

# Merton Council

## Planning Applications Committee

### Membership

#### 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: 11 February 2016**

**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

## 11 February 2016

- 1 Apologies for absence
- 2 Declarations of pecuniary Interest
- 3 Minutes of the previous meeting 1 - 10  
Officer Recommendation:  
That the Minutes of the meeting held on 21 January 2016 be agreed as a correct record.
- 4 Town Planning Applications - Covering Report 11 - 14  
Officer Recommendation:  
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 Land adjacent to 5 Cambridge Road (and rear of 3 Cambridge Road), West Wimbledon, SW20 0SQ (Ref. 15/P2177) (Raynes Park Ward) 15 - 34  
Officer Recommendation:  
Grant Permission subject to S.106 Obligation and conditions.
- 6 258 Coombe Lane, Raynes Park, SW20 0RW (Ref. 14/P4287) (Village Ward) 35 - 96  
Officer Recommendation:  
Grant Permission subject to S.106 Obligation and conditions.
- 7 30 Griffiths Road, Wimbledon, SW19 1SP (Ref. 15/P4370) (Abbey Ward) 97 - 138  
Officer Recommendation:  
Grant Permission subject to S.106 Obligation and conditions.
- 8 Grosvenor Court, Grosvenor Hill, Wimbledon, SW19 4RX (Ref. 15/P0797) (Village Ward) 139 - 172  
Officer Recommendation:  
Grant Permission subject to S.106 Obligation and conditions.
- 9 101 Hamilton Road, South Wimbledon, SW19 1JG (Ref. 15/P3573) (Abbey Ward) 173 - 204  
Officer Recommendation:  
Grant Permission subject to S.106 Obligation and conditions.
- 10 Land rear of 150-152 Hartfield Road, Wimbledon, SW19 3TJ (Ref. 15/P2482) (Dundonald Ward) 205 - 226



- Officer Recommendation:  
Grant Permission subject to S.106 Obligation and conditions.
- 11 8 Pentney Road, Wimbledon, SW19 4JE (Ref. 15/P3746) 227 - 238  
(Hillside Ward)
- Officer Recommendation:  
Grant Permission subject to conditions.
- 12 5 Peregrine Way, West Wimbledon, SW19 4RN (Ref. 239 - 260  
15/P3993) (Raynes Park Ward)
- Officer Recommendation:  
Grant Permission subject to conditions.
- 13 8 St Mary's Road, Wimbledon, SW19 7BW (Ref. 261 - 276  
15/P3969) (Village Ward)
- Officer Recommendation:  
Grant Permission subject to conditions.
- 14 Planning Appeal Decisions 277 - 280
- Officer Recommendation:  
That Members note the contents of the report.
- 15 Planning Enforcement - Summary of Current Cases 281 - 286
- Officer Recommendation:  
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>

# Agenda Item 3

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

## PLANNING APPLICATIONS COMMITTEE

21 JANUARY 2016

(19.15 - 11.05)

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

ALSO PRESENT: Councillors Judy Saunders, David Simpson CBE and David  
Williams

Mitra Dubet (Future Merton Commissioning Manager), 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 (Agenda Item )

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

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

Apologies for absence were received from Councillor David Dean.

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

None.

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

RESOLVED: That the Minutes of the meeting held on 10 December  
2015 be agreed as a correct record.

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

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

(a) Modifications Sheet - A list of modifications for items 6, 7, 8, 9, 10, & 11 and additional letters/representations and drawings received since agenda publication, were tabled at the meeting.

(b) Oral Representations – The Committee received oral representations at the meeting made by third parties and applicants/agents in respect of items 5, 6, 7 (objectors only), 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 the applicants/agents would be given the same amount of time to speak as objectors for each item.

The Council also received oral representations at the meeting from the following Councillors (who were not members of the Committee for this meeting) in respect of the items indicated below -

- Item 5 – Councillor David Williams
- Item 8 – Councillors Judy Saunders
- Item 9 – Councillor David Williams.

(c) 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 - 8, 9, 5, 6, 10, 7 & then 11.

RESOLVED: That the following decisions are made:

- 6 WAITROSE, ALEXANDRA ROAD, WIMBLEDON, SW19 7JY (REF. 15/P2776) (HILLSIDE WARD) (Agenda Item 5)

1. Proposal - Variation of Condition 3 of Planning Permission 09/P2385 the sale of food and convenience goods and alterations and extension to the existing building and external curtilage – variation to remove the restriction preventing use of part of the premises for A3 cafe/restaurant purposes.

1.2. It was noted that the current proposal was for a small café area (adjoining the in-store bakery) of 13.67sqm and with a maximum of 12 seats.

2. Existing restrictions – Officers explained the history of the site, including that when planning permission for the sale of food and convenience foods had been allowed in 2010, this had been subject to a number of restrictions on the use of any part of the store for certain uses/sales, including use as an A3 café. Officers advised that one reason that these restrictions had been imposed, had been in order to protect the vitality and viability of the nearby Leopold Road neighbourhood shopping parade.

3. Passing Trade – Officers advised that the proposed location of the new small café, requiring the use of staircase/lift to access the proposed A3 café area from the Alexandra Road footpath, was likely to deter passing trade.

4. Parking – It was noted that there was free parking at the Waitrose store and that parking restrictions were in place for Leopold Road shopping parade (which was within a Controlled Parking Zone) which included a 20 minute restriction on free parking bays.

4. Discussion – Members expressed concern that the proposed new café area would be treated as a café by customers and would take trade from the existing outlets in the Leopold Road shopping parade and that the existing restrictions originally imposed to help protect the Leopold Road shopping parade were still needed especially due to the retail environment being even more fragile than when the restrictions were first imposed and there being now two vacancies in the shopping parade.

5. Refusal Motion: It was moved and seconded that permission be refused as detailed below. The motion was carried by 9 votes to 1 (Councillor Ross Garrod dissenting). Subsequently the Committee agreed that officers be delegated authority to agree the detailed grounds of refusal and also agreed (C) below.

Decision: Item 5 - ref. 15/P2776 (Waitrose, Alexandra Road, Wimbledon, SW19 7JY)

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

(i) The proposals would be contrary to the policies outlined on pages 23 & 24 of the officer report including –

(a) National Planning Policy Framework (March 2012) – Section 8

(b) London Plan (March 2015) – Policies 4.8 & 6.7

(c) Merton Sites and Policies Plan (July 2014) – Policies DM.R1, DM.R2, DM.R4 & DM.D4.

(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 considered that the officer report had given insufficient weight to relevant Council policies.

7 10 DUNSTALL ROAD, WEST WIMBLEDON, SW20 0HR (REF. 15/P3058)  
(VILLAGE WARD) (Agenda Item 6)

1. Proposal – Demolition of existing single storey rear extension and erection of a part single part two storey rear extension.

2. Daylight/Sunlight – Officers confirmed that notwithstanding the 1.7m difference in ground levels between Nos. 10 & 12 Dunstall Road (no.10 being higher up the slope), due to the distance of the proposed first floor from the site boundaries, the proposals would meet the Council's Aspect Value Test and would not adversely impact on the daylight/sunlight of the occupiers of the neighbouring properties at Nos. 8 & 12 Dunstall Road to such an extent as to warrant refusal

3. Approval Motion - It was moved and seconded that permission be granted. The motion was carried by 7 votes to 2 (Councillors Daniel Holden and Najib Latif dissenting; and Councillor Linda Kirby abstaining).

Decision: Item 6 - ref. 15/P3058 (10 Dunstall Road, West Wimbledon, SW20)

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

8 WIMBLEDON COLLEGE CAMPION CENTRE - PLAYING FIELD A (FORMERLY ST. CATHERINE'S PLAYING FIELDS), GRAND DRIVE, RAYNES PARK, SW20 9NA (REF. 15/P3633) (WEST BARNES WARD) (Agenda Item 7)

1. Proposal – Erection of 2m high modular boundary fence and two sections of 6m high ball catch fencing.

2. Escape Route – It was noted that the proposed fencing along the eastern boundary of the site parallel to Grand Drive would be set back from the road so that the emergency safe access route for the St Catherine's Close housing development (in the event of flooding) could run between the fencing and the existing hedging along Grand Drive (as shown on the plan on page 81).

3. Netting - Officers drew attention to the proposed alternative to the polypropylene netting, namely green stabilised twine as detailed in the tabled list of modifications for various items.

4. Discussion – Members discussed the height, colour and siting of the netting, the need to retain the existing hedging (as proposed in the report) and the need for the netting to be unobtrusive as possible.

Decision: Item 7 - ref. 15/P3633 (Wimbledon College Campion Centre - Playing Field A (Formerly St. Catherine's Playing Fields), Grand Drive, Raynes Park, SW20 9NA)

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

9 360-364 LONDON ROAD (FORMER KWIK-FIT SITE), MITCHAM, CR4 3ND (REF.15/P3114) (CRICKET GREEN WARD) (Agenda Item 8)

1. Proposal - Demolition of existing building and the erection of a part 3, part 4 storey building comprising 22 residential units and 195 sqm (GIA) of ground floor flexible retail/commercial floorspace (use class A1, A2, A3, and B1) including the provision of car and cycle parking and other associated developments.

2 Extra Condition – Ground Floor Commercial/Retail Floorspace – A member queried whether an extra condition could be imposed to ensure that the proposed commercial/retail floorspace use was retained, as had occurred for other sites.



Officers confirmed that such an extra condition could be imposed and this would prevent a change of use under the "prior approval" regime.

2.1. Amendment of Conditions - Monitoring of excavation works for Contamination –

A member suggested that due to the amount of excavation work likely to be involved during the construction works and the site being a former garage, an extra condition be imposed regarding the close monitoring of the excavation works for contamination. Officers advised that a number of conditions regarding excavation works and contamination were already proposed, but confirmed that these conditions could be amended to include extra wording as necessary about the monitoring of the excavation works for contamination.

2.2 Extra Condition – Travel Plan – In response to members' concerns about the impact of car parking arising from the proposed development, Officers suggested that an extra condition be imposed requiring the applicants to submit a Travel Plan.

2.3 Extra Conditions – Delegation to officers - As indicated below, the Committee subsequently agreed to these extra conditions/amendments to conditions and that officers be delegated authority to agree the detailed wording

3. Discussion – There was considerable debate about the above matters, and also the relevance of the previous application allowed on appeal for this site in 2009; the bulk, scale and appearance of the current proposal compared to the previous scheme; overlooking and privacy issues; the proposed financial contribution towards affordable housing off-site; and the scheme's suitability for the Conservation Area.

4. Approval Motion - It was moved and seconded that permission be granted. The motion was carried by 7 votes to 2 (Councillors Daniel Holden and Ross Garrod dissenting; and Councillor Linda Kirby abstaining).

Decision: Item 8 - ref. 15/P3114 (360-364 London Road (Former Kwik-Fit Site), Mitcham, CR4 3ND)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet and subject to the following additional conditions / amendment to conditions –

(i) Extra Condition – Ground Floor Commercial/Retail Floorspace – An extra condition could be imposed to ensure that the proposed commercial/retail floorspace use is retained, including preventing a change of use under the "prior approval" regime.

(ii) Amendment of Conditions - Monitoring of excavation works for Contamination –The proposed conditions regarding excavation works and contamination be amended to include extra wording as necessary about the monitoring of the excavation works for contamination.

(iii) Extra Condition – Travel Plan – An extra condition be imposed requiring the applicants to submit a Travel Plan.

(B) Delegation: The Director of Environment & Regeneration be delegated authority to agree the detailed wording of the above extra conditions and amendment to conditions as necessary..

10 28-30 RIDGWAY PLACE, WIMBLEDON, SW19 4EP (REF. 15/P3366)  
(HILLSIDE WARD) (Agenda Item 9)

1. Proposal - Demolition of existing two houses and erection of 4 x 4 bedroom semi-detached houses with basement accommodation.

2. Previous application – Officers explained the differences between the previous refused application and the current application including a reduction in height; a reduction in the size and number of gables; and that the depth at the front adjacent to Nos. 26 & 32 Ridgway had been reduced but that there had been no corresponding increase in depth at the rear.

3.. Lost Refusal Motion – Some members considered that the current application should be refused on the same grounds as the previous application (as detailed in para. 4.4 on page 139). It was therefore moved and seconded that the application be refused on the following grounds

(a) The proposal, by reason of its height, depth, and siting would be visually intrusive, overbearing and result in an unacceptable loss of daylight/sunlight to the detriment of the amenities of occupiers of Nos. 26 and 32 Ridgway Place, contrary to policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014); and

(b) The proposed houses by reason of their excessive height, bulk, and massing, would not relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings, and would have a detrimental impact on the Ridgway Place street scene, contrary to policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

3.1 The motion was lost by 7 votes to 3. The application was subsequently approved as indicated below by 7 votes to 3 (Councillors Daniel Holden, Abigail Jones and Najib Latif dissenting and voting for the above lost motion.)

Decision: Item 9 - ref. 15/P3366 (28-30 Ridgway Place, Wimbledon, SW19)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet.

11 222 SOMERSET ROAD, WIMBLEDON, SW19 5JE (REF. 15/P2567)  
(VILLAGE WARD) (Agenda Item 10)

1. Proposal - Demolition of existing house and erection of a new part two/part three-storey 5/6 bedroom detached house with basement.

2. Basement – Officers responded to various issues related to the proposed basement raised by objectors in their oral representations, including that the proposals had been assessed as satisfactory by the Council's structural and flood engineers subject to the submission and approval of further details (prior to any construction works) as required by the proposed conditions (as outlined in para. 11.2).

2.1. Basement and Renshaw Court – Officers referred to some objectors' suggesting that Part (b) of planning policy DM.D2 (which precludes basements near listed buildings) should apply to this application due to the proximity of Renshaw Court, a locally listed building. Officers explained this policy related to statutorily listed buildings and so didn't apply in this case (as outlined in para. 11.1).

2.2 Basement – Piling Method – Councillor Najib Latif suggested that, due to the proximity of other buildings, the developer should be required to use sheet piling using a "telescopic leader rig" which would reduce noise/vibration substantially. Officers advised that, whilst this might be too prescriptive, it would be possible to amend the proposed conditions to require that the piling method used was one that minimised noise/vibration.

3. Consultation – In response to concerns raised by a local resident that they had not been consulted about the proposals, officers confirmed that occupiers of a number of neighbouring properties had been consulted including No.226 Somerset Road.

4. Conservation Area – Officers confirmed that site adjoined the North Wimbledon Conservation Area boundary and therefore the setting of the Conservation Area was a material consideration when assessing the application.

4. Discussion – Members raised concerns about the design and appearance of the proposed building in a residential area on a site that adjoins a Conservation Area, where therefore the Council was entitled to expect a higher standard of development. A member referred to the neighbouring houses presumably being within the Conservation Area because they were considered to be of sufficient quality to be in the Conservation Area; and expressed concern that the proposed development would not relate to those neighbouring houses in an appropriate manner.

5. Refusal Motion: It was moved and seconded that permission be refused as detailed below. The motion was carried unanimously. Subsequently the Committee agreed that officers be delegated authority to agree the detailed grounds of refusal and also agreed (C) below.

Decision: Item 10 - ref. 15/PP2567 (222 Somerset Road, Wimbledon, SW19)

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

(i) The site is adjacent to North Wimbledon Conservation Area, and therefore the Council was entitled to expect a higher standard of development, and the quality of design of the proposals is inappropriate on a site adjacent to a Conservation Area.

(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 considered that the officer report and recommendations had given insufficient weight to the proximity of the application site to the Conservation Area.

12 7 STREATHAM ROAD, MITCHAM, CR4 4AD (REF.15/P4308) (FIGGES MARSH WARD) (Agenda Item 11)

1. Proposal - Erection of a single storey side/rear extension and alterations to the roof, involving the erection of 1 x dormer window to the front roof slope, the enlargement of 1 x existing dormer on the side roofslope and the removal of 2 x chimney stacks.

2. Lack of Oral Representations – It was noted that the applicant (or their representative) had been invited to make oral representations at the meeting regarding the application, but that when the Committee came to discuss this item, the applicant (or their representative) was not present and so the Committee heard no oral representations at the meeting from the applicant (or their representative).

3. Refusal Grounds – Officers referred to the amendments to the officer report for this item included in the tabled list of modifications for various items, including the amendment of the first part of paragraph 7.6 from

(a) “The proposed roof extension by reason of its bulk form....” to read instead

(b) “The proposed roof extensions by reason of their bulk form....” (then as per report).

3.1 It was noted that the same amendment also should be made to the wording of the refusal grounds in the recommendation (on agenda page 190).

Decision: Item 11 - ref. 15/P4308 (7 Streatham Road, Mitcham, CR4 4AD)

REFUSE as set out in the officer case report and the tabled modifications sheet, subject to the first part of the refusal grounds reading instead -“The proposed roof extensions by reason of their bulk form....” (then as per report).

13 MEETING BREAK (Agenda Item )

After consideration of item 10, at about 10.30pm, the Committee adjourned its discussions for about 10 minutes.

14 PLANNING APPEAL DECISIONS (Agenda Item 12)

Members referred to more appeals than usual having been allowed in the period covered by the report.. Officers advised that at a recent meeting of Planning Managers in London, it was noted that in the last quarter there was a slight trend of more appeals being allowed (across London), but this could be just a fluctuation in the figures.

RECEIVED

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

(a) Burn Bullock PH, 315 London Road, Mitcham, CR4 (para. 2.08) – Officers advised that a Council officer had visited the site earlier in the week and the required works were on-going.

(b) 112 Edgehill, Mitcham, CR4 (para.'s 2.02 & 2.04) – Councillor Linda Kirby requested clarification and an update on action regarding this site.

(c) 18 Morton Road, Morden, SM4 (para. 3.1) – Councillor Philip Jones referred to the recent allowed planning appeal for site (for retention of a an existing outbuilding), but advised that the property was still being advertised as a bed and breakfast establishment and requested that this alleged unauthorised use continue to be investigated and any appropriate be action taken.

RECEIVED

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

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

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## Agenda Item 4

**Committee: PLANNING APPLICATIONS COMMITTEE**

Date: 11<sup>th</sup> February 2016

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).

## Agenda Item X

### PLANNING APPLICATIONS COMMITTEE February 11th 2016

Item No:

UPRN	APPLICATION NO.	DATE VALID
	15/P2177	30.06.2015

**Address/Site** Land adjacent to 5 Cambridge Road (and rear of 3 Cambridge Road), West Wimbledon, SW20 0SQ

**(Ward)** Raynes Park

**Proposal:** Demolition of existing garage building and the erection of a detached 1 bed dwellinghouse.

**Drawing Nos;** Site location plan, 010, 010 site plan, 050, 100,110, & 200.

**Contact Officer:** Leigh Harrington (020 8545 3836)

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#### RECOMMENDATIONS

**Grant planning permission subject to section 106 agreement for affordable housing and conditions.**

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#### CHECKLIST INFORMATION.

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No,
- Number of neighbours consulted: 7
- Press notice – Yes
- Site notice – Yes
- External consultations: No
- Archaeological Priority Zone – No
- Controlled Parking Zone – No but adjoining a CPZ.
- Number of jobs created: N/A

#### 1 INTRODUCTION

- 1.1 The application has been brought before the Committee due to the level of public interest.

## **2. SITE AND SURROUNDINGS**

- 2.1 The site is a 130sqm section of garden land adjacent to 5 Cambridge Road but at the rear of 3 Cambridge Road. A parking area for 9 Cambridge Road adjoins the southern boundary beyond which a holly lined accessway leads to the rear gardens of houses on Cambridge Road. There is a small block of flats to the south of that with larger houses opposite and to the north. The site comprises a single storey garage building and an off street parking area set behind high gates and fences facing Lambton Road. The site is located within the Durham Road Conservation Area. The street frontage to the site does not adjoin a CPZ whereas Cambridge Road is in a CPZ.

## **3. CURRENT PROPOSAL**

- 3.1 The proposal involves demolition of the garage building and replacement with a detached one bedroom house partially sunken into the garden with a lower courtyard and an off street parking space, all set behind the existing fences and gates.
- 3.2 Steps would lead down from the parking bay to a 20 sqm lower courtyard amenity space. The front door opens directly into the combined kitchen and living room with a short hallway leading to a shower room, storage space and double bedroom. Both the living room and bedroom would look out onto the courtyard through glazed doorways. The house would be finished with a green roof with south facing clerestory windows set within three sloping roof sections.

Density: 77 dwellings per hectare - 154 hrph

## **4. PLANNING HISTORY**

- 4.1 3 Cambridge Road  
11/P1368 - Planning permission granted for the erection of a single storey side extension.

## **5. CONSULTATION**

- 5.1 The application has been advertised by means of a press and site notice and letters to 7 neighbouring occupiers. In response to the consultations 6 objections were received raising the following concerns:
- The plans originally submitted are inaccurate and the site should be called a garden (greenfield site) rather than a (brownfield) parking area.
  - There is a presumption against greenfield development unless in keeping with the area which this is not.
  - The semi-submerged nature and intensive use of so much of such a small plot is not characteristic of the area.
  - As the house would be single storey and extends the full width of the site up to the boundaries with no amenity space it bears no

relationship to the surrounding houses. It is not in keeping with the grain of development and the spatial characteristics of the area.

- The new access gates to the development would harm the appearance and integrity of the wall and wider conservation area.
- 3-11 Cambridge Road make a positive contribution to the Conservation Area and the site forms an important green gap in the area.
- A house in this position would cause disturbance for neighbours and the position of the bin store is not acceptable.
- Boundary treatment would harm outlook of the neighbours at 3 Cambridge Rd.
- The house would provide poor outlook for future occupiers.
- The house would be overlooked and suffer from poor levels of amenity space
- The proposal would set a precedent
- The basement nature of the development does not comply with the criteria set out in policy DM D2.
- Increased pressure from parking
- Impact foundations of surrounding houses.

5.2 One letter of support was received stating that due to the set back and low position of the house it would sit well in its context.

5.3 Merton Conservation and Design officer. No objection to the design of the house but sought more detail on local tree matters.

5.4 Merton Trees officer. No objection to the removal and replacement of the tree subject to a condition for details to be approved.

5.5 Merton Transport Planning. No objection as the proposal provided an off street parking space and utilised the existing crossover.

5.6 Merton Senior Structural Engineer Accompanying information is satisfactory. A condition should be added requiring a further detailed method statement, construction drawings, sequence works drawings and any temporary support details or drawings to be submitted and approved prior to the commencement of works.

## **6 POLICY CONTEXT**

6.1 Relevant policies in the London Plan 2015 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), 5.7 (Renewable energy), 5.13 (Sustainable drainage), 7.5 (Public realm), 7.6(Architecture), 7.8 (Heritage assets and archaeology) & 7.21 (Trees and woodlands).

London Housing Supplementary Planning Guidance (2012).

NPPF 2012 Para 12 and Section 6 (Delivering a wide choice of high quality homes), Section 7 (Requiring good design), Section 11 (Conserving and enhancing the natural environment), Section 12 (Conserving and enhancing the historic environment).

- 6.2 Relevant policies in the Core Strategy 2011 are; CS8 (Housing choice), CS 13 (Open Space, Nature conservation), CS 14 (Design), CS 15 (Climate change) & CS 20 Parking, Servicing & delivery.
- 6.3 The relevant policies in the Sites and Policies Plan 2014 are; DM D1 (Urban Design and the public realm), DM D2 (Design considerations in all developments), DM D4 (Managing Heritage assets), DM H2 (Housing mix), DM O2 (Trees, hedges and landscape features), DM T2 (Transport impacts of development) & DM T3 (Car parking and servicing standards).

## 7. **PLANNING CONSIDERATIONS**

- 7.1 The main planning considerations in this case relate to the principle of development, the scale and design of the new house and its impact on the conservation area, the impact on occupier and neighbour amenity, the standard of accommodation, parking and affordable housing.

### 7.2 Principle

The National Planning Policy Framework 2012, London Plan 2015 policy 3.3 and the Council's Core Strategy policy CS9 all seek to increase sustainable housing provision where it can be shown that an acceptable standard of accommodation will also provide a mix of dwelling types.

- 7.3 Policy CS. 9 within the Council's Adopted Core Strategy [July 2011] and policy 3.3 of the London Plan [July 2015] state that the Council will work with housing providers to provide a minimum of 4,107 additional homes [411 new dwellings annually] between 2015 and 2025. This proposal will provide a new small house and is therefore considered to accord with these policies.
- 7.4 Policy CS 13 within the Core Strategy states that proposals for new dwellings in back gardens must be justified against the;
- Local context and character of the site
  - Biodiversity value of the site
  - Value in terms of green corridors and green islands
  - Flood risk and climate change impacts

Part of the site is already used as a garage building and has an area of hardstanding and it does not appear that much of the remainder is readily conducive to wildlife. The site is not a risk from flooding. It is considered that the proposal does not raise issues with regards to the first three of the above criteria for policy CS13. The new house will be largely screened from public view and will be fitted with a large green roof and further consideration is

given to the impact of the proposals on the character and appearance of the area below and thus the first of the above criteria.

#### 7.5 Impact on the Conservation area

London Plan policy 7.8 and SPP policy DM D4 seek to ensure that developments within conservation areas conserve and enhance such areas whilst Core Strategy policy CS14 and SPP policies DM D1 and DM D2 require well designed proposals to utilise materials and design that will respect the siting, rhythm, materials and massing of surrounding buildings as well as complementing, responding to and reinforcing, local architectural character, locally distinctive patterns of development as well as the character and local distinctiveness of the adjoining townscape.

7.6 The new house has been designed to sit as low as possible on the site such that there would be limited views from the street whilst the green roof and the use of clerestory window are considered to suitably reduce its impact when viewed from surrounding houses. The Council's Conservation and Design officer has raised no objection to the design. In order to ensure a satisfactory appearance for the fences and gates along the Lambton Road frontage, a condition requiring the details to be approved is recommended. A condition removing permitted development rights from the house in order to ensure appropriate levels of control over future development of the site is also recommended.

#### 7.7 Impact on neighbour amenity.

London Plan policy 7.6, and Sites and Policies Plan policy DM D2 require proposals not to have a negative impact on the amenity of neighbouring occupiers through loss of light, overshadowing, outlook, privacy, visual intrusion or disturbance.

#### 7.8 Loss of light.

The house would be situated away from windows in neighbouring houses and at a height that is considered to have a negligible impact on light reaching neighbouring gardens. The proposed house would be situated 9m from the first floor windows of 3 Cambridge Road, but it is a single storey building sitting behind an existing taller boundary fence and it is therefore considered that it will not cause any undue harm to the light, long views or sense of openness. 87 Lambton Road sits parallel to the Application Site with only very oblique views of the Application Site. The small windows on the north elevation of 87 Lambton Road, overlook the gardens of 5 and 7 Cambridge Road, not the Application Site and thus will not be affected. The nearest part of the house will be a distance of 26.5m from the first floor windows of the properties on the opposite side of Lambton Road (No. 128, 130 and 132).

The roof of the proposed house, being roughly level with the top of the brick street boundary wall, is approximately 0.6m lower than the existing garage at its highest point (which is on the boundary of No.3). The proposed clearstorey rooflights will be approximately 0.3m taller than the highest point of the existing garage but only at their tips, which are away from the boundaries, so

will not appear as an obtrusive mass nor create any overshadowing / sense of enclosure.

7.9 Loss of privacy;

Similarly, the design of the proposal is such that the windows look out onto the courtyard of the house and not towards the widows of neighbouring occupiers. The proposals are not considered to result in any loss of privacy for neighbours.

7.10 Noise, disturbance and light pollution.

The proposed house would only accommodate two persons and features a small amenity space. It is considered that the potential for noise and activity arising from the normal day to day use of the house would be limited. The site is already used to park a car and the use of the proposed off street parking space would be unlikely to increase noise and activity over what currently arises. The drawings originally included large roof lights set flush within the green roof and this was considered likely to cause light pollution and visual intrusion. Plans have been amended and clerestory windows were introduced at the suggestion of officers to mitigate this potential impact. A condition restricting the positioning of any external lighting is recommended to further protect neighbour amenity.

7.11 Standard of accommodation.

Core Strategy policy CS 9 seeks the provision of well-designed housing and The London Housing Supplementary Planning Guidance 2012 and London Plan 2015 policy 3.5 set out a number of required design criteria for new residential developments including room and space standards. This proposal provides a 1 bedroom 2 person unit which at 50sqm meets the minimum required Gross Internal Area requirements for such a property. SPP policy DM D2 requires the provision of a 50sqm private amenity space configured in a single suitable space for a house. The proposal would provide a 20 sq.m courtyard accessed by steps down from adjoining ground level attached to a further 10 sq.m in the form of a landscaped yard adjoining the walled and gated entrance to the site. Merton's standards focus on family housing and ensure gardens are large enough for both passive and active use including children's play. However, it is considered that the standard should not be applied slavishly to all forms of housing. While a garden of the size proposed would be unsuitable to meet the likely needs of a family the proposal is for non-family (1-2 person) accommodation and it is considered that the available space could provide a suitably attractive and secluded outdoor space for passive use to meet the needs of future occupiers.

7.12 Trees.

Core strategy policy CS13 and SPP policy DM O2 seek to protect landscape features such as trees. The Council's trees officer raised no objection to the proposal subject to suitable conditions to ensure the provision of a suitable replacement tree on site.



- 7.13 Climate change mitigation and sustainable development;  
On 25th March 2015 the Government issued a statement setting out steps it is taking to streamline the planning system. Relevant to the proposals, the subject of this application, are changes in respect of sustainable design and construction, energy efficiency and forthcoming changes to the Building Regulations. The Deregulation Act was given Royal Assent on 26th March 2015. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.
- 7.14 Until amendments to the Building Regulations come into effect the government expects local planning authorities not to set conditions with requirements above a Code level 4 equivalent. Where there is an existing plan policy which references the Code for Sustainable Homes, the Government has also stated that authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard.
- 7.15 In light of the government's statement and changes to the National Planning Framework it is recommended that conditions are attached so as to ensure the development is designed and constructed to achieve CO2 reduction standards and water consumptions standards equivalent to Code for Sustainable Homes level 4.

7.16 Parking and Access

Core Strategy policy CS 20 and policy DM T2 in the Sites and Policies Plan require developers to demonstrate that their development will not adversely affect safety, the convenience of local residents or on street parking and traffic management. Although the proposal will introduce a new house it will use the existing off street parking space currently on site and therefore there is no anticipated increase in pressure on the on street parking capacity of the area. The site is confined however and a condition requiring details of the storage of materials and construction vehicles etc. during the construction process is recommended. A condition requiring the car parking space to be provided prior to occupation is recommended along with a condition that the hardstanding be permeable to mitigate impacts of water runoff.

- 7.17 Affordable housing.  
Policy CS.8 of the Merton LDF Core planning Strategy (2011) considers the Council's requirements for schemes of less than 10 units to contribute to the provision of off-site affordable housing within the borough. The applicant is amenable to providing an affordable housing contribution of £39,507 which has been derived from the application of the Council's affordable housing calculator using the three estate agent's anticipated sale values.

**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.

8.2 The new dwelling would be required to be built to Lifetime Homes Standards.

## 9. CONCLUSION

9.1 The proposal will provide a new house for which there is an identified need within the borough and London at large. The one bedroom house would improve the housing mix in the area and whilst modern in design its enclosure and screening from surrounding public view by the high gates and fences that characterise this part of Lambton Road, coupled with its sunken nature would, as a matter of judgement, result in a neutral impact preserving the appearance of the Durham Road Conservation Area. The new house provides off street parking for one car and would not impact on parking pressure for other residents. The proposal would provide a well-designed house which meets the minimum internal space standards whilst the flat roof will assist with local biodiversity. The size, design and positioning of the proposed house have been designed to minimize the impact on neighbour amenity and are considered to present no issues with regards to loss of light, outlook, visual intrusion or privacy.

Officers consider that the proposals are acceptable and the proposal is recommended for approval subject to a s106 agreement for affordable housing and appropriate conditions.

## RECOMMENDATION

**Grant planning permission subject to planning conditions and the completion of a S106 agreement covering the following heads of terms:**

- 1) Affordable housing off site contribution of £39,507;
- 2) The applicant agreeing to meet the Council's costs of preparing drafting and monitoring the section 106 obligations.  
And conditions:
  - 1 A1. Commencement of works
  - 2 A.7 In accordance with plans. Site location plan and drawings 010, 010 site plan, 050, 100, 110, & 200. Reason. For the avoidance of doubt and in the interests of proper planning
  - 3 B.1 External materials to be approved. No construction shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors, windows and tiles (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details. Reason. To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of

the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2015 and policies DM D2 and D3 of Merton's Sites and Polices Plan 2014

- 4 B.5 Boundary treatments to be approved .No development shall take place until details of all boundary walls or fences are submitted in writing 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 / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter. Reason; To ensure a satisfactory and safe development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Polices Plan 2014.
- 5 D.11 Construction Times No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays. Reason; To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policy DM EP2 of Merton's Sites and Polices Plan 2014.
- 6 H.9 Construction Vehicles The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles, loading /unloading and storage arrangements of construction plant and materials during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.  
Reason; To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Polices Plan 2014.
- 7 Tree replacement. No development shall take place until details of the size and species of the proposed tree shown on the drawings No 100 and 110 shall be submitted to and approved in writing by the LPA and shall be planted in the first available planting season following the completion of the development or prior to the occupation of any part of the development, whichever is sooner and should the tree die within a period of 5 years from the time of planting, be removed or become seriously damaged or diseased or dying shall be replaced in the next planting season with another tree of the same approved specification, unless the LPA gives written consent to any variation. Reason; To enhance the appearance of the development in the interests of the amenities of the area and to comply with the following Development Plan policies for Merton; policies 5.1, 7.5 and 7.21 of the

London Plan 2015, Policy CS13 of Merton's Core Planning Strategy 2011 and policies DMD2, DM F2 and DM O2 of the adopted Sites and Policies Plan 2014

- 8 Prior to the commencement of development a detailed method statement including; construction drawings, sequence works drawings and any temporary support details or drawings shall be submitted and approved in writing by the Local Planning Authority. Reason. To ensure that structural stability is safeguarded and neighbourhood amenity is not harmed at any stage by the development proposal in accordance with policy DM D2 of the adopted Sites and Policies Plan 2014.
- 9 No permitted development (extensions) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority. Reason; The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Polices Plan 2014.
- 10 External lighting. Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason. To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.
- 11 Hardstandings. The hardstanding hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use. Reason; To reduce surface water run-off and to reduce pressure on the surrounding drainage system in accordance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2015, policy CS16 of Merton's Core Planning Strategy 2011 and policy F2 of Merton's Sites and Polices Plan 2014.
- 12 Provision of vehicle parking. The vehicle parking area shown on the approved plans shall be provided before the commencement of the buildings or use hereby permitted and shall be retained for parking purposes for occupiers and users of the development and for no other purpose. Reason. To ensure the provision of a satisfactory level of parking and comply with the following

Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Polices Plan 2014.

13 Lifetime Homes The new dwelling unit/s shall be constructed to Lifetime Homes Standards, and shall not be occupied until the applicant has provided written evidence to confirm this has been achieved based on the relevant Lifetime Homes Standards criteria. Reason. To meet the changing needs of households and comply with the following Development Plan policies for Merton: policy 3.8 of the London Plan 2015, policy CS8 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Polices Plan 2014.

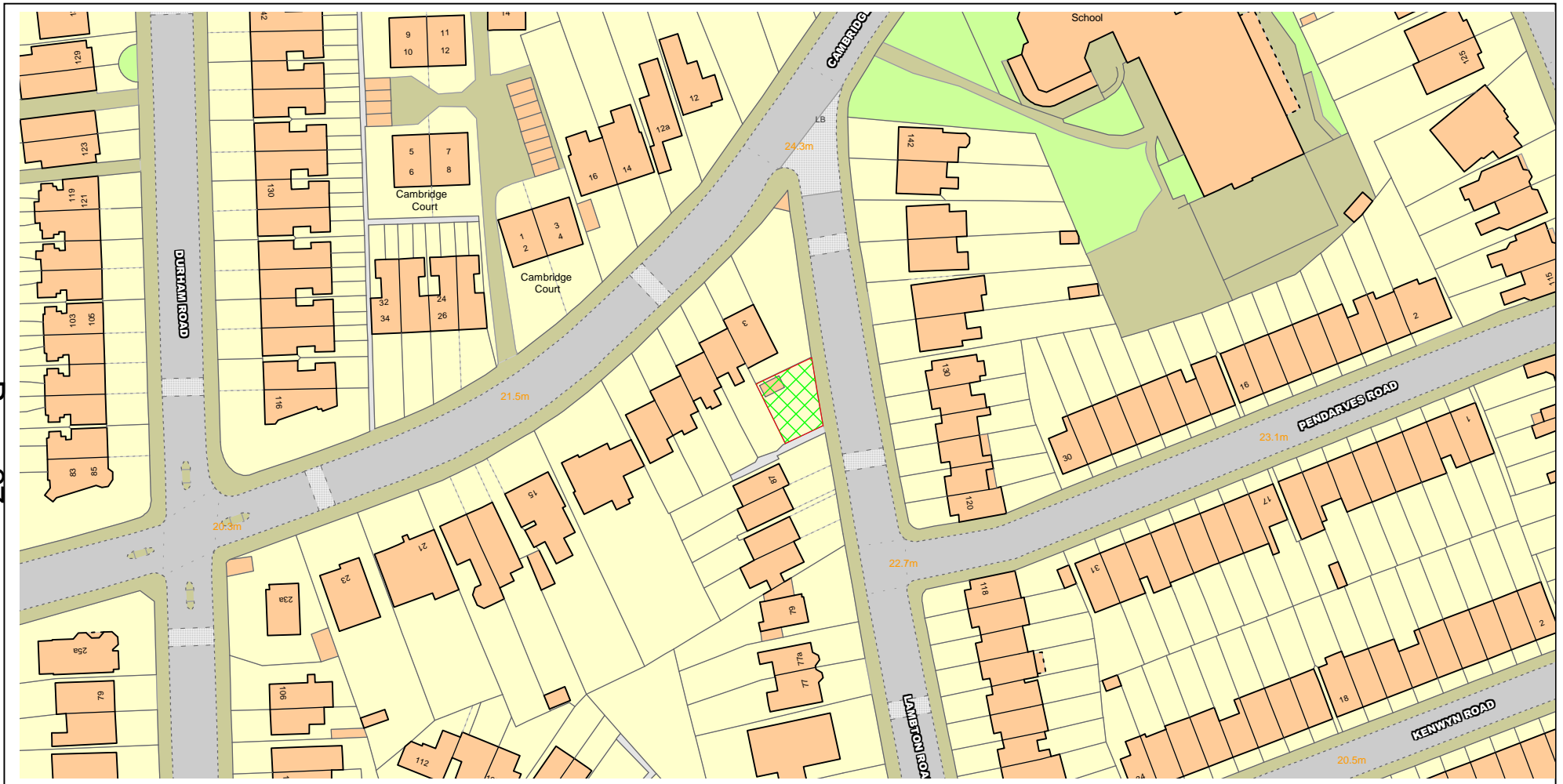
14 C8 No use of flat roof. Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area. Reason To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Polices Plan 2014.

15 No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority demonstrating that the development has achieved not less than the CO2 reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and internal water usage (WAT1) (105 litres/p/day) standards equivalent to Code for Sustainable Homes level 4. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies 5.2 of the Adopted London Plan 2015 and CS 15 of the Merton Core Planning Strategy 2011.

NPPF informative.

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# NORTHGATE SE GIS Print Template



## Land Adjacent to 5 Cambridge Road

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**General Notes**

This drawing is for planning purposes only. All drawings must be checked on site and refer to Ordnance Survey. All dimensions must be shown on site. All dimensions must be shown on site. This drawing must not be used for any other purpose without the written agreement of Greenaway Architecture Ltd. Estimation of Areas for Schedule of Areas.  
 Greenaway Architecture Ltd. has prepared this document in accordance with the provisions of the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1987. It is intended for use in connection with the submission of a planning application to the local planning authority. It is not to be construed as a contract or as a warranty and shall be subject to the terms and conditions set out in the Terms and Conditions of Appointment. Greenaway Architecture Ltd. reserves the right to amend this drawing without the written agreement of the client.

