economics of provision such as financial viability issues and other planning contributions.
- 10.1.2 The amount of affordable housing this site can accommodate has been subject of a viability assessment. Following extensive discussions, the Council's independent viability assessor states that the scheme is able to support the provision of 6 shared ownership flats and that these flats can be sold to shared owners that meet the Council's (as opposed to the GLA's) income criteria. It has been agreed that 6 flats would constitute the maximum reasonable amount of affordable housing that the scheme can support. The shared ownership flats would be the 3 x 1 bedroom and 3 x 2 bedroom across the first and second floor of the block. The provision of 6 affordable units is therefore in-line with the objectives of planning policy CS 8 (Housing Choice).
- 11.1 Local Financial Considerations

The proposed development is liable to pay the Mayoral Community Infrastructure Levy, the funds for which will be applied by the Mayor towards the Crossrail project. The CIL amount is non-negotiable however planning permission cannot be refused for failure to agree to pay CIL.

## 12. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

12.1.1 The proposal is for minor householder development and an Environmental Impact Assessment is not required in this instance.

12.1.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms on EIA submission.

## 13. **CONCLUSION**

13.1 On balance, it is considered that the design of the proposed extensions would satisfactorily relate to The Broadway street scene, Town Centre location and would respond to the retained parts of the ground floor. The proposal would create 16 new residential units within a town centre which would make a modest contribution to the Borough housing stock, offering flats with a good standard of accommodation and direct access to excellent public transport options. The proposal is in accordance with Adopted Site and Polices Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions and S106 agreements.

## **RECOMMENDATION**

### GRANT PLANNING PERMISSION

Subject to the completion of a Section 106 Agreement covering the following heads of terms:-

1. Designation of the development as permit-free and that on-street parking permits would not be issued for future residents of the proposed development.
2. That the developer makes an on-site contribution towards Affordable housing (6 flats).
3. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of Development (full application)
2. A7 Approved Plans
3. B.1 Materials to be approved
4. B.4 Details of Surface Treatment
5. B.5 Details of Walls/Fences
6. C07 Refuse & Recycling (Implementation)
7. C08 Other than the balconies/terrace's as shown on the approved plans, access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
8. The flats shall not be occupied until a scheme of details of screening of the balconies/terrace has been submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied unless the scheme has been approved and implemented in its approved form and those details shall thereafter be retained for use at all times from the date of first occupation.
9. D10 External Lighting
10. D11 Construction Times
11. F01 Landscaping/Planting Scheme
12. F02 Landscaping (Implementation)
13. H07 Cycle Parking to be implemented
14. H14 Garages doors/gates
15. J1 Lifetimes Homes
16. Sustainable Homes
17. Construction Management Plan

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141

The Broadway

Scale 1/1250

Date 2/9/2014

London Borough of Merton  
 100 London Road  
 Morden  
 Surrey  
 SM4 5DX



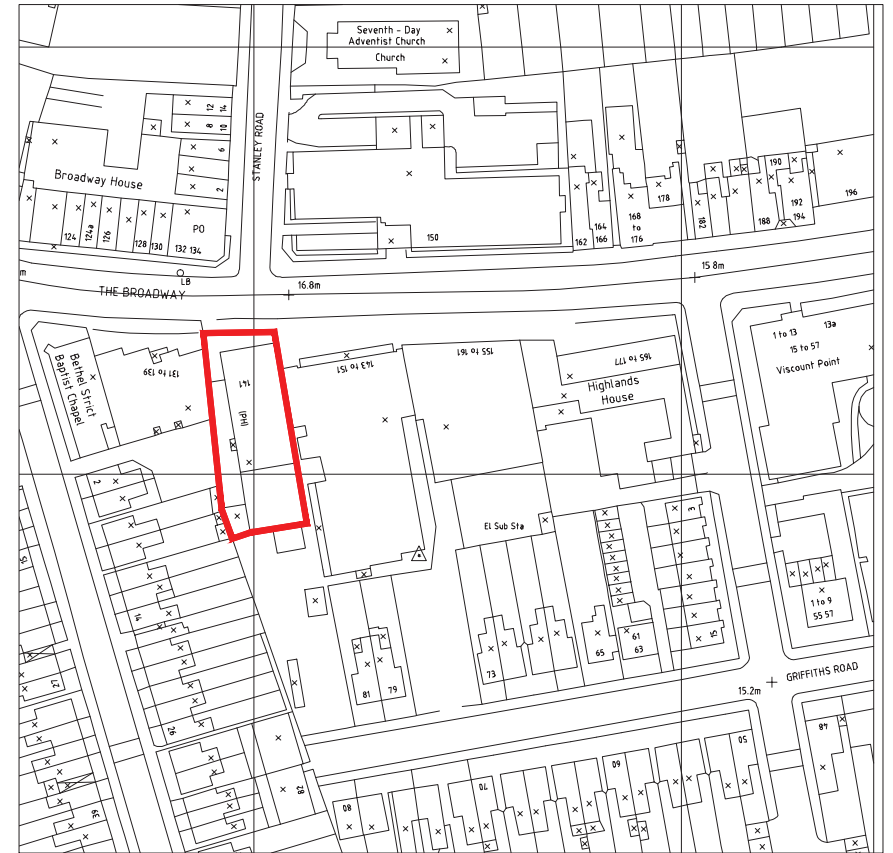
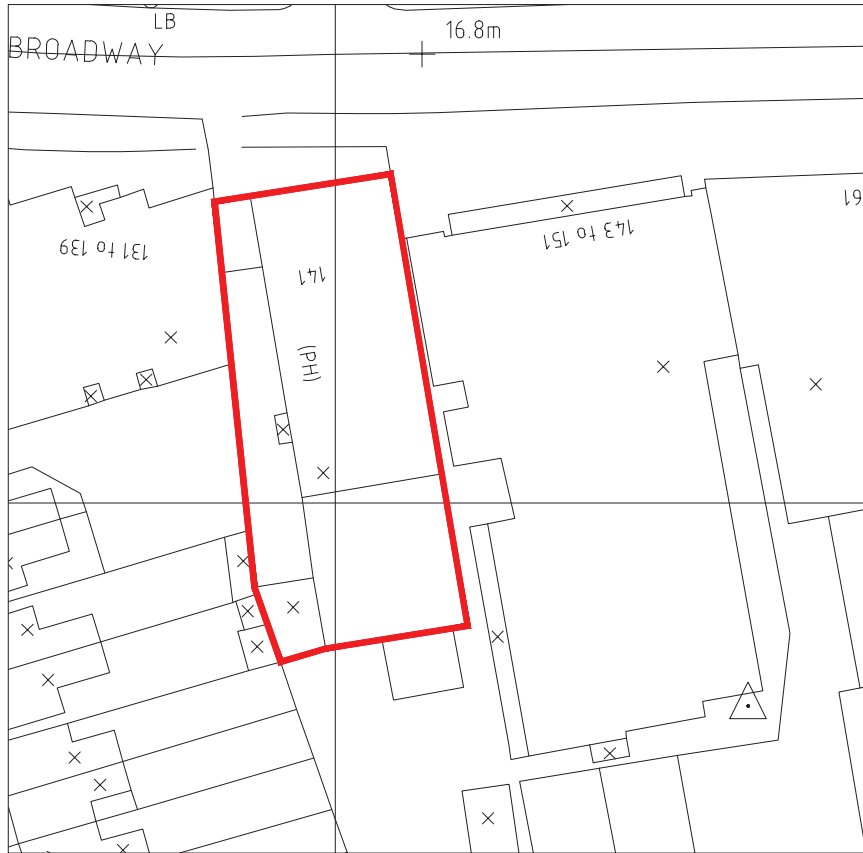
DEVELOPMENT CONTROL

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NOTES

1. All dimensions and levels to be checked on site. Client to be notified of any discrepancies.
2. All structural details to be checked against the structural engineers drawings.
3. This drawing to be read in conjunction with the other relevant project drawings and in addition, with structural, M & E engineers, approved sub-contractors drawings and current instructions.
4. All work to be undertaken with the requirements of the current Building and Water Regulations.

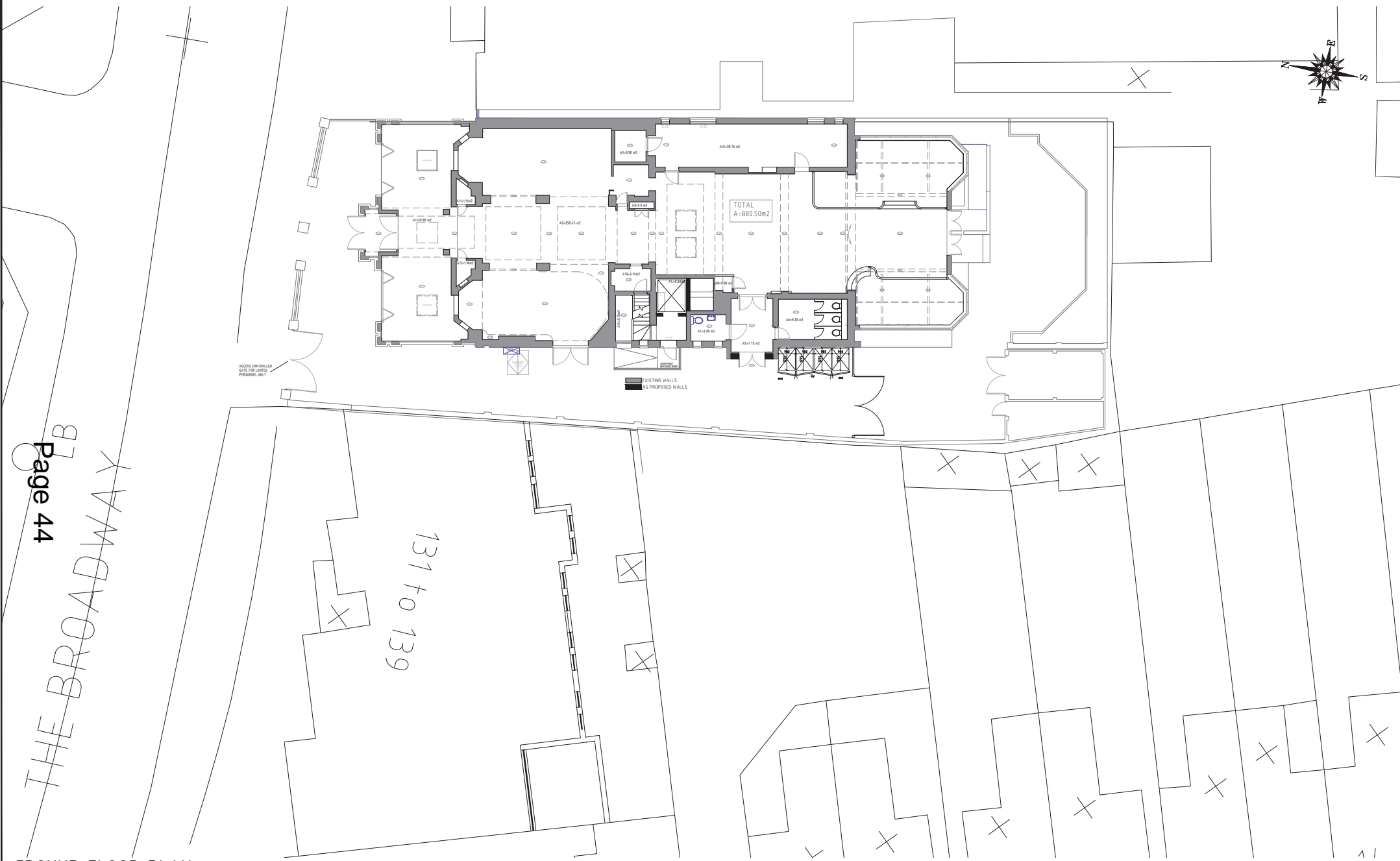
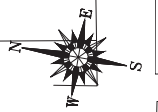