Electronic File Ref: Hidden House - D4  
 Revision Status Date

Revision	Status	Date
C1	Stage C Internal Issue	14.05.2015
C2	Stage C Internal Issue	15.05.2015
C3	Stage C Internal Issue	16.05.2015
C4	Stage C Internal Issue	27.05.2015
D1	Stage D PLANNING SUB	01.06.2015
D2	Stage D PLANNING SUB	02.06.2015
D3	Stage D PLANNING SUB	23.11.2015
D4	Stage D PLANNING SUB	20.01.2016
D5	Stage D PLANNING SUB	27.01.2016

Application Boundary  
 Extent of Site



Client: Bill Morrey

Project Title: Hidden House  
 Land Adj. to 5 Cambridge Rd  
 West Wimbledon  
 London SW20 0SQ

Drawing Title: Ground Floor Plan  
 EXISTING

Scale: @ A3 Site  
 1:100

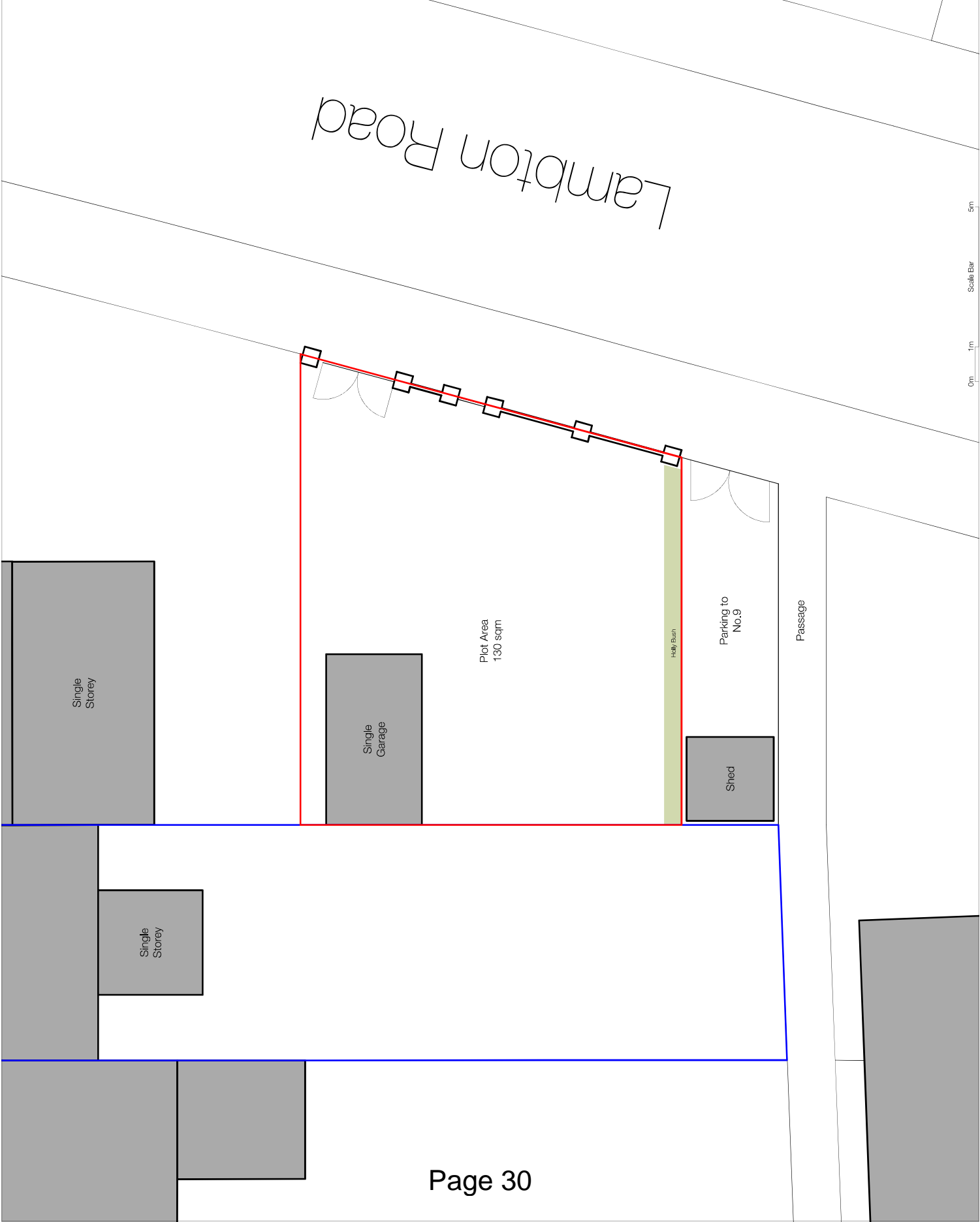
Drawing N°  
 010

Purpose of Issue  
 Information  Comment  
 Approval  Cost Check

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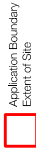


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Revision	Status	Hidden House - D4	Date
C1	Stage C Internal Issue		14.05.2015
C2	Stage C Internal Issue		15.05.2015
C3	Stage C Internal Issue		27.05.2015
C4	Stage C Internal Issue		27.05.2015
D1	Stage D PLANNING SUB		01.06.2015
D2	Stage D PLANNING SUB		01.06.2015
D3	Stage D PLANNING SUB		23.11.2015
D4	Stage D PLANNING SUB		20.01.2016
D5	Stage D PLANNING SUB		27.01.2016

Electronic File Ref: Hidden House - D4



Client: **Bill Morrey**

Project Title: **Hidden House Land Adj. to 5 Cambridge Rd West Wimbledon London SW20 0SQ**

Drawing Title: **Site Plan Proposed**

Scale @ A3 Site: **1:500**

Drawing N°: **050**

- Purpose of Issue
- Information
  - Approval
  - Comment
  - Cost Check



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Revision	Status	Hidden House - D4	Date
CI	Stage C Internal Issue		14.05.2015
C2	Stage C Internal Issue		15.05.2015
C3	Stage C Internal Issue		16.05.2015
C4	Stage C Internal Issue		17.05.2015
D1	Stage D PLANNING SUB		01.06.2015
D2	Stage D PLANNING SUB		02.06.2015
D3	Stage D PLANNING SUB		23.11.2015
D4	Stage D PLANNING SUB		20.01.2016
D5	Stage D PLANNING SUB		27.01.2016

- Application Boundary
- Extent of Site

Client: **Bill Morrey**

Project Title: **Hidden House  
Land Adj. to 5 Cambridge Rd  
West Wembleton  
London SW20 0SQ**

Drawing Title: **Roof Plan  
PROPOSED (Option A)**

Scale: @ A3 Size **1:100**

Drawing No: **T110**

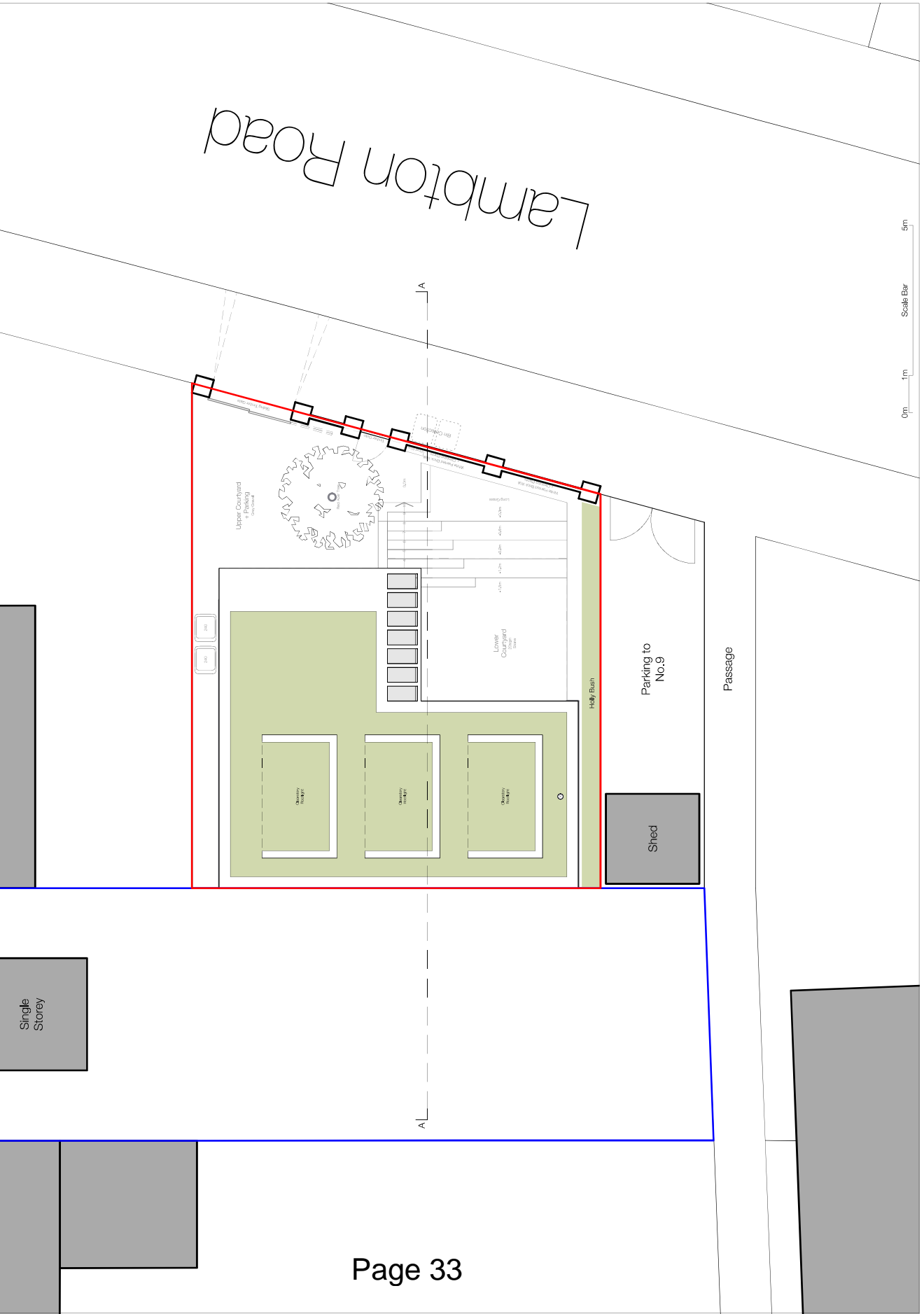
Purpose of Issue

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<input type="checkbox"/> Approval	<input type="checkbox"/> Cost Check

Electronic File Ref: **Hidden House - D4**

Revision Status: **Hidden House - D4**

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Revision	Status	Hidden House - D4	Date
C1	Stage C Internal Issue		14.05.2015
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C3	Stage C Internal Issue		27.05.2015
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D5	Stage D PLANNING SUB		27.01.2016

Electronic File Ref: Hidden House - D4

Revision Status: Hidden House - D4

Date: Hidden House - D4

Client: Bill Morrey

Project Title: Hidden House

Address: Land Adj. to 5 Cambridge Rd

Location: West Wimbledon

Postcode: London SW20 0SQ

Drawing Title: Street Elevation + Section

Project Status: PROPOSED

Scale: A3 Site

Scale: 1:100

Drawing: N°

Number: 200

Purpose of Issue

Information

Comment

Approval

Cost Check

Application Boundary

Extent of Site

Client: Bill Morrey  
 Project Title: Hidden House  
 Address: Land Adj. to 5 Cambridge Rd  
 Location: West Wimbledon  
 Postcode: London SW20 0SQ  
 Drawing Title: Street Elevation + Section  
 Project Status: PROPOSED

Scale: A3 Site  
 Scale: 1:100

Drawing: N°  
 Number: 200

Purpose of Issue  
 Information  
 Comment  
 Approval  
 Cost Check

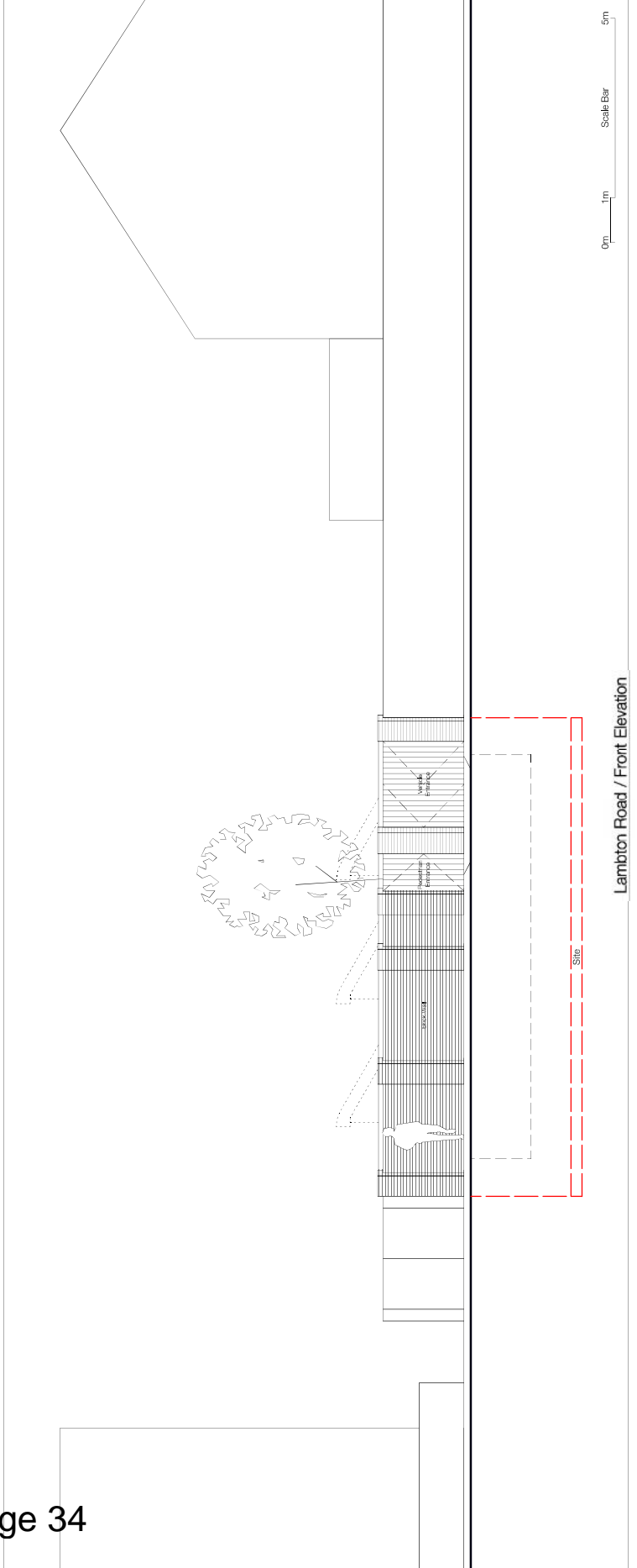
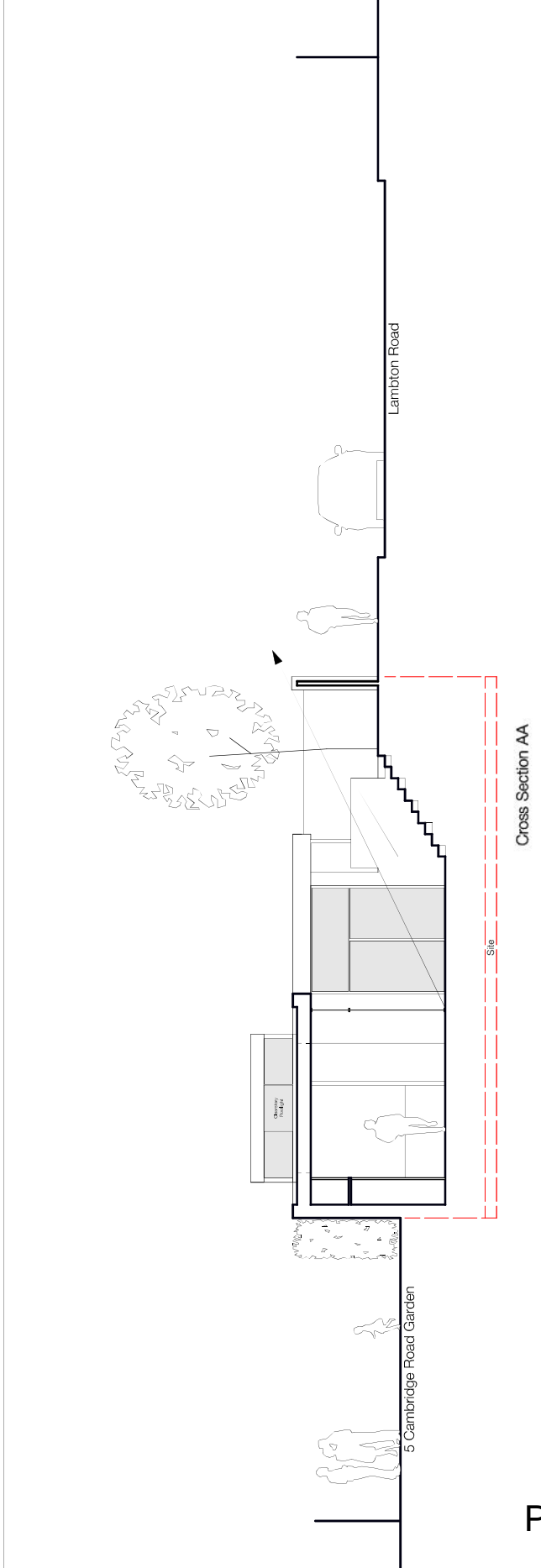
Application Boundary  
 Extent of Site

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**PLANNING APPLICATIONS COMMITTEE**  
11<sup>th</sup> February 2016

**ITEM**

**UPRN**

**APPLICATION NO.**

**DATE VALID**

14/P4287

21/11/14

**Address:** 258 Coombe Lane SW20.

**Ward:** Village Ward

**Proposal:** Demolition of existing bungalow and the erection of six houses (3 pair of semi-detached houses on basement, ground, first and second floors) with 6 parking spaces.

**Drawing No's:** A planning statement (AND Planning - May 2015);  
Design and Access Statement (Martin Evans Architects -May 2015);  
Transport statement ITR/4595/TS.4 (Bellamy Roberts - March 2015);  
Arboricultural impact assessment report (Landmark Trees - March 2015);  
Extended Phase 1 Habitat Survey (Syntegra - Feb 2015);  
Code for sustainable homes report (Syntegra - January 2015);  
Environmental Noise Assessment (Sharps Redmore - Feb 2015);  
Energy strategy report (Syntegra - March 2015);  
Dusk wildlife report (Syntegra - July 2015);  
Flood risk assessment (Ground and Water Ltd - August 2015);  
Draft specification for basement construction.  
COL-EX-GA01, 02, 03,  
COL-PL-GA-02, 03, 04, 05, 06, 07, SK-08  
COL-PL-SK-10, GA-11, 12, 15, 21, 27, 28,  
COL-PL-GA20, 24, 25

**Contact Officer:** Jonathan Lewis (020 8545 3287)

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**RECOMMENDATIONS:**

**Grant planning permission subject to a s106 agreement and planning conditions .**

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## **CHECKLIST INFORMATION.**

- S106:
  - Is an Environmental Statement required: No
  - Has an Environmental Impact Assessment been submitted: No
  - Is a Screening Opinion under the Environmental Impact Assessment Regulations required: No.
  - Has a Screening opinion been issued: N/A.
  - Press notice: No.
  - Site notice: No.
  - Design Review Panel consulted: No.
  - Number of neighbours consulted:
  - External consultations:
  - Conservation Area – No.
  - Public Transport Accessibility Level [PTAL]: Level 1b TFL Information Database [On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility].
- 

### **1. INTRODUCTION**

- 1.1 The application is reported to Committee on the basis of the scope of representations received.

### **2. SITE AND SURROUNDINGS:**

- 2.1 The site (0.263 Hectares) comprises a triangular shaped plot located to the rear of 260-282 Coombe Lane and is accessed via a 2.8m wide access road running along the south west edge of the site with vehicle access onto Coombe Lane alongside that for the bungalow at 260 Coombe Lane. The access to the application site and that of the adjoining bungalow combine to create a bell-mouth.
- 2.2 The site is occupied by a large detached dwelling with accommodation on two floors rising to a ridge height of 7m and 2.5m to its eaves, with a detached garage orientated north east to south west. The plot is divided into several areas of well-maintained gardens lawns, orchard and planted beds. There are a number of mature and semi-mature trees in the garden none of which are protected by a TPO including a mature Willow, which has been reduced to one single trunk following removal of secondary trunks, located towards the boundary with houses on Coombe Lane, tall leylandii hedges that partition parts of the garden towards the north west corner and fir trees towards the northern boundary.
- 2.3 The immediate area to the south comprises detached and semi-detached houses fronting onto Coombe Lane that are single storey (260), two and three storeys high.
- 2.4 To the north east and north-west of the site is a large area of allotments with housing beyond. The land on which the allotments are



located is designated as Metropolitan Open Land and forms the southern part of the Copse Hill Conservation Area. The adjoining open land is also designated as a green corridor in Merton's Sites and Policies Plan.

- 2.5 The application site has a Public Transport Accessibility Level of 1b which indicates that the site has limited access to public transport services. Cambridge Road is a Controlled Car Parking Zone but with limited restrictions to permit holders only between 11.00 and noon Mondays to Fridays.

### **3. CURRENT PROPOSALS**

- 3.1 The proposals involve the demolition of the existing dwelling and the erection of three pairs of semi-detached dwellings with accommodation on 4 levels including a basement. The houses would each have 5 bedrooms. The proposal would have 54 habitable rooms over 0.263 ha equating to 204 hr/ha.
- 3.2 The dwellings, laid out in a gentle arc and arranged as three pairs of semis, would rise to 8.4m above surrounding ground level (the ridge of the existing dwelling is 7m high), with a basement sunk 2.7m into the ground. The layout presents the flank wall of the nearest proposed house towards the boundary with the back gardens of 278 to 282 Coombe Lane. The flank wall would be 3m from the southern boundary of the site, 23m from the nearest part of 278 Coombe Lane, 18m from a rear addition to 280 Coombe Lane and 24m from a back addition to 282 Coombe Lane.
- 3.3 The access road would be approximately 4.5m wide for the first 20m, narrowing to 3.5m for the length of the indicative refuse enclosure. The remainder would be approximately 4.1m. Resurfacing of the access road is proposed in brick paving. A continuous double boarded fence of 1.65m height is proposed along the side of the access road boundary with the side and rear garden of 260 Coombe Lane. The access road is shown to be gated with bin stores located on the Coombe Lane side of the gates with the furthest of the bin stores 17m from the back edge of footway.
- 3.4 6 parking spaces are shown, one for each dwelling. Secure cycle parking for two bicycles is shown for each house.
- 3.5 Units have been designed to meet London Housing Design Guide and Lifetime Homes standards and Code for Sustainable Homes Level 4. 20% of anticipated energy supply would come from renewable sources via PV panels to be fitted to the roofs.
- 3.6 The main two storey part of the houses are to be built of London Stock brick and the setback top floors will of a grey coloured cladding. The

cladding to the cantilevered bays to the front of the houses will be mid-grey stained timber.

- 3.7 The application is accompanied by a number of supporting statements including:
- A planning statement (May 2015);
  - Design and Access Statement (May 2015) ;
  - Transport statement (March 2015);
  - Arboricultural impact assessment report (March 2015);
  - Extended Phase 1 Habitat Survey (Feb 2015);
  - Code for sustainable homes report (January 2015);
  - Environmental Noise Assessment (Feb 2015);
  - Energy strategy report (March 2015);
  - Dusk wildlife report (July 2015);
  - Flood risk assessment (August 2015);
  - Draft specification for basement construction.
- 3.8 The applicant has also submitted a commercially sensitive and confidential viability appraisal which has been the subject of independent review.
- 3.9 The appealed scheme was also for 6 houses two of which had integral garages and then a separate block for 4 cars. The main differences are that the design is contemporary as opposed to the previous more traditional design; there are no integrated or stand-alone garages and no basements.

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

- 4.1 1998. 97/P0806 - Demolition of existing bungalow and the erection of a terrace of 6 houses. Planning permission refused on the following grounds:

**The proposed development would constitute overdevelopment of this backland site through excessive number of residential units, resulting in excessive site coverage and an over intensive use of existing vehicular access, detrimental to the amenities of neighbouring residential occupiers through loss of privacy and noise disturbance, contrary to Policy EB18 and H12 of the Adopted Unitary Development Plan (April 1996).**

**The siting, bulk and massing of the development would fail to preserve or enhance the open character of the adjoining Conservation Area, and Metropolitan open Land, contrary to Policies EN1 and EB2 of the Adopted Unitary Development Plan (April 1996).**

**The proposed development would have a substandard access arrangement at the junction of Coombe Lane and Cambridge**

**Road and would therefore be prejudicial to highway safety and the free flow of traffic, contrary to Policy M12 of the Adopted Unitary Development Plan (April 1996).**

Appeal dismissed with the Planning Inspector basing his conclusions on outstanding concerns of highway safety and noise but not impact on character and appearance of surrounding area (copy of decision letter appended to Committee report).

**5. CONSULTATION**

5.1 The planning application was publicised by site and press notices and individual letters to 14 addresses.

5.2 In response to this public consultation, 3 replies have been received making the following comments:

5.3 Overdevelopment of site. New houses would appear cramped and shoe horned onto plot. Design at odds with other houses nearby. Higher density would together with layout and site coverage would make scheme appear incongruous. Would erode spacious open character of the area. Would introduce an urban form into an area that is currently green and verdant altering and eroding views from neighbouring properties. Outlook would be harmed. Loss of privacy and light. Additional traffic likely to cause highway problems. Narrow access road, harmful to highway safety. Virtually identical scheme was refused in 1998. Trivial changes - no reason to depart from Planning Inspector's conclusions. Excavation of basements and construction of houses will be a source of serious disturbance for the area for a long time. Scheme should be rejected. Will adversely affect value of neighbouring property.

5.4 Residents Association of West Wimbledon

Objections on grounds that: the proposals would have a significant impact on the openness and visual amenity of the MOL. Noise, vibration and disturbance from access road on 260 Coombe Lane, proposed windows in flank wall would overlook existing house in Coombe Lane, loss of light and amenity to gardens of houses in Coombe Lane. Concerns regarding ease of access for emergency vehicles and the provision of an escape route from the site, lack of clarity as to standard of access road, pedestrian safety and lighting, inconvenient location of refuse storage, no hydrology study in an area where flooding occurs. Overall development is not considered safe or sustainable.

5.5 The Wimbledon Society. Narrow access road would need to provide dual access for vehicles, cyclists and pedestrians. No separate provision appears to have been made for pedestrians or lighting of the access route. Emergency vehicles entering the site would impede escape and large delivery vans would equally create problem of movement within the site. Lack of adequate space for such movement

highlighted by provision of communal collection point for recycling at corner access point. Unlikely that residents would walk to collection point. Design conflicts with policy DM.D2 a(iii) which seeks to provide layouts that are safe and secure. Proposed houses would conflict with the scale of local development and would overshadow neighbouring gardens in conflict with policies DM.D2. There is an informal building line to the rear of the Coombe Lane Houses. There are uninterrupted views across the open spaces of the allotments and Oberon Playing Fields. Proposals would insert a higher more massive development closer to and overlooking the MOL and would have a negative impact on the openness and views across the MOL contrary to policy DM.O1 e. The site is close to an area which is subject to flooding and the flood plain. Proposals introducing basements would increase flood risk for the surrounding area. Risks have not been addressed. Application is not accompanied by high grade waterproofing to ensure that basements would be suitable as permanently habitable areas and a hydrology report contrary to policy DM.F1 (iii) and DM.D2 c. Development would be unsustainable and should not be approved.

5.5 Cllr Bush. Proposals too close to 276 Coombe Lane. Development would only be 5m from the end of the garden of 276 (currently a gap of approximately 30m). Proposed noise from 6 houses will have a detrimental impact on lifestyle of 276.

5.6 Merton Highways. Concerns raised from perspective of safety and access regarding applicant's analysis of vehicles movements entering the site and space to manoeuvre within the site. Adequate sight lines will need to be provided and further details of boundary treatment towards junction with Coombe Lane are required. Visibility of pedestrians must be assessed and considered. More generally boundary treatment should not compromise available space for access and servicing. Length and dimensions of access road not favoured for access by refuse vehicles. Applicant will need to check with utility companies the ability to lower large utility boxes on pavement adjoining Coombe Lane. The crossover can only be constructed once utilities agree.

5.7 Merton Environmental Health. The report by Sharps Redmore Acoustic Consultants Ltd along with the submitted documents with the planning application, together with further clarification of the predicted noise levels in the report by Sharps Redmore, enables officers to conclude that the additional number of vehicle movements associated with the proposed number of residential properties would not affect the long term day or night time noise levels.

The vehicle movements may give a short term increase in noise at the time of a vehicle movement, but given the relatively low number predicted this would unlikely have an impact on the amenity with the proposed boundary fence screen in place as proposed.

Officers have no grounds to object to the application but would recommend that conditions are incorporated into the decision to ensure the boundary fence as proposed in the Sharps Redmore Report No 1515092 dated 5th February 2015 is implemented prior to first occupation and retained thereafter; external lighting is positioned and angled to prevent any light spillage or glare beyond the site boundary; precautionary measure in the event that contamination is found at any time when carrying out the approved development and where remediation is necessary a remediation scheme to be prepared for approval by the Local Planning Authority, a Construction Method Statement to be submitted to, and approved in writing by, the local planning authority.

#### 5.7 Merton Flood Risk Engineer.

The basement construction (cross section) has been revised to include passive drainage measures, including a permeable 'gravel blanket' with pipe on the external wall of the basement and includes permeable paving which will help minimise the risk of the scheme resulting in a rise in groundwater levels offsite. No Basement Impact Assessment based on intrusive site investigation such as boreholes or trial pits have been undertaken to determine groundwater levels, however, the hydrology report is based on desktop information and other existing borehole records for the wider area. Groundwater levels will be likely to be higher than anticipated within the reports and ground investigation should be carried, especially due to presence of the watercourse.

The FRA does acknowledge the presence of the ordinary watercourse (the allotment ditch) which runs along the site boundary in a north/south flow direction and discharges into the Beverley Brook. This watercourse takes substantial flow for the size of the ditch and has caused historic flooding within the wider area, mostly due to blockages from debris. It is advised that this is considered further and flood risk reduction measures taken into account such as including a raised threshold of any water ingress points or apertures into the dwellings or through raised floor levels. This has not been addressed in detail in the FRA. Any works to culvert section of the ditch or which may alter flows, will require Merton's prior written consent under the Land Drainage Act 1991 and Flood and Water Management Act 2010.

No drainage layout plan or SuDS detail has been provided which shows the final levels, runoff rate, volume of attenuation or discharge location of the surface water drainage system. The applicant notes in correspondence that there is an increase in permeable surfacing due to the scheme which will provide some betterment in runoff rates and the final design will include the following SuDS features: Green roofs, soft landscaping/Shrubs, Rainwater butts, tree retention and permeable paving.

Conditions recommended to address the above including a detailed SUDS scheme for the development, measures to address ingress of water and for the development to be carried out in accordance with the recommendations of the Flood Risk Assessment.

- 5.9 Environment Agency. Proposals have a low environmental risk and the EA has no comments to make other than the applicant may need to apply for other consents from the EA. Informative recommended.

## **6. POLICY CONTEXT**

### National Planning Policy Framework [March 2012]

- 6.1 The National Planning Policy Framework was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. 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’.
- 6.2 The document reiterates the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, not to hinder or prevent development.
- 6.3 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively – looking 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.
- 6.4 Paragraph 17 of the NPPF sets out a number of ‘Core Planning Principles’. These include:
- Not being simply about scrutiny, but be a creative exercise in finding ways to enhance and improve the place in which people live their lives;
  - To proactively drive and support sustainable economic development to deliver homes and businesses;
  - Always seek to secure high quality design;
  - Encourage effective use of land by reusing land that has been previously development (brownfield land) where it is not of high environmental value;
  - Promote mixed use developments, and encourage multiple benefits from the use of land in urban areas; and
  - To take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient

community and cultural facilities and services to meet local needs.

- 6.5 The National Planning Policy Framework [NPPF] urges local authorities to significantly boost the supply of housing. Local authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed need for market and affordable housing in the housing market area, as far as is consistent with other policies set out in the NPPF. This process should include identifying key sites that are critical to the delivery of the housing strategy over the plan period.
- 6.6 The National Planning Policy Framework states that local authorities should identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land.

London Plan (2015)

- 6.7 The relevant policies are:  
Policy 3.1 (Ensuring equal life chances for all), Policy 3.3 (Increasing housing supply), Policy 3.4 (Optimising housing potential) Policy 3.5 (Quality and design of housing developments), Policy 3.8 (Housing choice), Policies 3.10 and 3.11 (Affordable housing and affordable housing targets), Policy 3.12 (Negotiating affordable housing), Policy 3.13 (Affordable housing thresholds), Policy 5.1 Climate Mitigation, Policy 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]; 5.7 [Renewable energy]; 5.11 [Urban greening]; 5.12 [Flood risk management]; 5.13 [Sustainable drainage]; 6.3 [Assessing effects of development on transport capacity]; 6.9 [Cycling]; 6.10 [Walking]; 6.11 [Smoothing traffic flow and tackling congestion]; 6.12 [Road network capacity]; 6.13 [Parking]; 7.2 [An inclusive environment]; 7.3 [Designing out crime]; 7.4 [Local character]; 7.5 [Public realm]; 7.6 [Architecture]; 7.14 [Improving air quality]; 7.15 [Reducing noise and enhancing soundscapes], 7.19 (Biodiversity and access to nature) and 8.2 [Planning obligations].
- 6.8 Mayor of London Supplementary Planning Guidance.  
The following supplementary planning guidance is considered relevant to the proposals: Supplementary Planning Guidance on Housing (2012).
- Merton LDF Core Planning Strategy [2011]
- 6.9 The relevant policies within the Council's Adopted Core Strategy [July 2011] are CS.8 (Housing), CS.13 (Open Space) CS.14 [Design]; CS.15 [Climate change]; CS.16 Flood Risk Management, CS.18 [Active transport]; CS.19 [Public transport]; and CS.20 [Parking; servicing and delivery].

Merton Sites and Policies Plan (2014).

- 6.10 The relevant policies are follows: DM H2 – Housing mix; DM H3 – Support for affordable housing, DM.O2 Nature Conservation, DM D1 – Design and public realm; DM D2 –Design consideration; DM.EP4 Pollutants, DM F1 – Flooding; DM F2 – Drainage; DM T1 – Sustainable transport; DM T3 – Car parking and servicing, DM.T4 Transport infrastructure, DM.T5 Access to the Road network.
- 6.11 Merton Supplementary Planning Guidance.  
The key supplementary planning guidance relevant to the proposals includes: New Residential Development [1999]; Design [2004] and Planning Obligations [2006].

**7. PLANNING CONSIDERATIONS**

- 7.1 The main planning considerations include assessing the following:
- Principle of development including development of garden land;
  - Effect of proposals on character and appearance of the surrounding area;
  - Highways safety and access arrangements;
  - Nature conservation;
  - Impact on neighbour amenity including outlook, privacy and noise.
  - Standard of accommodation;
  - Sustainable design and construction and energy;
  - Technical issues including flooding, air quality, and contamination.
  - S106 issues including affordable housing and permit controls.

Principle of development including development of garden land

- 7.2 The National Planning Policy Framework [March 2012] requires the Council to identify a supply of specific ‘deliverable’ sites sufficient to provide five years’ worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.3 Policy 3.3 of the London [March 2015] sets new minimum targets for housing delivery which in the case of Merton rises from 320 additional homes annually to 411 for the period 2015 to 2025. The adopted Core Strategy states that the Council will encourage residential accommodation in ‘sustainable brownfield locations’.
- 7.4 On the basis that the site is previously developed housing land, redevelopment of the site more intensively for further housing would appear appropriate and would fulfil NPPF, metropolitan and local housing objectives.



- 7.5 However, a considerable proportion of the site is garden land and while the proposals entail the demolition of the existing dwelling rather than simply erecting a new dwelling on part of the garden it may be appropriate to consider the broader policy context under policy CS 13 within the Core Strategy. The policy states that proposals for new dwellings in back gardens must be justified against the;
- Local context and character of the site
  - Biodiversity value of the site
  - Value in terms of green corridors and green islands
  - Flood risk and climate change impacts.
- These matters are addressed below as part of the overall assessment of the proposals.
- 7.6 Policy CS. 8 within the Council's Adopted Core Strategy [July 2011] states that the Council will seek the provision of a mix of housing types sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units. A scheme comprising more smaller units with the associated additional vehicle movements rather than all large family sized units is not an option that officers have pursued with the applicant in this particular instance (limited access and servicing arrangements are considered below) and a scheme providing all family housing is considered appropriate.

Effect of proposals on character and appearance of the surrounding area. Density.

- 7.7 While density on its own is not an entirely reliable guide to determining whether a development is appropriate for a particular site the London Plan's Sustainable residential quality density matrix sets out indicative density ranges for the effective development of sites dependent upon setting (suburban, urban and central) and public transport accessibility.
- 7.8 The London Plan policy 3.4 identifies appropriate densities. The London Plan suggests for schemes delivering family housing in suburban locations a density of up to 200 hrph may be appropriate. The proposal equates to 204 hr/ha and, given that density is only one factor in the overall assessment of the appropriateness of a development, and being only marginally above the recommended maximum, is considered acceptable.

Design, including scale and massing, impact on MOL and neighbouring conservation area.

- 7.9 London Plan policy 7.4 requires, amongst other matters, that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including the following: that buildings should be of the highest architectural quality,

be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm.

- 7.10 Policy CS14 of the adopted Core Strategy states that all development needs to be designed to respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. This will be achieved in various ways including by promoting high quality design and providing functional spaces and buildings. CS.14(a) seeks to conserve and enhance Merton's heritage assets including conservation areas
- 7.11 London Plan policy 7.17 seeks to protect MOL from development having an adverse effect on its openness.
- 7.12 The new dwellings would form a backdrop to the allotments that are both MOL and part of the Conservation Area. Trees, while not all those currently on the site, and some hedging would remain. As with the appealed scheme the profile of buildings seen above and through the vegetation would be different than is currently the case. However, the applicant's plans outline the building mass of the appealed scheme the height of which would be greater than the current proposals. As with the appealed scheme the height of the new dwellings would be similar and in instances lower than the height of the existing houses in Coombe Lane that currently form the backdrop to the MOL and conservation area. The current scheme is about 1.1m lower than the appealed scheme. It is considered that the arced layout of the dwellings may lessen the visual impact of the proposals from many viewpoints in a similar way to that achieved by the cranked layout of the appealed scheme.
- 7.13 The more detailed design combines traditional materials (London stock bricks and timber front doors) with more innovative finishes such as light grey timber cladding and modern anodised aluminium windows. This, coupled with the stepped profile of the dwellings with the top floor inset and the cantilevered first and second floors adds interest and quality to their design while breaking down what might otherwise have been a somewhat bulky appearance.
- 7.14 The NPPF states that design policies should avoid unnecessary prescription or detail and should concentrate on guiding overall scale density massing layout materials and access in relation to neighbouring buildings. It is considered that the proposals would not have a harmful impact on the openness of the MOL or the backdrop to the conservation area and that the modern approach to design is appropriate in this instance.

Design – safety and security.

- 7.15 London Plan policy 7.3 aims to ensure that measures to design out crime are integral to development proposals and are considered early in the design process, taking into account the principles contained in

Government guidance on 'Safer Places' and other guidance such as Secured by Design' published by the Police. Development should reduce the opportunities for criminal and anti-social behaviour and contribute to a sense of security without being overbearing or intimidating. Places and buildings should incorporate well-designed security features as appropriate to their location.

- 7.16 While full details of the gated entrance to the site and boundary fencing have not been provided the security of the site could be effectively established by condition and without compromising the security of existing dwellings on Coombe Lane. While light spillage and glare are to be avoided the safety and security of future occupants can also be enhanced by requiring full details of lighting to the access route and within the site.

Access and highway safety including car/cycle parking and servicing.  
Car parking.

- 7.17 Policy CS20 of the Core Strategy [July 2011] states car parking should be provided in accordance with current parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety.
- 7.18 Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling, walking and public transport use.
- 7.19 The current maximum car parking standards are set out within the London Plan at table 6.2. In areas of poor transport accessibility on-site parking for larger dwellings is up to 1.5 spaces per dwelling in urban areas and up to 2 in suburban areas. The immediate area is characterised by 1, 2 and 3 storey dwellings and may reasonably be considered suburban in character. Nevertheless, parking standards are to be applied as a maximum and given that each house would benefit from its own parking space no objection is raised to the proposed level of parking.

Impact on traffic, servicing and access.

- 7.20 Policy CS.20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway. The policy also requires developers to incorporate safe access to and from the public highway. Sites and Policies Plan Policy DM T2 'Transport impacts of development' seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment. Planning permission will therefore be granted for development proposals that do not adversely impact on the road or public transport networks. In support of the application the applicant has submitted a detailed transport statement.

- 7.21 In 1997 planning permission was refused for 6 houses. One of the reasons for refusal was:  
The proposed development would have a substandard access arrangement at the junction of Coombe Lane and Cambridge Road and would therefore be prejudicial to highway safety and the free flow of traffic, contrary to Policy M12 of the Adopted Unitary Development Plan (April 1996).
- 7.22 The appeal decision letter does not raise a concern regarding the access on matters of width and length. The Planning Inspector states: "The existing access would be widened for much of its length to 4.1m". This is the width currently proposed for that part of the access beyond the proposed access gate. The Inspector went on to say that "This width allows for cars to pass each other with care and is considered suitable for up to 20 houses. Vision along the access is good and to my mind this in itself would preclude any significant occurrence of wider vehicles having to reverse back onto the public highway at the junction of Coombe Lane and Cambridge Road to let other vehicles emerge". The design of the access in these respects remains essentially the same and on the basis of the width and orientation of the access it would appear unreasonable to withhold permission. The internal layout allows for typical deliveries to be undertaken such as internet food shopping. For the time being the route is made to look narrower by reason of overgrown hedges but this can be readily addressed and planning conditions can be used to regulate the heights of any new fences or gates so as to improve vision splays towards the site entrance. The recommended vision splays for a development such as this is 2.4m x 43m and such visibility can be achieved.
- 7.23 The Inspector went on to state "In addition the size of the combined bell mouth with the access to the bungalow No 260 should mean that if reversing is necessary it can be done without intrusion into the carriageway. Arrangements remain essentially the same and the applicant has undertaken swept path track analyses and this demonstrates that in the event of two vehicles meeting each other at the bellmouth, manoeuvring can be undertaken safely without vehicles to back onto Coombe Lane.
- 7.24 The Inspector did however have concerns that much of the success of the access relied on the works taking in third party land, namely a triangle of land towards the south eastern corner of the frontage to 260 Coombe Lane. At the time there seemed to be no prospect of agreement with the owner of 260 Coombe Lane. Thus, while certain highways and access issues appeared to be to the Inspector's satisfaction, one of the reasons the appeal failed was because of this; the Inspector taking the view that it would be inappropriate to attach a Grampian style condition if there was little or no prospect of the issue being resolved.

- 7.25 In 2015 a deed of easement, was drawn up to enable the third party land to be included in the remodelled access to the site. There is now a reasonable prospect that conditions could be added that previously the Planning Inspector was unwilling to entertain to secure a properly remodelled access.
- 7.26 At the head of the cul-de-sac there would be a fan shaped turning area. The applicant has provided tracking plots for the manoeuvring of larger service vehicles. The extremities of manoeuvring vehicles would appear to stray beyond the hard surfaced area but would remain within site boundaries. Notwithstanding what is shown on the plans it would be appropriate to require further details for the hard surfaced area to ensure that the layout functions effectively.
- 7.27 Refuse and recycling. The applicant has positioned these onto the Coombe Lane side of a security gate with the furthest bin store being 17m, from back edge of pavement, being within adopted carrying distances. While it may be considered that this arrangement is less than ideal the arrangement is no different than that which currently arises.
- 7.28 Servicing by the emergency services may require the installation of a hydrant at a suitable point along the access road and such details may reasonably be dealt with as part of the submission of full details of the access road and other hard surfaced areas.
- 7.29 The developer would need to ensure that any utilities are happy for the works to be carried over the plant and equipment across the frontage to the site as part of the remodelling of the access. While costs for such works can present challenges for developers it would be unreasonable to withhold permission until such consents were forthcoming and an informative highlighting that the costs will be down to them is considered appropriate.
- 7.30 While there have been changes to planning policies since the time of the appeal the fundamental findings of the Inspector hold true for the scheme currently proposed. While the decision is some 18 years old adopted policy still requires a scheme to be able to demonstrate adequate servicing which the design of the latest scheme does.
- Cycling and walking.
- 7.31 Policy CS 18 of the adopted Core Strategy [July 2011] states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and encouraging design that provides, attractive, safe, covered cycle storage.
- 7.32 London Plan standards for cycle parking are 2 per three bedroom dwelling. The level of provision and location are considered

satisfactory. A planning condition is recommended to ensure that cycle parking is provided before first occupation of each dwelling.

Nature Conservation, biodiversity and trees.

- 7.33 Adopted policy CS.13 recognizes the potential importance of garden sites in terms of their contribution to biodiversity and green corridors. At the time of the appeal the Inspector concluded that although there would be some changes to wildlife habitats including potential foraging areas for badgers they would not be such as to harm nature conservation interests.
- 7.34 In support of the current application the applicant has submitted a habitat survey, bat survey report and a supplementary dusk survey report.
- 7.35 The report identifies 4 statutory designated sites for wildlife, including Wimbledon Common and Cannon Hill Common, within 2km of the proposed development, however given the small scale nature of the proposals and the intervening habitats the proposals would not impact on the nature conservation status of these sites. There are no protected habitats on the site. Plants recorded on the site are common and widespread and there are no rare or threatened species. No active or disused bird nests were observed and there was no evidence that badgers had excavated setts or that there was evidence of foraging. Further analysis for invertebrates, newts and reptiles lead to conclusions that while there was limited habitats for common and widespread species the relatively small scale of the development and low quality habitats would not be likely to give rise to impacts on notable species or significant populations of widespread species. The follow up bat survey undertaken in summer 2015 identified small numbers of traversing and foraging bats on the site boundaries.
- 7.36 Officers consider that the methodology and findings of the habitat survey and bat survey are generally acceptable.
- 7.37 The reports make recommendations for demolition works to go ahead with precautionary measures in place to safeguard bats. The new development can make provision for roosting features and sensitive landscape design including a wildlife friendly planting scheme. At any stage of the demolition works, should any evidence of bats be found, then the applicant's report recommends that works must stop and the ecologist called to determine mitigation measures.
- 7.38 Officers recommend that site clearance and associated habitat safeguarding and tree protection measures, as recommended in the reports, are integrated into appropriate conditions and their reasons.
- 7.39 The site plan shows that a number of trees are proposed for removal including 11/12 individual trees and two blocks of cypress hedging. No

objection raised by the Planning Section's Tree officer. A Willow tree classified as a category A tree is retained however the site plans shows a considerable amount of construction likely to take place within its root protection area. The tree contributes to the green and attractive southern edge of the site and a condition requiring further information as to how this tree, along with others to be retained, are to be adequately safeguarded during construction is recommended along with requirements for there to be adequate site supervision to ensure protection during the course of construction. Some general indication of landscaping is provided. The plans however do not appear to include new trees or soft landscaping and it is essential that these details are secured by condition and that the quality of the scheme is suitably enhanced.

Impact on neighbour amenity including outlook, privacy and noise.

- 7.40 Policy DM.D2 states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, and privacy to adjoining gardens.

Loss of daylight sunlight and visual intrusion.

- 7.41 The flank wall of the nearest house to those on Coombe Lane proposals would be between 18m and 24m from the backs of nearby houses on Coombe Lane. The flank wall of the nearest proposed house would be set 3m from the boundary allowing for hedging to remain uninterrupted. On the basis of this level of separation while it is acknowledged that the outlook from neighbouring houses, and in particular 278 to 282 Coombe Lane, would change, as a matter of judgement it is considered that the proposals would not appear unduly intrusive.
- 7.42 Given the distance between the existing and proposed houses and allowing for the height of the new dwellings the proposals would comfortably satisfy BRE guidance to ensure that existing dwellings retain the potential for good interior daylighting and would not give rise to a loss of natural light.
- 7.43 The dwellings are designed with flat roofed terrace areas at second floor level and screening and in particular the terrace nearest to the back gardens of the houses in Coombe Lane is recommended so as to avoid overlooking/mutual overlooking and loss of privacy.
- Noise.
- 7.44 At the time of the last appeal the Inspector identified a key concern as that of the impact of noise and disturbance arising from a more intensive development (6 dwellings) on the amenities of 260 Coombe Lane. The inspector noted that "the development of six dwellings in place of one would result in a substantial increase in vehicle movements and associated noise and disturbance close to the relatively quiet and secluded east elevation of 260". The inspector did

not consider that “the limited degree of sound protection that might be afforded by any form of boundary treatment would in any way compensate for the increased noise and disturbance that would be suffered by occupiers of 260” and that “although privacy could be preserved the increase noise and disturbance from passing vehicles would harm the living conditions of the adjoining occupier”. There is little to suggest that the findings flowed from a quantitative analysis of the existing and likely noise environments.

- 7.45 Noise and the need to avoid it having a harmful impact on noise sensitive development including housing remains relevant to the proposals with the NPPF (paragraph 123) London Plan policy 7.15 and Sites and Policies Plan policy DM.D2 and DM.EP2 providing the policy framework.
- 7.46 In order to address the issue of noise, the applicant has commissioned an environmental noise assessment and has undertaken a noise survey. The report factors in estimated vehicle movements to and from the proposed dwellings, noise levels generated by cars passing slowly along the access drive and the mitigating effects of a double boarded timber fence along the boundary with the rear garden of 260. The findings are such that with fencing in place the predicted levels of noise would be well below recognized guidelines in terms of noise nuisance. Levels are predicted to be sufficiently low that even with a doubling of the estimated vehicle movements the guidelines would still not be breached.
- 7.47 The report has been reviewed by the Council’s Environmental Health officers who are satisfied with the methodology and findings and supports the conclusion that on the basis of the available evidence refusal on grounds of noise could not be substantiated at appeal.

Other matters - Standard of accommodation.

- 7.48 Policy DM.D2 of the Merton Sites and Policies Plan (2014) states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy to adjoining gardens. Policies CS 8, CS9 and CS14 within the Council’s Adopted Core Strategy [2011] states that the Council will require proposals for new homes to be well designed.
- 7.49 Policy 3.5 of the London Plan (2015) states that housing developments should be of the highest quality internally and externally. The London Plan states that boroughs should ensure that new development reflects the minimum internal space standards as set out in table 3.3 of the London Plan. The standards are expressed in terms of gross internal area. The proposals would meet London Plan standards (table of floorspace appended to report)
- 7.50 Sites and Policies Plan policy DM D2 states that developments will be



expected to ensure appropriate provision of outdoor amenity space which accords with appropriate minimum standards and is compatible with the character of the surrounding area.

- 7.51 Each house would have a garden which comfortably exceeds 50 sq.m ranging from 104 sq.m to 310 sq.m. The plots for the houses are comparable in length to those on Coombe Lane and despite their tapering nature the overall the relationship of building to open space on each plot is not so dissimilar to existing dwellings on Coombe Lane that the development would appear incompatible with the character of the surrounding area.

Standard of accommodation - Air quality.

- 7.52 The NPFF recognises reducing pollution as being one of its core planning principles. It further indicates that LPA's should focus on whether the development is an acceptable use of land, and the impact of the use.
- 7.53 London Plan Policy 7.14 provides strategic guidance specific to air quality. It seeks to minimise exposure to existing poor air quality and make provision to address local problems. This is reflected by local policy, whereby the Core Strategy identifies the strategy to reduce air pollution through Policies CS18-20. The entire borough has been declared as an Air Quality Management Area.
- 7.54 Officers recommend that permission is made conditional on the development not commencing until a method statement outlining the method of site preparation, and measures to prevent nuisance from dust and noise to the surrounding occupiers, and a construction method statement has been submitted to and approved in writing to the Local Planning Authority for approval.

Drainage, flood risk and basements.

- 7.55 Merton's Sites and Policies Plan policies DM.F1 and DM.F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.
- 7.56 The application design comprises the following SUDS elements:
- Green (sedum) roofs
  - Soft landscaping
  - Shrubs
  - Lawned areas
  - Rainwater butts/recycling
  - Tree retention (including a Willow tree)
  - Permeable paving.
- The applicant has advised that if further surface water storage/attenuation is required then this may be sited beneath the large forecourt area. However, calculations by the applicant show that the

post development situation comprises no more surface water run-off areas than the pre-development situation and a greater proportion of permeable surfaces than is currently the case.

- 7.57 The Council's Flood Risk Engineer has identified a number of concerns regarding flood issues. However it is considered reasonable for the application to proceed towards a decision on the basis that conditions are attached to any permission including a detailed SUDS scheme for the development, measures to address ingress of water and for the development to be carried out in accordance with the recommendations of the Flood Risk Assessment.

Basement construction.

- 7.58 Adopted policy DM.D2 (b) provides a comprehensive set of criteria that basement development is expected to meet. The Council requires and assessment of basement scheme impacts on drainage, flooding from all sources, groundwater conditions and structural stability where appropriate. The Council will only permit developments that do not cause harm to the built and natural environment and local amenity and do not result in flooding or ground instability.
- 7.59 The development is not in an archaeological priority area or conservation area and would not harm heritage assets, not extend under the gardens of the proposed dwellings, satisfying DM.D2 (b)(ii) (iii) and (iv).
- 7.60 Full details of tree protection measures may be required by way of condition thereby ensuring that potentially harmful impacts on nearby trees can be reviewed and mitigated where necessary addressing DM.D2(b)(vi).
- 7.61 The development is on a backland site tucked away from the more public environment of Coombe Lane and the presence of basements would not have an impact on the visual amenities of the area satisfying DM.D2 (b)(viii)
- 7.62 The proposed basement construction detailed design has been prepared upon the basis of information including a ground and water hydrological/hydrogeological risk assessment, a ground & water flood risk assessment.
- 7.63 Council officers are happy with the construction method statement but recommend that a ground Investigation report with borehole results, and interpretation of the GI results and any recommendations for the foundations is submitted to the local planning authority for approval along with a detailed Construction Method Statement from the contractor undertaking these works with construction drawings. This should include the envisaged sequence of construction, temporary propping and the relationship between the permanent and temporary works.

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

### **Environmental Impact Assessment**

- 8.1 The application site is less than 1 hectare in area and therefore falls outside the scope of Schedule 2 development under the Town and Country Planning (Environmental Impact Assessment) Regulations 2011. A Screening Opinion is not required.

### **Sustainability**

- 8.2 Policy CS 15 of the adopted Core Strategy [2011] states that proposals will be required to demonstrate how resources have been used effectively. Proposals would also need to demonstrate how they make the fullest contribution to minimising carbon dioxide emissions. Proposals should meet the CO2 reduction targets in line with the London Plan. Policy 5.2 of the London Plan [2015] states that development proposals should make the fullest contribution to minimising carbon dioxide emissions.
- 8.3 The applicant's report commits to achieving CSH certification at level 4 and includes measures to install solar panels onto the roofs of the houses. Notwithstanding that the Code for Sustainable Homes has been abandoned by the Government this is nevertheless welcomed and is in line with Merton's Core Planning Strategy 2011 CS15(a) / London Plan policies 5.2(a), 5.3 and 5.6.

## **9. LOCAL FINANCIAL CONSIDERATIONS**

### **Mayor of London Community Infrastructure Levy**

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project.
- 9.2 The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL. It is likely that the development will be liable for the Mayoral Community Infrastructure Levy that is calculated on the basis of £35 per square metre of new floor space.

### **London Borough of Merton Community Infrastructure Levy**

- 9.3 After approval by the Council and independent examination by a Secretary of State appointed planning inspector, in addition to the Mayor of London Levy the Council's Community Infrastructure Levy commenced on the 1 April 2014. The liability for this levy arises upon grant of planning permission with the charge becoming payable when construction work commences.
- 9.4 The Merton Community Infrastructure Levy will allow the Council to raise, and pool, contributions from developers to help fund local

infrastructure that is necessary to support new development including transport, decentralised energy, healthcare, schools, and leisure and public open spaces. The provision of financial contributions towards affordable housing and site specific obligations will continue to be sought through planning obligations a separate S106 legal agreement.

- 9.5 The London Borough of Merton Community Infrastructure Levy applies to the housing elements. This levy is calculated on the basis of £220 per square metre of new floor space for residential floorspace with social housing relief available under Part 6 of the Regulations to the affordable housing element of the scheme.

### **Planning Obligations**

- 9.6 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development;
- fairly and reasonably related in scale and kind to the development.

- 9.7 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.

- 9.8 London Plan policy 3.12 requires that in making planning decisions a maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes. Decision makers are required to have regard to factors including current and future requirements for affordable housing at local and regional levels; and affordable housing targets adopted in line with policy.

- 9.9 The London Plan requires that negotiation on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for reappraising the viability of schemes prior to implementation and other scheme requirements.

- 9.10 Policy CS.8 of the Core Strategy requires development of 1-9 units to make an off-site financial contribution for provision of affordable housing in the borough. In this instance the applicant provided a viability assessment indicating that the site could not deliver an affordable housing contribution and remain viable. This has been independently reviewed and the applicant has been required to provide further information to assist the independent assessor with his analysis. The assessor has concluded that the scheme is unable to deliver an affordable housing contribution on the basis of the current information

but recommended that the Council includes a review mechanism so that scheme viability more generally can be revisited later in the development timetable to establish if the project is able to deliver an affordable housing contribution

- 9.11 In this instance the large family houses would have only one parking space each with the potential to generate some additional pressure for kerbside parking. The ability to park on Coombe Lane is limited and there are limited controls over on-street parking Monday to Friday between 11.00 and noon on Cambridge Road. Members may however judge it appropriate to make this a permit free development and this could also be secured via a S106 agreement.

## **10. CONCLUSION:**

- 10.1 It is considered that the proposals would meet planning principles set out in the NPPF, London Plan and Merton's Core Planning Strategy and Sites and Policies Plan. The development has the potential to make more effective use of existing housing land delivering increased housing without harm to the surrounding area or neighbour amenity.
- 10.2 Officers consider that the earlier concerns raised by the Planning Inspector to the appealed scheme from 1998 for 6 houses in respect of access and noise have been addressed by the applicant.
- 10.3 Access arrangements are adequate and notwithstanding the limited on-site parking, potential to generate some pressure on kerbside parking locally can be mitigated by making the scheme permit free. A suitably drafted review mechanism as part of a S106 could also provide an opportunity to secure an affordable housing contribution if viability improved.
- 10.4 The development would achieve a suitable level of sustainable design and construction.
- 10.5 Accordingly, planning permission may be granted subject to the planning conditions and planning obligations set out below.

**RECOMMENDATION: Grant planning permission subject to the completion of a S106 legal agreement and conditions.**

### **S106 legal agreement:**

1. To ensure that the houses would be "permit free".
2. To provide a review mechanism for determining whether an affordable housing contribution can be provided later in the development timetable;
3. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations [to be agreed].

4. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [to be agreed].

**And the following conditions:**

**Pre-commencement/construction stage/environmental impacts.**

1. Time period. the development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission. Reason for condition: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
2. Approved plans. The development hereby permitted shall be carried out in accordance with the following approved plans: (Schedule of drawings and documents on Page 1 of PAC report to be inserted) Reason for condition: For the avoidance of doubt and in the interests of proper planning.
3. Demolition dust and noise. Prior to the commencement of development [including demolition] measures shall be in place to prevent nuisance from dust and noise to surrounding occupiers with these measures in accordance with a method statement that has previously been submitted to and approved in writing to the Local Planning Authority with the approved measures retained until the completion of all site operations. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with Sites and Policies policy DM D2.
4. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:  
The parking of vehicles of site operatives and visitors; loading and Unloading of plant and materials;  
Storage of plant and materials used in constructing the development;  
The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;  
Wheel washing facilities;  
Measures to control the emission of dust and dirt during construction;  
A scheme for recycling/disposing of waste resulting from demolition and construction work.  
The Construction Method statement shall follow the recommended precautionary methods identified in the conclusions to the applicant's Extended Phase 1 Habitat survey report dated February 2015 and the subsequent Dusk Echolocation Survey July 2015.  
Reason. To safeguard neighbor amenity and wildlife in accordance with adopted planning policies.

5. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Reason; In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Polices Plan 2014.
  6. Hours of construction. No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays. Reason. To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2011 and policy DM EP2 of Merton's Sites and Polices Plan 2014.
  7. Bat Survey. Prior to the commencement of development, including demolition, the applicant shall submit to, and shall obtain the written approval of the LPA of appropriate mitigation measures including potential for artificial bat roosting sites/boxes. The approved works shall be implemented in full before first occupation of any part of the development, unless otherwise agreed in writing by the LPA. Reason. To ensure that bat species are protected and their habitat enhanced, in accordance with the Wildlife and Countryside Act 1981 as amended, the Conservation (Natural Habitats, &c.) Regulations 1994 and policy CS 13 within the Adopted Core Strategy [July 2011].
- Design details.**
8. Site levels. No development, other than demolition of existing buildings, shall take place until details of the proposed finished floor levels of the development, together with proposed site levels, have been submitted to and approved in writing by the Local Planning Authority, and no development shall be carried out except in strict accordance with the approved levels and details. Reason: To safeguard the visual amenities of the area, to mitigate against flood risk and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policies CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
  9. Site surface treatment, drainage and lighting. No development shall take place until full details of the surfacing, drainage and lighting of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas, and footpaths, have been

submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details. Reason: To ensure a satisfactory standard of development, in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

10. Access arrangements. No development other than demolition shall commence until full details, including any alterations to boundary treatment and crossovers, of the proposed vehicular access to serve the development have been submitted in writing for approval to the Local Planning Authority. No works that are subject of this condition shall be carried out until those details have been approved, and the development shall not be occupied until those details have been approved and completed in full. Reason. To ensure satisfactory access arrangements from Coombe Lane and in the interests of pedestrian and highway safety and to comply with
11. External materials. No development shall take place, other than demolition, until details and samples of the materials to be used on all external faces of the development hereby permitted, (notwithstanding any generic materials specified in the application form and/or the approved drawings and documents), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details. Reason for condition. To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2\_and D3 of Merton's Sites and Polices Plan 2014.
12. External Lighting. Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason for condition: In order to safeguard the amenities of the area and the occupiers of neighbouring properties, to safeguard potential wildlife habitats, including bat foraging areas and to ensure compliance with policy 7.19 of the London Plan (2015), policy DM D2 of Merton's Sites and Policies Plan 2014 and CS.13 and CS14 of the Merton Core Planning Strategy 2011.
13. Landscaping. Prior to first occupation of the proposed new dwellings landscaping shall be in place that is in accordance with a landscaping scheme that shall have been submitted to and approved in writing by the Local Planning Authority with the landscaping scheme to include on



a plan, full details of the size, species, spacing, quantities and location of plants, measures to increase biodiversity. The landscaping scheme shall adhere to the recommendations as set out in the conclusions to the applicant's Extended Phase 1 Habitat Survey and Daytime bat survey report dated February 2015. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy 7.19 of the London Plan (2015) policy CS13 of the Adopted Merton Core Planning Strategy 2011 and the London Plan Housing SPG (2012).

14. Tree protection. No development [including demolition] pursuant to this consent shall commence until an Arboricultural Method Statement and Tree Protection Plan, drafted in accordance with the recommendations and guidance set out in BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority and the approved details have been installed. The details and measures as approved shall be retained and maintained, until the completion of all site operations. Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy DM.O2 of Merton's Sites and Policies Plan 2014.
15. Tree protection and monitoring. The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than fortnightly the status of all tree works and tree protection measures throughout the course of the demolition and site works. The works shall be carried out strictly in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy DM.O2 of Merton's Sites and Policies Plan 2014.
16. Privacy. Windows in the flank wall of the house facing 278 to 282 Coombe Lane shall be glazed with obscured glass and designed to be fixed shut to a height of 1.7m above internal finished floor level. Reason. To safeguard the privacy of neighbouring occupiers and comply with policy DM.D2 of the Merton Sites and Policies Plan (2014).
17. Privacy – roof terraces. Details of screening between adjoining roof terraces and for the roof terraces of the dwelling facing 278 to 282 Coombe Lane shall be submitted to, approved in writing by the Local Planning authority and installed before the dwellings are occupied and thereafter retained. To safeguard the privacy of neighbouring occupiers and comply with policy DM.D2 of the Merton Sites and Policies Plan (2014).

18. Boundary treatment. No development shall take place until details of all boundary walls or fences, other than the boundary treatment proposed in the Sharps Redmore Report No 1515092 dated 5th February 2015, are submitted in writing 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 / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.
19. Acoustic fence. The boundary fence as proposed in the Sharps Redmore Report No 1515092 dated 5th February 2015 shall be implemented prior to first occupation and retained thereafter. Reason: To safeguard the amenities of the neighbouring occupiers at 260 Coombe Lane and to comply with London Plan policy 7.15 and Sites and Policies Plan policy DM.D2 and DM.EP2.
20. Removal of p.d rights. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouses shall be carried out without planning permission first being obtained from the Local Planning Authority. Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

### **Sustainable design and construction.**

21. Lifetime homes. Prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy [July 2011].
22. Sustainability. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority demonstrating that the development has achieved not less than the CO2 reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and internal water usage (WAT1)(105 litres/p/day) standards equivalent to Code for Sustainable Homes level 4. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with

policies 5.2 of the Adopted London Plan 2015 and CS 15 of the Adopted Merton Core Planning Strategy 2011.

23. Green roofs. Details and specifications for the “green roofs” for the dwellings hereby approved shall be submitted to, approved by the local planning authority and installed before the development is occupied and shall thereafter be retained. Reason. To reduce surface water run-off and to reduce pressure on the surrounding drainage system and to promote biodiversity in accordance with the following Development Plan policies for Merton: policy 5.13 and 7.19 of the London Plan 2015, policy CS.13 and CS16 of Merton's Core Planning Strategy 2011 and policy DM.F2 of Merton's Sites and Polices Plan 2014.

24. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates, as reasonably practicable, and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption authority and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Polices Plan 2014.

25. No development approved by this permission shall be commenced until a scheme to reduce the potential impact of water ingress (including flows from groundwater, the ordinary watercourse or surface water), both to and from the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall address the risks both during and post construction, as highlighted in the submitted Flood Risk Assessment (FRA) and Hydrological report. This will be informed by baseline and ongoing

monitoring of groundwater levels for a period of a year after completion of works, unless otherwise agreed by the Local Planning Authority.  
Reason: To ensure the risk of groundwater ingress to and from the development is managed appropriately and to reduce the risk of flooding in compliance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policies, DM D2 and DM F2 of Merton's Sites and Policies Plan 2014.

26. The development hereby permitted shall not be commenced until such time as the mitigations measures outlined in the Flood Risk Assessment and Hydrology report, including appropriate measures to reduce the risk of flooding to development from the ordinary watercourse are submitted to, and approved in writing by, the local planning authority. These may include raising any water ingress points or apertures and thresholds to the dwelling to ensure the dwellings are more resilient to flooding. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason. To ensure that development does not increase the risk of flooding, either to or from the proposed scheme.

27. Before development commences the applicant shall submit to and have approved by the Local Planning Authority a ground Investigation report with borehole results, and interpretation of the GI results and any recommendations for the foundations along with a detailed Construction Method Statement from the contractor undertaking these works with construction drawings. This should include the envisaged sequence of construction, temporary propping and the relationship between the permanent and temporary works.

Reason. To safeguard the built and natural environment and local amenity and to comply with policy DM.D2 of the Sites and Policies Plan (2014).

#### **Parking and servicing pre-occupation.**

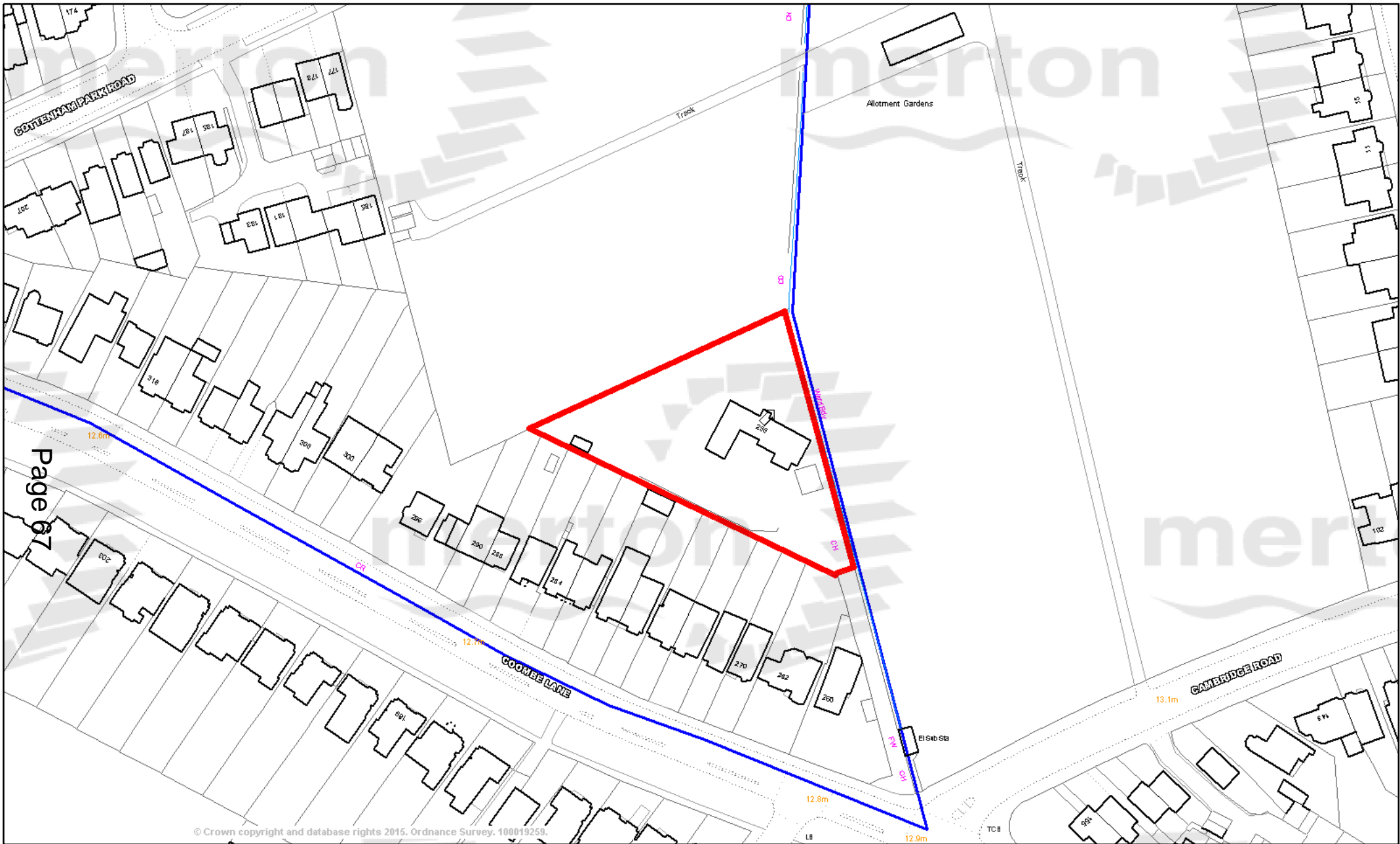
28. Refuse and recycling facilities. Notwithstanding the indicative details in the Design and Access statement, prior to first occupation of the proposed new dwellings refuse and recycling facilities shall be in place that are in accordance with details that shall have previously been submitted to and approved in writing by the Local Planning Authority, with the refuse and recycling facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies CS13 and CS14 of the Core Strategy [July 2011].

29. Cycle storage and parking. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy [July 2011].
30. Car parking spaces. Prior to occupation of the development hereby permitted the car parking spaces shown on the approved drawings to serve the development shall be provided and thereafter shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose. To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Merton Core Planning Strategy 2011 and policy 6.13 of the London Plan.

**INFORMATIVES:**

- a) The applicant is advised that details of Lifetime Homes standards can be found at [www.lifetimehomes.org.uk](http://www.lifetimehomes.org.uk)
- b) The applicant is advised that the demolition works should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside act 1981. If bats are found, Natural England should be contacted for advice (telephone: 020 7831 6922).
- c) With regards to the Construction Method Statement required under the conditions above the applicant is advised that particular attention must be paid to how the vertical and lateral loads are to be supported and balanced at all stages especially when there is to be load transfer and what must be done to limit movements of the existing structure and adjoining buildings. This should be presented in either written or drawn form. Details of any building or site specific issues which may be affected by the basement proposal should be included.





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258 Coombe Lane

SW20

Scale 1/1250

Date 5/1/2016

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



DEVELOPMENT CONTROL





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**PROJECT**  
COOMBE LANE

**TITLE**  
EXISTING SITE PLAN

<b>DATE</b>	05.05.2015
<b>SCALE</b>	1:250 @ A1
<b>DRAWN</b>	A.F.

**DRAWING NO.** COL-EX-GA-01





Page 69

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**PROJECT**  
258COOMBE LANE

**TITLE**  
SITE PLAN

<b>DATE</b>	05.05.2015
<b>SCALE</b>	1:500 @ A3
<b>DRAWN</b>	GG

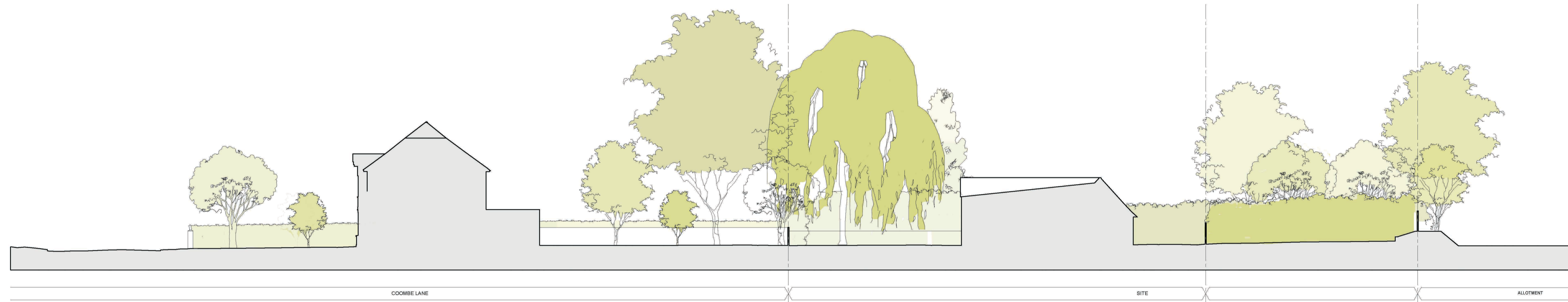
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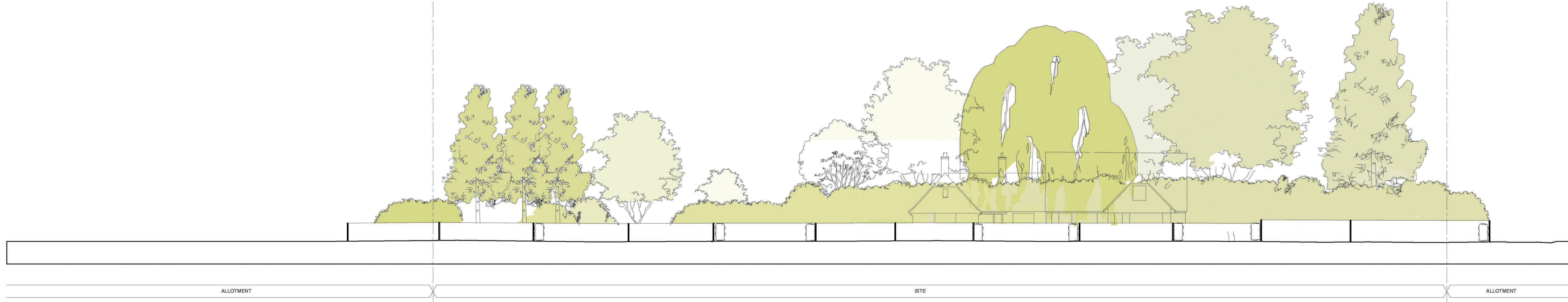




REAR ELEVATION



SECTION 1



SECTION 2

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**PROJECT**  
 COOMBE LANE

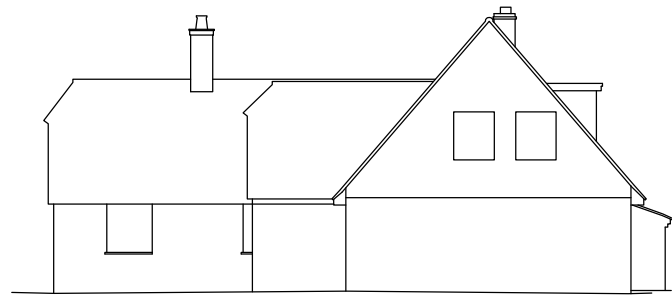
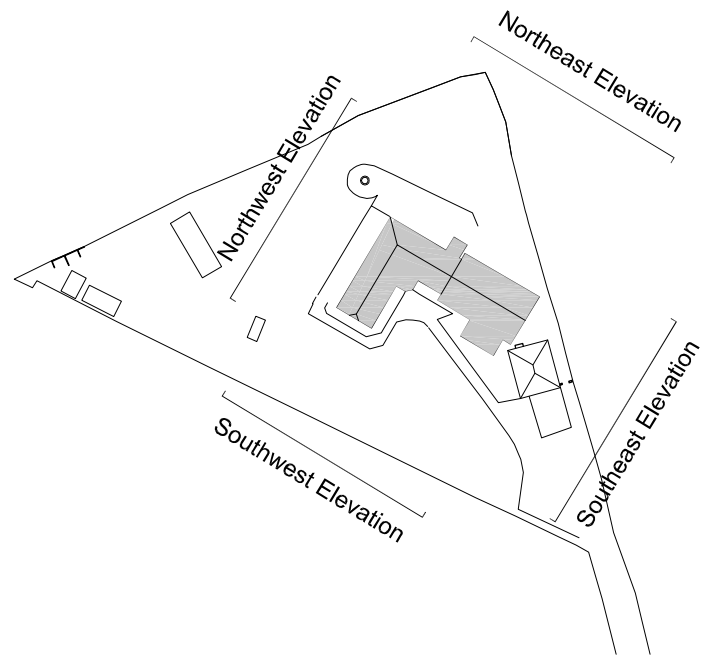
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DRAWN	A.F.

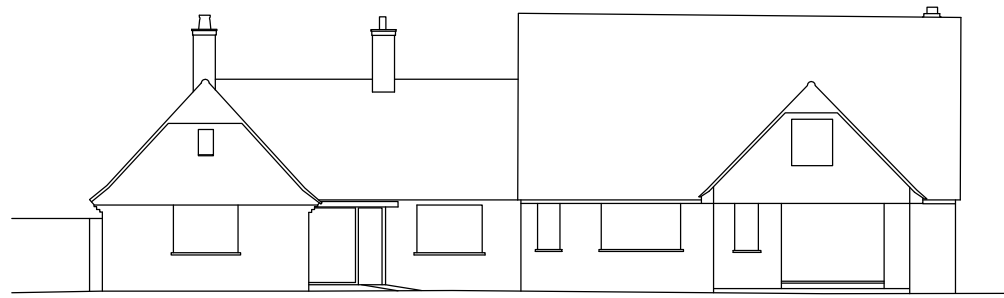
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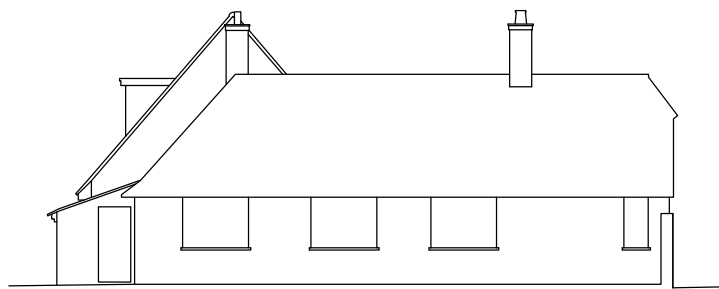
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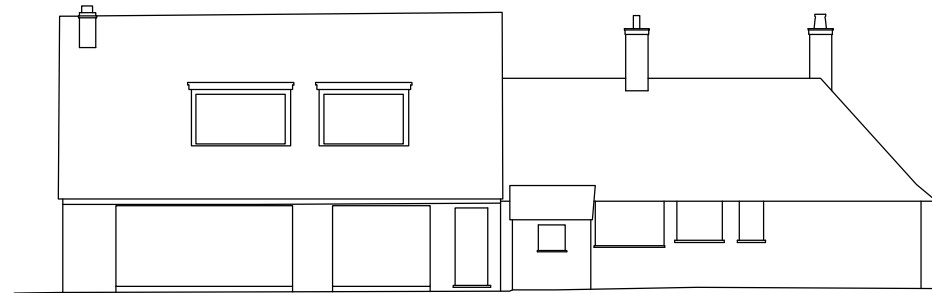
SOUTHEAST ELEVATION



SOUTHWEST ELEVATION



NORTHWEST ELEVATION



NORTHEAST ELEVATION

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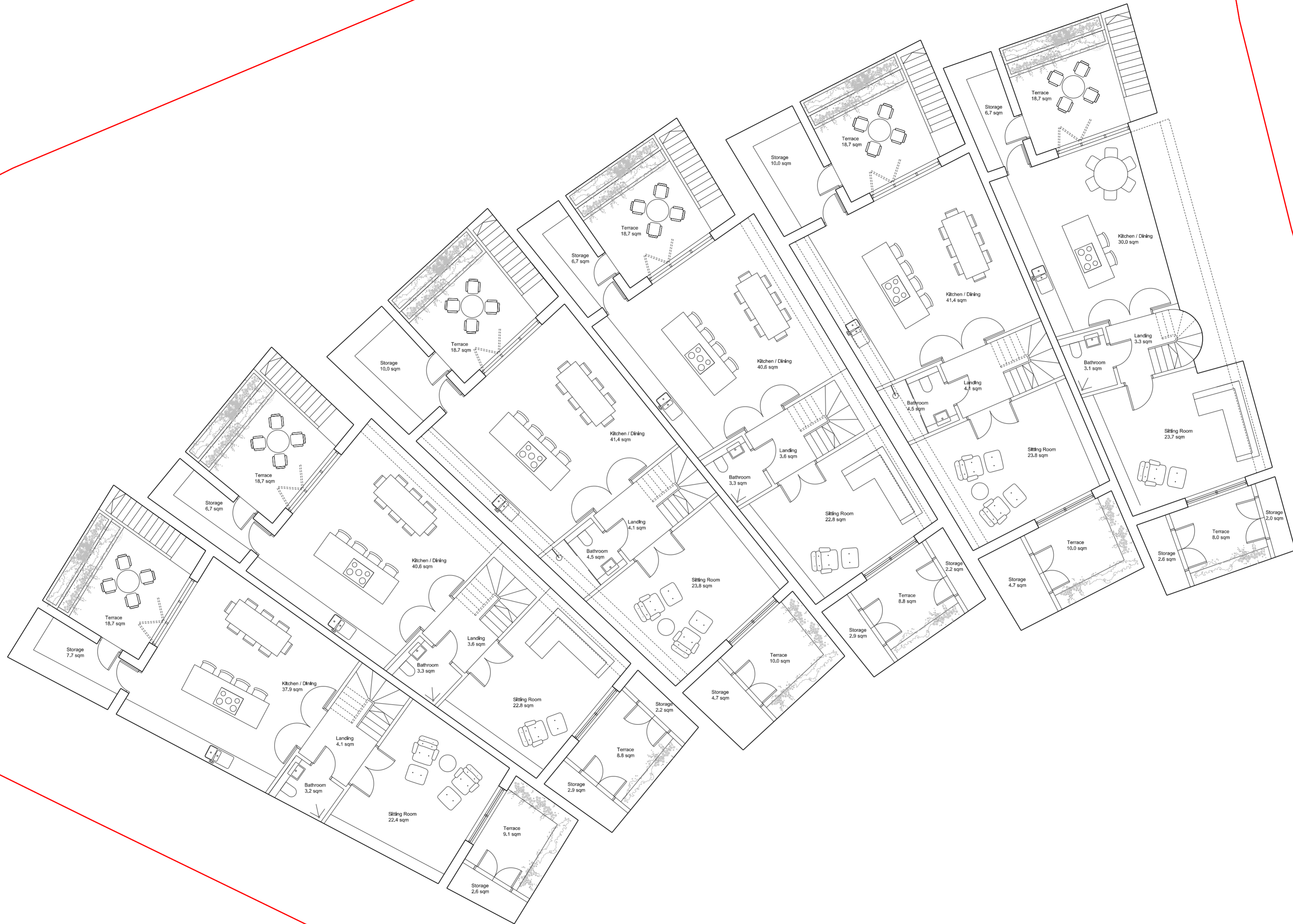
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258 COOMBE LANE

**TITLE**  
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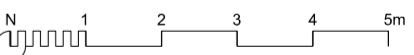
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**PROJECT**  
258 Coombe Lane  
London SW20 0RW

**TITLE**  
PROPOSED LOWER GROUND

<b>DATE</b>	06.03.2015
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<b>DRAW BY</b>	TD
<b>DRAWING NO:</b>	COL-PL-GA-03



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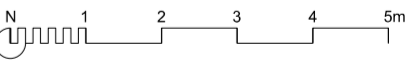
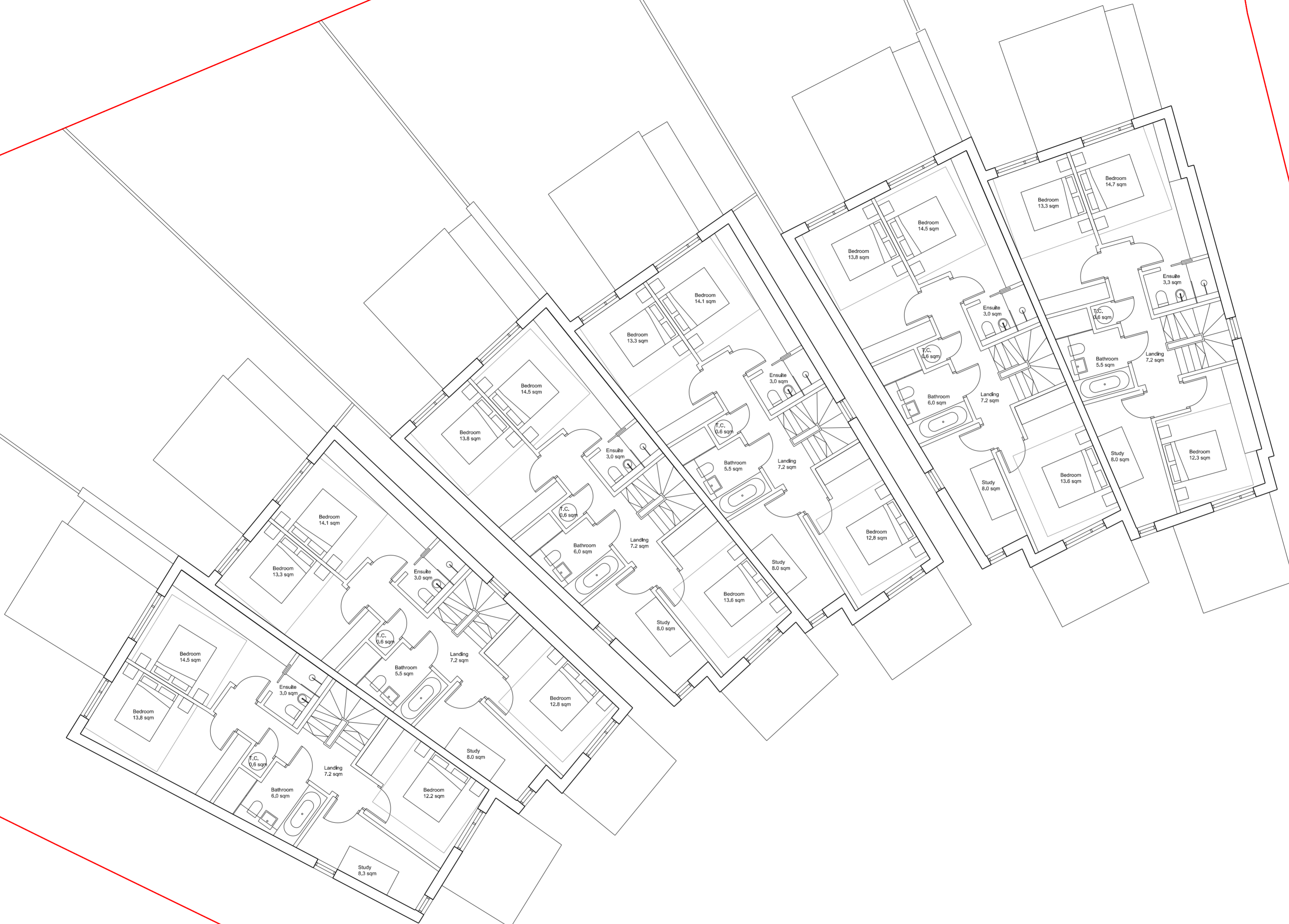
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London EC2A 3PB  
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**PROJECT**  
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London SW20 0RW

**TITLE**  
PROPOSED GROUND FLOOR

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<b>DRAW BY</b>	TD
<b>DRAWING NO:</b>	COL-PL-GA-04





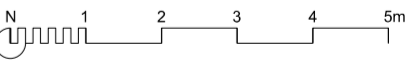
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**PROJECT**  
258 Coombe Lane  
London SW20 0RW

**TITLE**  
PROPOSED FIRST FLOOR

<b>DATE</b>	06.03.2015
<b>SCALE</b>	1:100 @ A2
<b>DRAW BY</b>	TD
<b>DRAWING NO:</b>	COL-PL-GA-05



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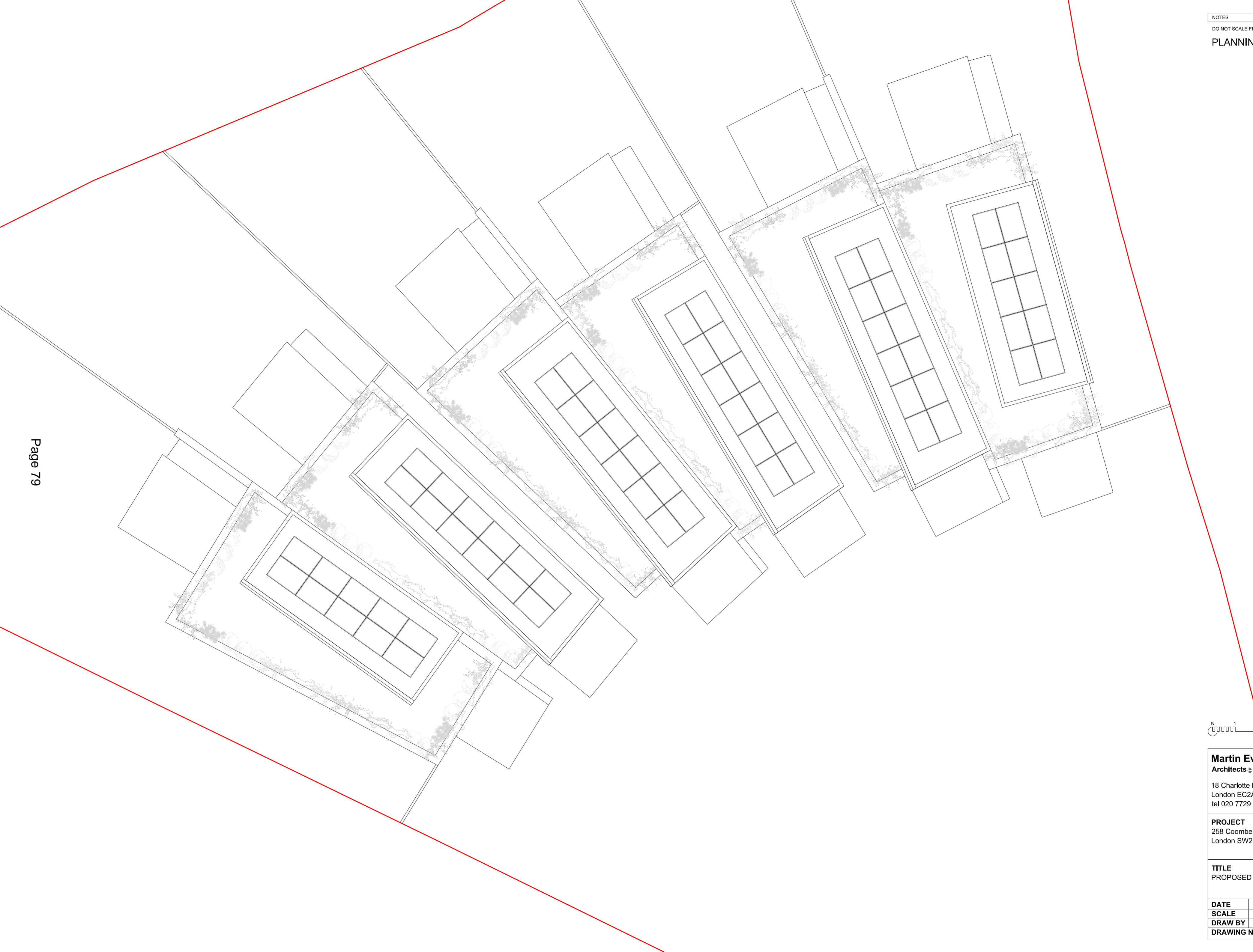
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London EC2A 3PB  
tel 020 7729 2474

**PROJECT**  
258 Coombe Lane  
London SW20 0RW

**TITLE**  
PROPOSED SECOND FLOOR

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<b>SCALE</b>	1:100 @ A2
<b>DRAW BY</b>	TD
<b>DRAWING NO:</b>	COL-PL-GA-06





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**PROJECT**  
258 Coombe Lane  
London SW20 0RW

**TITLE**  
PROPOSED ROOF PLAN

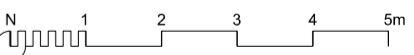
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<b>DRAWING NO:</b>	COL-PL-GA-07



SOUTH ELEVATION



EAST ELEVATION



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London EC2A 3PB  
tel 020 7729 2474

**PROJECT**  
258 Coombe Lane  
London SW20 0RW

**TITLE**  
PROPOSED ELEVATIONS

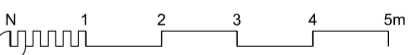
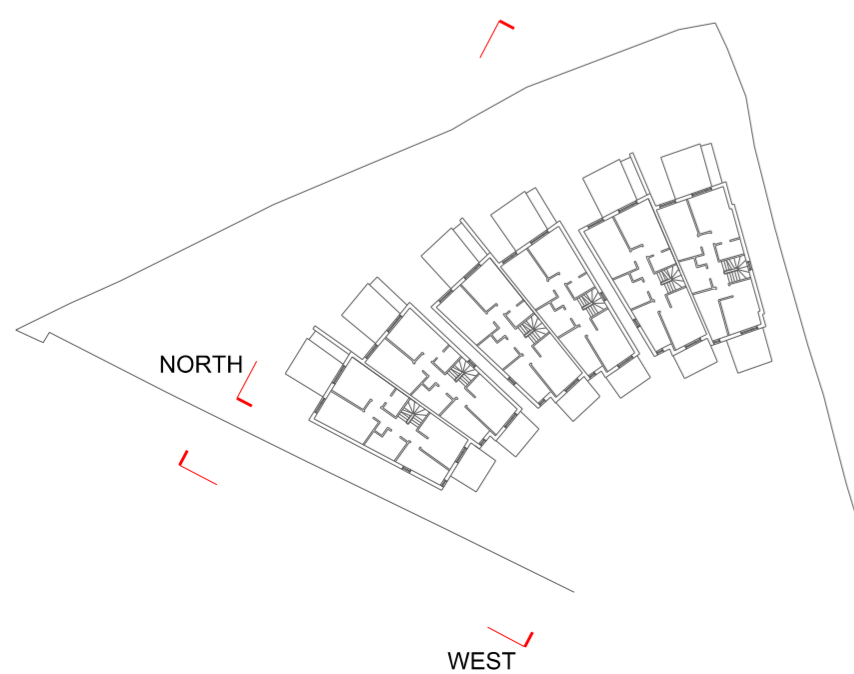
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NORTH ELEVATION



WEST ELEVATION



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**PROJECT**  
258 Coombe Lane  
London SW20 0RW

**TITLE**  
PROPOSED ELEVATIONS

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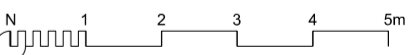
NORTH-EAST ELEVATION



ELEVATION AA



ELEVATION BB



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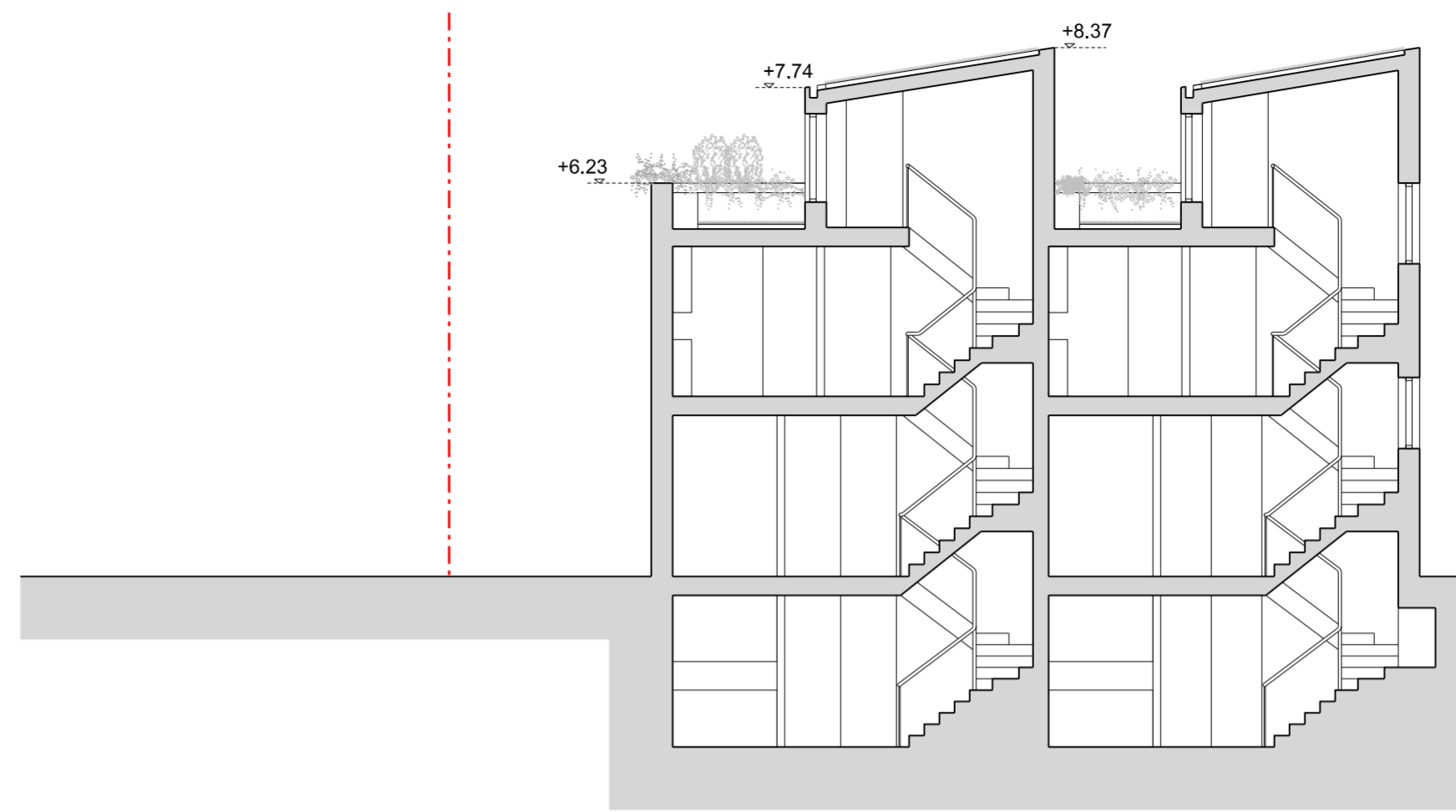
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tel 020 7729 2474