**GA&A DESIGN LTD**

No.	Description	Date

-  
**THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY , WIMBLEDON**

Location Plan		A1000
Project number	316	
Date	Mar 13	
Drawn by	MJ	
Checked by	SUN	
		Scale



**GROUND FLOOR PLAN**  
Scale:1:100

- NOTES :
1. All dimensions and levels to be checked on site. Client to be notified of any discrepancies.
  2. All structural details to be checked against the structural engineers drawings.
  3. This drawing to be read in conjunction with the other relevant project drawings and in addition, with structural, M & E engineers, approved sub-contractors drawings and current instructions.
  4. All work to be undertaken with the requirements of the current Building and Water Regulations.
  5. Do not scale. Use figured dimensions only. All dimensions to be checked on site prior to construction



REVISION	DATE	DESCRIPTION
B	27.08.2014	Pit roof removed and replaced with pitched roof
A	13.06.13	Lift and ramp Added

Mourbatten House, Fairacres,  
Dedworth Road, Windsor, Berkshire, SL4 4LE  
T: +44 (0) 1753 754 817  
F: +44 (0) 844 443 52 50  
E: info@gaandesign.co.uk

**GA&A DESIGN LTD**

CLIENT NAME: -  
PROJECT NAME: THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY , WIMBLEDON  
DRAWING TITLE: GROUND FLOOR PLAN

PROJECT NO:	316	REVISED BY:	B	SCALE:	1:50 @A1	STATUS:	PLANNING	DATE DRAWN:	29.01.2013	DRAWN BY:	M.JUBIC	CHECKED BY:	SSB
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\* This drawing is copyright. Figured dimensions only to be taken from this drawing. All dimensions to be checked on site. Architects to be informed immediately of any discrepancies before work proceeds.

Page 44  
 THE BROADWAY  
 131 to 139



THE BROADWAY  
Page 45  
131 to 139

①	L/D/K	-25.62	②	L/D/K	-29.6	③	L/D/K	-25.68	④	L/D/K	-49.44	CORRIDORS	Total Amenity Space	66 sq.m
	Bedroom 1	-9.31		Bedroom 1	-16.11		Bedroom 1	-16.13		Bedroom 1	-20.90	Bedroom 1	46 sq.m	
	Bedroom 2	-9		Amenity	-9		Bedroom 2	-16.13		Bedroom 2	-10.11	EN-SUITE		
	Amenity	-12		Total	-43.6		Total	-56		En-Suite	-3.00	A	-7.30 sq.m	
	Sub	-23		Sub			Sub			Bathroom	-7.10	LPT	1700x210mm	
										Corridor	-1.92	Total	-385	
										Sub				

**FIRST FLOOR PLAN**  
Scale:1:100

- NOTES :**
- All dimensions and levels to be checked on site. Client to be notified of any discrepancies.
  - All structural details to be checked against the structural engineers drawings.
  - This drawing to be read in conjunction with the other relevant project drawings and in addition, with structural, M & E engineers, approved sub-contractors drawings and current instructions.
  - All work to be undertaken with the requirements of the current Building and Water Regulations.
  - Do not scale. Use figured dimensions only. All dimensions to be checked on site prior to construction.



REVISION	DATE	DESCRIPTION

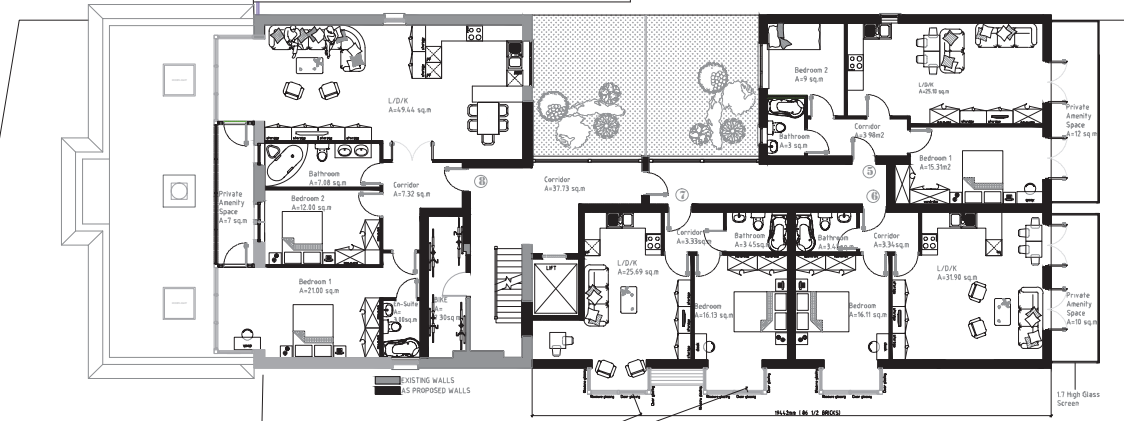
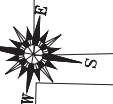
G	26.03.2016	Dimensions added
F	27.08.2014	Privacy screens added to amenity spaces, amenity area site added and dimensions removed
E	24.07.2013	Removal of bay window to side elevation in flat 2
D	18.07.2013	Addition of balconies and amendments to apartment 1
C	11.07.2013	Apartment Area added
B	15.06.13	Lift Added
A	14.05.13	Play Windows to Apartments amended

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**GA&A DESIGN LTD**

PROJECT NAME: THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY, WIMBLEDON  
 DRAWING TITLE: FIRST FLOOR PLAN  
 PROJECT NO: 316 | A1 - 101 | REVISED NO: G | SCALE: 1:100 @A1 | STATUS: PLANNING | DATE ISSUED: 28.01.2015 | DRAWN BY: M.Jacobs | CHECKED BY: SBB

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① L/D/K	-25.02	② L/D/K	-29.6	③ L/D/K	-25.68	④ L/D/K	-49.44	CORRIDORS	Total Amenity Space
Bedroom 1	-15.31	Bedroom	-16.11	Bedroom 2	-16.13	Bedroom 1	-20.99	Bedroom 2	29 sqm
Bedroom 2	-9	Amenity	-18	Total	-56	Bedroom 2	-21.11	BNB STORE	
Amenity	-12	Total	-63.6	SB		En-Suite	-3.09	A = 738 sqm	
Total	-73	SB				Bathroom	-1.02	LIFT 1105x2155mm	
SB						Corridor	-7.32		
						Amenity	-1		
						Total	-132		
						SB			

Page 46

131 to 139

## SECOND FLOOR PLAN

Scale: 1:100

- NOTES :**
- All dimensions and levels to be checked on site. Client to be notified of any discrepancies.
  - All structural details to be checked against the structural engineers drawings.
  - This drawing to be read in conjunction with the other relevant project drawings and in addition, with structural, M & E engineers, approved sub-contractors drawings and current instructions.
  - All work to be undertaken with the requirements of the current Building and Water Regulations.
  - Do not scale. Use figured dimensions only. All dimensions to be checked on site prior to construction.



REVISION	DATE	DESCRIPTION
G	26.03.2016	Dimensions added
F	27.05.2014	Privacy screens added to amenity spaces, amenity area also added and dimensions removed
E	24.07.2013	Removal of bay window to site elevation within Ball 6
D	18.07.2013	Addition of balconies and amendments to apartment 6
C	11.07.2013	Apartments Area added
B	15.06.13	Lift Added
A	14.05.13	Bay Windows to Apartments amended

REVISION	DATE	DESCRIPTION
G	26.03.2016	Dimensions added
F	27.05.2014	Privacy screens added to amenity spaces, amenity area also added and dimensions removed
E	24.07.2013	Removal of bay window to site elevation within Ball 6
D	18.07.2013	Addition of balconies and amendments to apartment 6
C	11.07.2013	Apartments Area added
B	15.06.13	Lift Added
A	14.05.13	Bay Windows to Apartments amended

**Mountbatten House, Faircross, Dedworth Road, Windsor, Berkshire, SL4 4LE**  
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 f: +44 (0)844 448 62 60  
 e: info@gandadesign.co.uk

**GA&A DESIGN LTD**

CLIENT NAME: -  
 PROJECT NAME: **THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY, WIMBLEDON**  
 DRAWING TITLE: **SECOND FLOOR PLAN**

PROJECT NO:	316	ISSUE NO:	A1 - 102	SCALE:	1:100 @A1	STATUS:	PLANNING	DATE ISSUED:	28.01.2015	DESIGNED BY:	M.Jacob	CHECKED BY:	BBB
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THE BROADWAY  
 Page 47

### THIRD FLOOR PLAN

Scale: 1:100

**NOTES :**

- All dimensions and levels to be checked on site. Client to be notified of any discrepancies.
- All structural details to be checked against the structural engineers drawings.
- This drawing to be read in conjunction with the other relevant project drawings and in addition, with structural, M & E engineers, approved sub-contractors drawings and current instructions.
- All work to be undertaken with the requirements of the current Building and Water Regulations.
- Do not scale. Use figured dimensions only. All dimensions to be checked on site prior to construction