**PROJECT**  
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London SW20 0RW

**TITLE**  
PROPOSED ELEVATIONS

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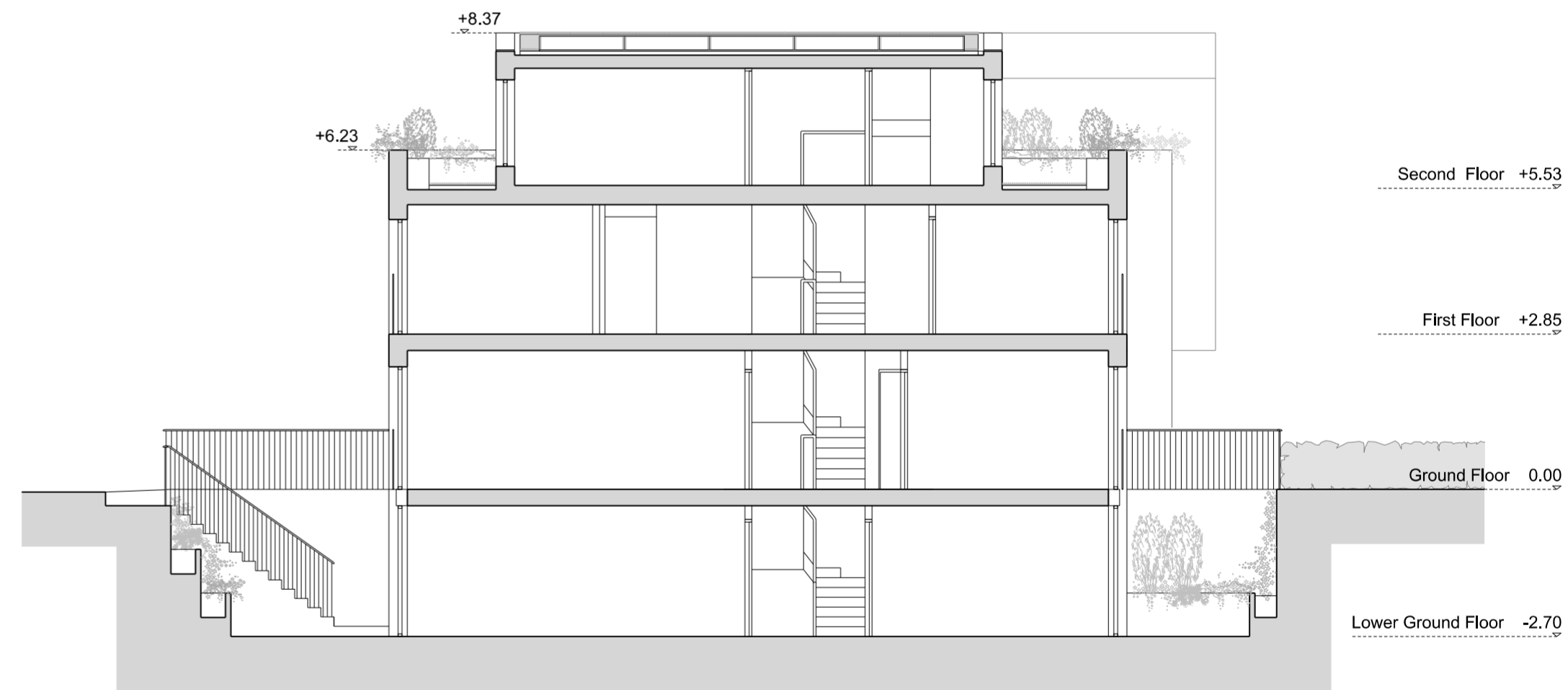
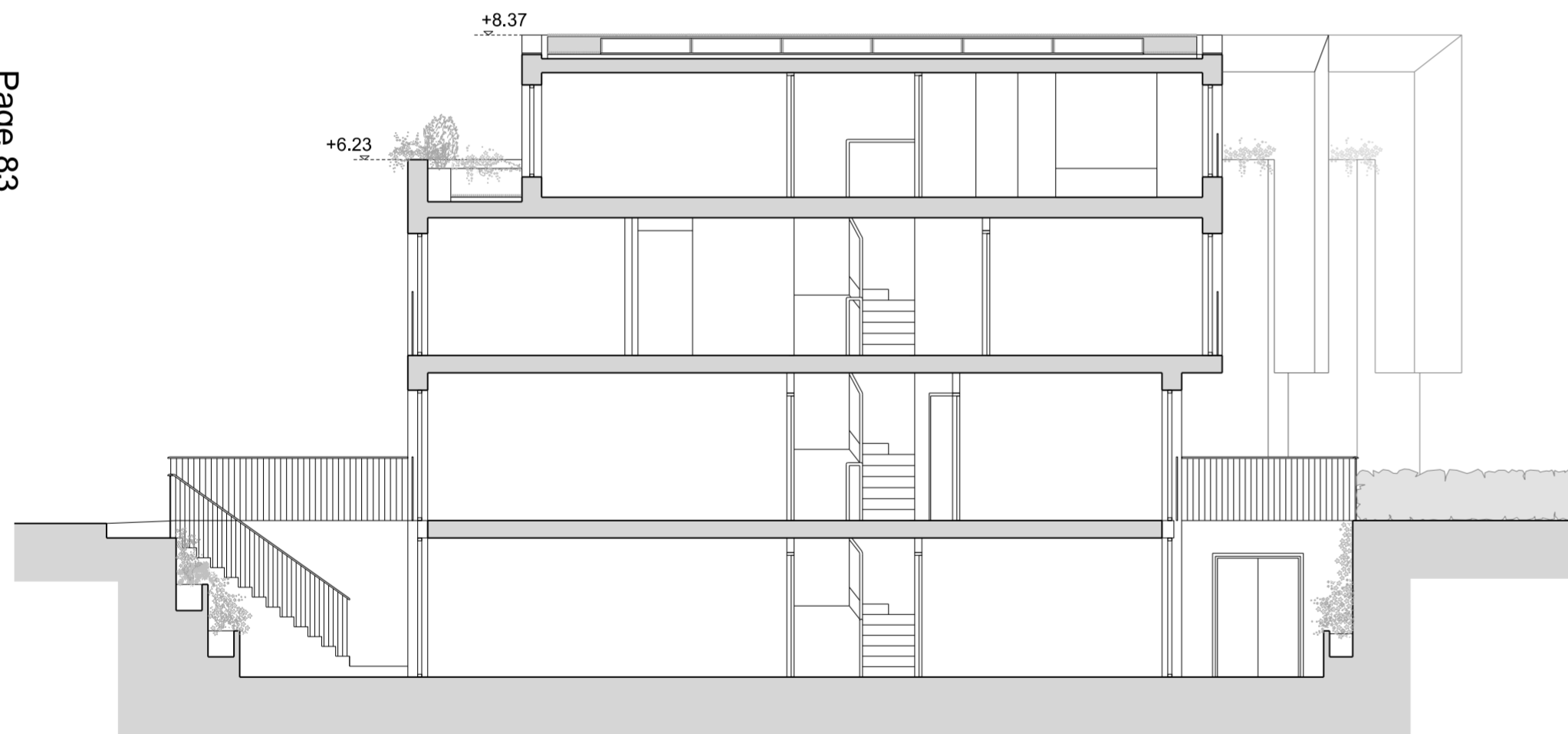
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First Floor +2.85

Ground Floor 0.00

Lower Ground Floor -2.70

SECTION AA



Second Floor +5.53

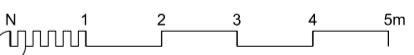
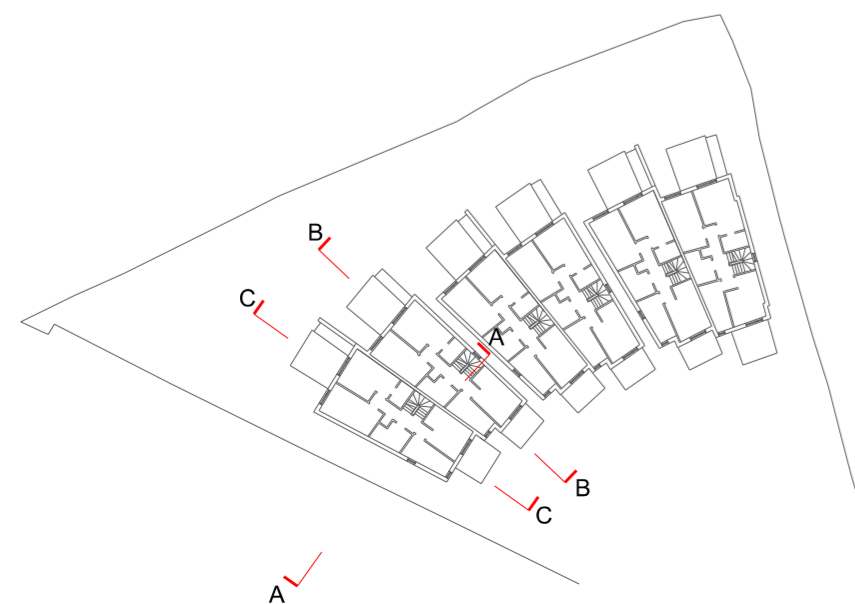
First Floor +2.85

Ground Floor 0.00

Lower Ground Floor -2.70

SECTION CC

SECTION BB



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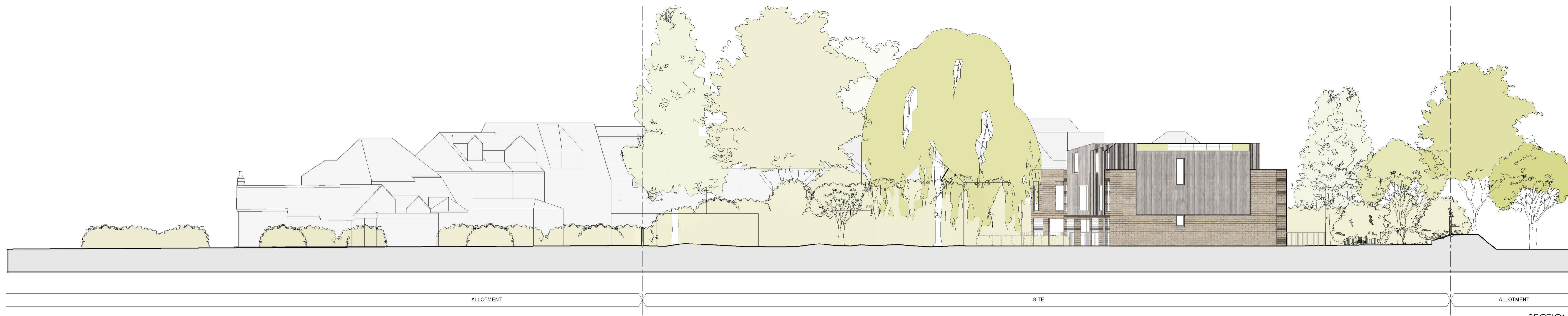
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London SW20 0RW

**TITLE**  
PROPOSED SECTIONS

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<b>DRAWING NO:</b>	COL-PL-GA-15

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SECTION A



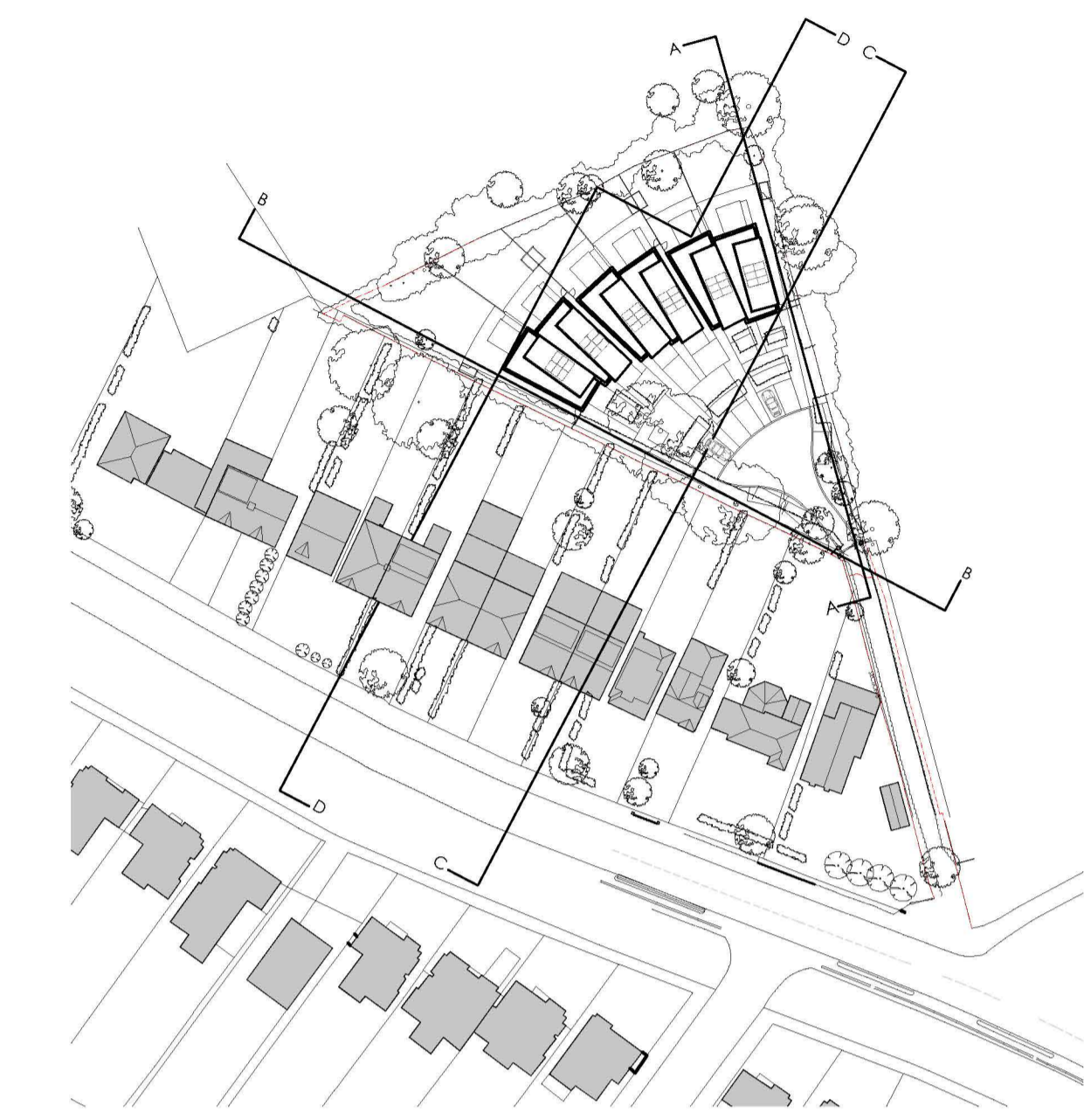
SECTION B



SECTION C



SECTION D





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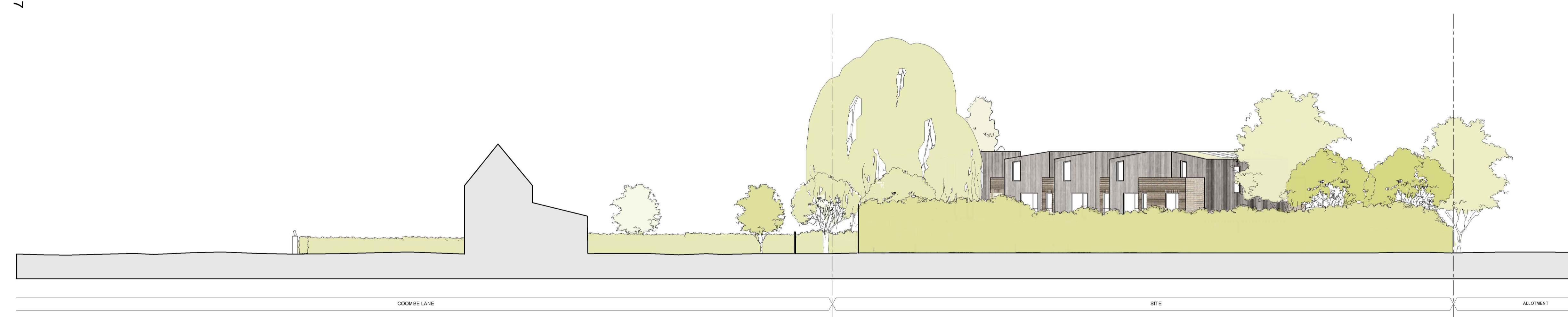




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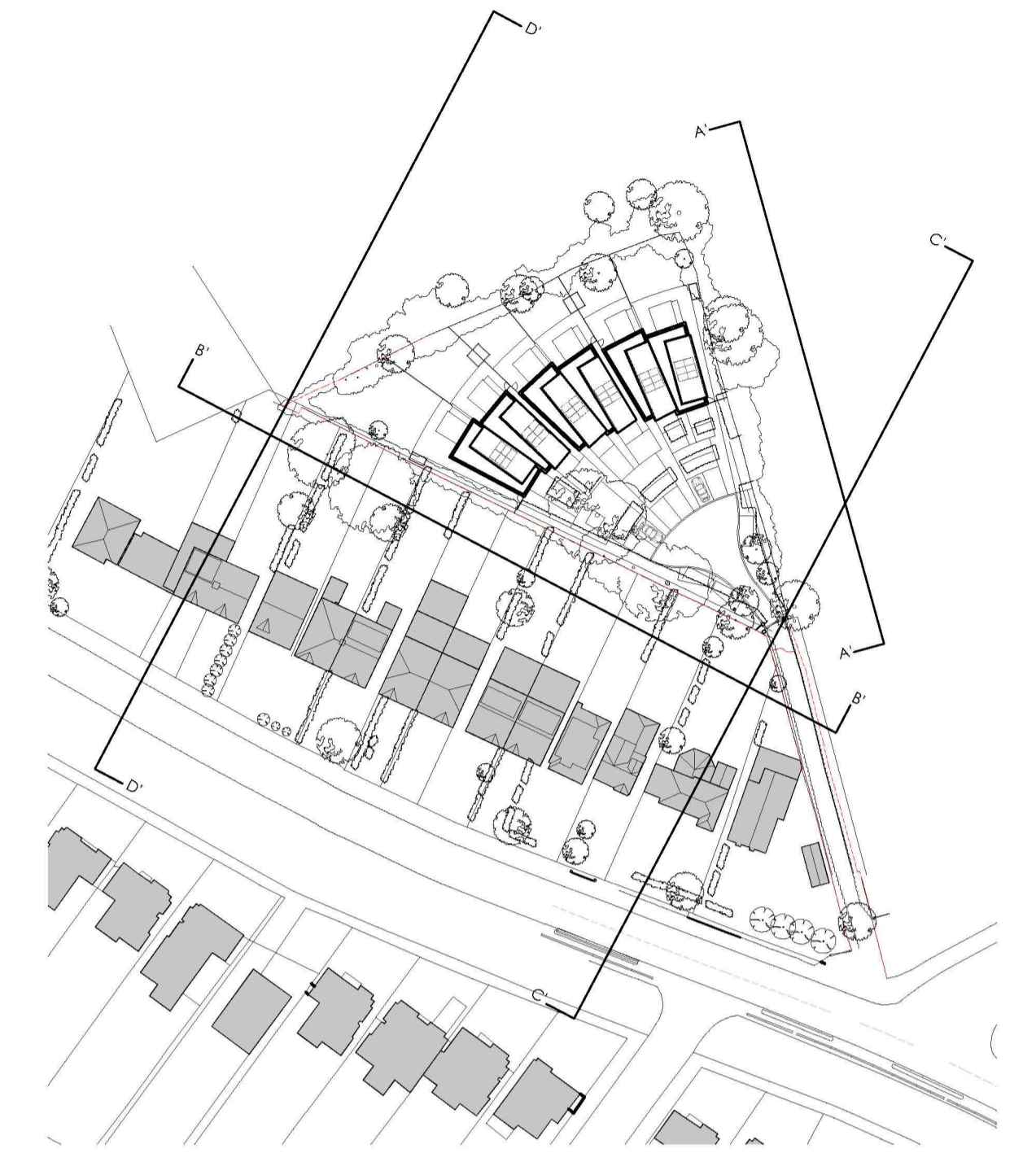
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SECTION C'



SECTION D'





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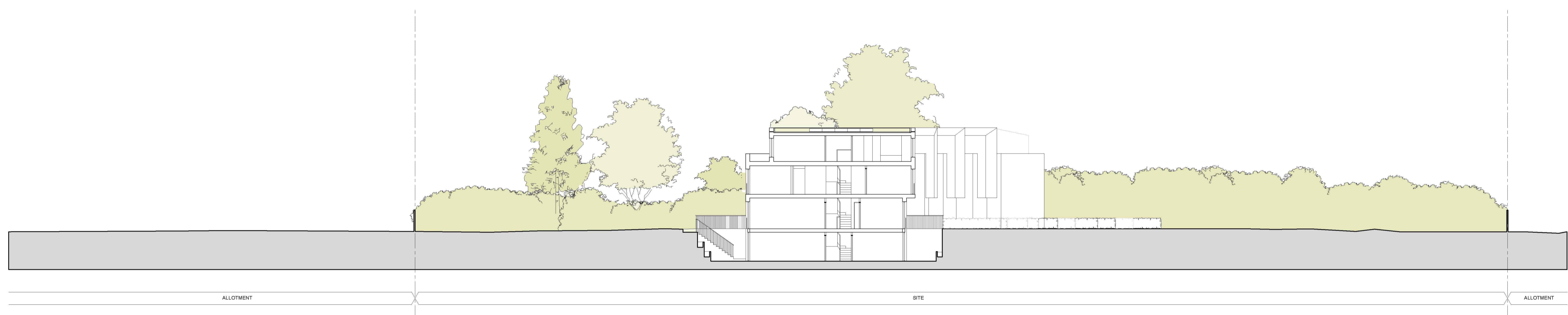




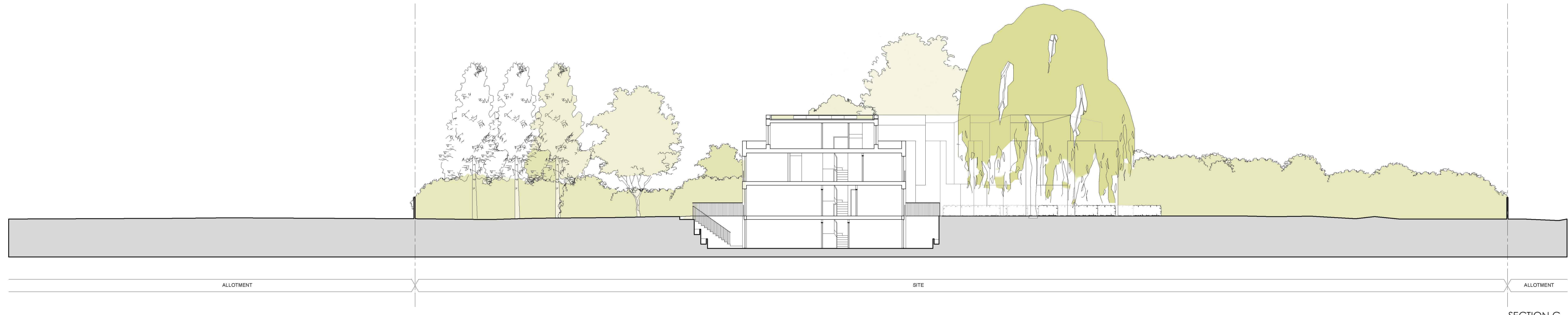
SECTION E



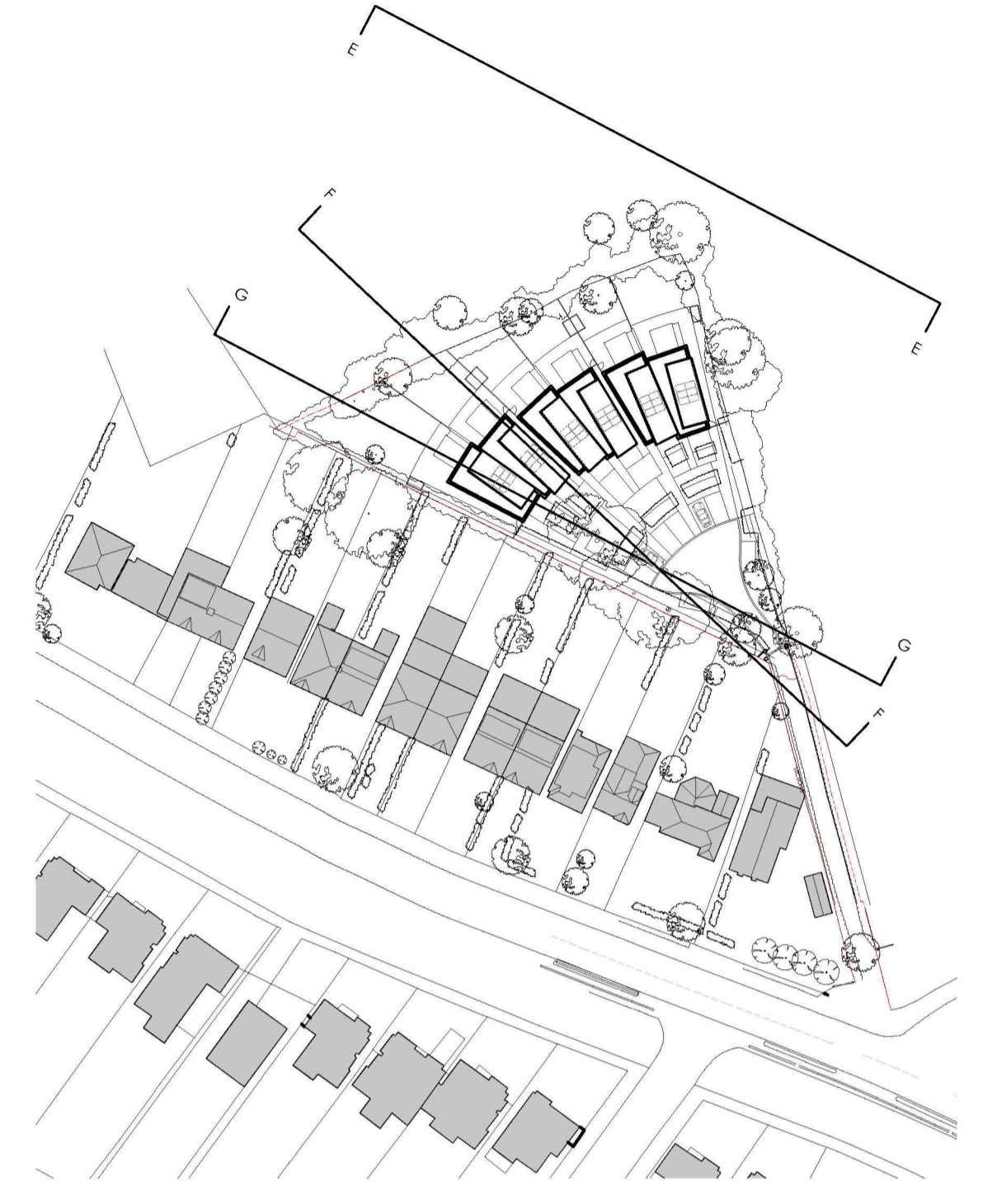
SECTION E



SECTION F



SECTION G





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# The Planning Inspectorate

JP

Room 1404  
Tollgate House  
Houlton Street  
Bristol BS2 9DJ

Direct Line 0117-9878927  
Switchboard 0117-987 8000  
Fax No 0117-9878769  
GTN 1374 8927  
E-Mail ENQUIRIES.PINS@GTNET.GOV.UK

The Bell Cornwell Partnership  
Chartered Town Planners  
Oakview House  
Station Road  
HOOK  
Hants RG27 9TP

Your Ref:  
IS/2835  
Our Ref:  
T/APP/T5720/A/98/290599/P8  
Date:

- 1 JUN 1998

Dear Sirs

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY RUSKIN HOMES LTD  
APPLICATION NO:- 97/P0806**

1. I have been appointed by the Secretary of State for the Environment, Transport and the Regions to determine the above mentioned appeal. This is against the decision of the London Borough of Merton Council to refuse planning permission for the demolition of all existing buildings and the erection of 6 new houses in an angled terrace (2 houses with attached garages) and a separate garage building for 4 cars, and 4 surface parking spaces, on land at 258 Coombe Lane, Raynes Park, London SW20. I have considered the written representations made by you and by the Council and also those made by the London Ecology Unit, a local councillor and interested persons. I have also considered those representations made directly by amenity bodies and interested persons to the Council which have been forwarded to me. I inspected the site on 30 April 1998.

2. The original application was for 7 houses in 2 separate blocks; the scheme was amended to 6 terraced houses in one angled block, with changes to the parking arrangements, prior to the Council's decision to refuse permission. My description of the development in (1) above takes account of these amendments.

3. From all I have seen and read in this case, I take the view that there are 4 main issues which I deal with in turn. First is the effect of the proposal on the character and appearance of the surrounding suburban locality, having particular regard to the allotments to the east and north of the site being within a defined area of Metropolitan Open Land and within the Copse Hill Conservation Area. The second main issue is the implication for highway safety of the access arrangements. The third main issue is the implication for nature conservation interests and the last is the effect on the living conditions of adjoining occupiers with particular reference to privacy, noise and disturbance.

4. The development plan is the adopted Merton Unitary Development Plan (UDP). Policies which I consider particularly relevant in this appeal are those concerned with

protecting areas of Metropolitan Open Land (MOL) and Conservation Areas (CAs) from development on adjacent land that could affect their visual amenity and setting, that concerned with the ecological value of rear gardens, and more general policies concerning 'good neighbourliness' in terms of preserving privacy, not creating undue noise and disturbance, and relating new developments to their surroundings in terms of matters such as density, scale and general character. I do not consider that the appeal scheme falls into the category of 'high buildings' as envisaged in policy EB21, and whilst I take account of highway safety as an issue, the policies quoted are in my view so general as to be of little relevance.

5. On the first main issue the allotments which constitute those parts of the MOL and CA to the east and north of the appeal site are well used and contain the type of activities and structures typical of such a use. Access is restricted to tenants of the plots. From public viewpoints in Cambridge Road on the southern boundary, and from within the allotments, views of the houses on the west side, including the appeal site, are softened by hedges and mature trees to a greater extent than views of the houses on the east side in Oakwood Road. The hedging around the appeal site, and the mature trees which rise above, would remain in the scheme before me, but the profile of buildings seen above and through the vegetation would be different.

6. The height of the buildings would be similar to that of houses in Coombe Lane and on my calculations the density in terms of dwellings per hectare would also be similar. The proportion of the site covered by buildings would be considerably greater than occurs at present but the siting of the proposed angled terrace of 6 houses would, I consider, tend to lessen this effect from many viewpoints, either across the MOL/CA from outside or from within. I am not therefore convinced that the scheme would have a significant effect on the visual amenity and setting of the MOL/CA contrary to the development plan, and I conclude on the first main issue that it would not harm the character or appearance of the surrounding suburban locality.

7. On the second main issue the existing access to the site would be widened for much of its length to 4.1m. This width allows cars to pass each other with care and is considered suitable for upto 20 houses. Vision along the access is good and to my mind this itself would preclude any significant occurrence of wider vehicles having to reverse back onto the public highway at the junction of Coombe Lane and Cambridge Road to let other vehicles emerge. In addition the size of the combined 'bellmouth' with the access to the bungalow No 260 should mean that if reversing is necessary, it can be done without intrusion into the highway carriageway.

8. However part of the 'bellmouth' is within the ownership of No 260, and the occupier says she would erect a fence along the ownership boundary to indicate the true size of the available access. Restriction of rights of access and visibility splays by such an action would in my view have a serious effect on highway safety given the more frequent use of the access by six houses as opposed to one, and the even greater likelihood of vehicles meeting each other in the vicinity of the 'bellmouth'. I have noted what has been said about prescriptive rights but I am not convinced that the situation is so settled as to present no prospect of interruption of what I consider needs to be a totally unimpeded access. Suggested model conditions 17 and 18 from Circular 11/95, and the Council's suggested condition 14 on submission of visibility splays for approval, are in my opinion inappropriate to secure access



and visibility over another person's land, and there seems no prospect of an agreement to secure this. In this state of uncertainty I do not believe it would be in the interests of highway safety to allow the scheme to proceed.

9. Turning to the third main issue the site is not within or adjoining any defined site of nature conservation interest. Although the development plan recognises the potential importance of back garden areas and of Metropolitan Open Land, Planning Policy Guidance Note 9 on Nature Conservation, para 18, indicates that local planning authorities, in defining local sites, should take care to avoid unnecessary constraints on development. The site contains evidence of being used as part of the foraging range of badgers, a protected species. The nearest known sett is about 500m away, in the grounds of Atkinson Morley's Hospital beyond the northern boundary of the allotments. The evidence for badgers was not apparent on the first inspection of the London Ecology Unit in August 1997 and I gained the impression that there had not been a badger presence in the period immediately preceding my visit. Whilst construction of the development would disturb this part of a badger foraging area and the completed development would provide a smaller area of badger friendly surfaces, I am not convinced that badger visits are so frequent or that the site is so important in an extensive foraging area that the scheme would harm badgers, either directly or indirectly. I conclude on the third main issue that although there would be some changes as a result of the development, they would not be such as to harm nature conservation interests.

10. I turn now to the last main issue, which in my view relates mainly to the domestic enjoyment of the bungalow No. 260 by its occupiers. There would be increased levels of activity and changed outlooks as far as the occupiers of houses directly backing the site are concerned, but not in my opinion to a harmful degree. The Council's standards regarding visual intrusion, loss of light and overlooking would be met.

11. In the case of No 260, its front door faces eastwards towards the site access, as do two adjoining picture windows, one of which is only five feet (1.5m) from the boundary. The boundary at this point is a low chain link fence, providing an open aspect around the front door and also allowing views of the planted verge of the present 2.8m wide access to the appeal property. No 260 has a very small triangular shaped back garden, separated from the access by a 1.6m high close boarded fence. It seems to me that the present arrangement, with traffic from only one dwelling passing close to No 260, represents an acceptable compromise between security, privacy, outlook and vehicle noise disturbance.

12. In my opinion the development of six dwellings in place of one would result in a substantial increase in vehicle movements and associated noise and disturbance close to the relatively quiet and secluded east elevation of No 260, even if the access were not required to be widened to provide a tarmac surface right up to the common boundary. I appreciate that the site owners could at any time replace the chain link fencing by 2m close boarding, that no-one has a right to a view, and that there could be a security advantage to occupiers of No 260. However I do not consider that these factors and the limited degree of sound protection that might be afforded by any form of boundary treatment would in any significant way compensate for the increased noise and disturbance which would be suffered by occupiers of No 260.

13. I conclude on the last issue that although the privacy could be preserved, the increased noise and disturbance from passing vehicles would harm the living conditions of the adjoining

occupier of No 260. In my view this harm to an interest of acknowledged importance is sufficient to warrant rejecting the scheme despite my conclusions on the first and third issues. My findings on the highway safety issue strengthen my conclusion about the unacceptability of the development.

14. I have taken account of all other matters put to me including other appeal decisions, the original recommendation to the Council and local concern about traffic problems at the Coombe Lane/Cambridge Road junction in peak hours but none in my opinion carries sufficient weight to alter my conclusions on the main issues.

15. For the above reasons and in exercise of the powers transferred to me, I hereby dismiss this appeal.

Yours faithfully

*M. J Thomson*

M J THOMSON BA (Hons) DipTP  
Inspector

HOUSE 1												
	Kitchen/ Dining	Living	Bathroom	Wheelchair accessible bathroom on entry level	Storage/ Utility	Outdoor Amenity	Double Bedroom 1	Double Bedroom 2	Double Bedroom 3	Double Bedroom 4	Study	
Lower Ground Floor		37.9	22.4	3.2		10.3	27.8					
Ground Floor			37.9		3.6	0.7						13.9
First Floor				9			12.2	13.8	14.5			8.3
Second Floor				6.8								14
<b>Total</b>		<b>37.9</b>	<b>60.3</b>	<b>19</b>	<b>3.6</b>	<b>11</b>	<b>27.8</b>	<b>12.2</b>	<b>13.8</b>	<b>14.5</b>	<b>14</b>	<b>22.2</b>
London Plan Space Standards	24	17	10.4		3.6	3.6	9	12	12	12	12	N/A

HOUSE 2												
	Kitchen/ Dining	Living	Bathroom	Wheelchair accessible bathroom on entry level	Storage/ Utility	Outdoor Amenity	Double Bedroom 1	Double Bedroom 2	Double Bedroom 3	Double Bedroom 4	Study	
Lower Ground Floor		40.6	22.8	3.3		9.6	27.5					
Ground Floor			36.9		3.6	0.7						12.3
First Floor				8.5			12.8	13.3	14.1			8
Second Floor				14.8								13.1
<b>Total</b>		<b>40.6</b>	<b>59.7</b>	<b>26.6</b>	<b>3.6</b>	<b>10.3</b>	<b>27.5</b>	<b>12.8</b>	<b>13.3</b>	<b>14.1</b>	<b>13.1</b>	<b>20.3</b>
London Plan Space Standards	24	17	10.4		3.6	3.6	9	12	12	12	12	N/A

HOUSE 3												
	Kitchen/ Dining	Living	Bathroom	Wheelchair accessible bathroom on entry level	Storage/ Utility	Outdoor Amenity	Double Bedroom 1	Double Bedroom 2	Double Bedroom 3	Double Bedroom 4	Study	
Lower Ground Floor		41.4	23.8	4.5		14.7	28.7					
Ground Floor			37.9		3.6	0.7						13
First Floor				9			13.6	13.8	14.5			8
Second Floor				15.6								13.8
<b>Total</b>		<b>41.4</b>	<b>61.7</b>	<b>29.1</b>	<b>3.6</b>	<b>15.4</b>	<b>28.7</b>	<b>13.6</b>	<b>13.8</b>	<b>14.5</b>	<b>13.8</b>	<b>21</b>
London Plan Space Standards	24	17	10.4		3.6	3.6	9	12	12	12	12	N/A

HOUSE 4												
	Kitchen/ Dining	Living	Bathroom	Wheelchair accessible bathroom on entry level	Storage/ Utility	Outdoor Amenity	Double Bedroom 1	Double Bedroom 2	Double Bedroom 3	Double Bedroom 4	Study	
Lower Ground Floor		40.6	22.8	3.3		11.8	27.5					
Ground Floor			36.9		3.6	0.7						12.3
First Floor				8.5			12.8	13.3	14.5			8
Second Floor				14.8								13.1
<b>Total</b>		<b>40.6</b>	<b>59.7</b>	<b>26.6</b>	<b>3.6</b>	<b>12.5</b>	<b>27.5</b>	<b>12.8</b>	<b>13.3</b>	<b>14.5</b>	<b>13.1</b>	<b>20.3</b>
London Plan Space Standards	24	17	10.4		3.6	3.6	9	12	12	12	12	N/A

HOUSE 5												
	Kitchen/ Dining	Living	Bathroom	Wheelchair accessible bathroom on entry level	Storage/ Utility	Outdoor Amenity	Double Bedroom 1	Double Bedroom 2	Double Bedroom 3	Double Bedroom 4	Study	
Lower Ground Floor		41.4	23.8	4.5		14.7	28.7					
Ground Floor			37.9		3.6	0.7						13
First Floor				9			13.6	13.8	14.5			8
Second Floor				15.6								13.8
<b>Total</b>		<b>41.4</b>	<b>61.7</b>	<b>29.1</b>	<b>3.6</b>	<b>15.4</b>	<b>28.7</b>	<b>13.6</b>	<b>13.8</b>	<b>14.5</b>	<b>13.8</b>	<b>21</b>
London Plan Space Standards	24	17	10.4		3.6	3.6	9	12	12	12	12	N/A

HOUSE 6												
	Kitchen/ Dining	Living	Bathroom	Wheelchair accessible bathroom on entry level	Storage/ Utility	Outdoor Amenity	Double Bedroom 1	Double Bedroom 2	Double Bedroom 3	Double Bedroom 4	Study	
Lower Ground Floor		30	23.7	3.1		11.3	26.7					
Ground Floor			36.9		3.6	0.7						13.2
First Floor				8.8			12.3	13.3	14.7			8
Second Floor				7.2								14.8
<b>Total</b>		<b>30</b>	<b>60.6</b>	<b>19.1</b>	<b>3.6</b>	<b>12</b>	<b>26.7</b>	<b>12.3</b>	<b>13.3</b>	<b>14.7</b>	<b>14.8</b>	<b>21.2</b>
London Plan Space Standards	24	17	10.4		3.6	3.6	9	12	12	12	12	N/A

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PLANNING APPLICATIONS COMMITTEE  
11<sup>th</sup> February 2016

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P4370	28/02/2014
<b>Address/Site</b>	30 Griffiths Road, Wimbledon, London, SW19 1SP	
<b>Ward</b>	Abbey	
<b>Proposal:</b>	Demolition of existing three storey block and the erection of a part three, part four storey building providing 21 residential units (3 x 1, 14 x 2 and 4 x 3) with associated landscaping, parking & access arrangements.	
<b>Drawing Nos</b>	185 (05) 01, (05) 006 Rev B, (05) 007 Rev B, (10) 005 Rev E, (10) 006 Rev E, (10) 007 Rev E, (10) 020 Rev B, (11) 001 Rev D, (11) 002 Rev D, (11) 005 Rev D, (11) 006 Rev D, (11) 007 Rev G, (11) 008 Rev G, (11) 009 Rev C, (11) 010 Rev C, (11) 015, (11) 100-B	
<b>Contact Officer:</b>	Stuart Adams (0208 545 3147)	

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## RECOMMENDATION

**GRANT Planning Permission subject to S106 agreement and conditions.**

### CHECKLIST INFORMATION.

Heads of agreement: - Permit Free Development & affordable housing

Is a screening opinion required: No

Is an Environmental Statement required: No

Has an Environmental Impact Assessment been submitted – No

Press notice – Yes

Site notice – Yes

Design Review Panel consulted – No

Number of neighbours consulted – 103

External consultations – No.

PTAL score – 6a

CPZ – 4F

## 1. **INTRODUCTION**

The application has been brought before the Planning Applications Committee for consideration due to the number of objections received

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a corner site at the junction of Montague Road and Griffiths Road, Wimbledon. It contains two 3-storey blocks of flats under pitched roofs connected by a central stair core link building. They contain a total of 9x 2-bed flats as well as a large parking area and garaging fronting onto Montague Road. The flats are unoccupied and the site is surrounded by hoardings. The surrounding area is residential in character.
- 2.2 To the east of the application site on Griffiths Road, there are predominantly two storey properties with accommodation in the roof space, rising to 4 and 5 storey blocks at the junction with Merton Road. The property immediately to the east, 24 Griffiths Road, is a two storey detached house with a pitched roof with a large single storey side and rear extension wrapping around the main house.
- 2.3 On the north-west (diagonally opposite) corner of Griffiths Road and Montague Road is Cloister House, a block of 40 flats ranging from 3 to 4 storeys in height with a pitched roof on top. To the west of the application site, on the opposite side of Montague Road, is a two storey terrace of 5 houses (1d-h). South of the application site are two storey semi-detached and detached buildings (flats). Other buildings within this residential area range between two, three and four storey in height.
- 2.4 The application site is located just outside the boundary of Wimbledon Town centre as defined on the Council's Sites and Policies Map. The application site is not located within a Conservation Area.

## 3. **CURRENT PROPOSAL**

- 3.1 The proposal is for the demolition of the existing flats and garaging and the erection of a part three, part four storey building providing 21 residential units (3 x 1 bed, 14 x 2 bed and 4 x 3 bed) with associated landscaping and 11 parking spaces accessed from Montague Road.
- 3.2 The proposed building adopts a contemporary flat roofed design approach. The 3 storey element and the 4-storey corner feature of the building would be predominantly stock brick, with a recessed fourth storey comprised of glazing and bronze anodized rainscreen panels. It would have bronze doors, window frames and feature panels. It would also

include balconies with glazed balustrades. The five ground floor flats would all have individual entrances from Griffiths Road and Montague Road as well as a communal entrance to the upper floor flats from Montague Road.

- 3.3 The top storey would be set back 1.2m along both street frontages, set back 10.3m from the southern wall of upper floors and 3.4m from the flank wall adjacent to 24 Griffiths Road.
- 3.4 The floor space (GIA) and amenity space standards of individual residential units are as follows (compared to Mayor's Housing Supplementary Planning Guidance 2012 and planning policy DM D2 Design considerations in all developments). Note - 79 square metres of communal amenity space is provided at the rear of the site.

#### London Plan Space Standards

<u>Proposal Flat no.</u>	<u>Dwelling Type</u>	<u>Proposed GIA</u>	<u>London Plan</u>	<u>Amenity space sq m</u>	<u>London Plan sq m</u>
<u>1</u>	<u>2b3p</u>	<u>79</u>	<u>61</u>	<u>18</u>	<u>5</u>
<u>2</u>	<u>3b6p</u>	<u>107</u>	<u>95</u>	<u>17.3</u>	<u>9</u>
<u>3</u>	<u>2b4p</u>	<u>89</u>	<u>70</u>	<u>Communal(79)</u>	<u>7</u>
<u>4</u>	<u>3b5p</u>	<u>120</u>	<u>86</u>	<u>22.5</u>	<u>8</u>
<u>5</u>	<u>1b2p</u>	<u>59</u>	<u>50</u>	<u>12.4</u>	<u>5</u>
<u>6</u>	<u>2b4p</u>	<u>100</u>	<u>70</u>	<u>14</u>	<u>7</u>
<u>7</u>	<u>2b4p</u>	<u>81</u>	<u>70</u>	<u>7</u>	<u>7</u>
<u>8</u>	<u>2b4p</u>	<u>75</u>	<u>70</u>	<u>7</u>	<u>7</u>
<u>9</u>	<u>2b3p</u>	<u>70</u>	<u>61</u>	<u>7</u>	<u>6</u>
<u>10</u>	<u>1b2p</u>	<u>52</u>	<u>50</u>	<u>5</u>	<u>5</u>
<u>11</u>	<u>1b2p</u>	<u>52</u>	<u>50</u>	<u>12</u>	<u>5</u>
<u>12</u>	<u>2b3p</u>	<u>70</u>	<u>61</u>	<u>7</u>	<u>6</u>
<u>13</u>	<u>2b4p</u>	<u>100</u>	<u>70</u>	<u>14</u>	<u>7</u>
<u>14</u>	<u>2b4p</u>	<u>81</u>	<u>70</u>	<u>7</u>	<u>7</u>
<u>15</u>	<u>2b4p</u>	<u>75</u>	<u>70</u>	<u>7</u>	<u>7</u>
<u>16</u>	<u>2b4p</u>	<u>88</u>	<u>70</u>	<u>8</u>	<u>7</u>
<u>17</u>	<u>2b3p</u>	<u>70</u>	<u>61</u>	<u>7</u>	<u>6</u>
<u>18</u>	<u>2b3p</u>	<u>70</u>	<u>61</u>	<u>7</u>	<u>6</u>
<u>19</u>	<u>2b4p</u>	<u>93</u>	<u>70</u>	<u>7.4</u>	<u>7</u>
<u>20</u>	<u>3b5p</u>	<u>111</u>	<u>86</u>	<u>17</u>	<u>8</u>
<u>21</u>	<u>3b6p</u>	<u>134</u>	<u>95</u>	<u>58</u>	<u>9</u>

### 3.5 Amendments

3.5.1 In response to officers' request and following public consultation, the plans were amended to include the following changes:

- Reduction in the number of flats (23 to 21). A one and two bedroom flat has been omitted.
- Reduction in the size of first, second and third floors. At first floor level, part of the southeast corner of the building has been pushed 2m further back and 3.1m in from the eastern wall of the building. At second floor level, the rear wall of flat 16 has been pushed 4.5m back from the southern wall of the stair core. At third floor level, the building has been pushed 1.2m back from Griffiths Road frontage, 3.4 from eastern flank and 10.3m from southern end of the building (above upper levels)
- The plans have been updated to show the outline of the existing buildings.
- New/altered balconies/winter gardens. New balconies added to flats 11, 16, 20 and 21 and winter gardens to flats 8 & 15. All other balconies and winter gardens increased in size to meet minimum space standards. Removal of east facing balconies at second floor level. Additional information and confirmation received to confirm that winter gardens will have a drained floor and would be thermally separated from the interior (in line with the Mayor of London housing SPG guidance, 2012)
- New landscaping shown along the boundary with 24 Griffiths Road and 49-51 Pelham Road.
- Internal alterations to layout of some flats. Changes to the layout of kitchens , relocation of living spaces in flats 11 & 17 to make better use of southern aspect and separate kitchen/living spaces for the three bedroom flats at third floor level.
- Enlarged private rear gardens for ground floor flats (reduced size communal area)
- High level windows on the southern elevation of flats 4, 17 and 18

### 4. PLANNING HISTORY

4.1 No relevant history

### 5. CONSULTATION

5.1 The application has been advertised by major press notice procedure and letters of notification to the occupiers of neighbouring properties.

5.1.1 In response to the consultation, 16 letters of objection were received



(including one from the Wimbledon Society). The letters of objection raise the following points:

- No on site affordable housing being offered. Well located town centre site where small proportion of affordable housing on site would be beneficial. Fails to address need for family housing rather than flats.
- 11 car parking spaces for 23 flats is inadequate and will increase pressure on car parking locally. Even if permit free, would not prevent residents or their guests parking on the adjacent streets outside CPZ hours when spaces are hard to find. Transport statement does not address delivery and servicing for home shopping deliveries. No disabled parking provided. Safety concerns with car parking arrangement directly onto Montague Road.
- The building, including its large tower does not relate appropriately to the rhythm, scale, density, proportions or height of surrounding buildings. Moving the building closer to the street frontages will add to its bulk and massing and sense of enclosure. Higher than existing building. Reference to build up in scale at other junctions not appropriate to the application site, these larger developments are situated on main roads (Merton Road and The Broadway) not residential areas like the application site. Existing building does not relate positively with surrounding buildings – proposed to replace it with a taller building with greater mass. Overdevelopment.
- Limited scope for soft landscaping and tree planting within the narrow frontages. No details of landscaping proposed. If the proposed corner tower is removed then a suitable green space with appropriate trees might be possible. Inadequate balance between built form and open space. Roof gardens not in keeping.
- Site plan out of date and no cross-sectional drawings provided with the application.
- Loss of light to neighbouring properties and gardens. Sunlight report should include impact upon 22 Griffiths Road. Do not see how a building extending much further south than the existing building, 3-4 storey high cannot affect daylight and sunlight to the properties to the east. Fails BRE test in relation to kitchen side window and bedroom/study of 23 Griffiths Road. Contrary to rights to light legislation.
- Delighted that the site is to be redeveloped
- Loss of privacy from windows and balconies. Balconies out of keeping). Louvres don't extend the whole length of the openings and thus do not prevent overlooking. Hedge would not prevent overlooking and could be removed
- Bin storage is insufficient and could lead overflow.
- Clutter at roof level which also adds to the massing of the building.
- Concern over disruption during construction

- Glare from large windows

### Wimbledon Society

- Intensity of the development too great. Fails to comply with aspects of Merton's policy DM D2. The siting conflicts with the existing building line and the character of two storey houses. Set too close to the street frontage, particularly on Montague Road. The fourth storey is set back from the front of the building, but the mass of the proposed building would still dominate and overlook the surrounding residential homes and gardens.
- Overintensive use of site creates inadequate provision outdoor amenity space. Use of small balconies and shared amenity space would result in cramped and overcrowded living conditions.
- Noise, vibration and pollution from the new parking area adjacent to existing nearby gardens
- Overdevelopment of the site

5.1.2 Amended plans have been provided following the original consultation. See paragraph 3.5 for details relating to the amendments. However please note that following the re-consultation period, further amendments have been received in relation to the removal of the east facing second floor balconies and reduction in the rearward projection of flat 16 (resulting in the loss of 1 flat).

5.1.3 Following re-consultation, 7 letters of objection were received. The main bulk of the objections reiterate the concerns expressed originally (see above). Neighbours consider that the changes are minor and have not addressed their concerns. In addition to reiterating the original comments, the letters of objection raise the following points in regards to the amendments:

- Removal of privacy fins to balconies 10, 11, 16 and 17. Hoped that these would be increased to the full width of the balconies. Their removal has therefore increased overlooking.
- Trees along the boundary may reduce overlooking but create claustrophobic feeling and shading in garden. In addition, there is concern that the trees are not long terms features and could be removed.
- Overlooking from new terraces

## 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 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 related to this application are the principle of development, design of the new building, its impact upon the Griffiths Road and Montague Road street scene, standard of accommodation provided, and impact upon neighbouring amenity and parking/highways considerations.

7.2 Amendments

7.2.1 Following concerns raised by neighbours and planning officers, the plans have been amended in order to reduce the bulk and massing of the building and reduce impact on neighbouring amenity. A full list of amendments can be found in paragraph 3.5 of this report.

### **7.3 Principle of Development**

7.3.1 The London Plan and the Council's adopted Core Planning Strategy (2011) and Sites and Policies Plan (2014) seek to increase housing provision where it can be shown that an acceptable standard of accommodation and a mix of dwelling types will be provided. 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 would create a net increase of 12 residential units on the site. The principle of development is therefore considered to be acceptable, making a contribution towards meeting housing choice and housing targets.

### **7.4 Design/Impact on Street Scene**

7.4.1 The existing flatted blocks are poorly related to the existing pattern of development and detract from the appearance of the street scene. They are rundown, lack any architectural merit and interact badly with the street frontages, particularly Griffiths Road. They create a weak form on a prominent corner location. The opportunity to provide a stronger, more coherent building form created by demolition of the existing buildings and redevelopment of the site is therefore welcomed by the Council.

7.4.2 The proposed building is considered to be of a high quality contemporary design utilized good quality stock brickwork as its principal material. Its layout, maximizing individual as well as communal entrances onto the street frontage, creates life and activity at street level, using an L shaped building that positively addresses both street frontages, something the existing building signally fails to achieve. The proposed building would respect the existing building lines of adjacent houses along Griffiths Road and would have a 2.4m set back from the highway along the Montague Road street frontage, which is a similar setback to the opposing houses (1d – 1h Montague Road) as well as the flatted block on the diagonally opposite corner on its Griffiths Road frontage..

7.4.3 Concerns have been expressed that the height and massing of the building fails to respect its setting. The application site is located within a tight knit urban area just outside the boundary of Wimbledon Town Centre. The existing buildings on the site are three storey with pitched roofs on top. The proposal is for a building which is 3 storey with a four storey corner feature and a flat roofed fourth floor recessed back from the street frontage as well as away from the boundaries with adjoining properties on Griffiths and Pelham Road. The parapet wall of the proposed 3<sup>rd</sup> storey is 1.7m higher than the eaves of the existing block. The maximum height of the corner feature and the recessed fourth storey is between 1.2 and 1.67m higher than the existing ridge height. This network of residential

streets adjacent to the town centre include a wide variety of two, three and four storey buildings. Many of the larger buildings within the residential grid are situated at street junctions, notably the flats comprising Cloister House on the opposite corner of Griffiths and Montague Road, which are 3 and 4 storey with a pitched roof on top. The proposed top floor of the building would have a reduced presence when viewed from street level due to being recessed behind the floors below and the use of a contrasting light weight material. The 4-storey corner feature only occupies a small part of the frontage (in contrast to Cloister House, which has a significant four storey element) and the main 3-storey brick elevations would only be 0.5m and 0.9m higher than the ridge levels of 24 and 22 Griffith Road respectively. The siting of the building would also respect the existing building lines along both street frontages. It is acknowledged that the proposed building would be taller and of a greater mass than the existing buildings, however it is considered to have been much more carefully designed to respond to its corner location and its massing has been moderated where it adjoins existing buildings. Gaps are also retained between the flank elevations and the main flanks of adjoining buildings which assist with the height transition. Officers consider that the proposed building would respect its setting and would not detract from the visual amenities of the area.

7.4.4 In terms of the design approach and detailing of the building, there is an eclectic mix of buildings within the immediate vicinity. The proposed contemporary design would have predominantly brick elevations which would respond to the materials of surrounding buildings. Balconies, winter gardens, large glazing, deep window reveals, brick on edge detailing and bronze panels would create a well-designed contemporary building. Planning conditions requiring submission of typical details and materials can be attached to the planning permission to ensure the end quality.

7.4.5 The proposal is considered to maximize the potential of the site whilst responding positively to the visual amenities of the area and without appearing overly high or bulky. The proposed building is therefore considered to be acceptable.

## **7.5 Neighbour Amenity**

### **7.5.1 Daylight/Sunlight/Overshadowing**

A specialist report has been provided which assesses the proposed development in relation to the guidelines set out in the BRE's 'Site Layout Planning for Daylight and Sunlight- a Guide to Good Practice 2011 (the BRE Guide). This enables an objective assessment of the impact of the development on daylight and sunlight. The properties to the rear in Pelham Road, the terrace to the west in Montagu road, the houses to the north in Griffiths road, and no 24 Griffiths Road to the east have all been

considered. The report concludes that there are no material reductions to sunlight with reference to the BRE Guide, and that good residual daylight distribution is maintained to all neighbouring windows with the exception of two clerestorey windows serving the kitchen in the flank wall of 24 Griffiths Road and a first floor bathroom that has been converted to a bedroom/study, also with a window within the flank wall. This property has unusually high light levels to the flank windows because of the anomalous position of the existing building on the application site, set well back beyond the building line. The clerestorey windows are not the original or main windows, which are on the rear elevation and are contained within a lightwell as part of the rear extension works to this property. The change from a first floor bathroom to a study has changed its daylight requirement in relation to the Guide. It is not a main bedroom and there would still be a reasonable gap between the new flank wall and the boundary. In order to avoid an impact on these windows, any new building would have to be set along way back from the building line or leave a big gap in the street frontage, which is undesirable in terms of both the street scene and optimizing the use of the site. In light of the nature and positioning of the windows/rooms served, the degree of impact is considered to be acceptable and is not considered to provide grounds for refusal. Overshadowing effects on the garden area of no.24 have also been considered against the BRE guidelines and fall well within acceptable parameters.

#### 7.5.2 Outlook and Privacy

##### *24 Griffith Road*

- 7.5.3 The proposed part of the new block fronting Griffith Road would be set back behind the rear of no 24's existing ground floor extension, in contrast with the existing block which projects over 3.5m further forward, sitting level with the rear wall of this extension. There would be a separation distance of 3.2m between the flank wall of the proposed building and the flank wall of this neighbour's original house.
- 7.5.4 The new enclosed balconies or 'winter gardens' added to flats 8 & 15 at first and second floor level would be fitted with obscured glazing on their east and part south elevations to mitigate overlooking of 24's garden area and would be suitably conditioned as such.
- 7.5.5 The other part of the L-shaped block fronting Montague Road and facing towards the garden of no 24 at the rear would be inset 15m from the side boundary with this neighbouring property. It should be noted that the existing building is also orientated towards this neighbouring property and therefore a degree of overlooking already exists. The proposed roof level terrace will be screened and the living room is orientated to face south. The original submission has been amended to reduce the massing of the

upper levels and remove the east facing balconies at second floor level, and the window to the main living area also faces south with only a high level living room window to the east elevation. Although there are two living rooms and balconies facing east at first floor level, there is a 15m separation to the side garden boundary with no.24 and in addition to the level of separation, the existing tree within the rear garden of this neighbouring property and new soft landscaping (trees/shrubs) would soften views and help reduce any perception of being overlooked within the garden area. A planning condition requiring full details of landscaping would ensure long term benefits visually and in terms of neighbours amenity. The details relating to the type and number of trees can be subject of agreement with this neighbouring property. Having verbally spoken with the owners of 24 Griffiths Road they are unsure if they would prefer either no trees along the boundary, continuous row of trees (as shown) or sporadic trees placed in the communal rear garden, but this can be the subject of further discussion.

#### *29 – 35 Griffith Road*

- 7.5.6 These properties are situated on the opposite side of Griffiths Road. They are separated from the application site by the public highway and a separation distance of 20.8m between the frontages of the buildings. This is the established pattern of development in the area and the impact on outlook is considered to be acceptable.

#### *51 Pelham Road*

- 7.5.7 This detached building has been split into three flats. The proposed building fronting Griffiths Road which sit at the rear of this neighbours garden would be distanced 21.8m from the rear garden of this neighbouring property. The level of separation would ensure that there is no undue loss of amenity. 4m high pleached trees are also proposed along the boundary of the rear garden. The first balcony for flat 11 close to the rear garden boundary would have a 1.7m high side screen to preserve privacy secured by planning condition..

#### *53 Pelham Road*

- 7.5.8 The rear garden of 55 Pelham Road backs directly onto the southern boundary of the application. The proposed single storey element of the building would abut the rear garden boundary of this neighbouring property. Whilst abutting the rear garden boundary, this part of scheme is only single storey and would be distanced 18.5m away from the rear elevation of this neighbouring property. The proposed single storey element would therefore appear similar to a domestic garage at the end of the garden.
- 7.5.9 At the upper levels of the closest part of the building, the southern stair core would be distanced 6m from the rear garden boundary, which would

meet the Council's SPG standard for new residential development. The use of a green roof and greenwall will also help minimise any visual impact when viewed from this neighbouring garden and property. Overall, the proposed building would be well distanced away from this neighbouring property to ensure there is no undue loss of amenity.

#### *55 Pelham Road*

- 7.5.10 Located to the south of the application, the rear garden of 55 Pelham Road is separated from the application site by row of three single storey garages. These garages are to be replaced by 7 off street car parking spaces. The proposed flank wall of the development thereafter would be located 18m and 22m from the rear garden boundary and rear elevation of the building respectively. Overall, the proposed building would be well distanced away from this neighbouring property, ensuring there is no loss of amenity.

#### *1h – 1d Montague Road*

- 7.5.11 This block of five terraced houses is situated on the opposite side of Montague Road. The three storey element of the building (main part of building) would sit 1.3m below the ridge level of the existing building. The top floor would be set back by 1.2m and is of light weight material that would sit 1.2m above the existing ridge level. The proposed front building line would be the same as these neighbouring properties with a 2.4m set back from the edge of the pavement. This would create a 16.9m separation the frontages and the public highway would offer a physical separation. This is an urban setting and an established pattern of development in the area and it is not considered to result in an unacceptable impact on outlook or privacy.

### 7.6 Standard of Accommodation

- 7.6.1 The proposed flats would provide a good standard of accommodation for future occupiers with each flat exceeding the London Plan Gross Internal Area minimum standards.
- 7.6.2 Planning policy DM D2 states that for flatted dwellings, a minimum of 5sqm of private outdoor space should be provided for 1-2 person flatted dwellings (as specified in the Mayor's Housing Supplementary Planning Guidance 2012) and an extra 1 sqm should be provided for each additional occupant. Each proposed flat has direct access to private amenity space (either garden, balcony or winter garden) that meets or exceeds the space standards set out in planning policy DM D2 and Mayor's Housing Supplementary Planning Guidance 2012 with the exception of flat 3, which cannot directly access rear garden amenity space like the other ground floor flats due to its corner position. However, this flat is at ground floor level and therefore has convenient access to a



79 square metre rear communal garden. In addition, the Mayors SPG states that where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. As the flat is 19 sqm above minimum GIA and minimum living area of the dwelling it is well above this requirement. The provision of private amenity is generally in excess of requirements and the provision of directly accessible garden space for 4 of the ground floor flats is particularly welcomed.

## 8. Traffic, Parking and Highways conditions

8.1 The proposal would provide 11 off street car parking spaces. Seven spaces would be provided in the location of the existing garages on Montague Road and four at the rear of the site accessed via the proposed undercroft off Montague Road. The site has a high PTAL rating of 6a which means that future occupants would have very good access to a number of alternative public transport options. The London Plan advises that 3 bedroom units should have a maximum of 1.5 spaces per unit and 1-2 bedroom units less than 1 per unit, and that in areas of good public transport accessibility, development should aim for significantly less than 1 space per unit. 11 car parking spaces have been provided, two of which would be disabled spaces. Whilst neighbours have raised concerns about the level of off street parking provision, it is considered that it would meet London Plan objectives in terms of making reduced provision in areas of good public transport accessibility.

8.2 The application site and surrounding areas fall within Controlled Parking Zones (CPZ). Given that these are already oversubscribed and given the very good level of public transport options within the area, to promote sustainable development and to safeguard the existing highway conditions, the development would be required to be a permit free via a section 106 agreement.

## 9.1 Affordable Housing

9.1.1 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

Councils independent viability assessor originally stated that a policy compliant 40% affordable scheme is not viable and that only 8% affordable in the form of 100% intermediate could be achieved on this scheme, which equates to 1-2 units. Due to the management difficulties associated with such a small element of affordable housing, a payment in lieu of affordable housing to a maximum of £220,000 was considered to be a reasonable approach. However, the scheme has since been reduced from 23 units to 21 at officers request and a figure of £200k has been agreed despite the viability now showing that there is no surplus as a result of the amendments. The provision of an off site affordable housing contribution is considered to be acceptable in this instance and meets the objectives of planning policy CS 8 (Housing Choice).

#### 10. Local Financial Considerations

- 10.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton's Community Infrastructure Levy was implemented on 1<sup>st</sup> April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

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

- 11.1.1 The proposal is for minor residential development and an Environmental Impact Assessment is not required in this instance.
- 11.1.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms on EIA submission. The houses will be required to meet Code Level 4 of the Code for Sustainable Homes and Lifetime Homes standards

#### 12. **CONCLUSION**

- 12.1.1 The redevelopment of the site is welcomed as the existing buildings have little architectural merit and relate poorly to the Griffiths Road street scene. The proposed new building is considered to offer a high quality contemporary building that respects the existing pattern of development in the area. The proposal would provide good quality residential units with no undue impact upon neighbouring amenity or highway conditions. The

application would therefore be recommended for approval by planning officers subject to conditions and S106 agreement relating to permit free development and affordable housing contributions.

## **RECOMMENDATION**

### GRANT PLANNING PERMISSION

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

Designation of the development as permit-free and that on-street parking permits would not be issued for future residents of the proposed development.

That the developer makes an financial contribution towards Affordable housing (£200,000).

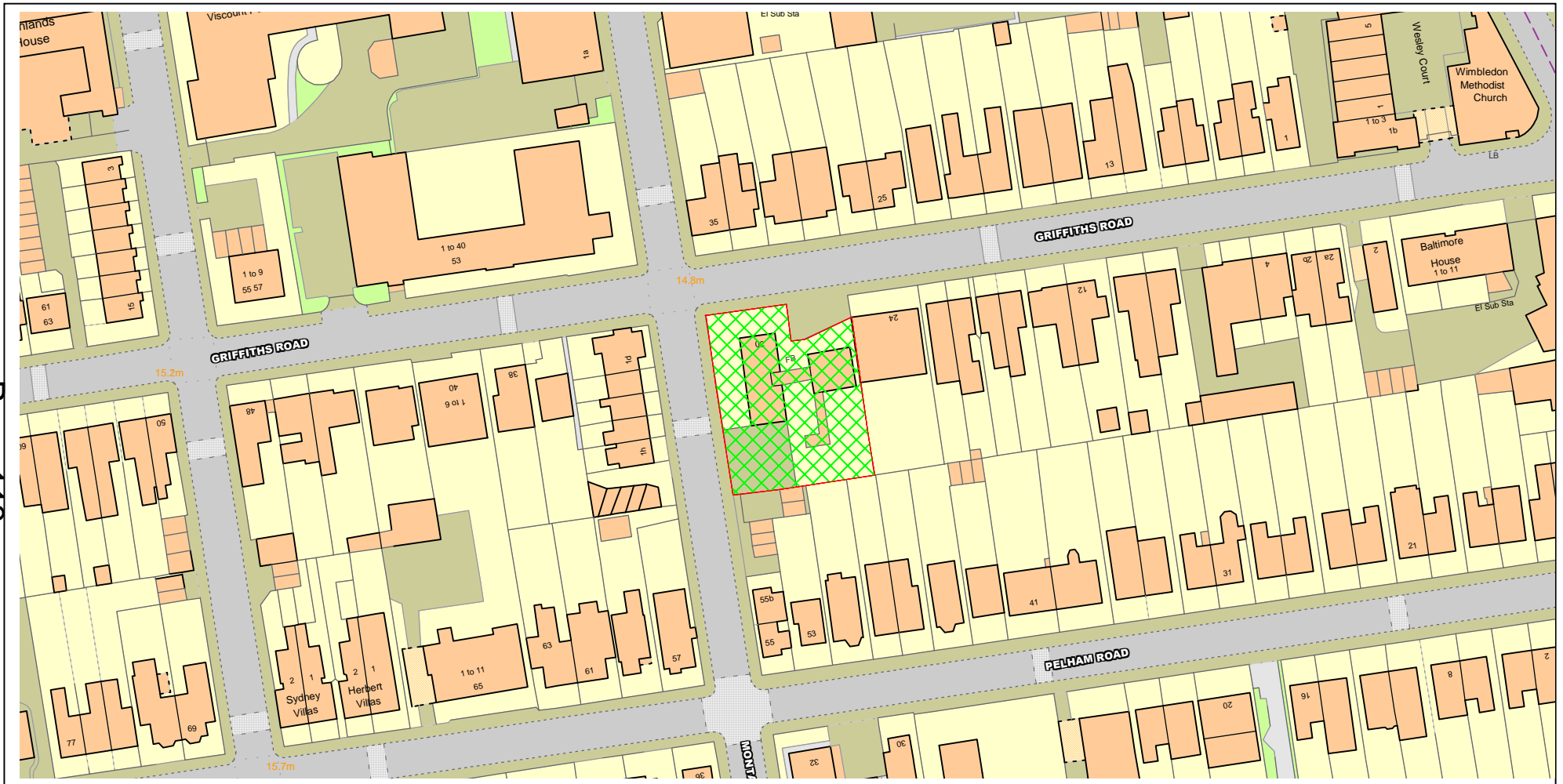
The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A.1 Commencement of Development
2. A7 Approved Plans
3. B.1 Materials to be approved
4. B.4 Details of Surface Treatment
5. Details of boundary treatment
6. Refuse implementation
7. Cycle implementation
8. Landscaping details
9. Landscaping implementation
10. Obscured glazed balconies.
11. Details of screening to balconies

12. Sustainable homes
13. Lifetime homes
14. D11 Construction Times
15. No use of flat roofs



# NORTHGATE SE GIS Print Template

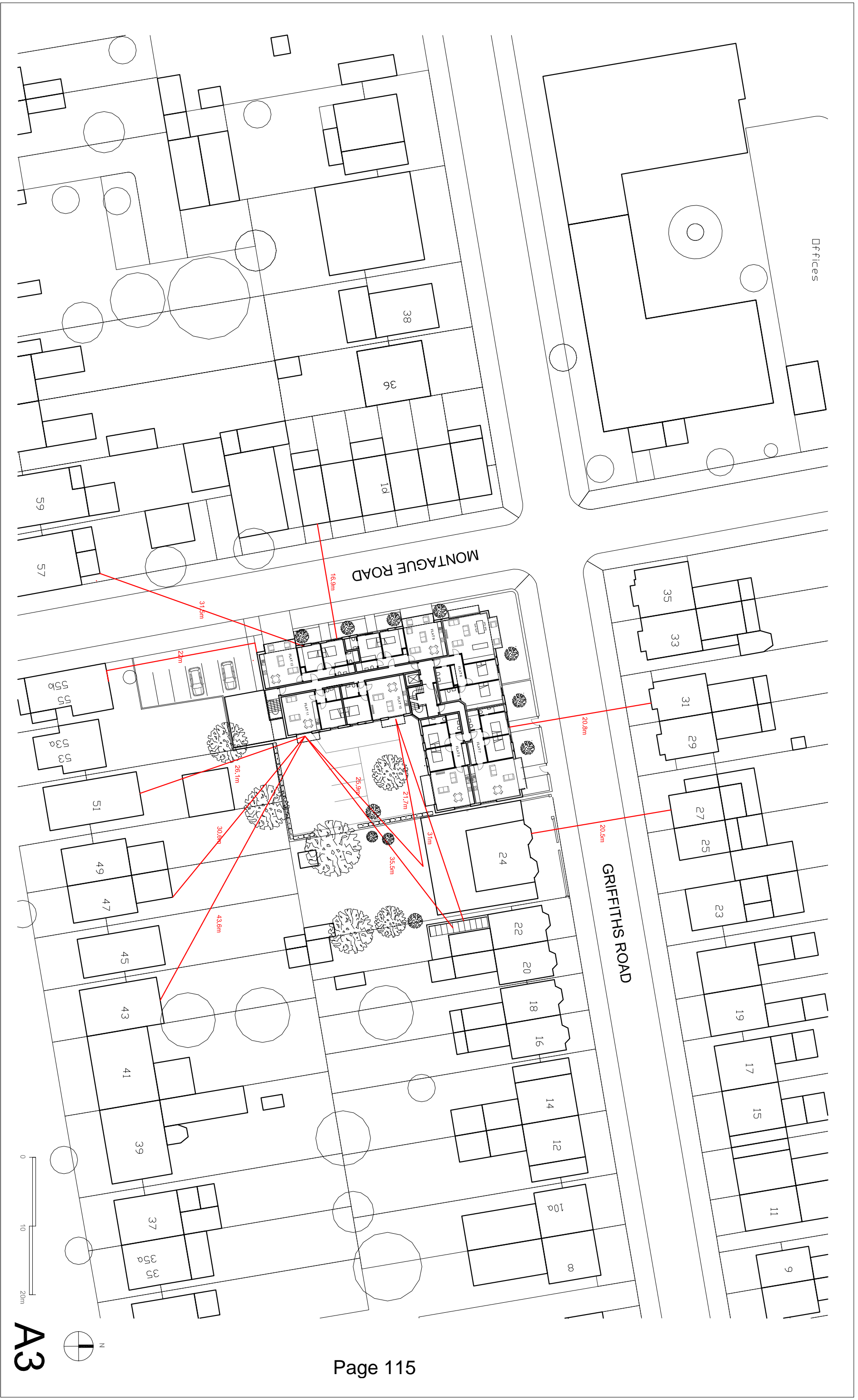


Text Details 30 Griffiths Road



Page 114

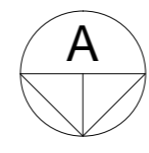
© 3W Architecture Limited. All rights reserved.	Rev	Date	Amendment	Date	Project	Job Ref.	Job no.	
	A	12.11.2015	Planning application Issue	May 2015	30 Griffiths Road SW19	GWR	185	
3W Architecture Limited registered in England.	B	07.01.2016	Officer comments incorporated. Landscaping amended - Planning application Issue	Scale @ A3 1:500	Checked	Title Proposed Site Plan		
				Status Planning	Dwg. no. 185 (05) 006		Rev. B	
Company no. 3132871 Registered Office The Pines Boars Head East Sussex				Architect	 Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org			



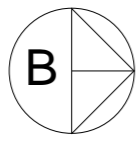
**A3**

Rev	Date	Amendment	Date	Project	Job Ref.	Job no.
A	18.12.2015	Planning application Issue	May 2015	30 Griffiths Road SW19	GWR	185
B	06.01.2016	Officer comments incorporated, Landscaping amended - Planning application Issue	Scale @ A3 1:500	Checked	Title Proposed Site Plan at First Floor	
			Status Planning	Dwg. no. 185 (05) 007	Rev. B	
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Company no. 3132871 Registered Office The Pines Boars Head East Sussex			<b>3W</b>			

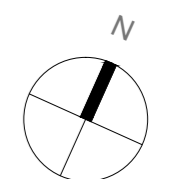
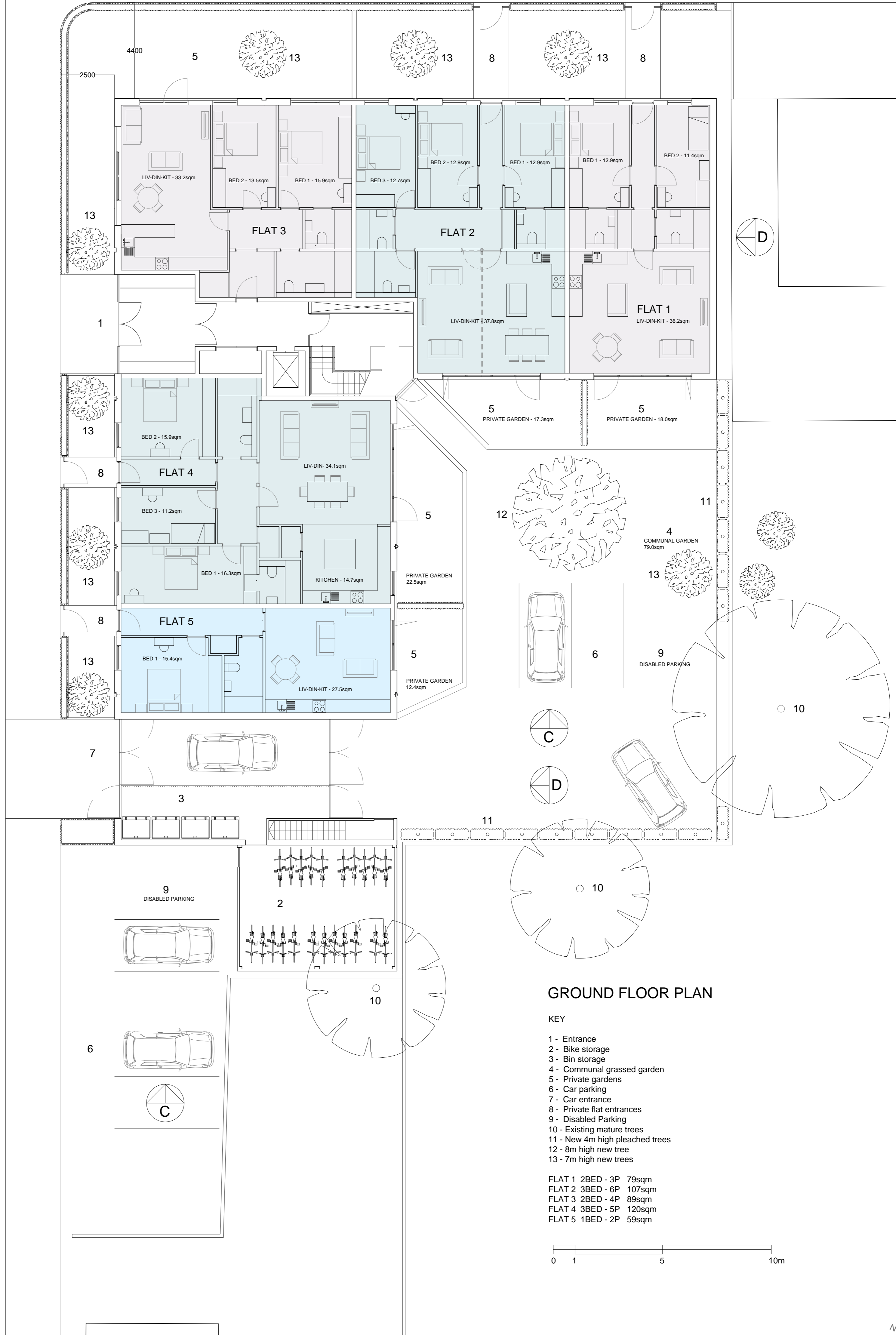




GRIFFITHS ROAD



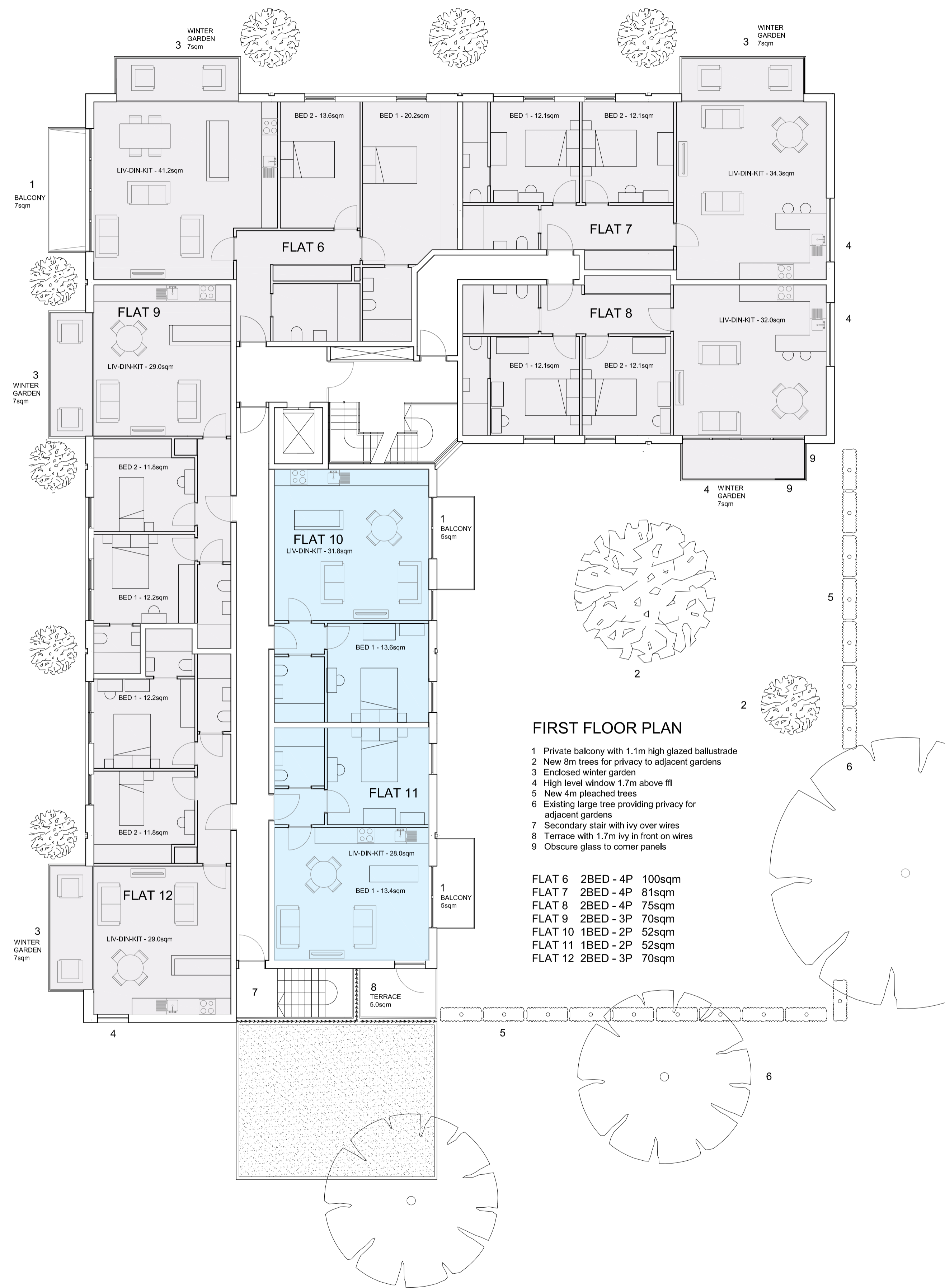
MONTAGUE ROAD



A1

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	A	12.11.2015	Issued for Planning application	May 2015	Griffiths Road SW19	GRW	158		
	B	17.11.2015	Issued for Planning application	Scale @ A1	Checked	Title			
	C	18.12.2015	Habitable rooms and garden sizes added and adjusted - Issued for Planning application	1:100	Ground Floor Plan		Dwg. no.		Rev.
	D	06.01.2016	Landscaping amended to mitigate overlooking - Issued for Planning application	Status	185(10)005	E			
E	12.01.2016	Design and Planning Officer comments incorporated - Issued for Planning application	Architect	3W Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org					

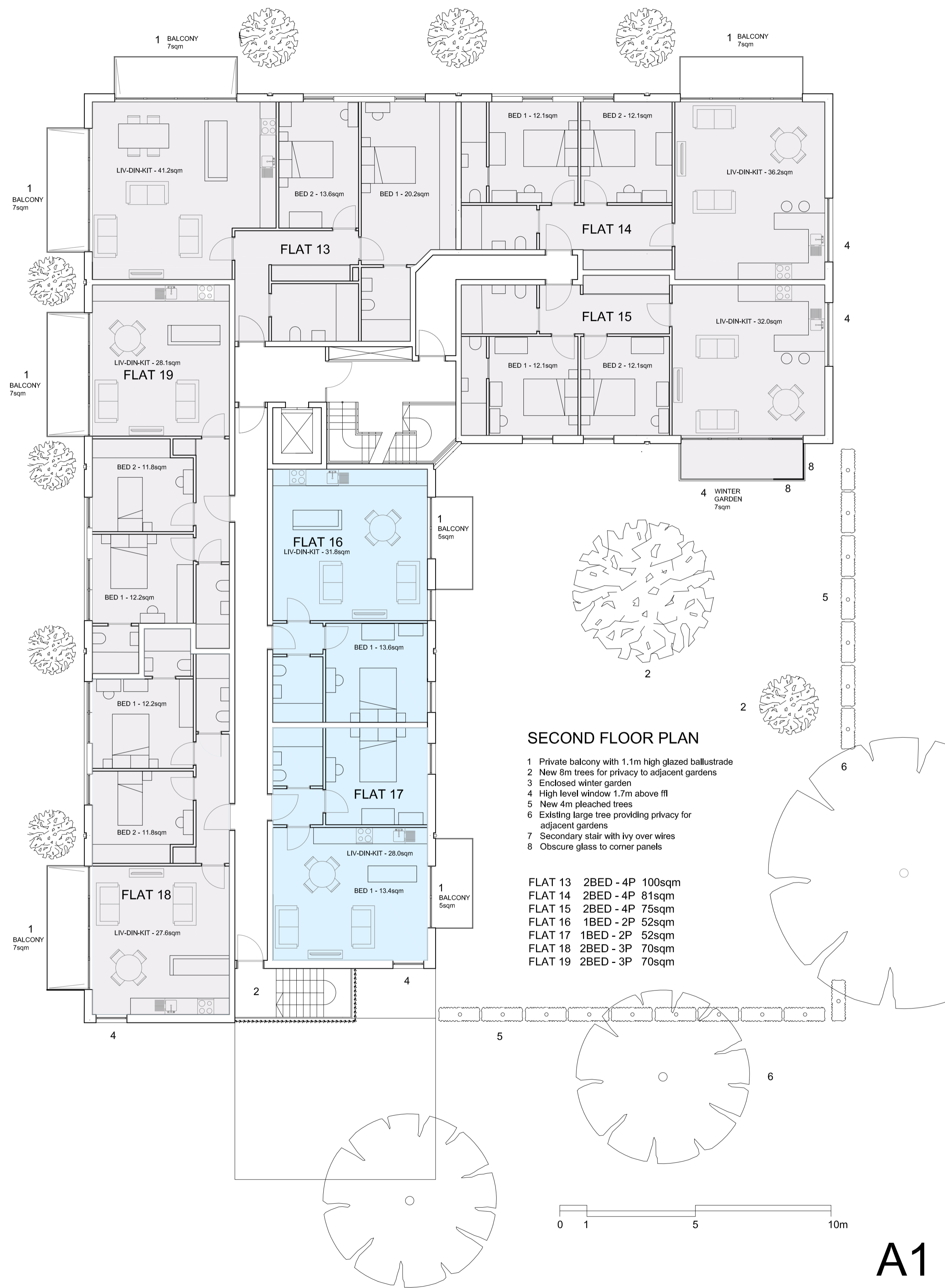




**FIRST FLOOR PLAN**

- 1 Private balcony with 1.1m high glazed balustrade
- 2 New 8m trees for privacy to adjacent gardens
- 3 Enclosed winter garden
- 4 High level window 1.7m above ffl
- 5 New 4m pleached trees
- 6 Existing large tree providing privacy for adjacent gardens
- 7 Secondary stair with ivy over wires
- 8 Terrace with 1.7m ivy in front on wires
- 9 Obscure glass to corner panels

FLAT 6	2BED - 4P	100sqm
FLAT 7	2BED - 4P	81sqm
FLAT 8	2BED - 4P	75sqm
FLAT 9	2BED - 3P	70sqm
FLAT 10	1BED - 2P	52sqm
FLAT 11	1BED - 2P	52sqm
FLAT 12	2BED - 3P	70sqm