REVISION	DATE	DESCRIPTION
G	26.03.2016	Dimensions added
F	27.03.2014	Privacy screens added to amenity spaces, amenity area also added and dimensions removed
E	24.07.2013	Removal of bay window to side elevation within Bill 10
D	18.07.2013	Addition of balconies and amendments to apartment B
C	11.07.2013	Apartment Area added
B	18.06.13	LB added
A	14.05.13	Bay Windows to Apartments amended

REVISION	DATE	DESCRIPTION
1		L/D/K -25.02 Bedroom 1 -15.31 Bedroom 2 -9 Amenity -12 Total: -55.3 sqm
2		L/D/K -29.6 Bedroom -16.11 Bedroom -10 Amenity -12 Total: -55.5 sqm
3		L/D/K -25.68 Bedroom -16.13 Total: -55.8 sqm
4		L/D/K -49.44 Bedroom 1 -20.09 Bedroom 2 -12.11 En Suite -3.80 Bathroom -1.12 Corridor -1.32 Amenity -1 Total: -59.88 sqm

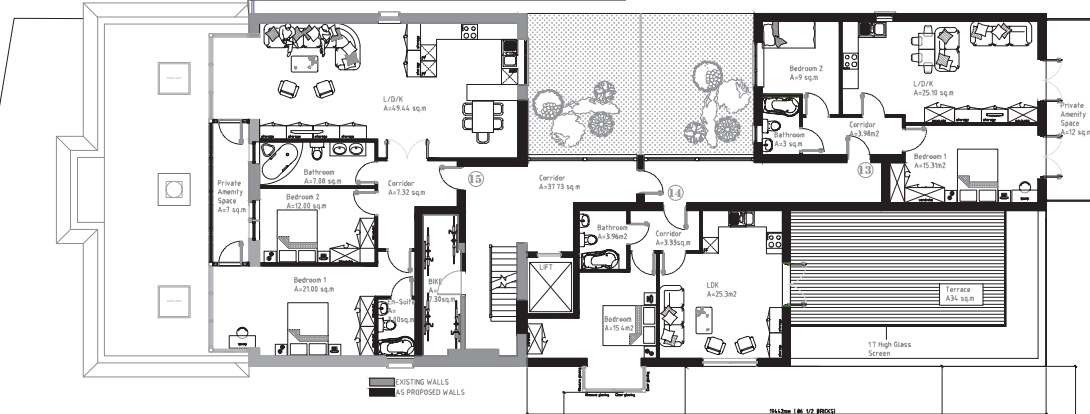
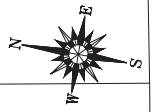
Mountbatten House, Fairgreen,  
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 f: +44 (0)844 448 62 60  
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PROJECT NAME: THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY, WIMBLEDON  
 DRAWING TITLE: THIRD FLOOR PLAN  
 PROJECT NO: 316 A1 - 103  
 DRAWING NO: 103  
 SCALE: 1:100 @A1  
 STATUS: PLANNING  
 DATE ISSUED: 28.01.2015  
 DESIGNED BY: M.Jacob  
 CHECKED BY: SBB

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NO	DESCRIPTION	AREA	TOTAL
13	L/D/K	-25.92	
	Bedroom 1	-21.00	
	Bedroom 2	-12.88	
	Bathroom	-7.32	
	Private Amenity Space	-7.00	
	Corridor	-7.32	
	SOB	-3.38	
	<b>Total</b>	<b>-84.72</b>	
14	L/D/K	-25.44	
	Bedroom	-16.13	
	Terrace	-3.38	
	En-Suite	-3.00	
	Bathroom	-1.12	
	Corridor	-1.32	
	Amenity	-1.00	
	SOB	-1.00	
	<b>Total</b>	<b>-52.39</b>	
15	L/D/K	-49.44	
	Bedroom 1	-25.92	
	Bedroom 2	-12.11	
	En-Suite	-3.00	
	Bathroom	-1.12	
	Corridor	-1.32	
	Amenity	-1.00	
	SOB	-1.00	
	<b>Total</b>	<b>-95.92</b>	

Page 48

THE BROADWAY LB

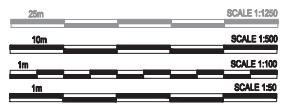
131 to 139

**FOURTH FLOOR PLAN**

Scale:1:100

**NOTES :**

1. All dimensions and levels to be checked on site. Client to be notified of any discrepancies.
2. All structural details to be checked against the structural engineers drawings.
3. This drawing to be read in conjunction with the other relevant project drawings and in addition, with structural, M & E engineers, approved sub-contractors drawings and current instructions.
4. All work to be undertaken with the requirements of the current Building and Water Regulations.
5. Do not scale. Use figured dimensions only. All dimensions to be checked on site prior to construction



REVISION	DATE	DESCRIPTION
E	25.03.2015	Dimensions added and flat 14 terrace made smaller
D	27.08.2014	Privacy screens added to amenity spaces, amenity area area added and dimensions removed
C	24.07.2013	Removal of flat 14 and addition of terrace
B	14.07.2013	Addition of balconies and amendments to apartment 15
A	11.07.2013	Apartment Area added

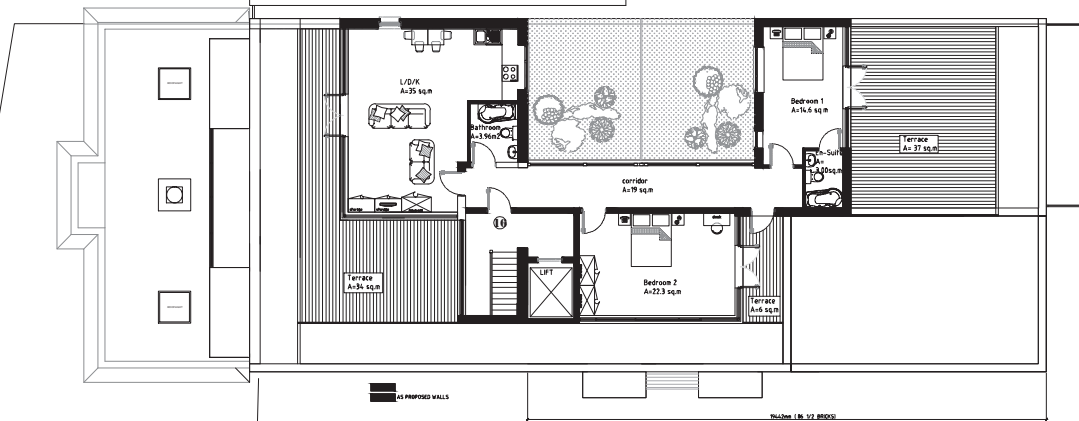
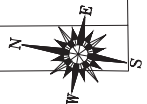
REVISION	DATE	DESCRIPTION
13		L/D/K -25.92 Bedroom 1 -21.00 Bedroom 2 -12.88 Bathroom -7.32 Private Amenity Space -7.00 Corridor -7.32 SOB -3.38 <b>Total -84.72</b>
14		L/D/K -25.44 Bedroom -16.13 Terrace -3.38 En-Suite -3.00 Bathroom -1.12 Corridor -1.32 Amenity -1.00 SOB -1.00 <b>Total -52.39</b>
15		L/D/K -49.44 CORRIDORS -49.44 Bedroom 1 -25.92 Bedroom 2 -12.11 EN-SUITE -3.00 BATHROOM -1.12 LIFT TROUBLESHOOTING -1.32 Amenity -1.00 SOB -1.00 <b>Total -95.92</b>

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**GA&A DESIGN LTD**

CLIENT NAME: -  
PROJECT NAME: THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY, WIMBLEDON  
DRAWING TITLE: FOURTH FLOOR PLAN  
PROJECT NO: 316  
DRAWING NO: A1 - 104  
REV: E  
SCALE: 1:100 @A1  
REVISED BY: BSH  
DATE REVISION: 29.01.2015  
DESIGNED BY: M.Jacob  
CHECKED BY: BSH

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① L/D/K	-35	Total Amenity and
Bedroom 1	-14.6	Terrace Space
Bedroom 2	-23.3	77 sqm
Terraced (Total)	-77	
Total	-178	
sqm		

THE BROADWAY  
 BB  
 Page 49

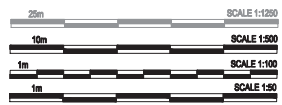
131 to 139

### FIFTH FLOOR PLAN

Scale: 1:100

**NOTES**

1. All dimensions and levels to be checked on site. Client to be notified of any discrepancies.
2. All structural details to be checked against the structural engineers drawings.
3. This drawing to be read in conjunction with the other relevant project drawings and in addition, with structural, M & E engineers, approved sub-contractors drawings and current instructions.
4. All work to be undertaken with the requirements of the current Building and Water Regulations.
5. Do not scale. Use figured dimensions only. All dimensions to be checked on site prior to construction



REVISION	DATE	DESCRIPTION

REVISION	DATE	DESCRIPTION
A	27.09.2014	Amenity area also added, dimensions removed and terrace spaces reduced in size