**SECOND FLOOR PLAN**

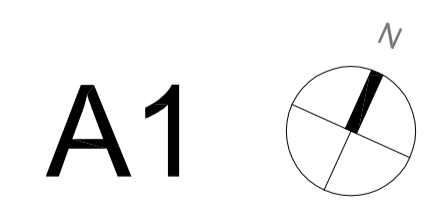
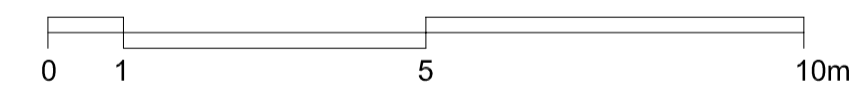
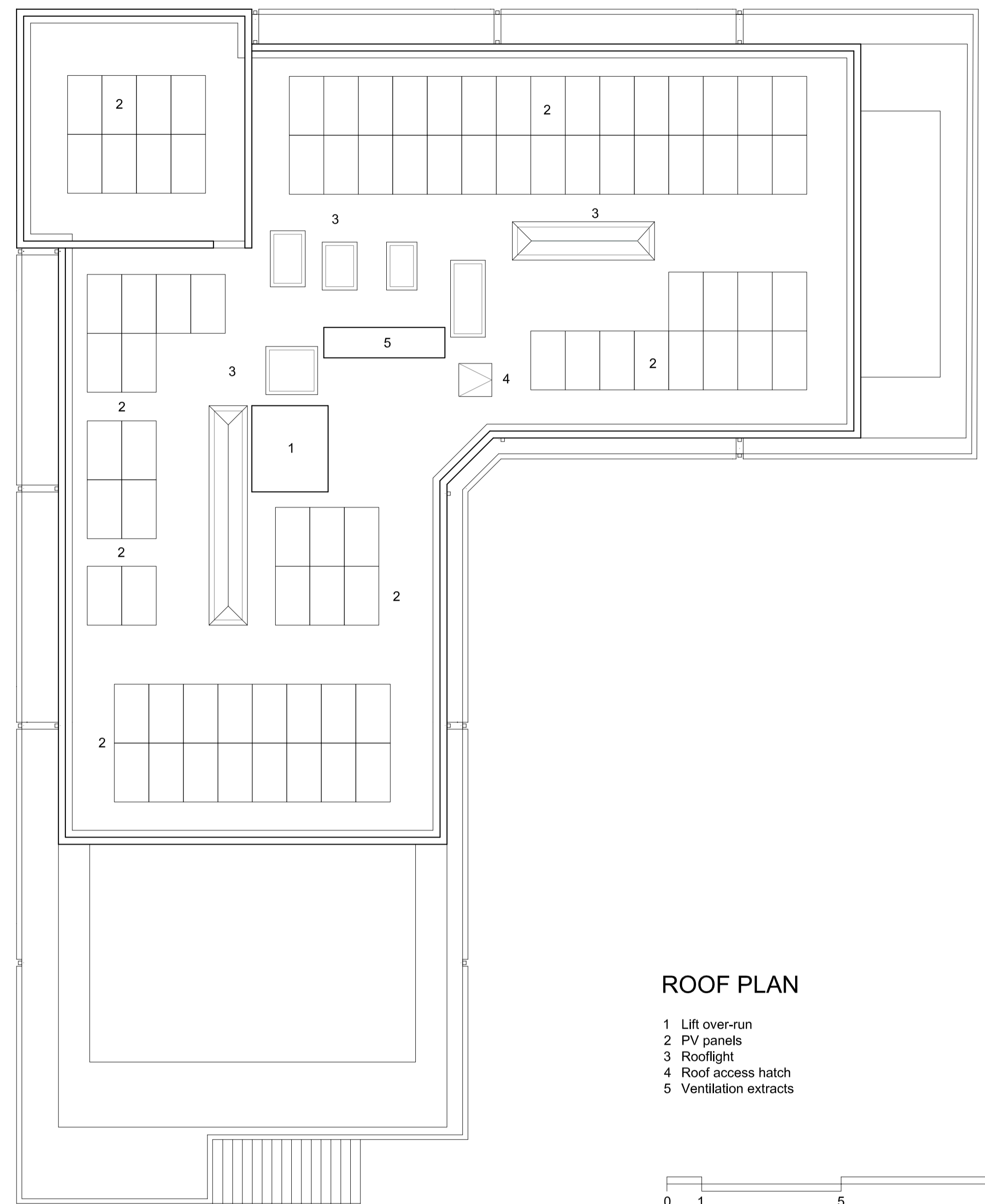
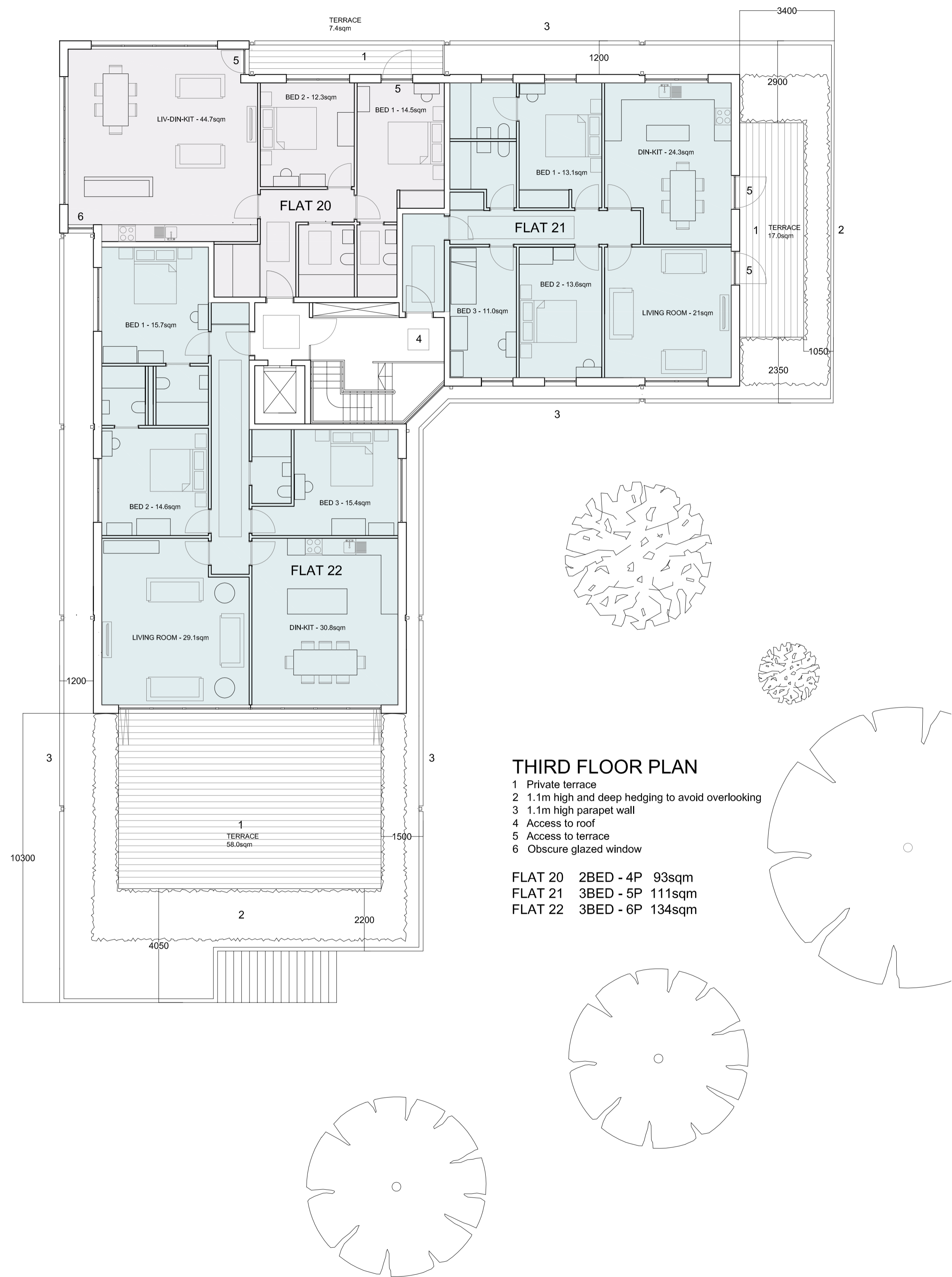
- 1 Private balcony with 1.1m high glazed balustrade
- 2 New 8m trees for privacy to adjacent gardens
- 3 Enclosed winter garden
- 4 High level window 1.7m above ffl
- 5 New 4m pleached trees
- 6 Existing large tree providing privacy for adjacent gardens
- 7 Secondary stair with ivy over wires
- 8 Obscure glass to corner panels

FLAT 13	2BED - 4P	100sqm
FLAT 14	2BED - 4P	81sqm
FLAT 15	2BED - 4P	75sqm
FLAT 16	1BED - 2P	52sqm
FLAT 17	1BED - 2P	52sqm
FLAT 18	2BED - 3P	70sqm
FLAT 19	2BED - 3P	70sqm

Rev	Date	Amendment
A	12.11.2015	Issued for Planning application
B	18.12.2015	Habitable rooms sizes added and adjusted - Issued for Planning application
C	06.01.2016	Southern end plan form reduced, Flat 8 & 15 bay window omitted - Issued for Planning application
D	12.01.2016	Design and Planning Officer comments incorporated - Issued for Planning application

Date	May 2015	Project	Griffiths Road SW19	Job Ref.	GRW	Job no.	158
Scale @ A1	1:100	Checked		Title	First and Second Floor Plans		
Status	Planning	Dwg. no.	185(10)006	Rev.	D		
Architect	3W Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org						





Rev	Date	Amendment	Date	Project	Job Ref.	Job no.
A	12.11.2015	Issued for Planning application	May 2015	Griffiths Road SW19	GRW	158
B	18.12.2015	Habitable rooms sizes added and adjusted - Issued for Planning application	Scale @ A1	Checked		
C	06.01.2016	Southern end set back a further 3.3m Eastern end set back a further 1.2m Street elevations set back 1.2m - Issued for Planning application	Status	Title		
D	12.01.2016	Design and Planning Officer comments incorporated - Issued for Planning application	Planning	Dwg. no.		Rev.
			Architect	185(10)007		D
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Proposed Elevation

Extent of Application Montague Road



Existing Elevation

Extent of Application Montague Road

A1 0 5m 10m 20m

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Rev	Date	Amendment
A	12-11-15	Planning Application Submission
B	18-12-15	Planning Application Submission following planners comments
C	05-01-16	Ammended Roof and Landscaping
D	07-01-16	Ammended Roof and Landscaping

Date	Project	Job Ref.	Job no.
Jan 2016	Griffiths Road SW19	GRW	158
Scale @ A1	Checked	Title	
1:250		Proposed + Existing Long Montague Road Elevation A	
Status	Dwg. no.	Rev.	
Planning Application	185 (11) 001	D	
Architect	3W Thames Wharf Studios Rainville Road London W6 9HA tel 020 7835 5552 fax 020 7835 5525 email mail@3w.org		







Proposed Elevation

Extent of Application

Montague Road



Existing Elevation

Extent of Application

Montague Road



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Rev	Date	Amendment
A	12-11-15	Planning Application Submission
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Date	Jan 2016	Project	Griffiths Road SW19	Job Ref.	GRW	Job no.	158
Scale @ A1	1:100	Checked	Title	Proposed + Existing Griffiths Road Elevation A			
Status	Planning Application	Dwg. no.	185 (11) 005	Rev.	D		
Architect	<b>3W</b> Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org						







Proposed Elevation



Existing Elevation



A1 0 5m 10m 20m

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	A	12-11-15	Planning Application Submission	Scale @ A1	Checked	Title	Proposed + Existing Long Griffiths Road Elevation B					
	B	18-12-15	Planning Application Submission following planners comments	Status	Planning Application		Dwg. no.	185 (11) 002	Rev.	D		
	C	05-01-16	Ammended Roof and Landscaping	Architect	3W Thames Wharf Studios Rainville Road London W6 9HA tel 020 7835 5552 fax 020 7835 5525 email mail@3w.org							
D	08-01-16	Ammended Roof and Landscaping										

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A1 0 1m 2.5m 5m 10m

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Rev	Date	Amendment
A	12-11-15	Planning Application Submission
B	18-12-15	Planning Application Submission following planners comments
C	05-01-16	Ammended Roof and Landscaping
D	07-01-16	Ammended Roof and Landscaping

Date	Project	Job Ref.	Job no.
Jan 2016	Griffiths Road SW19	GRW	158
Scale @ A1	Checked	Title	
1:100		Proposed + Existing Montague Road Elevation B	
Status	Dwg. no.	Rev.	
Planning Application	185 (11) 006	D	
Architect	3W Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org		





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Proposed Elevation



Montague Road

Extent of Application

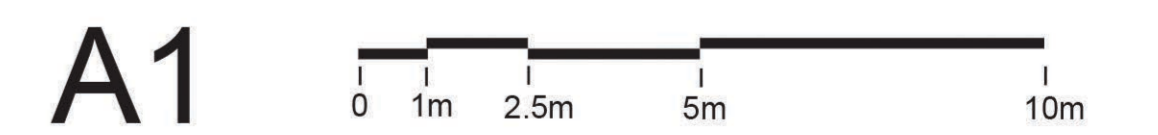


Existing Elevation



Montague Road

Extent of Application



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Rev	Date	Amendment
A	12-11-15	Planning Application Submission
B	18-12-15	Planning Application Submission following planners comments
C	05-01-16	Amended Roof and Landscaping
D	07-01-16	Amended Roof and Landscaping
E	13-01-16	Amended Windows and terrace
F	14-01-16	Amendments for planning

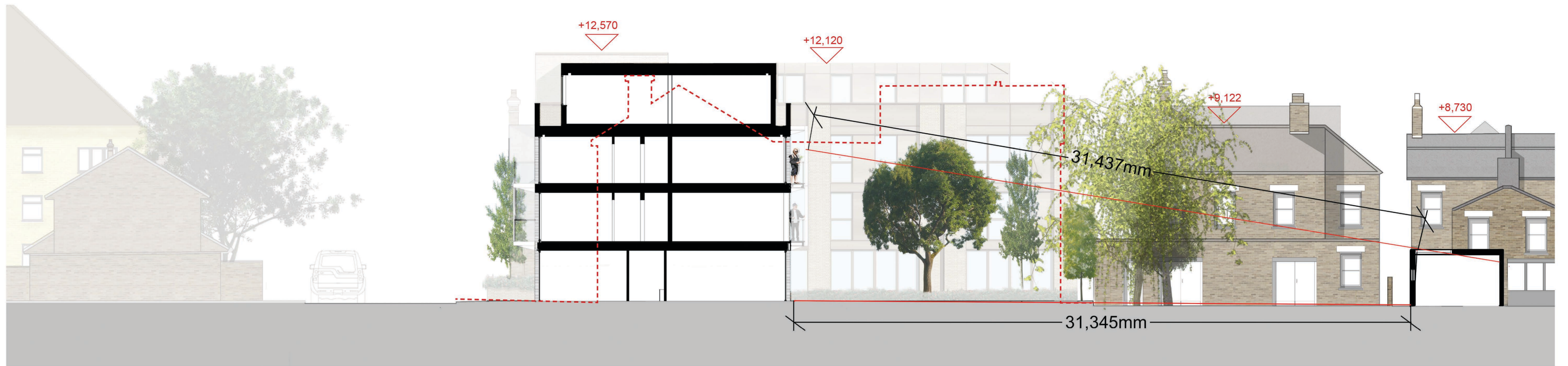
Date	Jan 2016	Project	Griffiths Road SW19	Job Ref.	GRW	Job no.	158
Scale @ A1	1:100	Checked		Title	Proposed + Existing Griffiths Road Elevation C		
Status	Planning Application	Dwg. no.	185 (11) 007	Rev.	F		
Architect	3W Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org						





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Proposed Elevation and Section



Montague Road

Extent of Application

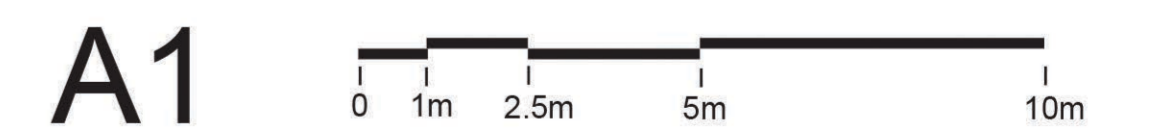


Existing Elevation



Montague Road

Extent of Application



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A	18-12-15	Planning Application Submission following planners comments
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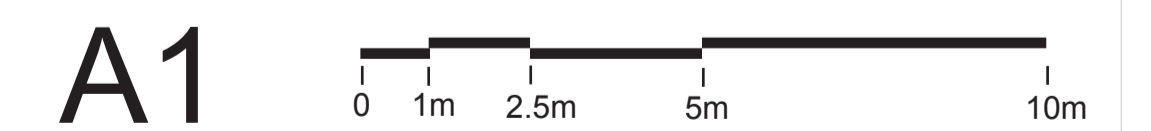
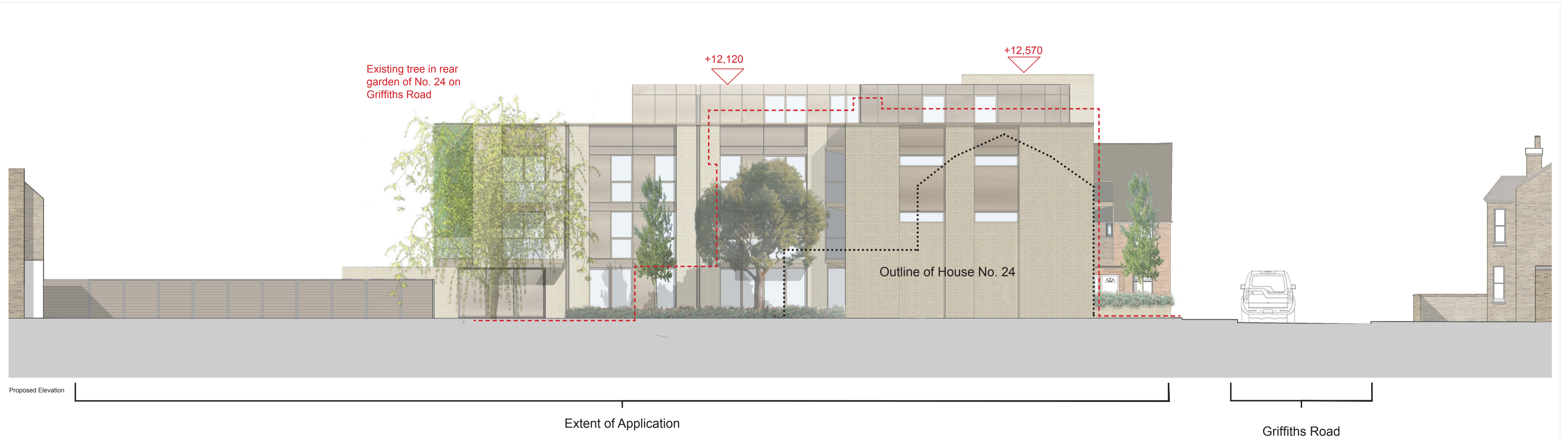
Date	Jan 2016	Project	Griffiths Road SW19	Job Ref.	GRW	Job no.	158
Scale @ A1	1:100	Checked		Title	Proposed + Existing Griffiths Road Elevation C - Section		
Status	Planning Application	Dwg. no.	185 (11) 009	Rev.	C		
Architect	3W Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org						





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F	14-01-16	Ammended for planning

Date	Project	Job Ref.	Job no.
Jan 2016	Griffiths Road SW19	GRW	158
Scale @ A1 1:100	Checked	Title Proposed + Existing Rear Montague Road Elevation D	
Status Planning Application	Dwg. no. 185 (11) 008	Rev. F	
Architect 3W Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org			





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Griffiths Road Elevation



Eastern Elevation

Page 131



Montague Road Elevation



Southern Elevation

**Materials Legend**

- 1. Stock brickwork
- 2. Bronze anodised front doors
- 3. Bronze anodised panels
- 4. Greenwall
- 5. Double glazed aluminium window system
- 6. Glass Balustrade
- 7. Projecting glass winter garden
- 8. Bronze coloured doors to car park



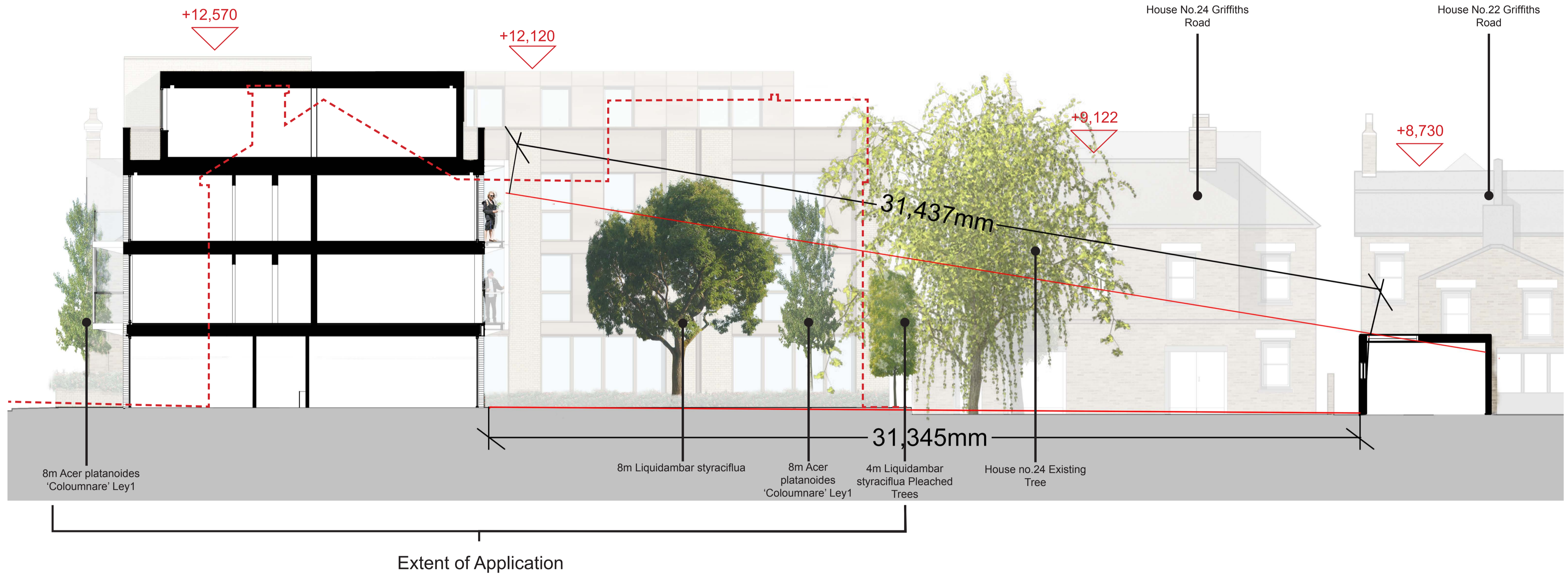
A1

© 3W Architecture Limited. All rights reserved. 3W Architecture Limited registered in England. Company no. 3132871 Registered Office The Pines Boars Head East Sussex	Rev	Date	Amendment	Date	November 2015	Project	Griffiths Road SW19	Job Ref.	GRW	Job no.	158	
	A	12.11.2015	Issued for Planning	Scale @ A1	1:100	Checked	Title	Materials Elevations		Status	Planning	
	B	17.11.2015	Issued for Planning	Dwg. no.	185(11)010	Rev.	C	Architect		3W Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org		
	C	18.01.2016	Issued for Planning									



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Proposed Elevation and Section



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Rev	Date	Amendment

Date	Jan 2016	Project	Griffiths Road SW19	Job Ref.	GRW	Job no.	158
Scale @ A1	1:75	Title	Proposed Section through Montague Road	Status	Planning Application	Dwg. no.	185 (11) 015
Checked		Rev.	-	Architect	3W	Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7835 5552 fax. 020 7835 5525 email. mail@3w.org	







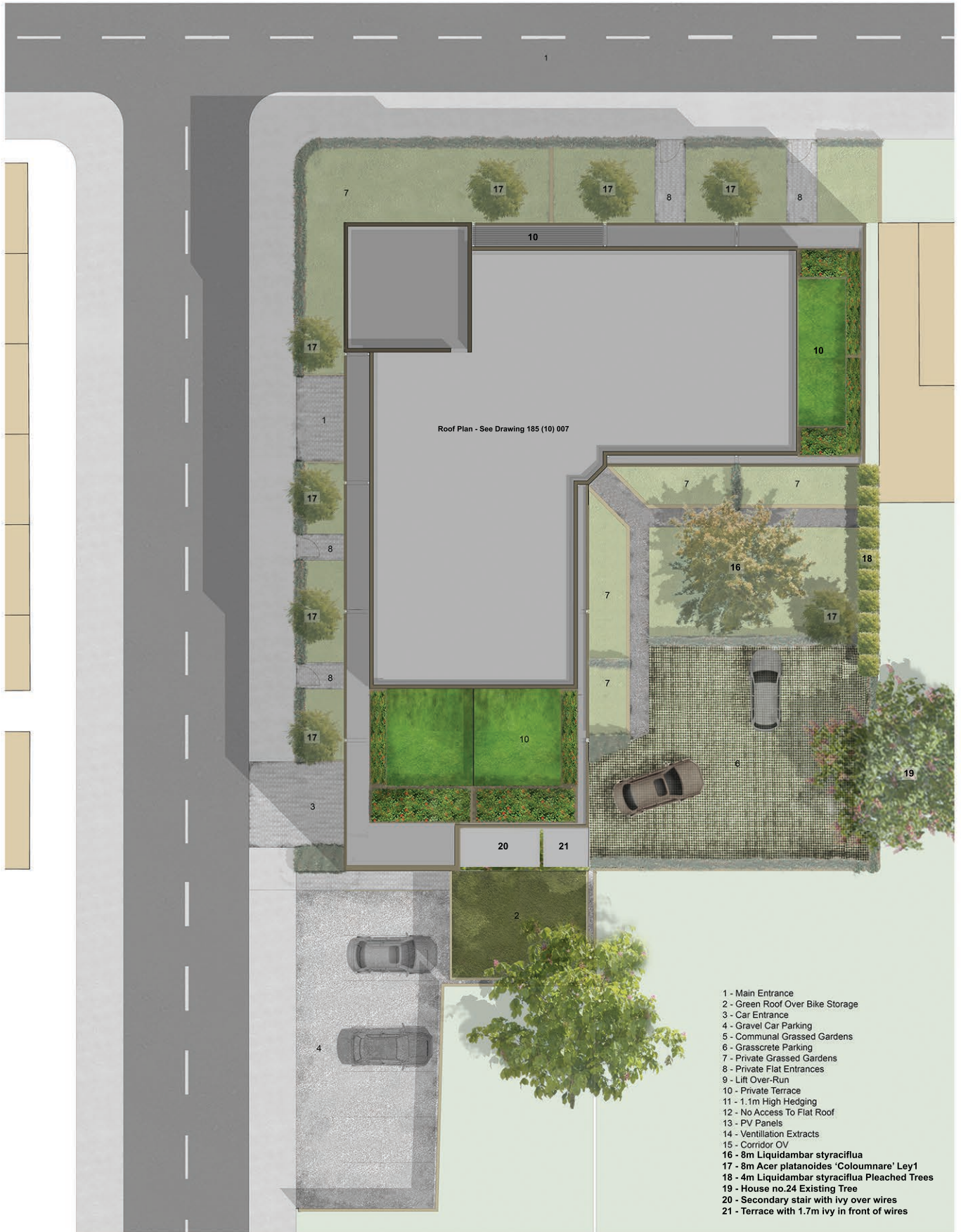


**Key**

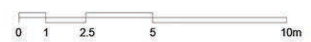
- 1 - Proposed Building
- 2 - 8m High Sweetgum Tree (*Liquidambar Styraciflua*)
- 3 - 4m High Hornbeam Pleach Tree (*Carpinus Betulus*)
- 4 - Existing Low Level Trees
- 5 - Existing Willow Tree
- 6 - 2m High New Fence
- 7 - Existing Brick Wall



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- 1 - Main Entrance
- 2 - Green Roof Over Bike Storage
- 3 - Car Entrance
- 4 - Gravel Car Parking
- 5 - Communal Grassed Gardens
- 6 - Grasscrete Parking
- 7 - Private Grassed Gardens
- 8 - Private Flat Entrances
- 9 - Lift Over-Run
- 10 - Private Terrace
- 11 - 1.1m High Hedging
- 12 - No Access To Flat Roof
- 13 - PV Panels
- 14 - Ventilation Extracts
- 15 - Corridor OV
- 16 - 8m Liquidambar styraciflua
- 17 - 8m Acer platanoides 'Coloumnare' Ley1
- 18 - 4m Liquidambar styraciflua Pleached Trees
- 19 - House no.24 Existing Tree
- 20 - Secondary stair with ivy over wires
- 21 - Terrace with 1.7m ivy in front of wires



**A3**

Rev	Date	Amendment
A	16.11.2015	Planning application Issue
B	14.01.2015	Amendment to tree layout

Date Nov 2015	Project 30 Griffiths Road SW19	Job Ref. GWR	Job no. 185
Scale @ A3 1:200	Title Landscape Plan		
Status Planning	Dwg. no. 185 (10) 020	Rev. B	
Architect <b>3W</b>	Thames Wharf Studios Rainville Road London W6 9HA tel. 020 7635 5552 fax. 020 7635 5525 email. mail@3w.org		



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# Agenda Item 8

PLANNING APPLICATIONS COMMITTEE  
11<sup>th</sup> February 2016

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P0797	24/02/2015
<b>Address/Site</b>	Grosvenor Court, Grosvenor Hill, Wimbledon, SW19 4RX	
<b>Ward</b>	Village	
<b>Proposal:</b>	Demolition of garage blocks (comprising 9 x garages) and erection of new garages, refuse store and cycle store at ground floor level and new 2 bed flat at first floor level	
<b>Drawing Nos</b>	156(PL) 01 revP2, 02 RevP, 03 revP2, 04 RevP, 05 revP2, 06 revP2, 07 revP2, 08 revP, 09 revP2, 10 revP2, 11 revP, 12 revP2, 13 revP2, 14 revP, 15 revP, 16 revP2, 18revP, 19 RevP, 30revP, 40 RevP, 41 RevP, Design and access statement PL20 RevP, Arboricultural Report 09136, 09136/TPP Tree Protection Plan	
<b>Contact Officer:</b>	Stuart Adams (0208 545 3147)	

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## RECOMMENDATION

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

## CHECKLIST INFORMATION

Heads of agreement: - Permit Free Development

Is a screening opinion required: No

Is an Environmental Statement required: No

Has an Environmental Impact Assessment been submitted – No

Press notice – Yes

Site notice – Yes

Design Review Panel consulted – No

Number of neighbours consulted – 108

External consultations – No.

PTal – 6a



1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

- 2.1 The site is located at the rear of Grosvenor Court, Wimbledon. Grosvenor Court comprises two blocks of four storey apartments built in the 1920's in red brick, the top floor being within a red tiled mansard roof. They contain a total number of 18 flats. Grosvenor Court's principal and vehicular access is from Grosvenor Hill, with an additional pedestrian access gate at the rear of the site onto Draxmont. Draxmont is a short cul-de-sac connecting to Wimbledon Hill Road to the north. Wimbledon Hill Road is the main thoroughfare between Wimbledon Village and Wimbledon Town Centre.

- 2.2.1 The application site comprises the rear courtyard and 2 single storey garage blocks relating to Grosvenor Court containing 9 garages split into two blocks of 3 and 6. The application site is bounded by residential flatted blocks with Grosvenor Court itself to the south and south-west, Emerson Court to the north (and gardens of properties in Walham Rise), and Sovereign House to the east on the opposite side of Draxmont. The neighbouring blocks range from 4-5 storeys. The eastern boundary of the application site is screened from Draxmont by a leylandii hedge and the northern boundary by a number of mature trees.

- 2.3 The application site is located within the Wimbledon West Conservation Area.

3. **CURRENT PROPOSAL**

- 3.1 The proposal comprises the demolition of the 2 garage blocks (comprising 9 garages) and the erection of new garages, refuse store and cycle store at ground floor level and new 2 bed flat at first floor level

- 3.2 The proposed building would be mainly single storey with a two storey element parallel with Draxmont. It very broadly sits within the same part of the site as the 2 existing garage blocks but forms a continuous single structure curving around the north-east corner of the site. The ground floor would comprise 9 replacement garages, refuse, general storage and bike

storage facilities and the entrance to the staircase to the proposed first floor flat. The first floor element comprises an 80 sqm 2bed 3 person flat with private amenity space in the form of a balcony.

3.3 The proposed building is of a flat roofed contemporary design, with a curved form. Its principal materials are vertical cedar cladding to the walls and garage doors with dark grey aluminium framed windows and coping and vertical timber louvres. Both the single storey and two storey elements would have green roofs.

3.3 The proposed ground floor element would be slightly lower than the existing garage blocks (52.14m AOD compared to between 52.30 and 52.76m AOD) which is between 2.45 and approx 3m measuring from the adjoining land level. The first floor element is 3.3m higher and would sit parallel with the existing leylandii hedge along Draxmont. The hedge was planted by the management company of the flats at Sovereign House, on the opposite side of Draxmont some decades ago on the understanding that they would be responsible for its maintenance and it is currently cropped to a height of 5.5m and sits 6.5m above road level. Due to the difference in levels between the main site and the Draxmont road level, the existing garages are 4.99m above road level and the proposed building, with its additional storey height, would be 8.25m (3.35m higher than the existing garages). Based on the current hedge height, the proposed first floor of the building would be 1.785m taller than the hedge.

3.4 London Plan Space Standards

	Dwelling type (bedroom (b)/ persons-bedspaces (p))	GIA (sq m)
London Plan	2p3p flat	61
Proposal	2b3p flat	80

4. **PLANNING HISTORY**

4.1 08/P2766 - Replacement of crittal windows with white colour coated aluminium windows to 2no blocks of residential flats – Grant - 03/12/2008

4.2 14/P0434 - Demolition within conservation area of 2 x garage blocks (comprising 9 x garages), retaining existing floor slabs – Grant - 25/03/2014.

5. **CONSULTATION**

5.1 The application has been advertised by Conservation Area site notice procedure and letters of notification to the occupiers of neighbouring properties.

5.1.1 In response to the consultation, 26 letters of objection and 1 letter of comment were received.

The letters of objection raise the following points:

- Concerns about overlooking, loss of privacy and light. Breaches BRE guidelines
- Loss of outlook, sense of enclosure, will feel oppressive
- Building is ugly and out of character with the conservation area, the space between Grosvenor Court, Walham Rise and Emerson Court. Space is integral to these early 20<sup>th</sup> Century urban blocks and is a significant part of the historic townscape and its arboreal setting. Materials mean it will look like a massive pine-clad portacabin with balcony that will weather badly. Adverse impact is not outweighed by gaining 1 additional residential unit. Sedum roof will not lessen the impact of the front elevation or its sheer bulk. Undesirable precedent.
- How can the flat be both focussed on Draxmont and screened from it.
- Increase pressure on parking and concerns regarding car access to garages (proposal will make it more difficult to manoeuvre a car into it). Garages been used for storage rather than car parking
- Concerned about impact upon trees and hedge. Trees to Grosvenor Court and Walham Rise as well as Emerson Court provide a visual barrier. Hedge is lower than shown so building will appear higher. Tree survey is inaccurate in relation to current number, location and maturity of existing trees
- Noise and disruption during construction
- Designed as a three bedroom flat rather than two bedroom
- Unit is not designed to be affordable

The management company for Sovereign House advise that they are responsible for the maintenance of the leylandii hedge. They confirm that they have instructed tree surgeons on a regular basis to maintain the trees and in particular the cropping and maintenance conducted in 2011, which included the cutting away of all branches on the Grosvenor Court side of the trees precluding further growth. They strongly reject any suggestion that they have failed to maintain the trees as originally agreed.

The letter of comment raises the following points:

- Question - Start and end date of development as well as level of disruption?

- 5.1.2 Transport Planning – No objection
- 5.1.3 Tree Officer – No objection subject to conditions

## 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 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)

- CS8 – Housing Choice
- CS9 – Housing Provision
- CS14 - Design
- CS15 – Climate Change
- CS18 – Active Transport
- CS19 – Public Transport
- CS20 - Parking, Servicing and Delivery

### 6.3 Adopted London Plan (2015):

- 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 building and impact upon the visual amenities of the area and the Wimbledon West Conservation Area, impact upon neighbouring amenity, quality of accommodation, highway and trees/hedges.



## 7.2 **Principle of Development**

7.2.1 The replacement of existing garage facilities and refuse storage within a new building is acceptable in principle. In relation to the proposed new 2 bedroom flat, the London Plan and the Council's adopted LDF and Sites and Policies Plan seek to increase housing provision where it can be shown that an acceptable standard of accommodation will be provided. The London Plan 2015 sets Merton a minimum target provision and the development would make a modest contribution to meeting that target. The building is within an established residential area and there are no in principle objections subject to the development being acceptable in respect of all other material planning considerations.

## 7.3 **Design and Impact on the Character of the Conservation Area**

7.3.1 Grosvenor Court is included within Grosvenor Hill sub-area 16B of the Wimbledon West Conservation Area. The appraisal concedes that all the buildings in both Grosvenor Hill sub-areas 16A and B are of marginal architectural and historical interest but that the area forms the logical eastern boundary of the Conservation Area and has a pleasant character. Grosvenor Court itself and the garage blocks are considered to make a neutral contribution to the character of the Conservation Area. The proposed development is considered to be a well-designed modern building, replacing existing garage blocks which have no architectural merit with attractive combined garage and refuse storage/general storage facilities. The single storey element would be lower in height than the existing garage blocks and in softer, more visually appealing materials, using vertical cedar boarding and a green roof system. Less than half the footprint of the proposed building would be 2-storey and this element is sited behind an existing leylandii hedge on the Draxmont street frontage. The hedge is on land 1m higher than the road and is itself 5.5m in height. Based on the existing hedge height, the first floor element building would only be around 1.8m taller and is set back 1.8m behind it, so would be scarcely visible from street eye level from many viewpoints and views from the north would be softened by existing trees and the curved form of the building. The use of vertical timber boarding will help to break down its mass. In comparison to the larger scale of surrounding buildings, the proposal is a low rise development that would respond to the constraints of the site.

7.3.2 Concerns have been expressed about the building's massing, form and materials in relation to the character of the Wimbledon West Conservation Area. The use of natural materials and low key design is considered to be acceptable – the building is not seeking to compete with the 4/5 storey flatted blocks but to blend with its surroundings and sits largely on the existing built footprint of the garages. It is not considered to detract from the Conservation Area, but rather replaces a group of unattractive garage

blocks in a tarmac covered courtyard with a modern well-designed building with a new bound gravel circulation area. The use of a green roof system across all the flat roofed areas is very much welcomed in the interests of biodiversity, sustainable urban drainage and the appearance of the building and a condition would be applied requiring full details of this element.

- 7.3.3 It is considered that the proposal would preserve and/or enhance the character of the Wimbledon West Conservation Area, and would not therefore conflict with Planning policy DM D4 (Managing heritage assets) of Merton's Adopted Sites and Policies Plan (2014).

#### 7.4 **Standard of Residential Accommodation**

- 7.4.1 The proposed flat would provide a standard of accommodation for future occupiers with the flat which comfortably exceeds the London Plan Gross Internal Area minimum standards (80sqm against the minimum requirement of 61sqm). Each room would be capable of accommodating furniture and fittings in a satisfactory manner and each habitable room has suitable outlook, storage and circulation space.
- 7.4.2 The Councils requirements for private amenity space is set out in planning policy DM D2 (Design considerations in all development) of the Councils adopted Sites and Policies Plan (July 2014) which states that for flatted dwellings, a minimum of 5sqm of private outdoor space should be provided for 1-2 person flatted dwellings (in conformity with the Mayor's Housing Supplementary Planning Guidance 2012) and an extra 1sqm should be provided for each additional occupant. In this instance 6sqm of private amenity space would be required and the proposed balcony meets this requirement.
- 7.4.3 The proposed entrance to the flat would be located to the rear of the building within close proximity of the existing pedestrian access from Draxmont. Low level external lighting to the path to the flat entrance and a new gate with keypad access is proposed to ensure that the access is safe and secure for future occupiers without comprising neighbouring amenity from light overspill.

#### 7.5 **Neighbour Impact**

##### 7.5.1 Emerson Court

The main element of the proposal sitting adjacent to the southern boundary of Emerson Court is single storey, and partly occupies the same footprint as the 2 existing garage blocks although it would be a continuous building rather than there being a gap in the middle. The height of the single storey element building would be lower than that of the existing blocks and the timber materials and green roof would be more pleasant to

look out upon than the existing buildings. When viewed from the neighbouring flats, the proposed ground floor would be distanced at least 9m away from the closest flat (flat 1). The ground floor element would be inset 0.9m (most the most part) back and behind the existing 1.6m high boundary fence. The vertical cedar timber cladding and green roofs would also help in breaking down the perceived bulk and massing of the building. Given the materials, level of separation, height and siting of the proposed building it is considered that there would be no undue loss of amenity.

7.5.2 At first floor level, the proposed building only occupies part of the footprint of the ground floor. The proposed first floor level would only sit opposite the communal staircase of Emerson Court and the WC & bedroom windows/door of flat 2. Both the communal staircase and W/C are non-habitable spaces. The bedroom window of flat 2 is dual aspect, wrapping around the corner of the building, with outlook and light being received from both the south towards the application site and from the eastern direction towards Draxmont. Outlook and light to the eastern facing windows facing into Draxmont is unchanged and due to the curved form of the first floor, it would be distanced between 11.4m and 15.4m from the southern facing bedroom windows/door of flat 2. The existing Lime tree to be retained would also provide a degree of screening between the proposed building and this neighbouring property. Given the soft materials, level of separation, height, siting and curved form of the first floor, it is considered that there would be no undue loss of amenity.

#### 7.5.3 Grosvenor Court

It should be noted that the internal ground levels of this neighbouring block of flats sit approximately 1.5m higher than the natural land levels at the rear of the application site. Impact upon outlook and light is therefore reduced due to the elevated position of these openings. The single storey element is lower than the existing garages and there would be a better aspect because of the improved appearance of both the garage block and its forecourt. The 2-storey element sits further away from the Emerson Court block than the existing garage block adjacent Draxmont. The proposed building would be well distanced away from this neighbouring block of flats. The first floor element would also be offset from the rear facing windows of flat 3 (closest flat ).with only an oblique view from the nearest window which is to a bedroom Given the soft materials, level of separation, height, siting and curved form of the first floor, it is considered that there would be no undue loss of amenity.

7.5.4 Rear facing windows in the proposed first floor flat would be fitted with fixed louvres to allow light and outlook looking directly ahead only. This design feature would ensure that there is no undue overlooking and adds interest to the façade.

### 7.5.5 Sovereign House (Draxmont)

The application site is separated from Draxmont by a large leylandii hedge. Neighbours have expressed concerns with overlooking and that the plans do not correctly represent the height of the hedge following its pruning. Amended plans have been received in regards to the height of the hedge (5.5m high). The proposed building would be approximately 1.8m taller and would be set back 1.8m behind it. Consequently, the majority of the proposed building would not be clearly visible from Sovereign House, and the hedge would be above eye level from the first floor. Even without the hedge providing screening, the proposed building would be distanced at least 18.6m from Sovereign House which is located on the other side of the public highway (Draxmont), and the first floor windows are 19.7m away. Given the soft materials, level of separation, height and siting of the proposed building, it is considered that there would be no undue loss of amenity. Given the massing and separating distances, there is considered to be no unacceptable impact in terms of daylight, sunlight, outlook or overlooking.

## 8. Transport

8.1.1 The site has a PTAL rating of 6a which indicates excellent levels of public transport provision within the vicinity. The amount of expected vehicle movements to and from the site and trip generation are likely to be low given the modest size of the development and therefore it is not anticipated that this would create adverse harm to traffic conditions in and around the area. There is no reduction in the amount of garage space available, with the 9 existing garages being replaced. Offsite car parking is controlled by CPZ – V0n. A two bedroom flat would place additional pressure on the already overly subscribed CPZ, therefore to promote sustainable forms of the development and to comply with planning policy CS 20 (Parking, Servicing and Delivery) the proposed development would be required to be a permit free development, whereby the occupiers of the flat would not be able to obtain car parking permits. It will therefore be necessary for the applicant to enter into a Section 106 'permit free' Agreement.

## 9. Trees

9.1.1 The leylandii hedge was planted shortly after Sovereign House was constructed in the late 1970's. Sovereign House have confirmed that they are responsible for the maintenance and upkeep of the hedge. The applicant has commissioned an independent arboricultural consultant to provide an Arboricultural impact assessment and method statement with the planning application.



- 9.1.2 The hedge and the prominent category A ash tree on the Draxmont frontage are to be retained. The Arboricultural impact assessment and method statement confirms that 'it is proposed to remove two small, Category C trees, a holly and an elm, and a small group of young, self-sown false acacias. These are all small trees of low amenity value which are well within the site and do not contribute to the public realm. Consequently the impact of tree removal on local amenity would be minimal'.
- 9.1.3 In terms of the impact upon H12 (Leyland Cypress) , the report states that access is required and a driveway is proposed over the root protection area. In order to guard against compaction, contamination , root severance, and reduced water and oxygen uptake, the following protection measures are recommended:
- Ground protection measures to be installed before commencement, and maintained throughout the project
  - Construction exclusion zone to be created over remainder of Root Protection Area.
  - Restricted Activity Zone created.
  - Ground protection measures installed.
  - No-Dig method to be adopted.
  - 3D cellular confinement system incorporated into a 'n0-fines' sub-base.
  - Hand dig methods to be used.
  - Porous finish utilised.
  - Tree officer or an appointed arboriculturist invited to oversee.
- 9.1.4 In conclusion, the Arboricultural impact assessment and method statement sets out a number of measures for tree and hedge protection before and during construction. The Councils tree officer has confirmed that there is no objection to the proposed scheme subject to planning conditions relating to tree protection, site supervision, design of foundations, design of footpath and further details relating to landscaping.

## 10 **Affordable Housing**

- 10.1 Planning policy CS8 (Housing Choice) of Merton's Core Planning Strategy states that the Council will seek provision of an affordable housing equivalent to that provided on-site as a financial contribution. The amount of affordable housing this site can accommodate has been subject of a viability assessment. Following the submission of a viability report, the Councils independent viability assessor has confirmed that no affordable housing contribution is required in this instance as this would make the scheme financially unviable.

## 11 **Local Financial Considerations**

- 11.1 The proposed development is liable to pay both the Merton and Mayoral Community Infrastructure Levy (CIL). The Mayoral CIL will be applied towards the Crossrail project. Merton's Community Infrastructure Levy was implemented on 1st April 2014 and enables the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

## 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 The proposed development would provide a new residential unit of acceptable design, size and appearance, which would conserve and/or enhance the Conservation Area and has been designed to achieve an acceptable relationship with neighbouring properties. The standard of residential accommodation exceeds the Council's floorspace standards and is considered to meet the needs of future occupiers. There would be no undue impact upon neighbouring amenity, trees/hedges, traffic or highway conditions given the design and small scale nature of the proposal. The proposal is in accordance with development plan policies and is therefore recommended for approval subject to conditions and completion of a S106 agreement.

## **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. 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 balcony as shown on the approved plans, access to the flat roofs 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.
7. D10 External Lighting
8. D11 Construction Times
9. Tree Protection: The details and measures for the protection of the existing retained trees as contained in the approved document 'Arboricultural Report' dated 19<sup>th</sup> June 2014 shall be fully complied with. The approved methods for the protection of trees shall follow the sequence of events as detailed in the document and as shown on the drawing 'Tree Protection Plan `Draft`' numbered `CCL 09136/TPP Rev.1` and shall be retained and maintained until the completion of all site operations.  
  
Reason: To protect and safeguard the existing retained trees and Leylandii hedge, and the neighbouring trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2011, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and 02 of Merton's Sites and Policies Plan 2014;
10. F8 Site Supervision (Trees)

Reason: To protect and safeguard the existing retained trees and Leylandii hedge, and the neighbouring trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2011, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and 02 of Merton's Sites and Policies Plan 2014;

11. No work shall be commenced until details of the proposed design, materials and method of construction of the foundations to be used within 6m of the existing retained tree(s) & hedges shall be submitted to and approved in writing by the Local Planning Authority and the work shall be carried out in accordance with the approved details.

Reason: To protect and safeguard the existing retained trees and Leylandii hedge, and the neighbouring trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2011, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and 02 of Merton's Sites and Policies Plan 2014;

12. New Footpath; The footpath shown on the approved site layout plan shall be constructed in accordance with the recommendations of the BS 5837:2012 using a 3D No-Dig cellular confinement system and as referred to in the approved Arboricultural Method Statement and Tree Protection Plan.