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 Dedworth Road, Windsor, Berkshire, SL4 4LE  
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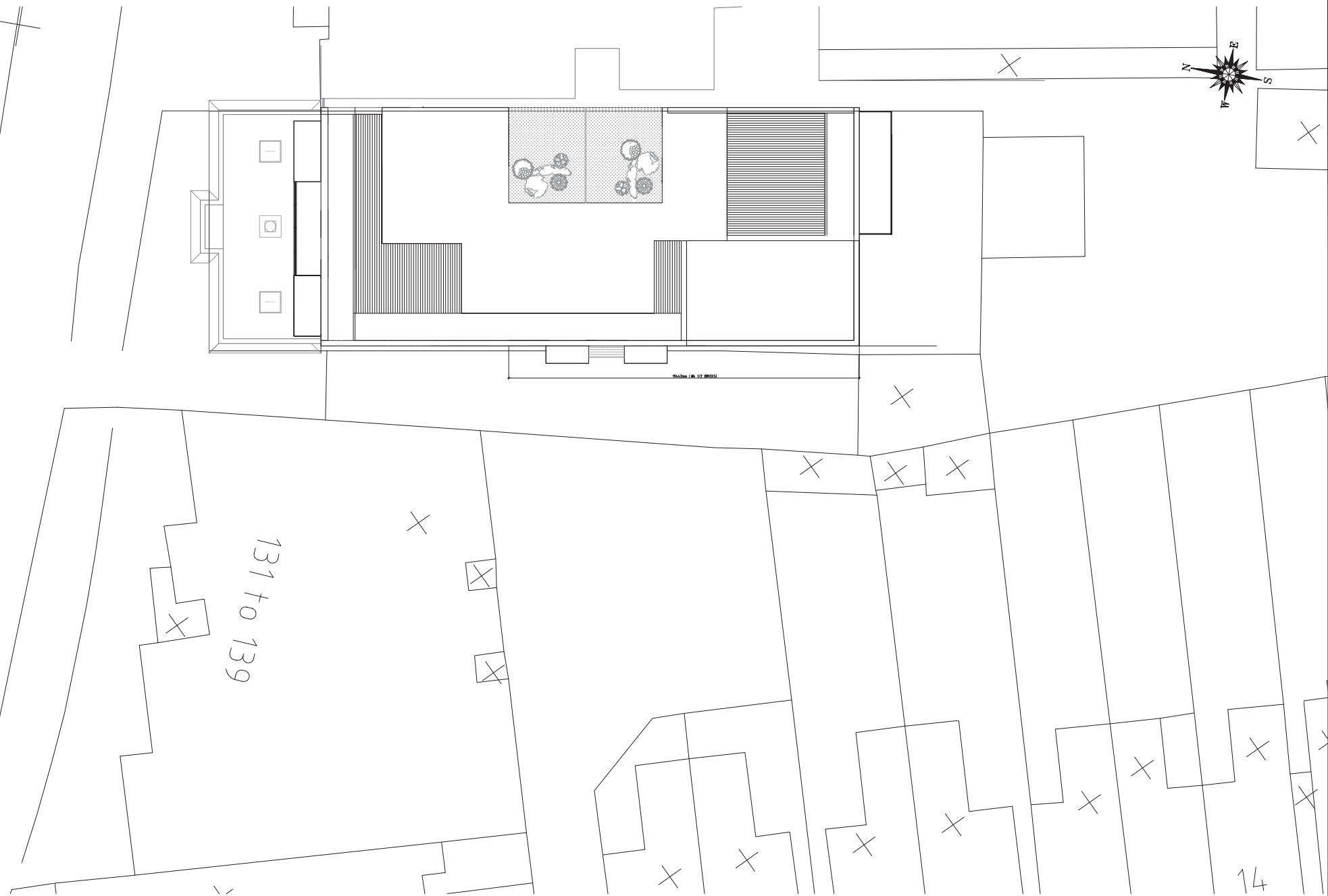
**GA&A DESIGN LTD**

CLIENT NAME: -  
 PROJECT NAME: THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY, WIMBLEDON  
 DRAWING TITLE: FIFTH FLOOR PLAN  
 PROJECT NO: 316 | DRAWING NO: A1 | REV: A | SCALE: 1:100 @A1  
 DISCIPLINE: PLANNING | DATE ISSUED: 11.02.2014 | DRAWN BY: ASB | CHECKED BY: BSB

\* This drawing is copyright. Figures dimensions only to be taken from this drawing. All dimensions to be checked on site. Architects to be informed immediately of any discrepancies before work proceeds.

THE BROADWAY  
Page 50

**ROOF PLAN**  
Scale: 1:100



- NOTES**
1. All dimensions and levels to be checked on site. Client to be notified of any discrepancies.
  2. All structural details to be checked against the structural engineers drawings.
  3. This drawing to be read in conjunction with the other relevant project drawings and in addition, with structural, M & E engineers, approved sub-contractors drawings and current instructions.
  4. All work to be undertaken with the requirements of the current Building and Water Regulations.
  5. Do not scale. Use figured dimensions only. All dimensions to be checked on site prior to construction



REVISION	DATE	DESCRIPTION	REVISION	DATE	DESCRIPTION

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Dedworth Road, Windsor, Berkshire, SL4 4LE  
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CLIENT NAME: -  
PROJECT NAME: THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY, WIMBLEDON  
DRAWING TITLE: FIFTH FLOOR PLAN

PROJECT NO:	DRAWING NO:	REV:	SCALE:	DATE DRAWN:	DRAWN BY:	CHECKED BY:
316	A1 - 100		1:100 @A1	11.02.2014	ABM	BBB

\* This drawing is copyright. Figured dimensions only to be taken from this drawing. All dimensions to be checked on site. Architects to be informed immediately of any discrepancies before work proceeds.





REAR ELEVATION  
Scale:1:100



SIDE ELEVATION  
Scale:1:100

MATERIALS KEY:

- 1. YELLOW STOCK BRICK
- 2. GUN METAL GREY EQUITONE
- 3. GLAZED BALUSTRADE
- 4. GLAZING
- 5. GREY RENDER
- 6. WHITE RENDER

NOTES:

- 1. All dimensions and levels to be checked on-site. Client to be notified of any discrepancies.
- 2. All structural details to be checked against the structural engineers drawings.
- 3. This drawing to be read in conjunction with the other relevant project drawings and in addition with structural, M & E, engineers, approved sub-contractors, drawings and current instructions.
- 4. All work to be undertaken with the requirements of the current Building and Water Regulations.
- 5. Do not scale. Use figured dimensions only. All dimensions to be checked on site prior to construction.



REVISION	DATE	DESCRIPTION

J	20.06.2013	Clienting issued and render removed
SI	25.02.2014	Timber made smaller and double door added
IS	27.02.2014	Wet room doors added. Flat roof on ground floor changed to pitched. add existing bay window 2000
F	03.03.2014	Block Tim added to front elevations, and block added to side elevation
E	11.02.2014	Addition of penthouse level
D	24.07.2014	Removal of top 10 and addition of terrace
G	10.07.2015	Additional balcony added
BS	12.06.15	Additional Driveway Added
A	14.05.15	Bay Windows to Apartments removed
REVISION	DATE	DESCRIPTION

<b>GA&amp;A DESIGN LTD</b> Mountbatten House, Palace Green, 2nd Floor, 141 The Broadway, Wimbeldon, Surrey, Surrey, GU24 0AH t: +44 (0)1753 754 817 f: +44 (0)144 443 52 55 e: info@gaandesign.co.uk			
CLIENT NAME: <b>THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY, WIMBLEDON</b>			
DRAWING TITLE: <b>RESURFACING REVISION</b>			
PROJECT NO:	DRAWING NO:	REV:	SCALE:
316/ A1 - 105	2	1:100 @ A1	
STATUS:	DATE ISSUED:	DRAWN BY:	CHECKED BY:
PLANNING	20.01.2013	M.J.M	S.B



EXISTING  
FRONT  
ELEVATION  
Scale 1:200



FRONT ELEVATION  
Scale 1:100

- MATERIALS KEY:
1. YELLOW STOCK BRICK
  2. GUN METAL GREY EQUITONE
  3. GLAZED BALUSTRADE
  4. GLAZING
  5. GREY RENDER
  6. WHITE RENDER

NOTES:  
 1. All dimensions and levels to be checked on site. Client to be notified of any discrepancies.  
 2. All structural details to be checked against the structural engineers drawings.  
 3. This drawing to be read in conjunction with the other relevant project drawings and in addition with structural, M & E, engineers, approved sub-contractors drawings and current instructions.  
 4. All work to be undertaken with the requirements of the current Building and Water Regulations.  
 5. Do not scale. Use figured dimensions only. All dimensions to be checked on site prior to construction.



REVISION	DATE	DESCRIPTION
G	25/04/2016	Cladding added and render omitted
F	22/06/2016	Flat roof on ground floor replaced with pitched roof
E	11/02/2016	Addition of entrance level
D	24/07/2016	Removal of flat top and addition of terrace
C	09/07/2016	Additional balustrade added
B	11/08/15	Additional Storey Added
A	14/07/15	Bay Windows to Apartments omitted

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 F: +44 (0)244 4435250  
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**G A & A DESIGN LTD**

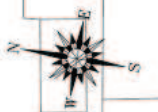
PROJECT NAME: THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY, WIMBLEDON  
 DRAWING TITLE: FRONT ELEVATION  
 PROJECT NO: 316 A1-106 DRAWING NO: 01

STATUS: 1/100 @A1	STAGE: PLANNING	DATE DRAWN: 28/01/2013	DRAWN BY: W. JAMES	CHECKED BY: SBB
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16.8m

151

131 to 139



**PROPOSED LANDSCAPE PLAN**  
Scale: 1:100

**MATERIALS KEY:**



Mistral Tescina



Concrete



Shrubs (Spiraea-Anthony Waterer)

**NOTES:**

1. All dimensions and levels to be checked on site. Client to be notified of any discrepancies.
2. All structural details to be checked against the structural engineers drawings.
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4. All work to be undertaken with the requirements of the current Building and Water Regulations.
5. Do not scale, use figured dimensions only. All dimensions to be checked on site prior to construction.

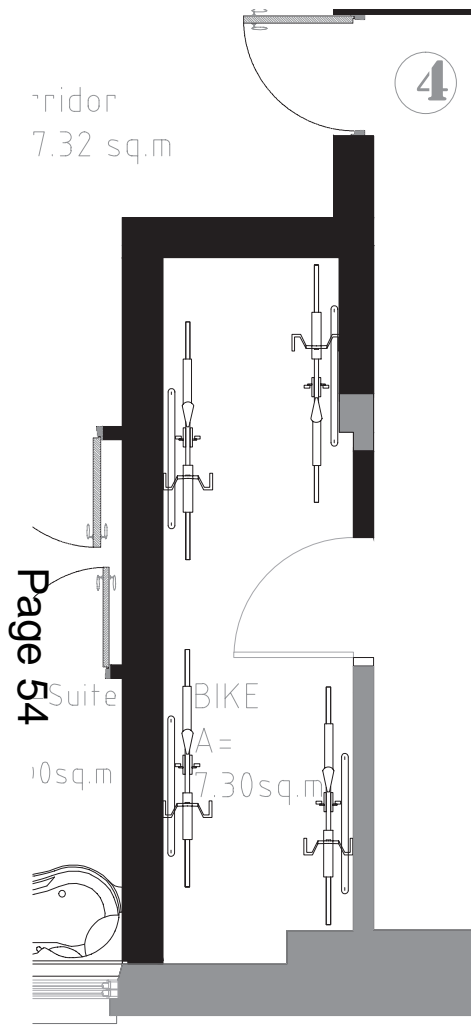


REVISION	DATE	DESCRIPTION	REVISION	DATE	DESCRIPTION

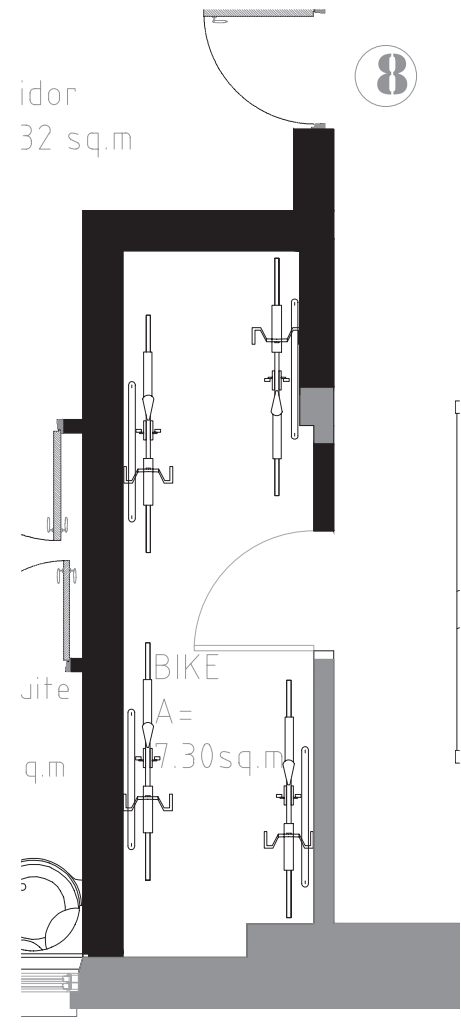
Mount Pleasant Road, Wimbeldon, Surrey, GU24 0LH  
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**GA&A DESIGN LTD**

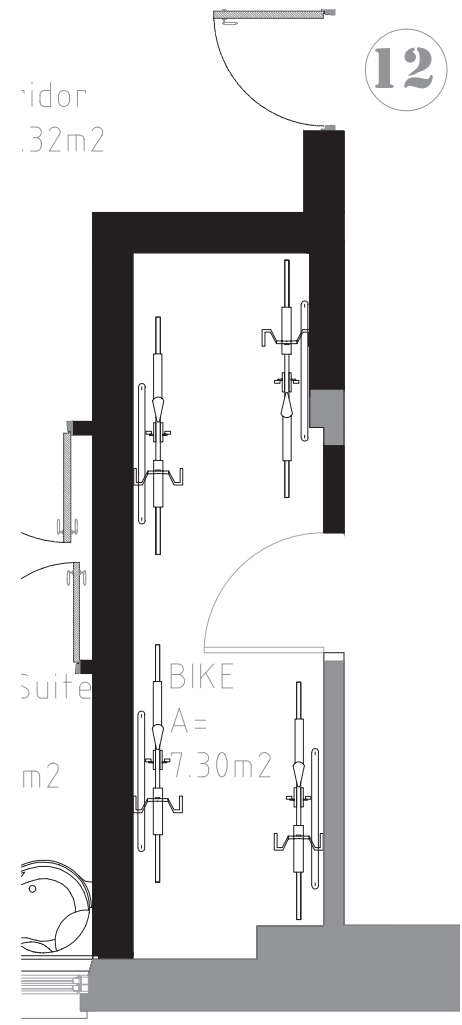
CLIENT NAME: **THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY, WIMBLEDON**  
 DRAWING TITLE: **PROPOSED LANDSCAPE PLAN**  
 PROJECT NO: **316 A1 - 110**    DRAWING NO: **1**    DATE: **15/01/21**  
 STATUS: **PLANNING**    DATE DRAWN: **M.JAK**    CHECKED BY: **ISS**



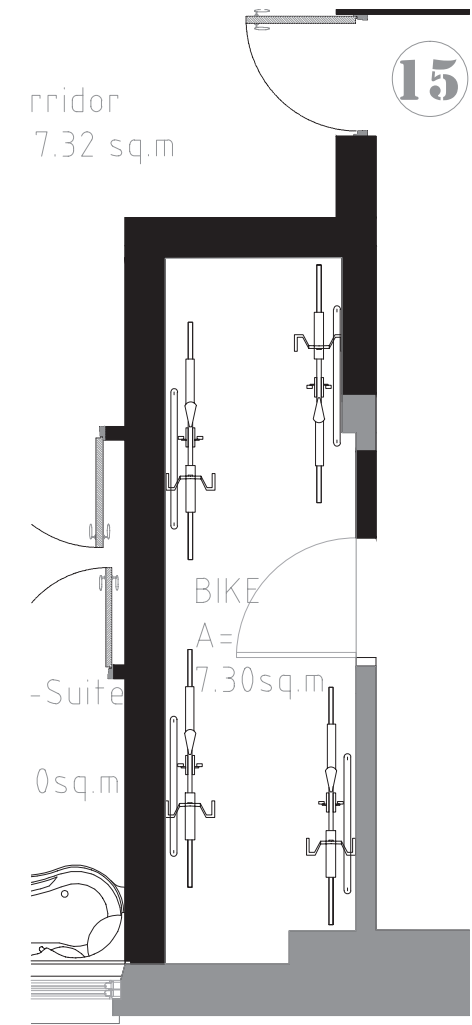
First Floor



Second Floor



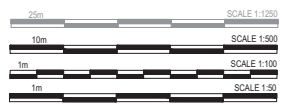
Third Floor



Fourth Floor

**PROPOSED BIKE STORE LAYOUTS**  
Scale:1:20

- NOTES :
1. All dimensions and levels to be checked on site. Client to be notified of any discrepancies.
  2. All structural details to be checked against the structural engineers drawings.
  3. This drawing to be read in conjunction with the other relevant project drawings and in addition, with structural, M & E engineers, approved sub-contractors drawings and current instructions.
  4. All work to be undertaken with the requirements of the current Building and Water Regulations.
  5. Do not scale. Use figured dimensions only. All dimensions to be checked on site prior to construction



REVISION	DATE	DESCRIPTION	REVISION	DATE	DESCRIPTION

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**GA&A DESIGN LTD**

CLIENT NAME: -  
PROJECT NAME: THE PROPHECY PUBLIC HOUSE - 141 THE BROADWAY, WIMBLEDON  
DRAWING TITLE: Proposed Bike Store Layouts  
PROJECT NO: 316 A1 - 111  
DRAWN BY: M. JUBIC  
CHECKED BY: SSB  
SCALE: 1:20 @A1  
STATUS: PLANNING  
DATE DRAWN: -  
DATE CHECKED: -

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Page 54



# introduction

## Scope of the document

This document has been prepared to illustrate the proposal in its context within the street scene. The document illustrates the existing street scene and how the proposal will enhance this and provide a positive addition to the streetscape.

existing  
view from Stanley Road



proposed  
view from Stanley Road





existing  
view from Wimbledon Broadway



proposed  
view from Wimbledon Broadway



**PLANNING APPLICATIONS COMMITTEE**  
**21<sup>st</sup> May 2015**

**Item No:**

**UPRN**

**APPLICATION NO.**

**DATE VALID**

14/P4398

24/11/2015

**Address/Site** 48 Leopold Road, Wimbledon, SW19 7JD

**(Ward)** Wimbledon Park

**Proposal:** Application for the variation of condition 03 restricting the use of the premises as a day care nursery from up to 15 children to up to 20 children and variation of condition 8 of the hours of use of the garden as a play area from 0830 to 1700 hours on Mondays to Fridays only to 0945 to 1145 and 1430 to 1630 Monday to Friday attached to planning permission (ref:12/P3253) dated 18/07/2013 for the change of use from residential to child care on domestic premises (Class D1) for a maximum of 15 children.

**Drawing Nos** None

**Contact Officer:** Mark Brodie (0208 545 4028)

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**RECOMMENDATION**

**GRANT Planning Permission subject to conditions**

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**CHECKLIST INFORMATION**

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental impact statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- No
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted – 43
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: n/a

## 1. **INTRODUCTION**

- 1.1 This application has been brought to the Planning Applications Committee due to the number of objections.

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site is positioned on the north side of Leopold Road almost opposite the junction with Bernard Gardens. It is a two-storey gable end semi-detached house with rooms in the roof space and a basement. The property dates from the late Victorian/Edwardian period, with a projecting gabled frontage. The house has a paved forecourt and a small front garden and at the rear of the house is a flat roofed two-storey rear addition and a spacious rear garden. Land levels descend quite sharply to the north of the site and there is a steep descent into the rear garden via a set of concrete steps.
- 2.2 The application site is not in a conservation area and it is not a listed building. The area is predominantly residential, comprising two and three-storey properties on large plots of land that were developed from the 1980's onwards. The Leopold Road Conservation Area is positioned further east of the site and is only 70m in length, comprising a total of eighteen shops and commercial properties on either side of the road.
- 2.3 The site is not subject to any Tree Preservation Orders.

## 3. **CURRENT PROPOSAL**

- 3.1 Application for the variation of condition 03 restricting the use of the premises as a day care nursery from 15 children to up to 20 children and variation of condition 8 of the hours of use of the garden as a play area from 0830 to 1700 hours on Mondays to Fridays only to 0945 to 1145 and 1430 to 1630 Monday to Friday attached to planning permission (ref:12/P3253) dated 18/07/2013 for the change of use from residential to child care on domestic premises (Class D1) for a maximum of 15 children.
- 3.2 The following documents have been submitted in support of the current scheme:- an Operator's statement; an acoustic assessment; , a waste and recycling strategy and Planning Statement. These reports are summarised below:-
- 3.3 Operator Statement: Wimbledon Hill Nursery (WHN) provides a high quality childcare service to families living close to the Leopold Road site. It has operated successfully for over a year without having a detrimental impact on living conditions of neighbours or giving rise to additional traffic, parking demand or highway safety issues. We have been awarded a very good rating from Ofsted and built up an excellent reputation in the locality. There is a strong demand from working parents for a wrap around service, providing

additional child care for nursery children aged 3-5 that only attend school half day. The headmaster of the local primary school, Bishop Gilpin, has asked to work collaboratively with WHN to provide improved services to working parents of the school by establishing a wrap around facility. WHN is within walking distance of the school allowing group transfer of children and is also within walking distance of children's homes. There is sufficient capacity at WHN to accommodate an additional 5 nursery children and that there would be no adverse impact in terms of noise and traffic conditions as a result

- 3.4 Acoustic Report: RBA Acoustics has undertaken a series of representative noise level measurements around Wimbledon Hill Nursery whilst in use in accordance with its current planning consent. Our analysis indicates noise levels within each classroom area to be no greater than the current situation and that noise transfer to the adjoining property through the party wall will be no worse than is permitted under the existing consent. Our analysis also indicates that noise levels due to noise break-out through an open classroom window are below those considered to have any adverse impact on the adjacent residents.
- 3.5 Refuse & Waste Strategy: The property hosts two standard 240ltr green wheeled bins for refuse and a 240ltr brown wheeled bin for garden waste. A dedicated single-storey refuse store has been constructed within the front forecourt of the building. The school operates an in house refuse and waste strategy that encourages recycling and reduces waste being sent to landfill .
- 3.6 Planning Statement: An application to increase the number of children attending the nursery to 35 was submitted in August 2014 (14/P2924). There were a number of objection from local residents and from the Environmental Health Officer in respect of noise. A noise assessment was submitted by the applicant to demonstrate that there would be no adverse noise impact both externally and externally as a result of the proposals. However, officers remain concerned that the increased number of children will mean that the garden used more regularly to the detriment of local amenity. In response to the above concerns the application now proposes a more modest increase to the number of children attending the day nursery and the use of the outdoor space will be reduced to address the principal concerns of objectors and officers. The increased capacity at WHN would be an exclusive collaboration with Bishop Gilpin School. The application is supported by a letter from the headmaster of Bishop Gilpin School which sets out the need for a wrap around service. A revised operator statement and noise assessments have been submitted. The application proposal will support working parents and education providers in the local community and would not give rise to unacceptable impacts. There would be clear social and economic gains as a result of the proposed expansion of the WHN.