Reason: ; To protect and safeguard the existing retained trees and Leylandii hedge, and the neighbouring trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2011, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and 02 of Merton's Sites and Policies Plan 2014;

15 F01 Landscaping/Planting Scheme

16 F02 Landscaping (Implementation)

17 H07 Cycle Parking to be implemented

18 H14 Garages doors/gates

19 J1 Lifetimes Homes

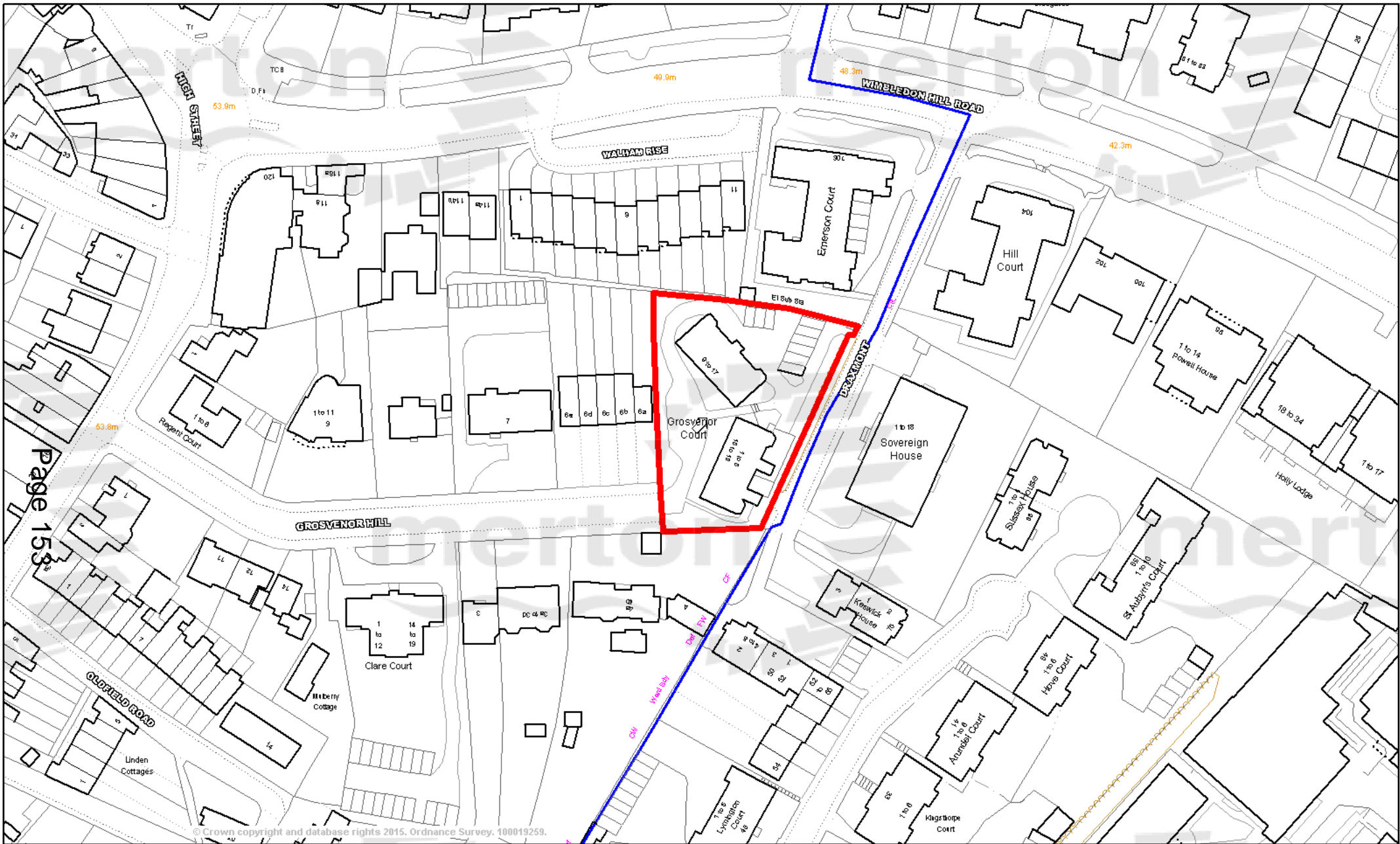
20 No part of the development hereby approved shall be occupied until



evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4.

Evidence to demonstrate a 25% reduction compared to 2010 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing.'

21. Details of Green Roof
22. Retention of garages for parking
23. Construction Management Plan
24. Retention of louvers



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Grosvenor Court

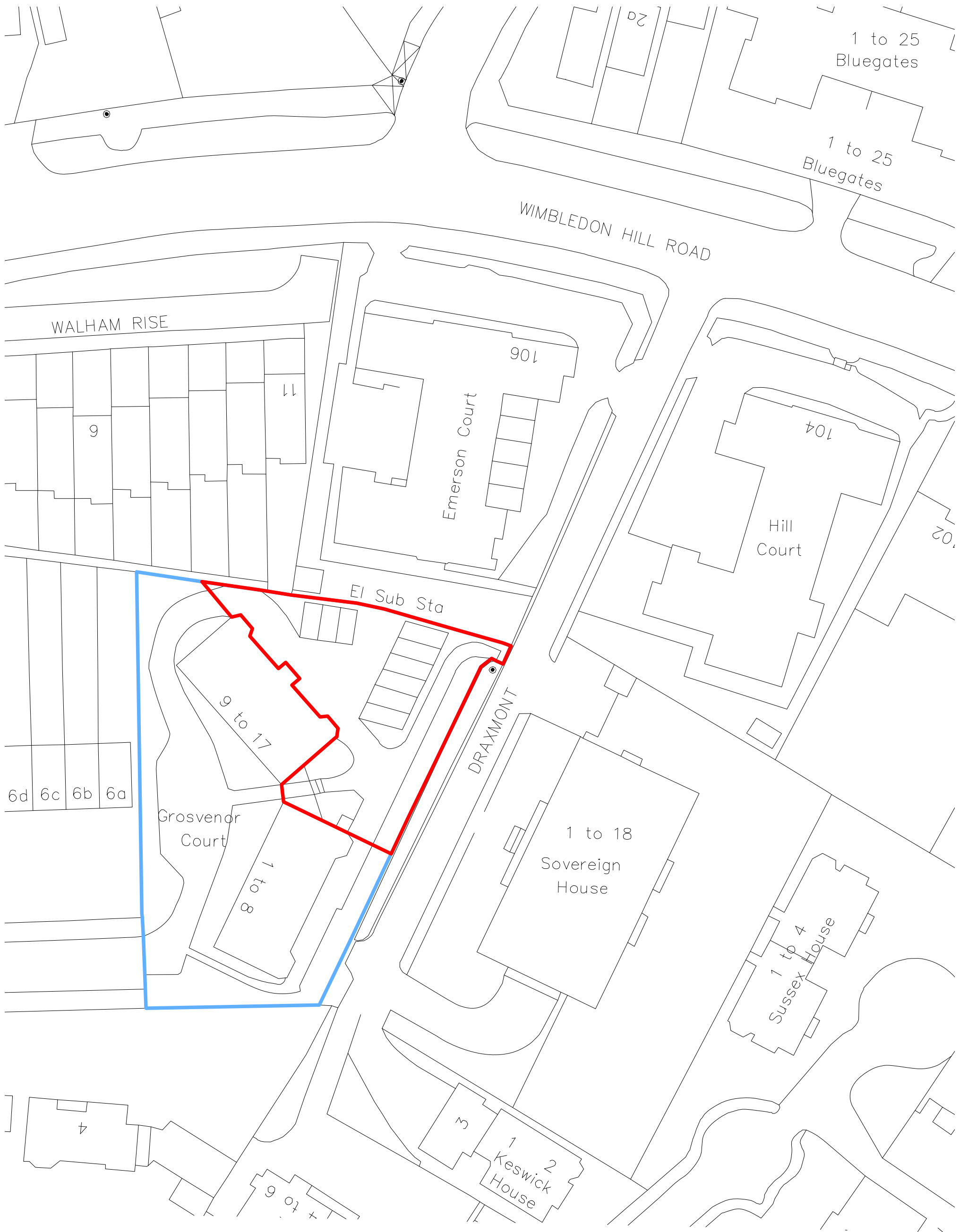
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Date 5/1/2016

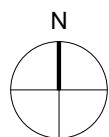
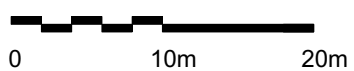
London Borough of Merton  
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 Morden  
 Surrey  
 SM4 5DX

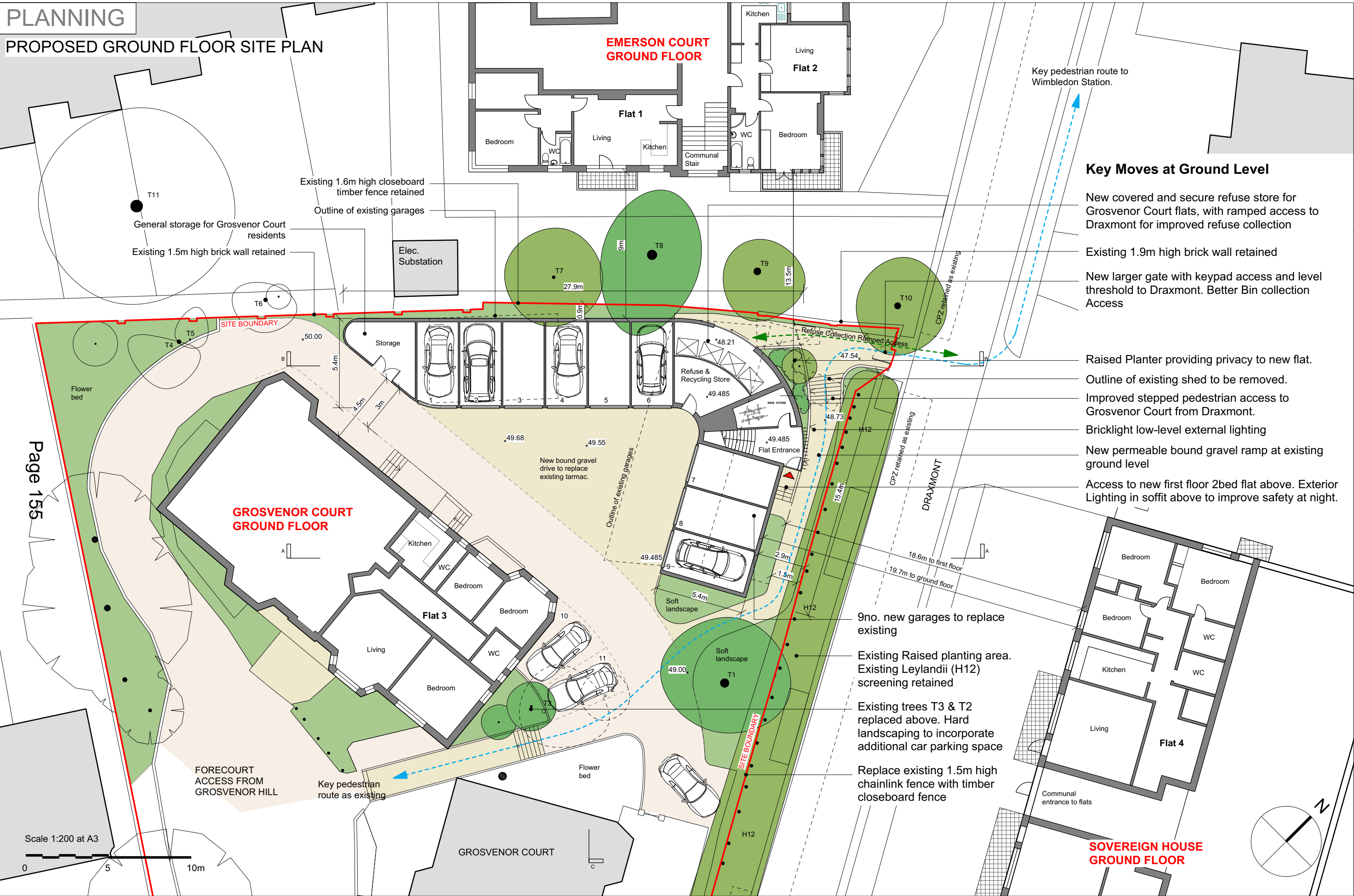


DEVELOPMENT CONTROL



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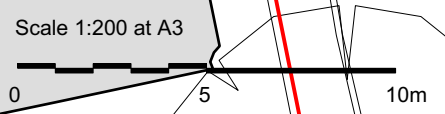




**Key Moves at Ground Level**

- New covered and secure refuse store for Grosvenor Court flats, with ramped access to Draxmont for improved refuse collection
- Existing 1.9m high brick wall retained
- New larger gate with keypad access and level threshold to Draxmont. Better Bin collection Access
- Raised Planter providing privacy to new flat.
- Outline of existing shed to be removed.
- Improved stepped pedestrian access to Grosvenor Court from Draxmont.
- Bricklight low-level external lighting
- New permeable bound gravel ramp at existing ground level
- Access to new first floor 2bed flat above. Exterior Lighting in soffit above to improve safety at night.

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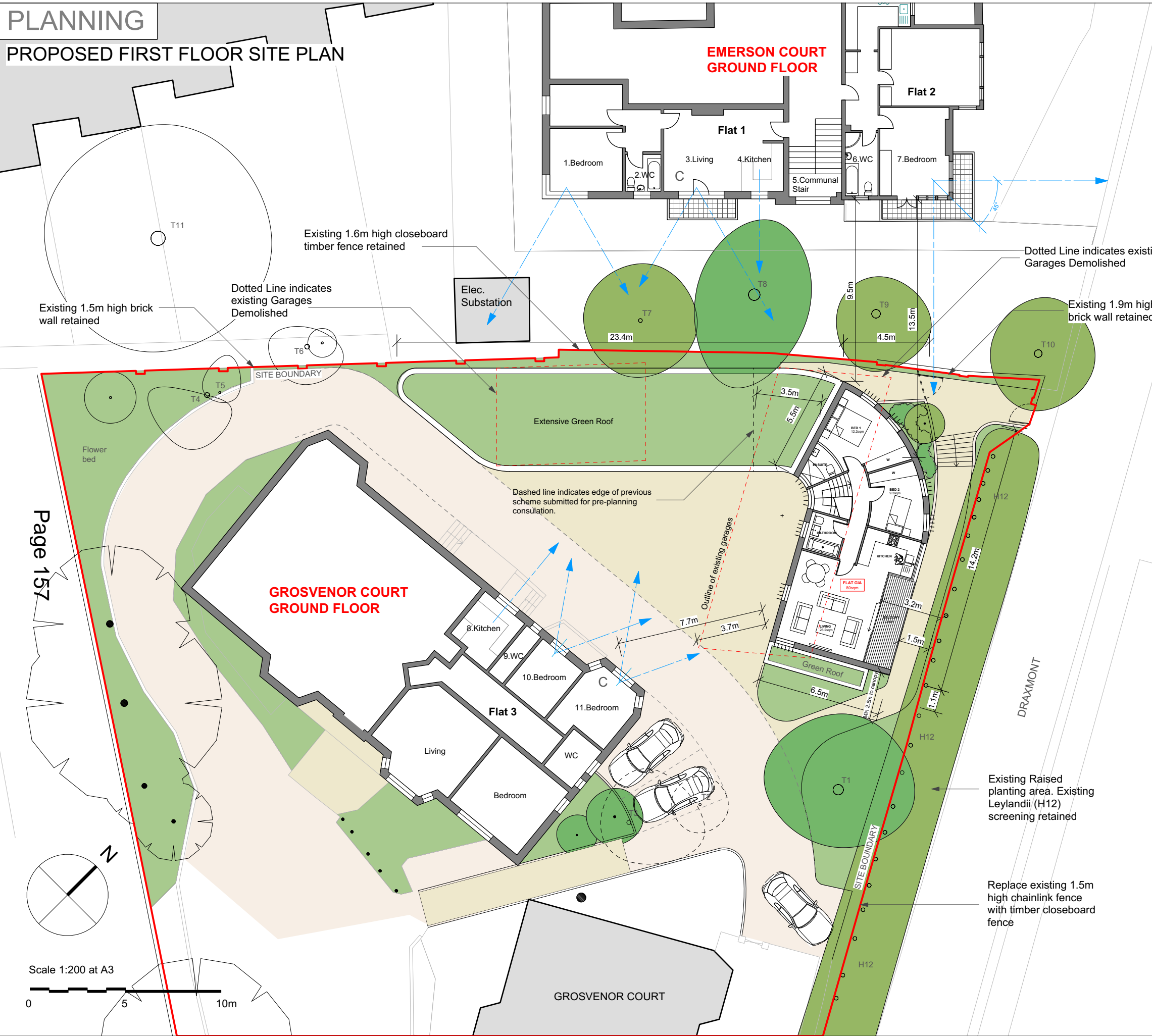
PLANNING

PROPOSED GROUND FLOOR PLAN



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Scale 1:100 at A3  
0 5m



**Visual Amenity Impact Assessment: - Outlook From Existing Adjacent Habitable Rooms At Upper Ground Floor Level**  
**See also Design & Access Statement**

**GENERAL NOTES**  
 Both Grosvenor Court and Emmerson Court have Raised Ground Floor Levels approximately 1/2 level above Ground floor level of proposal.

Parapets of existing Garages are up to 350mm above proposed single Storey Garages. So in most cases aspect is improved.

Proposed garages have Green Roofs. Currently No Green space to Car Parking Area.

Boundary to Emmerson Court and Draxmont are well obscured with mature Trees. Cedar Timber Walls and Green Roof are more sensitive to outlook from adjacent flats than existing garages.

**EMMERSON COURT**

- Flat 1**
- 1. Bedroom - Proposed single storey garages lower than existing garages. Better Aspect to Green roof.
  - 2. WC. Obscured Glass. No Aspect.
  - 3. Living - Proposed single storey garages lower than existing garages. Better Aspect to Green roof.
  - 4. Kitchen - Proposed single storey garages lower than existing garages. Better Aspect to Green roof. Oblique view to 1st floor of Proposed Flat. Scheme cut back further away to improve aspect. (Note - further away than existing gareges).

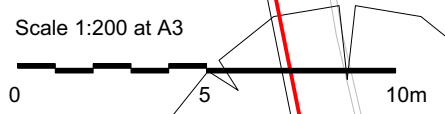
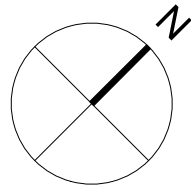
**Communal**  
 5. Communal Stair. Non-Habitable Space.

- Flat 2**
- 6. WC. Obscured Glass. No Aspect.
  - 7. Bedroom. Corner window with Oblique view to 1st floor of Proposed Flat. Principal view to Draxmont.

**GROSVENOR COURT**  
**Note Grosvenor Court 1.5m above Finished Ground Level. ie raised above proposal.**

- Flat 3**
- 8. Kitchen - Proposed single storey garages lower than existing garages. Better Aspect over Green roof.
  - 9. WC. Obscured Glass. No Aspect.
  - 10. Bedroom - Proposed single storey garages lower than existing garages. Better Aspect to Green roof.
  - 11. Bedroom - Proposed single storey garages lower than existing garages. Better Aspect to Green roof. Oblique view to 1st floor of Proposed Flat. Scheme cut back further away to improve aspect. (Note - further away than existing gareges).

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# PLANNING

## PROPOSED FIRST FLOOR PLAN



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Scale 1:100 at A3  
0 5m

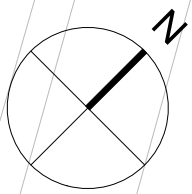
ELEC. SUBSTATION



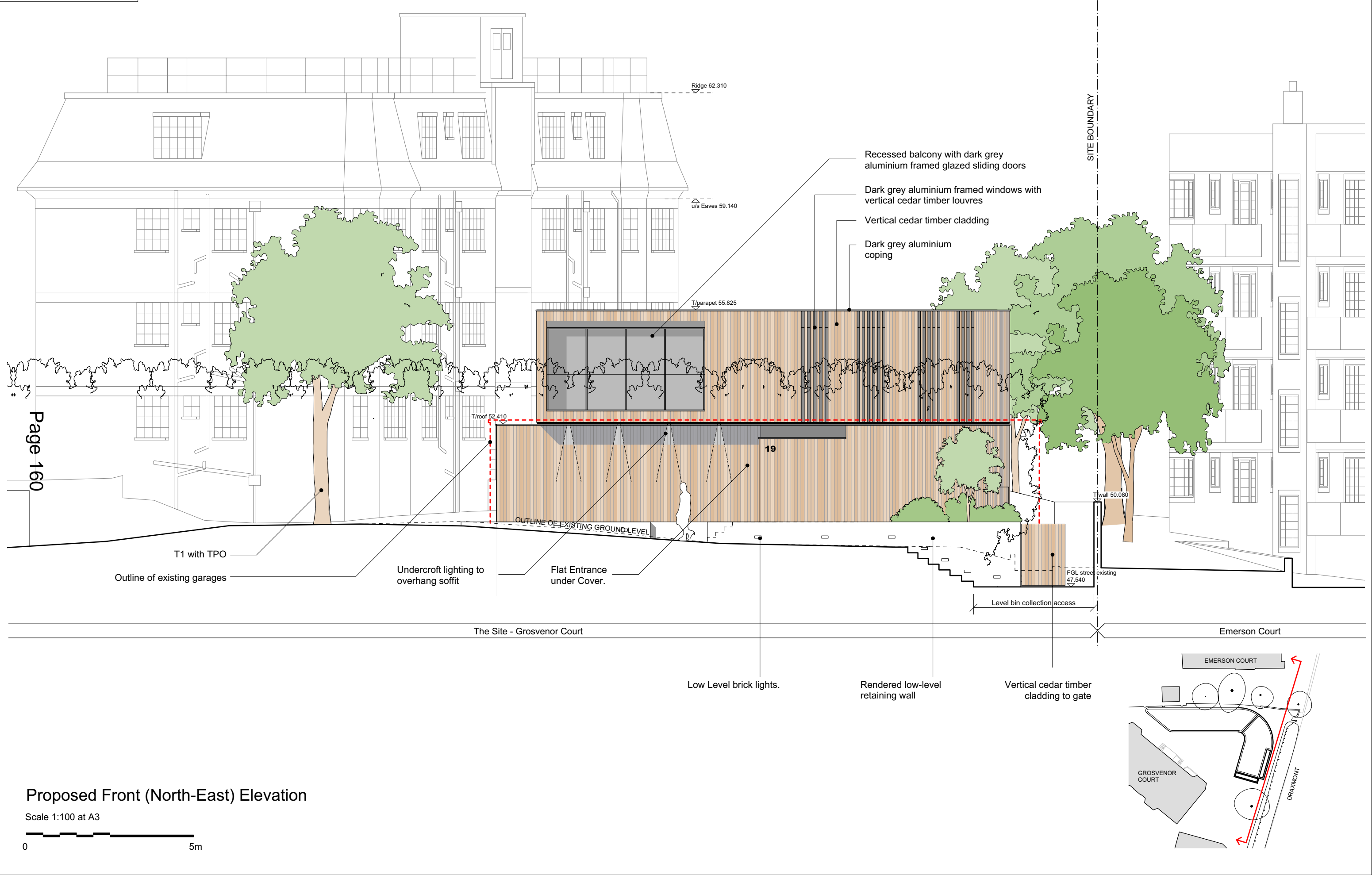
Page 159

GROSVENOR COURT

DRAXMONT



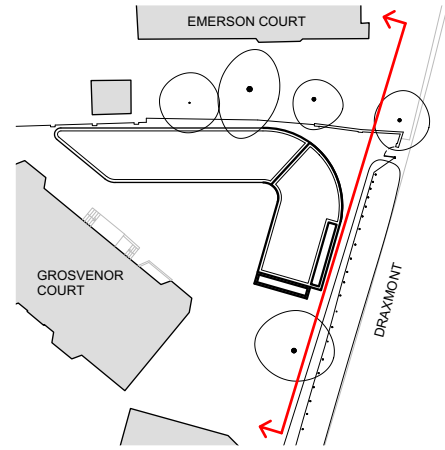


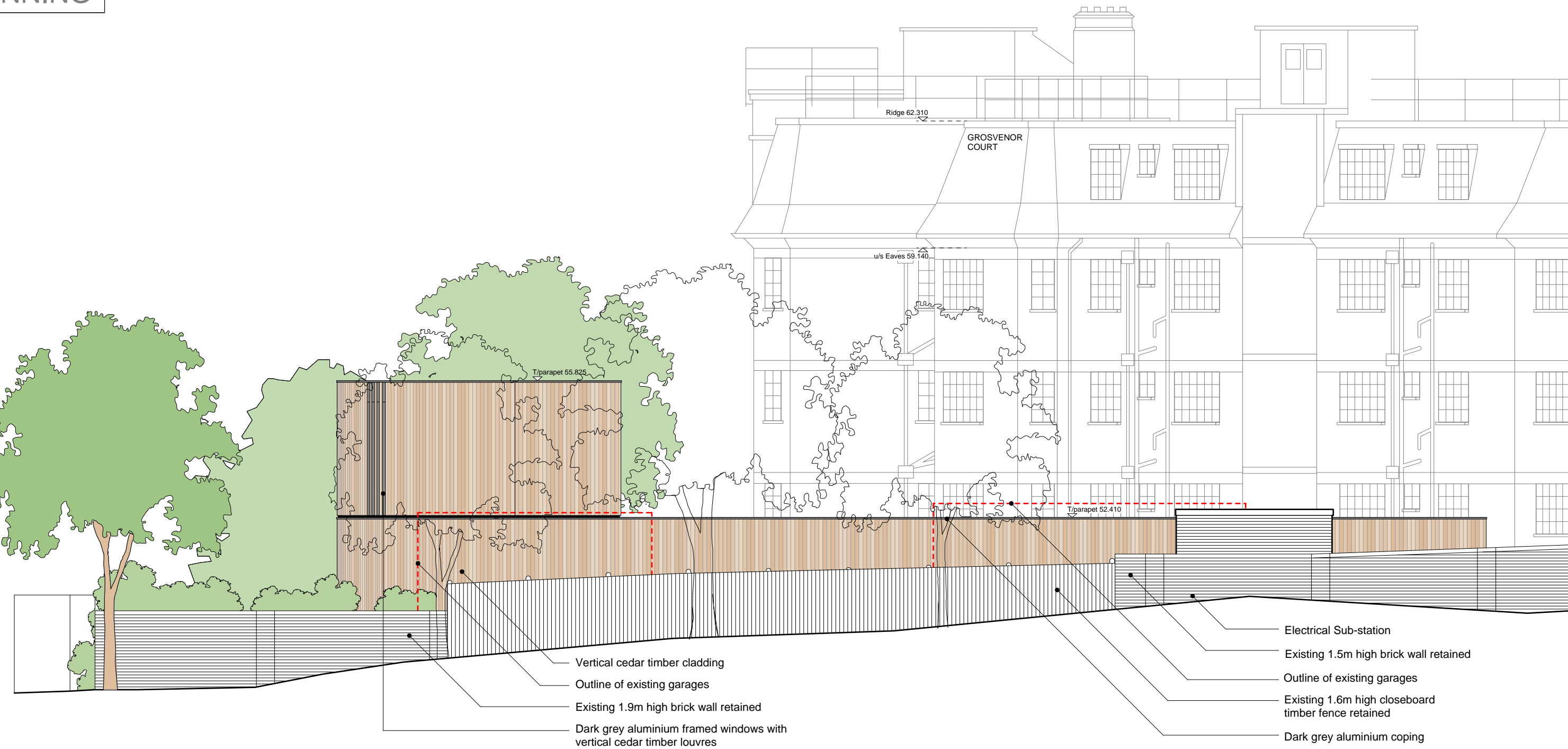


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Proposed Front (North-East) Elevation

Scale 1:100 at A3  
0 5m

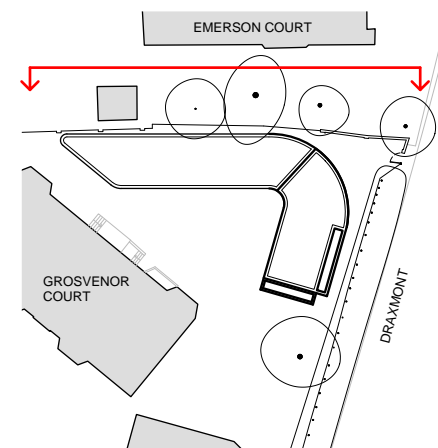
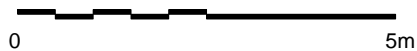




Draxmont The Site - Grosvenor Court

Proposed Side (North-West) Elevation

Scale 1:100 at A3



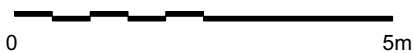


Vertical cedar timber clad garage doors

- Dark grey aluminium framed windows with vertical cedar timber louvres
- Vertical cedar timber cladding
- Dark grey aluminium coping
- Recessed down-lighting to underside of building overhang
- Recessed balcony with dark grey aluminium framed glazed sliding doors
- Dark grey aluminium framed obscured glazed entrance door to flat

Proposed South-East Elevation

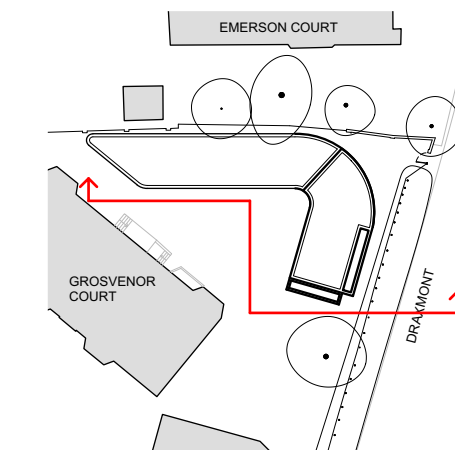
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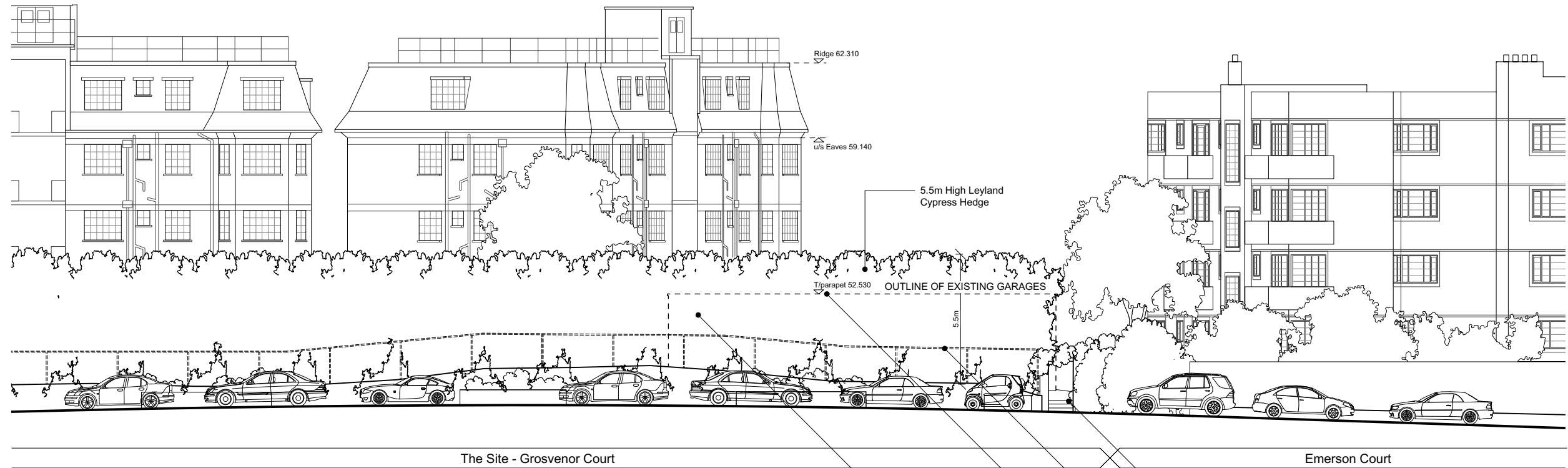


The Site - Grosvenor Court

Boundary

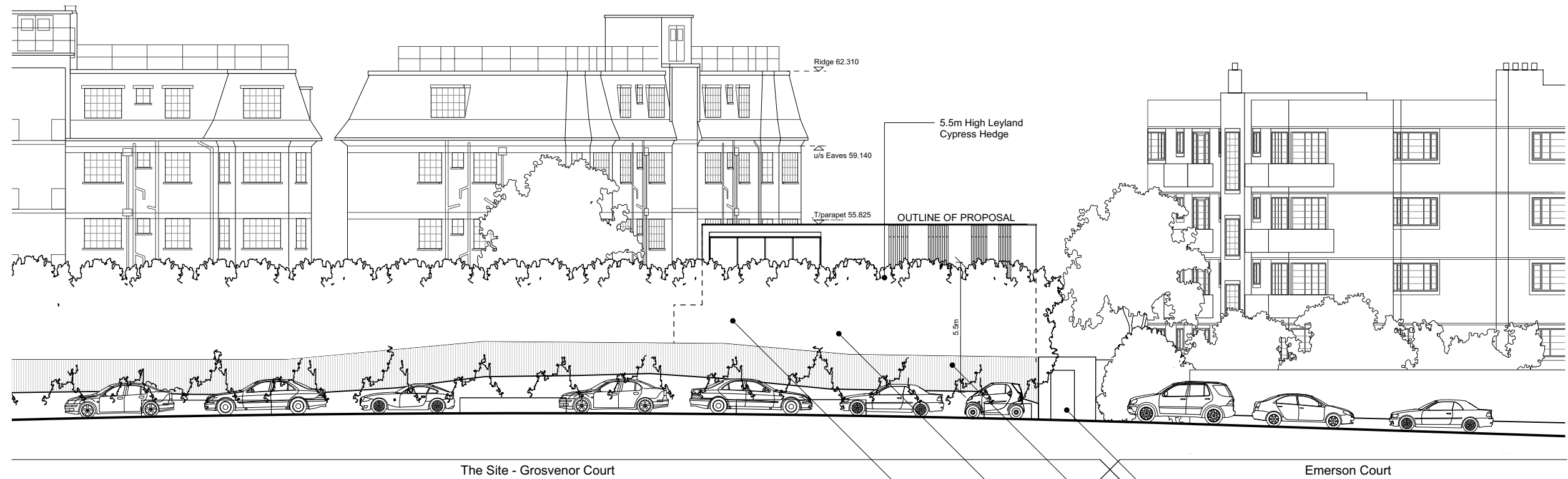
Draxmont





Existing Street Elevation (North East)

- Existing gated pedestrian access and bin collection point from Draxmont
- Existing 1.5m high chainlink fence
- Existing garages (dotted)
- Overgrown Leylandii planting (H12)

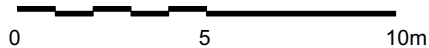


Proposed Street Elevation (North East)

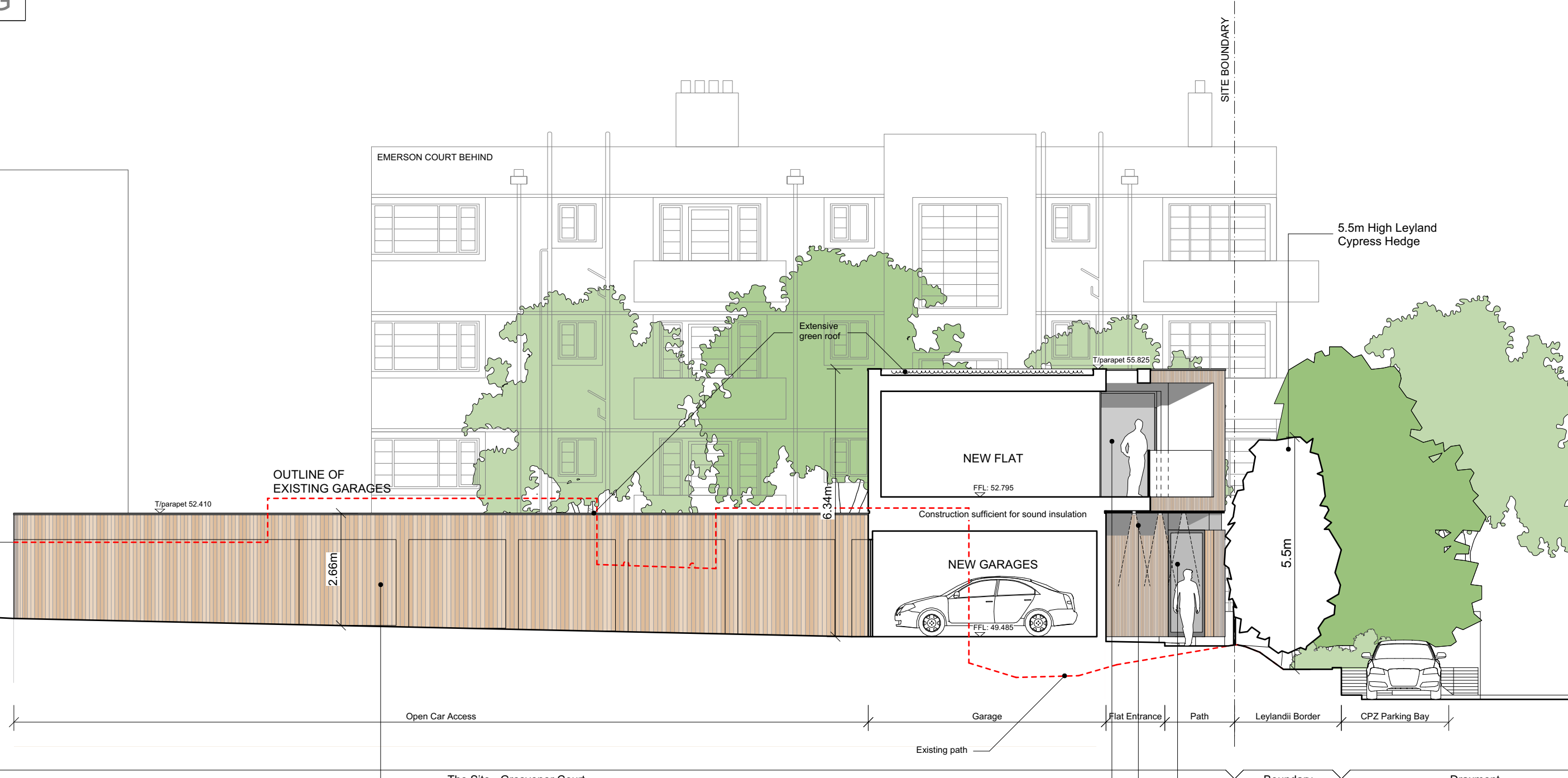
- New timber closeboard fence and gated pedestrian access and bin collection point from Draxmont
- New 1.5m high timber closeboard fence
- New 10no. garages replacing existing 9no. grages with new 2bed flat on first floor.
- Leylandii planting (H12) retained

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Scale 1:200 at A3

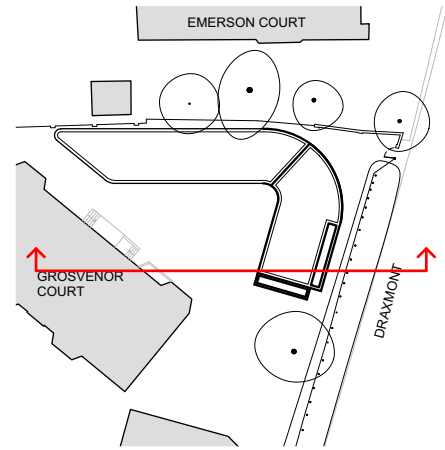






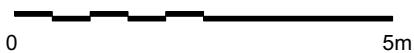
Vertical cedar timber clad garage doors

- Recessed balcony with dark grey aluminium framed glazed sliding doors
- Recessed down-lighting to underside of building overhang
- Dark grey aluminium framed obscured glazed entrance door to flat

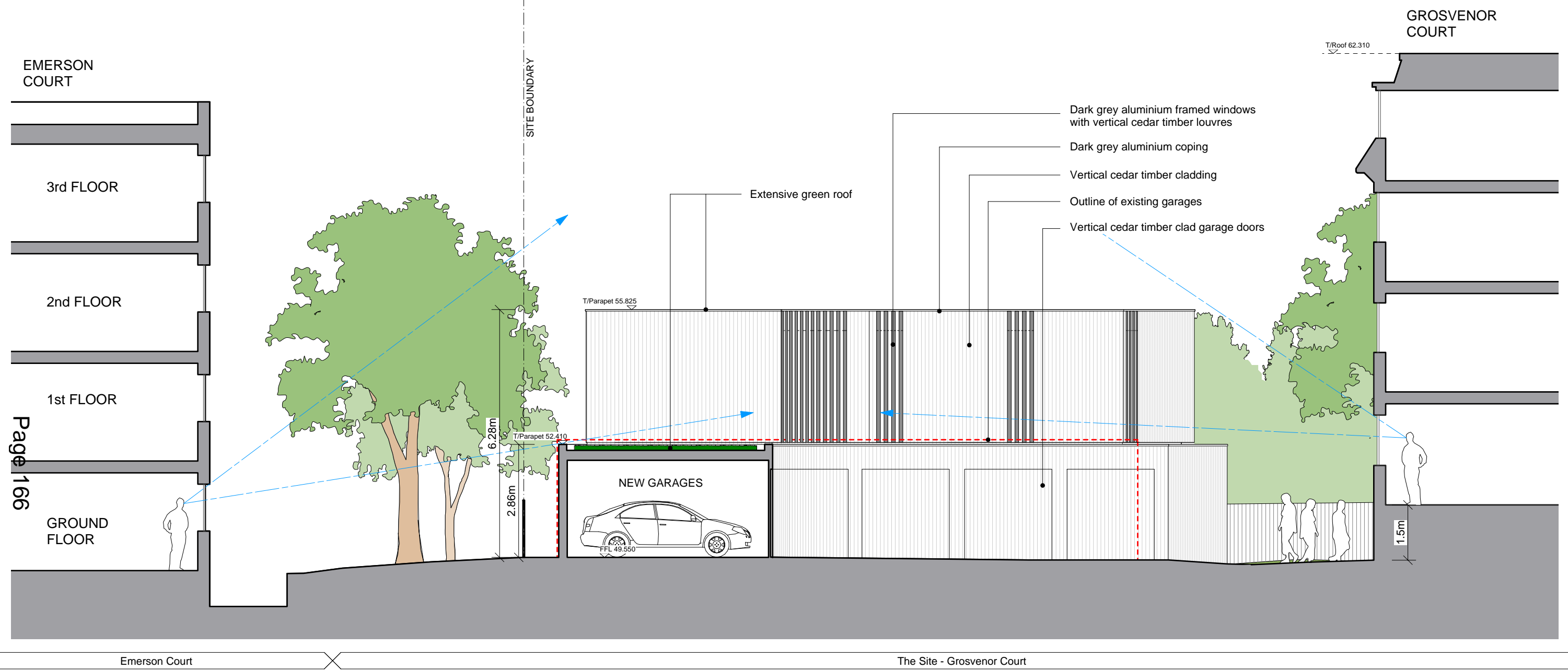


Section AA Proposed

Scale 1:100 at A3

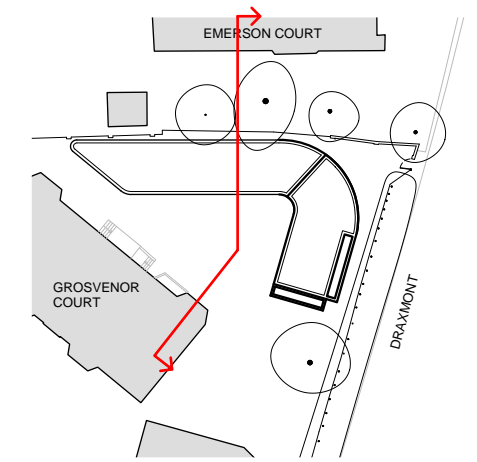
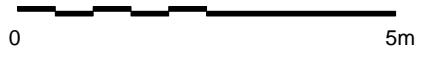






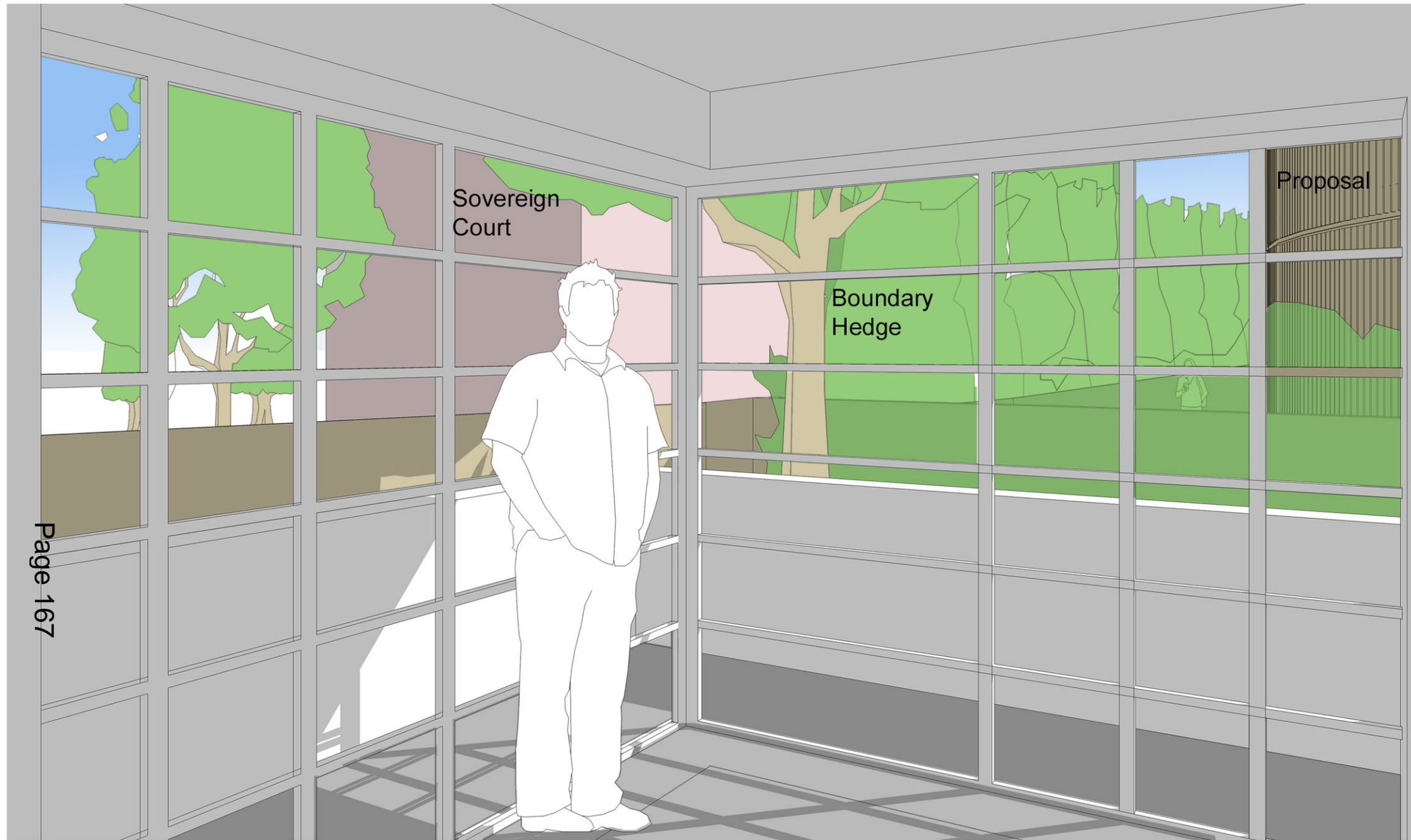
Section CC Proposed (South-West Elevation)

Scale 1:100 at A3



Glazing to Draxmont

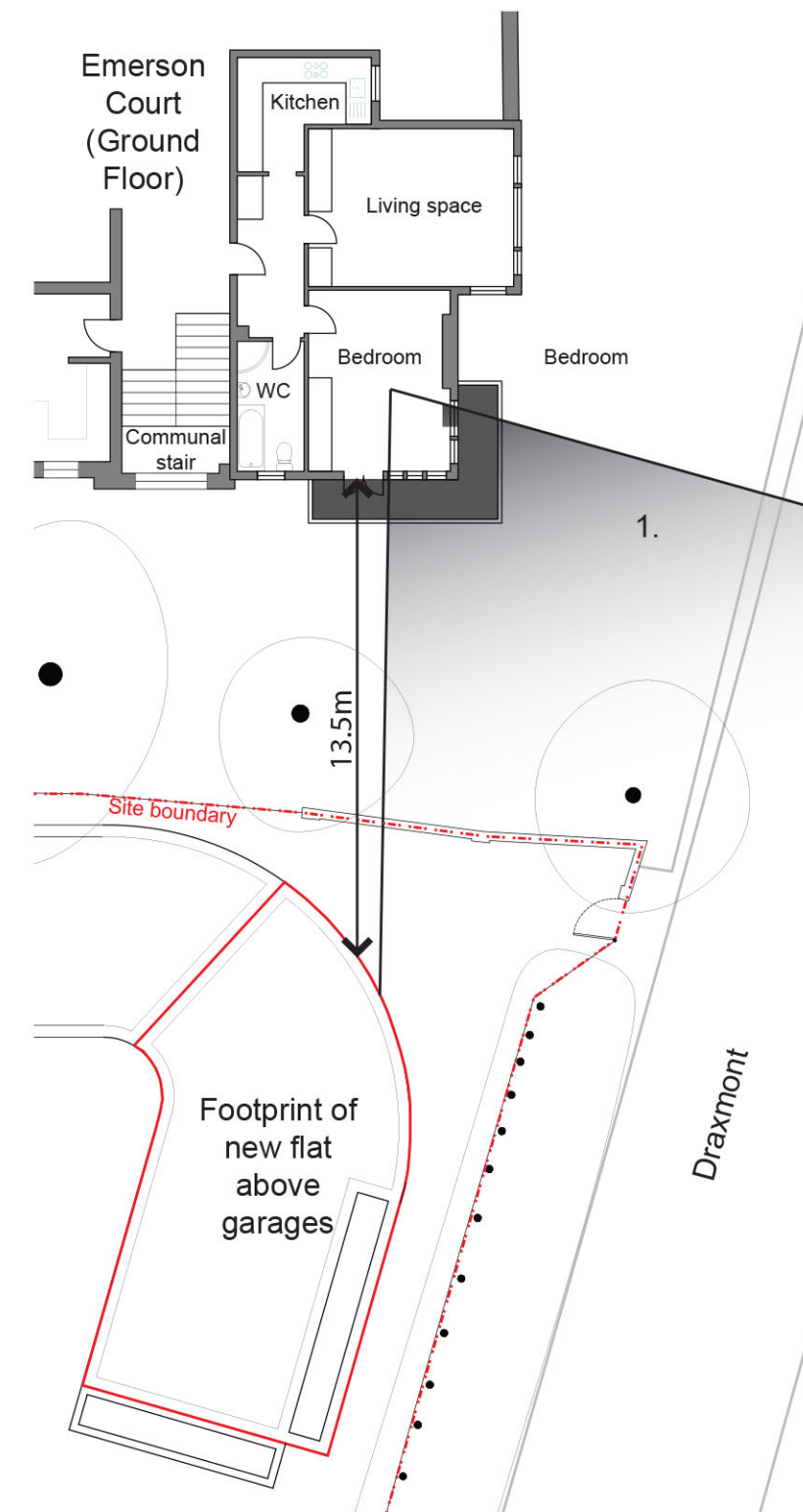
Glazing to Grosvenor Court



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View from Bedroom of Flat 2, Emerson Court

This view indicates outlook from the corner bedroom window of the corner flat of Emerson Court at ground floor - see key plan. Due to the oblique angle at which the proposal is seen from this corner window, impact is limited. In addition, the outlook from the living space and general orientation of the flat is towards Draxmont, as opposed to the neighbouring site of Grosvenor Court.