#### 4. **PLANNING HISTORY**

- 4.1 WIM 6235 – Use of premises as an old people's home to accommodate eleven elderly people and 3 resident staff – 01/05/1962

- 4.2 97/P1462 – Erection of two-storey rear extension involving demolition of existing single-storey rear addition – Granted with conditions 15/02/1998
- 4.3 12/P3253 – Change of use from residential to child care on domestic premises (Class D1) for a maximum of 15 children – Granted with conditions 23/07/13
- 4.4 14/P2924 Application for variation of condition 03 attached to planning permission 12/P3253 (dated 23/07/2013) involving increase in child numbers from a limit of 15 to 35 - Withdrawn

## 5. CONSULTATION

- 5.1 The application was advertised by means of site notice, and neighbour notification letters were sent to occupiers of 43 neighbouring properties. A total of 10 objections have been received and are summarised below:-

“ Noise pollution from inside and outside premises; since opening it has been necessary to complain directly to the Nursery and Environmental Health regarding noise disturbance due to the high volume of children’s voices and that of their carers/teachers; existing operation already creates significant noise levels and proposed increase in numbers would exacerbate this to unacceptable levels.

“ While the reduction in the proposed hours the garden is used by children of the nursery is welcomed it is unlikely that this will serve to address the concerns regarding noise disturbance experienced from the current operation

“ Leopold Road is an extremely busy road and the premises is on the inside of a blind bend. There have been numerous accidents over the years and it has only been good fortune that a child has not been seriously injured; increase in numbers will result in more dangerous and more congested road conditions; there is a temptation for parents delivering their children to park on the pavement outside the property endangering the children walking on the pavement up to Richard’s Lodge and Bishop Gilpin; will result in increased pedestrian and vehicular movement and greater demand for on-street parking.

“ Council policy CS9 does not support change of residential properties to commercial; inappropriate use within a predominantly residential area.

“ Nursery already breaches its limitation on the number of children approved (15) as witnessed by an unannounced visit by the Council in which 20 children were discovered at the premises; applicant is not running an operation which could be described as “childcare on domestic premises” but a full on nursery business. There is a long term goal behind the application that seeks to increase the capacity of the nursery dramatically. A previous application to increase numbers of children from 15 to 35 was withdrawn when it was understood it was to be refused, having done so they are now trying to increase capacity in small increments.

“ Applicant had failed to comply with conditions of original planning permission which required the use of certain rooms (condition 02),

whereas the applicants have been using the front reception room and at least one room upstairs; number of children limited to 15 (Condition 03) whereas an unannounced visit from Merton Early Years and Childcare Services found 20 children on the premises; details regarding the storage and recycling of refuse were required by (Condition 04) and no such submission has been received; submission of a Travel Plan and a soundproof document required by conditions 10 and 07 have not been submitted for approval.

## 5.2 Transport Planning

- 5.3 This application seeks to vary condition 3 attached to planning permission 12/P3253 which restricted the number of children allowed on the premises to fifteen (15). This application seeks to increase this amount to 20. It is noted that the nursery seeks to work in partnership with Bishop Gilpin School which is located some 250m away from the application site. The application site has a PTAL rating of 1b, which indicates a poor level of public transport accessibility. In addition, it is noted that there is a single yellow line restriction in operation along this part of Leopold Road, preventing parking between the hours of 08.30 and 18.30 Monday to Saturday. It is noted, however, that there are pay and display parking bays on nearby Bernard Gardens which allows parking between 08.30 and 18.30 Monday to Saturday. Your attention is drawn to an appeal which was allowed by the Inspector for a 40 child nursery at 7-9 Florence Road. When dealing with the transport element of the Council's refusal, the Inspector pointed out that the restricted parking would deter staff from driving to the site. In this instance, it is noted that the nursery is already in operation and the care of 5 extra children would be unlikely to generate a significant number of additional staff above and beyond that which already exists. With regard to the activities surrounding dropping off and picking up of children, the Inspector states that even if 40% of the 40 children (a total of 16) were taken to the nursery by car it is likely that "16 vehicle movements spread over an hour would have a negligible impact on Florence Road, even if that spread was uneven". The Inspector goes on to discuss the possibility of illegal parking in order to drop children off, and states that it is unlikely that this would happen as "they would need to park for some time in order to take their children into the premises and people would be likely to avoid causing such a blatant disruption to traffic. More likely, a limitation in parking spaces would result in even fewer parents driving to the nursery". Although Leopold road has differing characteristics to Florence Road, they both have side streets nearby which can accommodate cars. In the application proposed, an additional 5 children are proposed resulting in a total of 20 children. The Inspector's view was that 16 movements spread over an hour would be negligible, and this equates to 80% of the total children proposed in Wimbledon Hill Nursery - this amount of children being dropped off by car is highly unlikely, let alone greater than this. Indeed, working on a figure of 40% of the nursery, this equates to just 8 vehicle movements. Indeed, a travel plan submitted to, and approved by, the Council demonstrates that only 1 child out of 13 who responded come to the nursery

by car. It is considered prudent to attach a condition, if permission is granted, to provide an updated travel plan within 6 months of the increased intake. It is noted that the appellant in the above mentioned case sought costs against the Council, and these were awarded by the Inspector. In summary, the application is not considered to have a significant detrimental impact on Transport and Highway safety. There are no transport objections subject to the following condition: -

An updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority by June 2016. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TfL and shall include:

- (i) Targets for sustainable travel arrangements;
- (ii) Effective measures for the on-going monitoring of the Plan;
- (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;
- (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

The development shall be implemented only in accordance with the approved Travel Plan.

Reason: To promote sustainable travel measures and comply with the following Development Plan policies for Merton: policy 6.3 of the London Plan 2011, policies CS18, CS19 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Polices Plan 2014.

#### 5.4 Environmental Health:

- 5.5 I have previously visited a neighbouring property and able to assess some of the noise that was clearly audible in the neighbouring garden. I was unable to ascertain how many children were outside at the time. Children crying, shouting and group singing was audible both in the garden and inside the neighbouring property. Given that there are several properties in the area surrounding the nursery it is likely that they also would be currently affected by noise. That said, an increase of 5 children, together with a reduction of permitted hours the external area can be used and still limited to 8 children per session. I am of the opinion that this is unlikely to create any significant increase in noise. Although this application is to increase the numbers of children by a small number, I would have reservations if additional applications were to be submitted for further increases given the original number was 15.

## 6. POLICY CONTEXT

### 6.1 Adopted Merton Core Strategy (July 2011)

CS18 (Active Transport); CS19 (Public Transport) CS 20 (Parking, Servicing and delivery)



6.2 Sites and Policies Plan (July 2014)

DM C2 (Education for children and young people); DM T2 (Transport impacts of development).

6.3 The London Plan (February 2011)

The relevant policies within the London Plan are

6.3 Assessing effects of development on transport capacity

6.13 Parking

7.15 Reducing noise and enhancing soundscape

7. **PLANNING CONSIDERATIONS**

7.1 The principle of the use of the premises as a day nursery has been accepted by the granting of the extant consent. The main issues to be assessed include the impact the proposal would have on the living conditions of neighbouring residents, in particular the impact of noise and disturbance generated by the children's play area; the effect of the proposal on highway conditions and road safety

7.2 Neighbouring Amenity

7.3 The application site is in a residential area and objections have been received from local residents on the grounds that the noise generated by the children's play activity, as being intrusive to neighbours and the quiet enjoyment of their amenities. The current proposal seeks to further limit the hours for the use of the rear garden as an outside play area, which should serve to further mitigate against potential disturbance to surrounding residents. The approved scheme allowed use of the outside play area for a maximum of 8 children, from between the hours of 08.30 to 1700 Monday – Friday. The current scheme proposes the use of the outside play area for a maximum of 8 children, but to reduce the permitted hours that the garden can be used to between 0945 to 1145 and between 1430 to 1630 Monday to Friday. This would effectively reduce the hours the garden could be used from the approved 8.5 hours per day to the proposed 4 hours per day.

7.4 The noise that is generated by children's play activity is transient and is also limited by the weather and the time of year. Moreover, the under 5's age group do not normally generate the levels of noise that are associated with playground activities of older children and youths. This site has a large garden that is bounded on three sides by high boundary walls and fences topped with trellis. The revised condition that seeks to reduce the time the rear garden is used by children of the nursery is considered a positive step that would serve to reduce the potential for noise disturbance. The condition requiring a maximum of only 8 children to use the outdoor space at any one time, will continue to apply and is considered reasonable in terms of limiting any impact on adjoining occupiers. A condition preventing use of amplified music audible

at the site boundaries will continue to apply. It is concluded that with these conditions in place, no material harm would result for neighbouring residents

#### 7.5 Parking & Traffic

7.6 The site can provide 1-2 off street parking spaces and is in an area with an average PTAL rating of 1b which indicates a poor level of public transport accessibility. It is also in a CPZ (P2s) and there are single yellow lines on both sides of the road and the connecting roads that allow on street parking only between the hours of 1100 and 1500 on Mondays to Fridays. There are double yellow lines at the corner of Bernard Gardens and Leopold Road, close to the application site. There is a plate for no waiting and loading between 0830 and 1830 on the double yellow lines that end just before the property boundary and there are two parking meters on Leopold Road, one that allows parking for one hour from Monday to Saturdays between the hours of 0830 and 1830. The additional parking meter allows on street parking Mondays to Fridays between 1100 and 1500.

7.7 The applicants have applied to increase the nursery capacity from the approved scheme of 15 children to a maximum of 20 children. During the life of the application a travel plan was submitted and approved by the Council's School Travel Plan Advisor (Future Merton). With the commitment to the Nursery Travel Plan in place, central to which is the aim to encourage non car borne forms of travel over short distances and taking into consideration the current restrictions on local on-street parking that are in place, it is concluded that this increase in numbers would not have a significant impact on highway conditions in the locality. Transport Planning have raised no transport objections to the proposal and have confirmed that they consider that there would be no detrimental impact on Transport and Highway safety.

#### 7.8 **OTHER MATTERS**

7.9 A detailed site inspection revealed that the approved use appeared to be operating in accordance with the limitations/conditions attached to the original planning permission. There was no evidence to suggest that other parts of the building were being used unlawfully in connection with the existing nursery. An inspection of the upper floors indicated them being used as the applicant's own private residence and not as overspill accommodation for the approved nursery. The number of children present at the nursery at the time of the inspection did not exceed the maximum number of 15 and as such there was no evidence to suggest that the applicant was exceeding the limitations/condition attached to the extant consent in this respect. An inspection of the outside play/garden area revealed it to be in use by no more than 8 children and suitably supervised by an adult in accordance with the requirements of the extant consent.

7.10 Condition 07 of the original planning permission required details of soundproofing of the building. No details were submitted pursuant to this condition. However, this latest submission includes an acoustic report and the Council's Environmental Health Officer has confirmed he is satisfied with the

detail and therefore it would not be necessary to reiterate this condition. In addition, condition 10 of the original planning permission required details of a secure gate to the alley way at the side of the property. Further to the grant of planning permission a secure gate was subsequently installed on site and it has not therefore been necessary to repeat this condition again. Condition 04 of the original planning permission required details of refuse and recycling. Details of the waste and recycling strategy submitted as part of this application are considered satisfactory and there is no need to repeat this condition again.

## **8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

## **9. CONCLUSION**

9.1 It is concluded that the proposed reduction in the hours the external play area can be used, should serve to reduce the potential for noise disturbance and the increase in the number of children from 15 to 20 is considered, as a matter of fact and degree, not to have an unacceptable impact on residential amenity of surrounding occupiers or on Traffic and Highway safety.

## **RECOMMENDATION**

### **GRANT A VARIATION OF CONDITIONS 03, 08 & 10 OF PLANNING PERMISSION (12/3253)**

03: This permission is for the purposes of using the premises for a day nursery for up to 20 children (Class D1) and 3 staff (Monday – Friday), as an education facility (Class D1) and for no other use within Class D1.

Reason: In order to ensure that residential amenity, parking and highway safety surrounding the site are not prejudiced and to ensure compliance with policies CS18, CS19 and CS20 of the Adopted Merton Core Strategy (2011).

08: No use of the rear garden as an outside play area associated with the day nursery use shall take place other than between the hours of 0945 to 1145 and between 1430 to 1630 Monday to Friday only.

Reason: To protect the amenities of neighbouring occupiers and to ensure compliance with policy DM EP2

10: An updated Travel Plan shall be submitted to and approved in writing by the Local Planning Authority by June 2016. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TFL and shall include:

(i) Targets for sustainable travel arrangements;

- (ii) Effective measures for the on-going monitoring of the Plan;
- (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;
- (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

The development shall be implemented only in accordance with the approved Travel Plan.

Reason: To promote sustainable travel measures and comply with the following Development Plan policies for Merton: policy 6.3 of the London Plan 2015, policies CS18, CS19 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

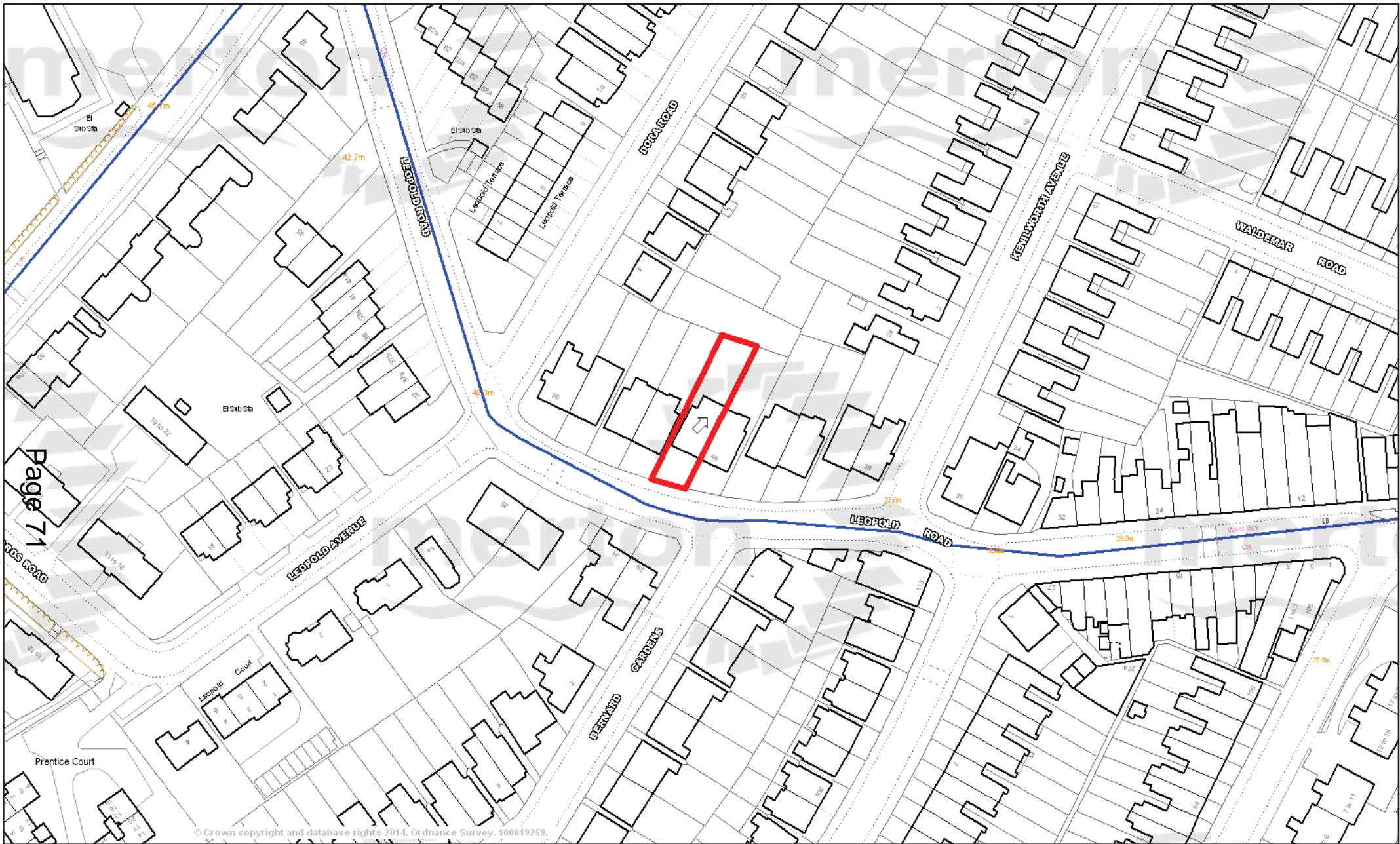
### **CONDITIONS ATTACHED TO THE ORIGINAL PLANNING PERMISSION THAT STILL APPLY**

02 The development hereby permitted shall be carried out in accordance with the following approved plans: (Existing floor plan, Proposed floor plan and site location plan (1:1250))

05 The use hereby permitted shall operate only between the hours of 0800 to 1800 on weekdays.

06 No music or amplified sound generated on the premises shall be audible at the boundary of any adjacent residential building.

09 No more than 8 children shall use the rear garden as an outside play area associated with the day nursery use at any one time and these children shall at all times be appropriately supervised.



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48 Leopold Rd

Scale 1/1250

Date 7/4/2015

London Borough of Merton  
100 London Road  
Morden  
Surrey  
SM4 5DX



DEVELOPMENT CONTROL

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Committee: Planning Applications

Date: 21<sup>st</sup> May 2015

:

Wards: All

## **Subject:** Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

Contact officer: Stuart Humphryes

### **Recommendation:**

**That Members note the contents of the report.**

#### **1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 For Members' information recent decisions made by Inspectors appointed by the Secretary of State for Communities and Local Government in respect of recent Town Planning Appeals are set out below.
- 1.2 The relevant Inspectors decision letters are not attached to this report, but can be seen on the Council web-site with the other agenda papers for this meeting at the following link:

[http://www.merton.gov.uk/council/committee.htm?view=committee&com\\_id=165](http://www.merton.gov.uk/council/committee.htm?view=committee&com_id=165)

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### **DETAILS**

Application Number: **14/P2578**  
Site: 18 Arras Avenue, Morden SM4 6DF  
Development: Redevelopment to provide 7 x 3 bed dwellings  
Recommendation: Refuse Permission (*Delegated Decision*)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 9<sup>th</sup> April 2015

### **Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000085000/1000085295/14P2578\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000085000/1000085295/14P2578_Appeal%20Decision%20Notice.pdf)

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Application Number: **14/P3498**  
Site: 13 Denham Crescent, Mitcham CR4 4LY  
Development: Erection of part single, part two storey side and rear extension  
Recommendation: Refuse Permission (*Delegated Decision*)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 9<sup>th</sup> April 2015

### Link to Appeal Decision

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000086000/1000086168/14P3498\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000086000/1000086168/14P3498_Appeal%20Decision%20Notice.pdf)

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Application Number: **13/P3979 - CIL Appeal**  
Site: 21 Malcolm Road, Wimbledon  
Development: Variation of condition 1 attached to variation of condition 12/P0769  
Recommendation: Works Commenced - CIL Payment Due  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 8<sup>th</sup> May 2015

### Link to CIL Appeal Decision

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000082000/1000082797/13P3979\\_CIL%20Appeal%20Decision.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000082000/1000082797/13P3979_CIL%20Appeal%20Decision.pdf)

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## **Alternative options**

- 3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is re-determined.
- 3.2 The Council may wish to consider taking legal advice before embarking on a challenge. The following applies: Under the provision of Section 288 of the Town & Country Planning Act 1990, or Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person or an establishment who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the following grounds: -
  1. That the decision is not within the powers of the Act; or
  2. That any of the relevant requirements have not been complied with; (relevant requirements means any requirements of the 1990 Act or of the Tribunal's Land Enquiries Act 1992, or of any Order, Regulation or Rule made under those Acts).

## **1 CONSULTATION UNDERTAKEN OR PROPOSED**

- 1.1. None required for the purposes of this report.

## **2 TIMETABLE**

- 2.1. N/A

## **3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 3.1. There are financial implications for the Council in respect of appeal decisions where costs are awarded against the Council.

## **4 LEGAL AND STATUTORY IMPLICATIONS**

- 4.1. An Inspector's decision may be challenged in the High Court, within 6 weeks of the date of the decision letter (see above).

## **5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 5.1. None for the purposes of this report.

## **6 CRIME AND DISORDER IMPLICATIONS**

- 6.1. None for the purposes of this report.

## **7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 7.1. See 6.1 above.

## **8 BACKGROUND PAPERS**

- 8.1. The papers used to compile this report are the Council's Development Control service's Town Planning files relating to the sites referred to above and the agendas and minutes of the Planning Applications Committee where relevant.

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## **Committee:** Planning Applications Committee

**Date:** 21<sup>st</sup> May 2015

**Agenda item:**

**Wards:** All

**Subject:** PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES

**Lead officer:** HEAD OF SUSTAINABLE COMMUNITIES

**Lead member:** COUNCILLOR LINDA KIRBY, CHAIR, PLANNING APPLICATIONS COMMITTEE

**Contact Officer** Sam Amoako-Adofo: 0208 545 3111  
sam.amoako-adofo@merton.gov.uk

**Recommendation:**

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That Members note the contents of the report.

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**1. Purpose of report and executive summary**

This report details a summary of case work being dealt with by the Planning Enforcement Team and contains figures of the number of different types of cases being progressed, with brief summaries of all new enforcement notices and the progress of all enforcement appeals.

<b>Current Enforcement Cases:</b>	<b>926</b> <sup>1</sup> (966)	<b>New Appeals:</b>	<b>0</b> (0)
<b>New Complaints</b>	<b>39</b> (73)	<b>Instructions to Legal</b>	<b>0</b>
<b>Cases Closed</b>	<b>48</b> (71)	<b>Existing Appeals</b>	<b>3</b> (2)
No Breach:	25	<hr/>	
Breach Ceased:	23	<b>TREE ISSUES</b>	
NFA <sup>2</sup> (see below):	-	<b>Tree Applications Received</b>	<b>38</b> (35)
Total	<b>48</b> (71)	<b>% Determined within time limits:</b>	<b>90%</b>
<b>New Enforcement Notices Issued</b>		<b>High Hedges Complaint</b>	<b>0</b> (0)
Breach of Condition Notice:	0	<b>New Tree Preservation Orders (TPO)</b>	<b>0</b> (0)
New Enforcement Notice issued	2	<b>Tree Replacement Notice</b>	<b>0</b>
S.215: <sup>3</sup>	0	<b>Tree/High Hedge Appeal</b>	<b>0</b>
Others (PCN, TSN)	0		
Total	2 (3)		
<b>Prosecutions:</b> (instructed)	0 (0)		

Note (*figures are for the period (14<sup>th</sup> April – 11<sup>th</sup> May 2015)*). The figure for current enforcement cases was taken directly from M3 crystal report.

<sup>1</sup> Totals in brackets are previous month's figures

<sup>2</sup> confirmed breach but not expedient to take further action.

<sup>3</sup> S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

## 2.00 New Enforcement Actions

**2.01 204 Tamworth Lane, Mitcham CR4**, An enforcement notice was issued on 11<sup>th</sup> May 2015 against the unauthorised erection of a second single storey rear extension and raised patio. The notice would come into effect on 18<sup>th</sup> June 2015 unless there is an appeal prior to that date. The main requirement of the notice is for the unauthorised extension to be demolished within 3 months.

**2.02 14 St James Road, Mitcham**, An enforcement notice was issued on 29<sup>th</sup> April 2015 against the unauthorised conversion of the property into two flats. The notice would come into effect on 5<sup>th</sup> June 2015 unless there is an appeal prior to that date and the compliance period would be three months. The requirements would be for the owners to cease the use of the property as flats and remove all fittings and partitions facilitating the unauthorised use.

## **Some on-going Enforcement Actions**

- 2.03 Tooting Medical Centre, 5 London Road, Tooting SW17.** The Council served an enforcement notice on 9<sup>th</sup> April 2015 against the erection of a wooden panelled fence and a metal structure situated on top of the single storey rear part of the premises. The notice would take effect on 20<sup>th</sup> May 2015 unless an appeal is made before that date. The requirement is to remove the structure and the compliance period would be one month.
- 2.04 163 Central Road, Morden SM4,** An enforcement notice was issued on 9<sup>th</sup> April 2015 against the unauthorised conversion of an outbuilding into residential accommodation. The notice would come into effect on 19<sup>th</sup> May 2015 unless there is an appeal prior to that date and the compliance period would be four months. The requirements are for the unauthorised use to cease and the landlord to remove all partitions, facilities, fixtures and fittings facilitating the use of the outbuilding as a bedsit.
- 2.05 49 London Road, London SW17 9JR.** An enforcement notice was issued on 8/4/15 against the installation of here condenser/ventilation units to the rear elevation of the outrigger extension on the land. The notice would come into effect on 19<sup>th</sup> May 2015 unless there is an appeal prior to that date. The requirements are for the unauthorised units and associated fixtures and fittings to be removed and the resulting debris also removed from the land within one month of the effective date.
- 2.06 25 Malcolm Road Wimbledon SW19** A section 215 (Amenity Land) Notice was issued on 10th September 2014 to require remedial works to the land involving the removal of hoarding, bamboo fencing, plastic sheeting on an existing car port, a marquee, a skip and also clear the land of abandoned building materials, wooden pallet and general waste. The notice came into effect on 9th October 2014 (28 days after service) as there was no appeal against the notice. Some works have been carried out to tidy the site.

**There has been no further progress so consideration is being given to the possibility of taking direct action.**

- 2.07 Burn Bullock, 315 London Road, Mitcham CR4.** A Listed Buildings Repair Notice (LBRN) was issued on 27<sup>th</sup> August 2014 to require a schedule of works to be carried out for the preservation of the Building which is listed. The notice came into effect immediately and as a first step requires the owner to submit an application for planning and listed building consent by 27<sup>th</sup> October 2014 for consideration. The schedule of works covering the roof and rainwater goods, masonry, chimney, render repairs, woodwork, glazing external and internal repairs, should be completed within five months of the approval date.

**Listed Building Consent was granted on 3<sup>rd</sup> March 2015** for most of the works which cover 1) the roof and rainwater goods, 2) masonry, chimney and render repairs 3) woodwork, glazing and both internal and external repairs. Works have started. Officers were concerned about the section of the application which covers the Tudor part of the building so this was reserved for English Heritage advice and involvement.

It has been agreed that a building archaeological survey needs to be undertaken to fully understand the evolution of the Tudor section to establish the best way forward to protect and restore it. English Heritage has now recommended a suitably qualified surveyor to the owners to carry out the needed survey. This will be monitored and further updates provided.

- 2.08 Burn Bullock, 315 London Road, Mitcham CR4** - An enforcement notice was issued on 9th July 2014 against the material change of use of the car park on the land for the sale of motor vehicles. The notice came into effect on 20<sup>th</sup> August 2014 as there was no appeal prior to that date and the compliance period would expire by 20<sup>th</sup> October 2014 (2 calendar months). The car sales business has ceased in compliance with the requirements of the notice. Cars have been removed from the front car park and the site tidied up but there are a significant number left in the rear car park.

More cars have now been removed from the site and this is expected to continue until the site is cleared.

### **3.0 New Enforcement Appeals**

None

#### **3.1 Existing enforcement appeals**

- **33 Eveline Road Mitcham CR4.** An enforcement notice was issued on 1st October 2014 against the unauthorised conversion of the property into two self-contained flats. The notice would come into effect on 12th November 2014 unless there is an appeal prior to that date and the compliance period would be three months. The requirements are for the unauthorised use to cease and remove all partitions, facilities, and means of separation, fixtures and fittings facilitating the use of the dwelling as two residential units. An appeal has been registered and given the history of the site the Inspectorate has agreed at the Council's request, and the appeal is proceeding by way of a public enquiry to allow evidence to be tested under oath. The Council's statement was sent on 29<sup>th</sup> December 2014.

**An enquiry date has been scheduled for June 2015.**

- **Land and premises known as 336 Lynmouth Avenue, Morden SM4.** An enforcement notice was issued on 1st September 2014 against the unauthorised change of use of the land to a mixed use comprising a dwellinghouse and hostel accommodation involving the use of an outbuilding to the rear of the land as student accommodation. The compliance period would be 2 calendar months and the requirements are for the unauthorised use to cease and the removal of the wooden decking and banister at the front of the outbuilding.

**The Council's final statement was sent on 27<sup>th</sup> March 2015. We are now awaiting an inspector site visit date.**

- **Unit 6, Mitcham Industrial Estate, Streatham Road Mitcham CR4.** An enforcement notice was issued on 24th June 2014 against the installation of three extraction vents to the rear roof of the building. The notice would have

come into effect on 5th August 2014 but an appeal has been registered with a start date from 8th August 2014. Final statements have been exchanged and now waiting for an inspector site visit date.

**An inspector site visit took place on 13<sup>th</sup> February 2015 and a decision is expected within 5 weeks.**

**3.2 Appeals determined –**

**None**

**3.3 Prosecution case.**

**None**

**3.4 Requested update from PAC**

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**4. Consultation undertaken or proposed**

None required for the purposes of this report

**5 Timetable**

N/A

**6. Financial, resource and property implications**

N/A

**7. Legal and statutory implications**

N/A

**8. Human rights, equalities and community cohesion implications**

N/A

**9. Crime and disorder implications**

N/A

**10. Risk Management and Health and Safety implications.**

N/A

**11. Appendices – the following documents are to be published with this report and form part of the report Background Papers**

N/A

**12. Background Papers**

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