EXISTING



PROPOSED







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PLANNING APPLICATIONS COMMITTEE  
11<sup>th</sup> February 2016

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P3573	21/09/2015
<b>Address/Site</b>	101 Hamilton Road, South Wimbledon, SW19 1JG	
<b>Ward</b>	Abbey	
<b>Proposal:</b>	Renovation of existing Rose Cottage to create 4x 2-bed self-contained flats including erection of two storey rear extension, erection of new 3-bed semi-detached house (adjoining 97 Hamilton Road) and erection of new detached two storey 2-bed mews house at rear of site.	
<b>Drawing Nos</b>	820C/01 Rec C, 02 Rev A, 03 Rev E, 10, 11 Rev D, 12 Rev D, 13, 14 and 16 Rev A	
<b>Contact Officer:</b>	Stuart Adams (0208 545 3147)	

---

## **RECOMMENDATION**

**GRANT Planning Permission subject to S106 agreement**

## **CHECKLIST INFORMATION.**

Heads of agreement: - Permit Free Development & affordable housing  
Is a screening opinion required: No  
Is an Environmental Statement required: No  
Has an Environmental Impact Assessment been submitted – No  
Press notice – Yes  
Site notice – Yes  
Design Review Panel consulted – No  
Number of neighbours consulted – 17  
External consultations – No.  
PTAL Score – 5  
CPZ – W3

---

1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee for consideration due to the number of objections received

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a two storey detached property known as Rose Cottage and single storey light industrial units within the rear section of the site. Rose Cottage is a Georgian villa dating back to the early 1800's, although it has been the subject of very unsympathetic changes including its windows, front entrance and its front curtilage, which is an open hardsurfaced parking area with no soft landscaping or front boundary treatment. It has been vacant for some time and has fallen into a poor state of repair. Planning history and internal inspection of the property confirms that Rose Cottage was last occupied in some form of residential multi-occupation, although it is also apparent that the nature of this has varied and that the building has at times been used as flats, offices and multiple- occupation student type accommodation. The light industrial units at the rear of the site are also vacant and in a rundown condition. These units are split into three small separate single storey buildings (two workshops and one garage). Accessed is from the side of Rose Cottage via an existing dropped kerb.
- 2.2 To the north of the application site is a two storey Victorian detached property, known as 97 Hamilton Road, with a terrace of similar two storey properties beyond, characterised by two storey projecting bays and recessed porches. The building has been split into two flats. The rear garden area has been subdivided into two, with the upper floor flats having direct access via an external rear staircase along the northern boundary of the application site. The blank flank wall of no.97 forms the northern boundary of the application site.
- 2.3 Directly to the south of the application site is the rear of a two storey building known as 206 – 212 Merton High Street. This building comprises commercial uses at ground floor and flats at the first floor level. A gated rear passageway separates the application site from the rear wall of this neighbouring building. Its main frontage is onto Merton High Street, one of the main thoroughfares within the Borough, characterised by two-/three storey buildings with commercial units at ground floor and residential units on the floors above.
- 2.4 The surrounding area comprises a mixture of residential and commercial

properties. The application site is situated on one of the residential streets, at right angles to Merton High Street. These residential streets, are predominantly characterised by traditional two storey terraced housing.

- 2.5 The application site is not located within a conservation area, and Rose Cottage is neither statutorily or locally listed.

### 3. **CURRENT PROPOSAL**

- 3.1.1 The proposal is for the renovation of the existing building known as Rose Cottage and erection of a two storey rear extension to create 4 self-contained flats, erection of new semi-detached house (adjoining 97 Hamilton Road) and erection of new detached two storey mews house at the rear of site.

#### Rose Cottage

- 3.1.2 Rose Cottage is a 2 storey detached classical Georgian villa, although as noted earlier, its current appearance is not particularly attractive due to various unsympathetic alterations and years of neglect. The proposed restoration works to Rose Cottage would focus on its external appearance, with reference back to an 1815 watercolour image, showing its original design when first built, although where possible, the applicant advises that any existing internal features such as cornicing, ironmongery, balustrades or fireplaces will be retained where practical or made available for reuse elsewhere.
- 3.1.3 The existing porch is a crude flat roofed structure with a commercial appearance. The proposed porch would have be a semi-circular pediment with fluted columns and pilasters. The main roof construction will be timber sanded to appear stone with lead concealed lead flashing and concealed drainage pipes. In addition it is intended to reinstate the original Portland stone base. It would have a new double leafed timber door with glazed panels.
- 3.1.4 The ground floor windows have been substantially altered since the original construction. It is proposed to reinstate these to their original size and design. This will be done by lowering the existing cill level and replacing it with a new Portland stone cill as shown on the submitted window details. The recessed arches above the windows would be restored as would the decorative raised panels, below the two main ground floor windows, which are still partially intact. The two ground floor windows would be solid timber Deal cased Venetian sash. These would be formed with a central double hung sash six over six units with two fixed side panels either side. On the first floor the windows are also proposed to be replaced to match the originals and would be three over three double hung sash in Deal cases with solid timber internal cills. Other non- original



windows are to be replaced with double glazed windows matching as closely as possible to the originals.

- 3.1.5 The roof would be re clad with slate with lead hips, valleys and flashing. The eaves are to be laid with two courses of slate and a new cast aluminium gutter to replicate the original tin/ cast iron guttering. The original chimneys are to be reinstated as close to the original position as possible in order to restore the external appearance of the property.
- 3.1.6 The front curtilage of Rose cottage would be defined with a dwarf wall with Cast iron railings above.

Semi Detached House

- 3.1.7 A new 4 bedroom house would be attached to the existing house at 97 Hamilton Road to create a semi-detached pair. The proposed house would have a traditional design approach that responds to that of 97 and other houses within the street. The proposed house would include a two storey rear wing, single storey side addition, gable roof form, rear mansard roof extension, two storey front bay and sash windows.

Detached Mews House

- 3.1.8 The proposed detached house at the rear of the site would have a traditional design approach with a cat slide roof. The proposed house would be access via a pedestrian path between Rose Cottage and the new semi detached house. The detached house would have 2 bedrooms and amenity space would be provided to the front of the property.

3.1.9 Space standards

The floor space (GIA) and amenity space standards of individual residential units are as follows compared to London Plan 2015 requirements and Merton planning policy DM D2 Design considerations in all developments).

Proposal	Type(b)bed (p) person	Proposed GIA	London Plan	Amenity Space (sq m)	London Plan/ Merton requirement
Flat 1	2b4p	70	70	27	7
Flat 2	2b4p	70	70	35	7
Flat 3	2b3p	68	61	12	6
Flat 4	2b3p	68	61	12	6
House 1	4b7p	162	117	50	50
House 2	2b4p	102	83	57	50

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

- 4.1 14/P2350 - Demolition of existing building and erection of a new two-storey building at front and part 1, part 2 storey building at rear comprising 9 self-contained flats – Not determined.
- 4.2 13/P0997 - Demolition of existing building and erection of a new two-storey building comprising 9 x 2 bed self-contained flats and a part single, part two storey building at rear for b1 office use - Withdrawn
- 4.3 12/P2520 - Application for a certificate of lawfulness in respect of the existing use of property as residential (Class C3) – Issued - 14/12/2012
- 4.4 MER791/70 - Established use certificate for light industrial use – Grant - 02/11/1970
- .5 MER471/69 - Vehicular access – Grant - 03/09/1969

#### 5. **CONSULTATION**

- 5.1 The application has been advertised by standard site notice procedure and letters of notification to the occupiers of neighbouring properties.
- 5.1.1 In response to the consultation, 6 letters of objection were received. The letters of objection raise the following points:
- Cottage should be locally listed, agent does not refer to historic and architectural interest of Rose Cottage, not clear what materials/details are proposed internally and externally- concerned due to historic interest, support restoration of Rose Cottage but detailing of refurbishment is poor, and extension is too big and dominant, should be single storey, should have closer resemblance to historic watercolour image
  - proposed new detached house to the rear of the site creates loss of amenity to adjoining properties and substandard separation distances with associated privacy issues between proposed dwelling units, single aspect not ideal, a garden at the rear should be explored, overdevelopment.
  - Will exacerbate existing parking pressures
  - Loss of light and feeling enclosed from rear extension to Rose Cottage (206 A Merton High Street)
  - Loss of light and overshadowing of garden and kitchen/diner (97b Hamilton Road) Loss of detached status -out of keeping and loss of value, increased noise levels
  - Overlooking and reduced security of neighbouring properties
  - Discrepancies in the plans

- will archaeological excavation work be done when the commercial buildings to the rear are removed (hope of finding artifacts from the early 19<sup>th</sup> century or foundations of the original outbuildings)?

5.1.2 Amended plans have been provided following the consultation, providing further information about the detailing of the restored Rose Cottage façade and also amending windows to the rear house to minimize overlooking between units. 5 letters of objection were received. The letters of objection raise the following points:

- Restoration of Rose Cottage still lacks details to replicate the original building. Request for retention of original internal features. Rose Cottage should be considered for local listing. Lack information relating to the existing buildings.
- Overlooking of neighbouring properties and gardens. Overlooking between properties within development from first floor balconies (limited separation). New detached house is single aspect, no rear garden, unnecessary and sits uncomfortably in its relationship to the site boundary. Missed opportunity to create something that sits more comfortably in terms of volume and form as a stable/mews range – whether detailed as an historic building or in a contrasting more contemporary form.
- Two storey rear extension too large and close to building at rear
- Materials of new semi should be brick rather than render in order to contrast with the materials of Rose Cottage.
- Proposal would change the existing detached house (97 Hamilton Road) into semi. Loss of detached status, loss of value to property, increased noise and unfair.
- Loss of light and overshadowing of gardens
- Noise and inconvenience
- Density of development. Increase noise from new dwelling so close to existing houses and gardens.
- Safety and security with new access between buildings
- Impact upon parking, even if parking permits aren't granted.

## 6. **POLICY CONTEXT**

6.1 Merton Core Planning Strategy (July 2011)

CS8 – Housing Choice

CS9 – Housing Provision

CS12 – Economic Development

CS14 - Design

CS15 – Climate Change

CS18 – Active Transport

CS19 – Public Transport

CS20 - Parking, Servicing and Delivery

- 6.2 Adopted Merton 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 E3 Protection of scattered employment sites
  - DM T1 Support for sustainable transport and active travel
  - DM T2 Transport impacts of development
  - DM T3 Car parking and servicing standards
  - DMR2 Development of town centre type uses outside town centres
  
- 6.3 London Plan (July 2011)
  - 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 related to this application are the principle of development, loss of employment, the design of the buildings/extension, impact upon the Hamilton Road street scene, standard of accommodation provided, impact upon neighbouring amenity and parking/highways considerations.
  
- 7.2 Amendments
  - 7.2.1 The layout of the first floor flats in Rose Cottage has been amended by pushing back the first floor elevation of the two storey rear extension by 1m. This has created a 2.5m deep terrace that exceeds minimum space standards. The reduction in the size of the first floor element of the rear extension has resulted in the size of the first floor flats being reduced from 2b4p to 2b3p. The deeper terrace has been fitted with a 1.8m high obscured screen to prevent overlooking of neighbouring properties and gardens.
  
  - 7.2.2 The first floor windows within the detached house at the rear of the site have been amended with splayed windows. The north facing window panels would be obscured glazed and the south facing panel clear. The



splayed windows have been included in order to preserve amenity between neighbours within the new development.

### 7.3 Principle of Development

7.3.1 The proposal seeks to convert and extend the existing residential building to provide four, two bedroom flats and erect a new 4 bedroom semi and a 2 bedroom detached house. The London Plan and both the Council's adopted Core Planning Strategy (2011) and Sites and Policies Plan (2014) seek to increase housing provision where it can be shown that an acceptable standard of accommodation and a mix of dwelling types will be provided. 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 principle of a residential use is considered to be acceptable, making a modest contribution towards meeting housing choice and housing targets. The principle of providing housing must however be considered against the loss of employment in this instance.

### 7.4 Loss of Employment

7.4.1 The existing light industrial units on the site provide a source of employment and are classified as a scattered employment site. Policy DM E3 (Protection of scattered employment sites) on Merton's Sites and Policies Plan seeks to retain/support a range of employment opportunities towards creating balanced mixed use neighborhoods in Merton. The policy states that proposals that result in the loss of scattered employment sites will be resisted except where:

- i. The site is located in a predominantly residential area and it can be demonstrated that its operation has had a significant adverse effect on local residential amenity;
- ii. The size, configuration, access arrangements and other characteristics of the site makes it unsuitable and financially unviable for whole-site employment use; and,
- iii. It has been demonstrated to the council's satisfaction that there is no realistic prospect of employment or community use on this site in the future. This may be demonstrated by full and proper marketing of the site at reasonable prices for a period of 30 months (2½ years).

7.4.2 The applicant confirms that the premises have not been subject of any marketing. However the applicant has submitted a marketing report by Bonsors (Chartered Surveyors and Commercial Property Consultants) which identifies the constraints of the site/premises. Bonsors consider that the existing buildings are in a poor condition and would be very difficult to let the premises in the open market in their current condition. Given the

- condition of the buildings, Borsors consider that the premises are only suitable for rough storage. This type of use would provide a low number of jobs on the site, however even this basic use would require building repairs to bring the units up to basic standards.
- 7.4.3 To bring the building back into a suitable condition (other than rough storage), a full repairing and insuring lease would place the onus of maintaining the premises on the landlord. The cost of that compared to the likely rent achievable for the premises in their current condition would probably make a letting of the premises economically unviable. In conclusion, the report states that the location, means of access, lack of on-site car parking and condition of the premises would make it very difficult to let other than for rough basic storage.
- 7.4.4 Section 38 of Planning and Compulsory Purchase Act 2004 states 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. In this instance the context of the site (condition of buildings, constraints of the site, number of potential jobs) and the benefits of retaining and restoring Rose Cottage are considered to be a material planning consideration in this instance.
- 7.4.5 It must be noted that the application site has already been subject of various applications for both mixed use (commercial and residential) and solely residential schemes. All of those applications proposed to demolish Rose Cottage as part of the redevelopment of the site. The demolition of Rose Cottage was the subject of strenuous objections from neighbours, local historians and councillors. The Council's Design Review Panel (DRP) also expressed the view that the redevelopment of the site should explore the heritage issues relating to Rose Cottage. It should however be noted that planning permission would not be required for the demolition of Rose Cottage and its retention is therefore welcomed by the Council and interested parties. There is a general consensus that the redevelopment of the site should restore Rose Cottage due to its historical heritage. There would be viability and planning constraints with schemes that resort Rose Cottage, however the Council believe that a compromise has been achieved with the applicant in regards to loss of employment (contrary to policy objectives) against the historical and visual benefit of restoring Rose Cottage and its land as part of the redevelopment of the site. The historical interest and detailing relating to the buildings restoration will be considered below.
- 7.4.6 Rose Cottage was subject of a 2013 application to English Heritage for statutory listing. English Heritage declined the application for statutory listing due the following:

- Architectural interest and intactness - high level of alterations and loss of original fabric to the main façade detract from the proportions and details, which are the essence of a building of this type and date, while they have insufficient evidence of the interior for it to provide a case for its listing.
- Rarity - Whilst relatively rare now in Merton, villas such as this survive better and in greater numbers in neighbouring boroughs and indeed nationally.
- Historic interest – Pinhey, for whom it was built, became a national important figure in Canada rather than while living in England where his impact is not nationally significant. Association with Lord Nelson and Lady Hamilton is too tenuous to amount to special interest.

7.4.7 Whilst English Heritage considers that Rose Cottage has a valuable archival record, and is a building of local merit, it does not meet the criteria for statutory listing. The Councils Conservation Officer considered the merits for local listing, however given the condition of the building, this was not considered to meet the requirements for locally listing. In terms of the level of detailing and restoration works proposed, the Councils Conservation Officer has confirmed that she has no objection and welcomes the efforts made to incorporate and restore Rose Cottage as part of the development.

## 7.5 Rose Cottage

### Design

7.5.1 Local historians have provided a great level of detail of the buildings importance. Rose Cottage is a 2 storey detached classical Georgian villa, commissioned in 1813, designed by the brother-in-law of Hammnett Pinhey, Thomas Tasker. The building represents an early country retreat for a middling Gentleman, a type of property that was once common in this area, but has now almost vanished. Its survival is a link to the transitional era of Merton as a place of wealthy retreat, before the coming of the railways.

7.5.2 The original exterior and interior of the building has unfortunately been subject of poor alterations/removal over time. However the form of the building remains relatively intact, with its original walls, floors, windows openings, roof structure and some internal features still being available. Given that the original form of the building remains intact, this would allow for a successful restoration of Rose Cottage. The level of restoration has focused on the exterior of the building with the aspirations of bring back the original appearance of the building as shown in the 1813 watercolor image. This would include the reinstatement of a front porch, windows and chimneys stacks (full details can be found in section 3.1.2 – 3.1.9 of this report).

7.5.3 As part of the restoration of Rose Cottage, the rear additions will be removed and replaced with a two storey rear extension. It is noted that the proposed two storey rear extension would have a large footprint, however the extension would appear subservient to the original building with its eaves and ridge levels siting below the eaves and ridge levels of the main roof and the proposed flank walls being inset 1.5m from the flanks of the original building. In addition to the subservient design, the extension would be located to the rear of the site and would not be clearly visible from Hamilton Road. Therefore when viewed from Hamilton Road and public areas the original building would appear unaltered and therefore the original integrity of the building would be preserved from a street scape perspective. Improvements to the land around Rose Cottage is also considered to preserve the setting of Rose Cottage and would be a vast improvement on the visual amenities of the street scene due to the excessive amount of hard standing within the frontage of the site which is currently used for car parking. The proposed seeks to create a residential setting with a well landscaped garden and a low-rise wall with railings above.

#### Impact upon neighbours

##### 206 – 212 Merton High Street

7.5.4 The proposed extension would project 6.3m in depth (5.3m at first floor level) and its eaves and roof levels would sit 0.5m and 0.6m below the corresponding roof levels of the original roof. The original building and its form would not be materially altered; therefore the amenities of 208 – 212 Merton High Street would remain similar to existing. The proposed two storey rear extension would be located opposite the first floor flat at 206 Merton High Street. However the flank wall would be distanced at least 7.7m away from their rear facing window. The first floor balcony would be fitted with a 1.8m high side screen which would prevent overlooking of this neighbouring property. The retention of the side screen can be conditioned in order to maintain neighbouring amenity.

##### New Detached House

7.5.5 The balconies of the upper level flats in Rose Cottage would be fitted within obscured glazed screens which prevent overlooking. In addition, this neighbour has splayed windows at first floor level to prevent direct overlooking also. Whilst it is noted that the level of separation between neighbours is limited, this is a mews style development for new residential properties. It is therefore not unusual in these scenarios (mews developments) for buildings to be closely confined. In any event, the design features as stated above would ensure that there is no undue loss



of amenity.

#### Standard of Accommodation

- 7.5.6 The proposed flats would provide a satisfactory standard of accommodation for future occupiers with each flat complying with the Mayor's minimum GIA and amenity standards. Each room would be capable of accommodating furniture and fittings in a satisfactory manner. Each habitable room has good outlook, levels of light, storage spaces and circulation areas.

#### 7.6 Semi Detached House

##### Design

- 7.6.1 The design of the proposed house would respond to the existing pattern of development within the street scene by creating a two storey semi detached house of traditional design and detailing that would respect the other half of the new semi and other terraced housing in the street. The design and massing of the proposed house is therefore considered to respond to the existing pattern of development in the area.

##### Impact upon neighbours

##### 97 (97a & b) Hamilton Road

- 7.6.2 This neighbouring property is split into two flats. The proposed semi-detached house would follow the form of this neighbouring property and would not project beyond the existing flank wall. The proposal would therefore have no undue loss of light to rooms. It is noted that the building would result in some overshadowing of the rear garden of flat 97b, however this would be in the late afternoon, would be similar to the existing arrangement along this section of Hamilton Road and would meet BRE guidance.
- 7.6.3 In order to mitigate overlooking of the rear garden of 97b, a planning condition can be imposed that requires the rear facing bedroom and bathroom windows at first and second floors respectively to be obscured glazed and non-opening up to 1.7m above internal floor level.
- 7.6.4 Concerns raised by 97a and 97b in terms of the proposal changing their current detached status to a semi have been considered. However from a planning perspective, the creation of a semi in this location would comply with planning policy. The new house has been designed to provide a good standard of residential accommodation, respond to the general pattern of development in the street scene, would remove the large

exposed flank wall and would have no undue impact upon neighbour amenity or highway conditions. In practical terms, attaching a new building to a neighbour's existing flank wall would be a private matter between neighbours and would therefore fall outside the control of the Council.

#### 111 Hardy Road

- 7.6.5 This neighbouring property is located directly to the rear of the proposed house and its roof extension. There would be a separation distance of over 30m which would ensure that there is no undue overlooking of this neighbouring property.

#### Standard of Accommodation

- 7.6.6 The proposed house would provide a satisfactory standard of accommodation for future occupiers. The house would exceed the Mayor's minimum GIA standards and would meet the 50 sqm amenity space standard set out in Merton's planning policy DM D2 Design considerations in all developments). Each room would be capable of accommodating furniture and fittings in a satisfactory manner. Each habitable room has good outlook, levels of light, storage spaces and circulation areas.

#### 7.7 Detached House

##### Design

- 7.7.1 The proposed building would sit at the rear of the site and would have a limited impact upon the visual amenities of the Hamilton Road street scene. The proposed house would however have a traditional design approach and would be modest in scale which would respect the visual amenities of the area and the constraints of the site.

##### Impact upon neighbours

#### 97 Hamilton Road

- 7.7.2 The proposed house would sit parallel with the rear garden of 97b Hamilton Road. The proposed house has been designed as a low-rise building with its cat slide roof lowering in height towards to the boundary of this neighbouring property. It should be noted that the existing garages and workshop currently extend along the boundary of this neighbouring property. These would be omitted as part of the redevelopment and would therefore reduce the amount of built form along the neighbour's boundary. On balance, given the low-rise nature of the proposed house and its design, there would be no undue loss of this neighbour's amenity. More

details required for final.

### 111 Hardy Road

7.7.3 The proposed building would be located at the end of this neighbour's rear garden. It should however be noted that the existing industrial workshop already exists in this located and the proposed house has been designed to be low-rise with its cat slide roof form. Given the low-rise height of the proposed house, existing situation and the level of separation between the building and this neighbouring house, it is considered that there would be no undue loss of amenity.

### 7.8 Standard of Accommodation

7.8.1 The proposed house would provide a satisfactory standard of accommodation for future occupiers. The house would exceed the Mayor's minimum GIA standards and would meet the 50 sqm amenity space standard set out in Merton's planning policy DM D2 Design considerations in all developments). Each habitable room has good outlook, levels of light, storage spaces and circulation areas. Whilst the house would have its amenity space to the front of the building, this space can be made private with high level boundary treatment to the frontage (1.8m in height) and obscure glazing of the first floor balconies in Rose Cottage. Planning condition relating to boundary treatment and retention of obscured glazed balconies would ensure that the garden remains private.

### 9. Traffic, Parking and Highways conditions

9.1 The high PTAL rating of 5 would mean that future occupants would have good access to a number of alternative public transport options. The area is located close to south Wimbledon tube station and a number of bus routes. The area and surrounding residential roads are controlled by various CPZ's and on street car parking is already very limited. Given the modest size of the proposal, 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 good level of public transport options within the area, the development would be required to be permit free. The required permit free development can be controlled via a section 106 agreement.

### 9. Affordable Housing

9.1.1 Planning policy CS8 (Housing Choice) of Merton's Core Planning Strategy states that the Council will seek provision of an affordable housing equivalent to that provided on-site as a financial contribution. Rose

Cottage currently has an established residential unit, therefore it is considered reasonable that the affordable housing contribution relates to three of the proposed flats in Rose Cottage and the two new houses. In line with the above requirement, the affordable housing contribution in this instance would be (£271,667).

10. Local Financial Considerations

10.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton's Community Infrastructure Levy was implemented on 1<sup>st</sup> April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

11. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

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

11.1.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms on EIA submission. The houses will be required to meet Code Level 4 of the Code for Sustainable Homes and Lifetime Homes standards

12. **CONCLUSION**

12.1.1 The Council welcomes the principle redevelopment in regards to the restoration of Rose Cottage as part of the overall redevelopment of the site. The proposal would be contrary to the objectives of planning policy DM D3 (Protection of scattered employment sites) in seeking to retaining employment opportunities of the site, however a material planning condition in this instance is the condition and context of the site for continued employment purposes and the design and historical benefits of retaining and restoring Rose Cottage. In this instance, the industrial units are in a poor condition and the site isn't ideally suited for employment uses and the heritage benefits of restoring Rose Cottage are considered to outweigh the loss of employment. The proposed new dwellings are considered to offer good/high quality residential buildings that respect the existing pattern of development in the area. The proposal would provide



good quality residential units with no undue impact upon neighbouring amenity or highway conditions. The application would therefore be recommended for approval by planning officers subject to conditions and S106 agreement relating to permit free development and affordable housing contributions.

## **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 a financial contribution towards Affordable housing (£271,667).
3. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A.1 Commencement of Development
2. A7 Approved Plans
3. B.1 Materials to be approved
4. B.4 Details of Surface Treatment
5. Details of boundary treatment
6. Details of refuse & recycling
7. Refuse implementation
8. Cycle details
9. Cycle implementation
10. Landscaping details

11. Landscaping implementation
12. Removal of permitted development rights (no new windows at upper levels)
13. Details of internal features to be retained.
14. Obscured glazed balconies.
15. Removal of permitted development rights (extensions)
16. Sustainable homes
17. Lifetime homes
18. D11 Construction Times
- 19 Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 20 Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.
- 21 Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
- 22 In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the

Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

23. No development shall commence until details of the highway alterations, including the provision of an extended servicing bay on Haydon's Road, and reinstatement of the redundant access point have been submitted to and approved in writing by the local planning authority. The development shall not be occupied until the alterations have been completed in accordance with the approved details.
24. H3 Redundant Crossovers
25. Obscured glazed windows (first floor of detached house)
26. Obscured glazed windows and non-opening up to 1.7m above internal floor level (bathroom and bedroom windows for semi detached house)

#### Planning Informative

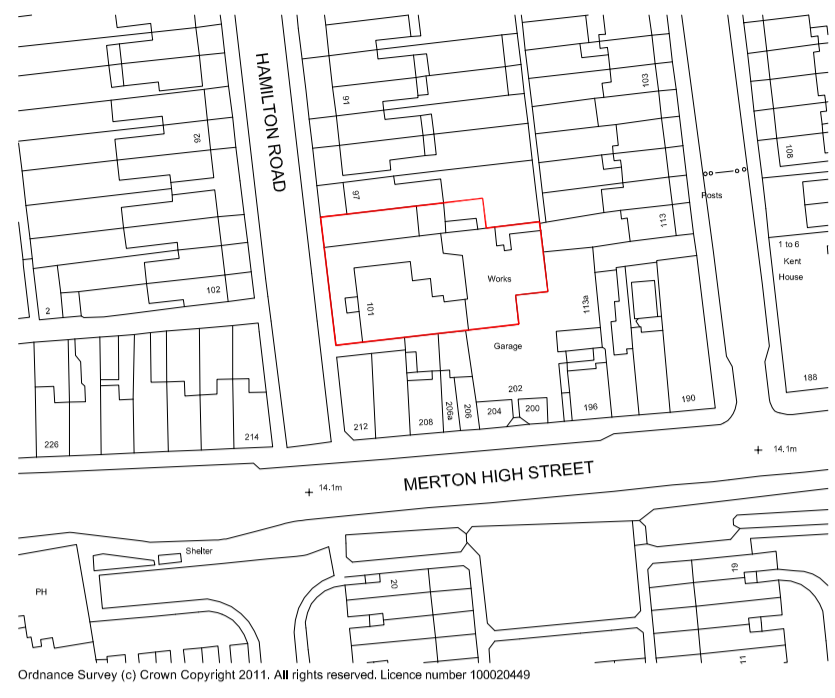
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# NORTHGATE SE GIS Print Template



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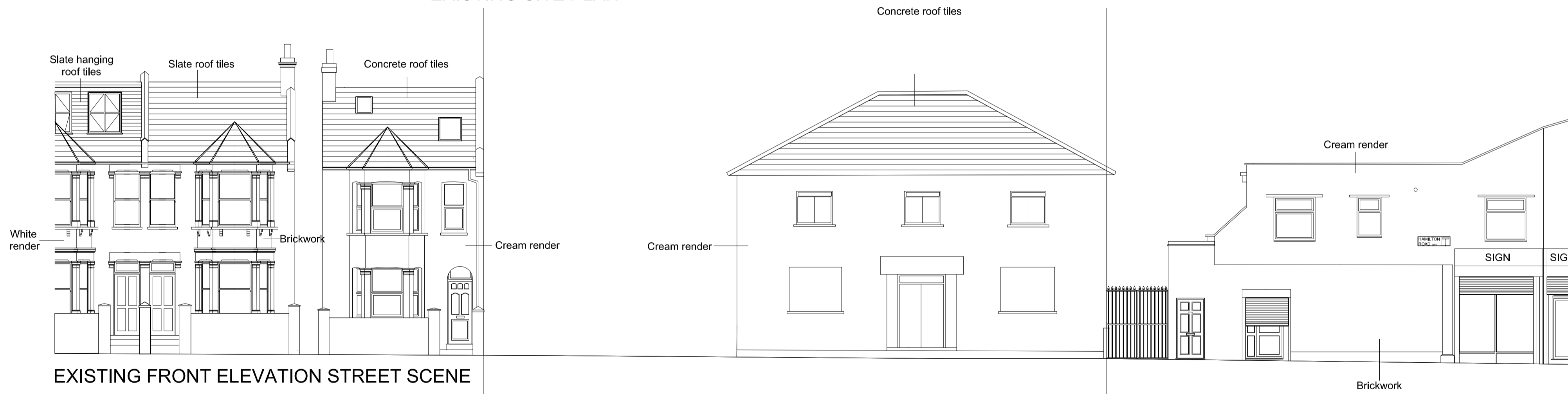




LOCATION PLAN SCALE 1:1250



EXISTING SITE PLAN



EXISTING FRONT ELEVATION STREET SCENE



PROPOSED FRONT ELEVATION STREET SCENE



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Hyde Park House, 5 Manfred Road  
East Putney, London, SW15 2RS  
Tel - 020 8823 0750

Job Title **DEVELOPMENT OF 4 SELF  
CONTAINED FLATS, 4 BED  
TERRACE HOUSE AND 2 BED  
DETACHED HOUSE**

101 Hamilton Road  
London, SW19

Drawing Name  
**LOCATION SITE PLAN  
existing and proposed street  
elevations**

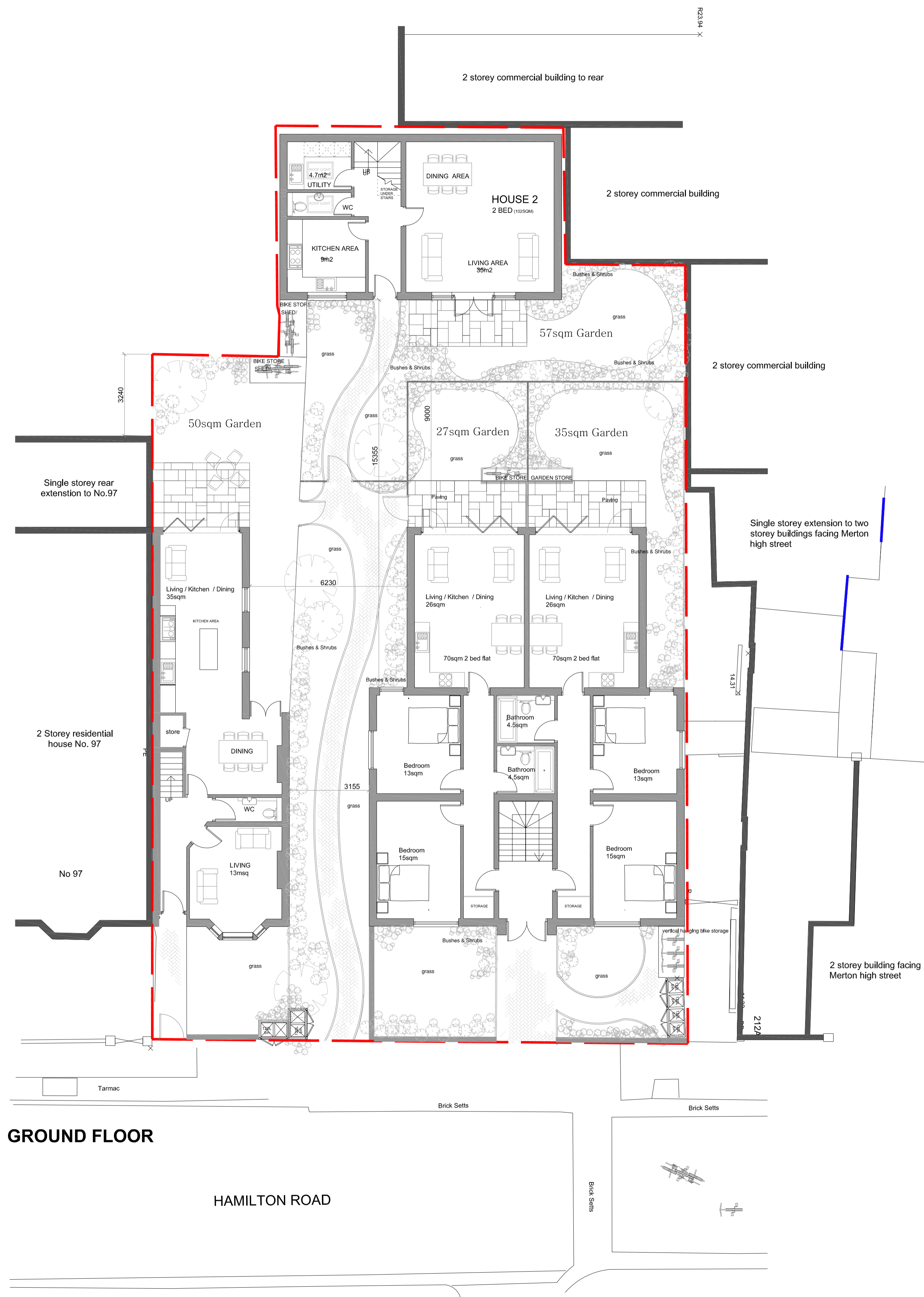
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**Mattocks Properties Ltd**

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Checked by <b>Chris Gwilliam</b>	Date 26/02/2013

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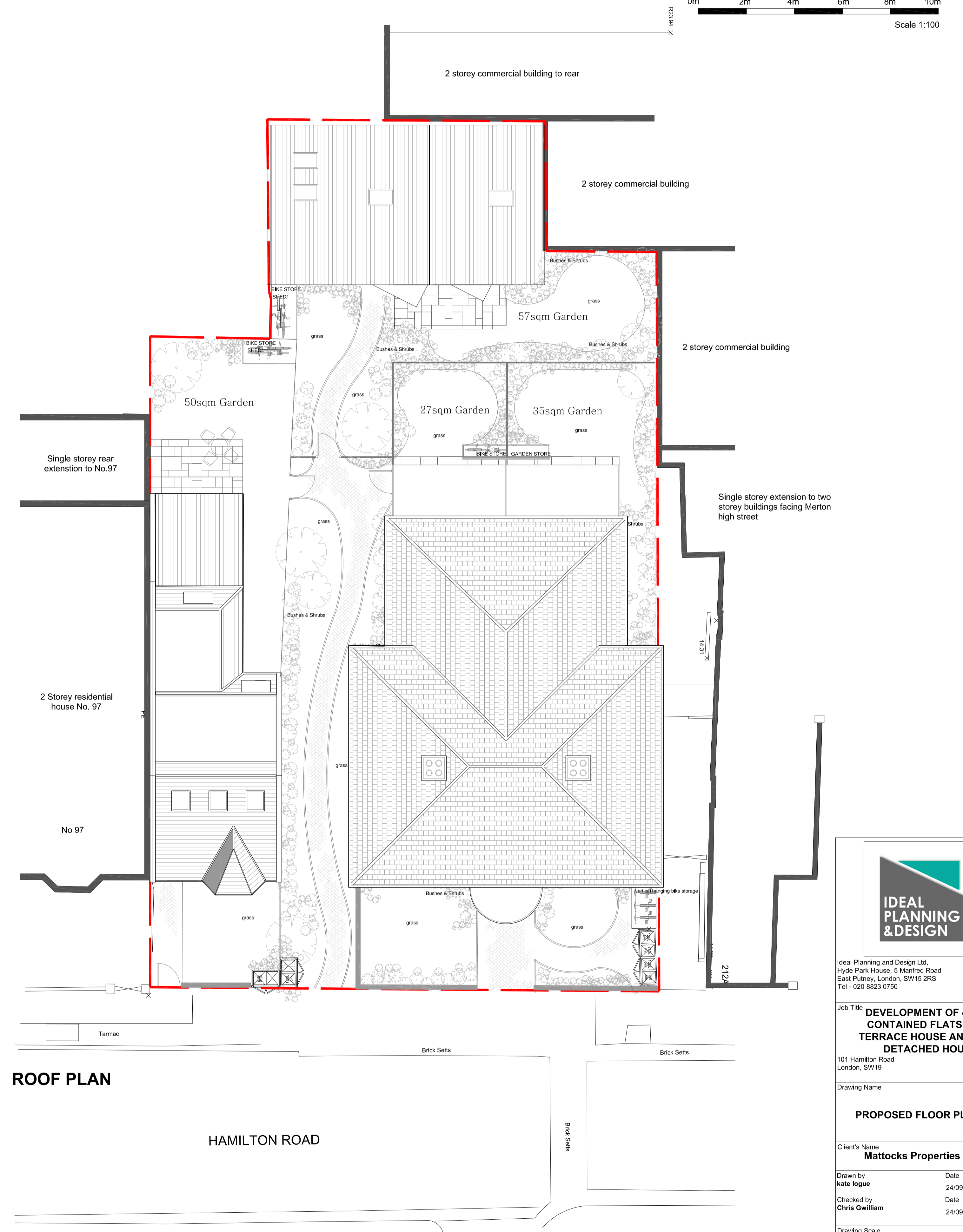
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GROUND FLOOR

HAMILTON ROAD



ROOF PLAN

HAMILTON ROAD

Scale 1:100



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Job Title **DEVELOPMENT OF 4 SELF  
CONTAINED FLATS, 4 BED  
TERRACE HOUSE AND 2 BED  
DETACHED HOUSE**

101 Hamilton Road  
London, SW19

Drawing Name

**PROPOSED FLOOR PLANS**

Client's Name  
**Mattocks Properties Ltd**

Drawn by	Date
<b>kate logue</b>	24/09/2015
Checked by	Date
<b>Chris Gwilliam</b>	24/09/2015

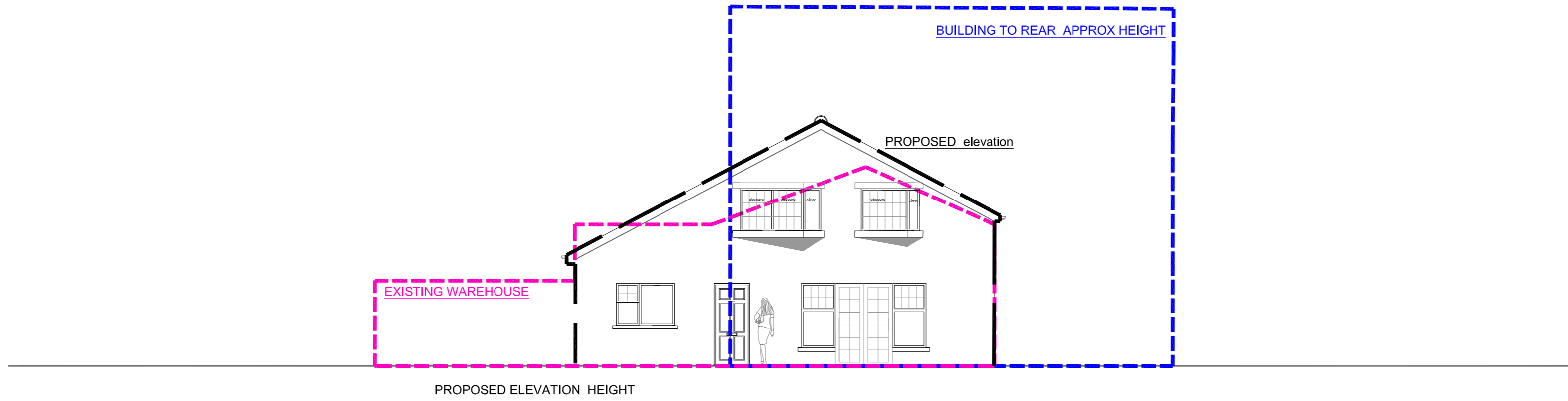
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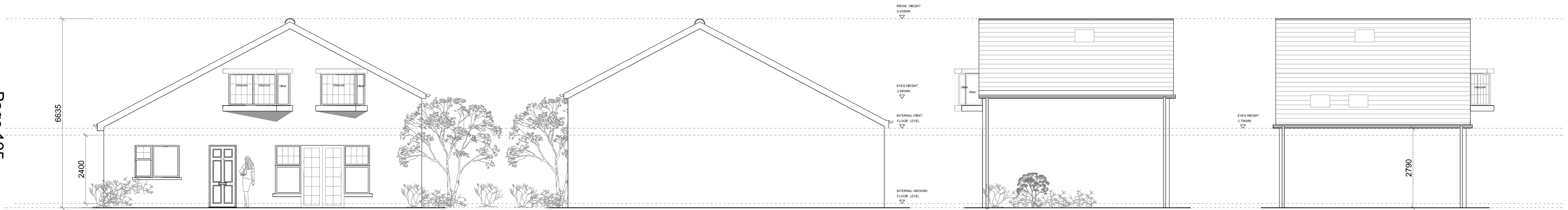
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Page 195

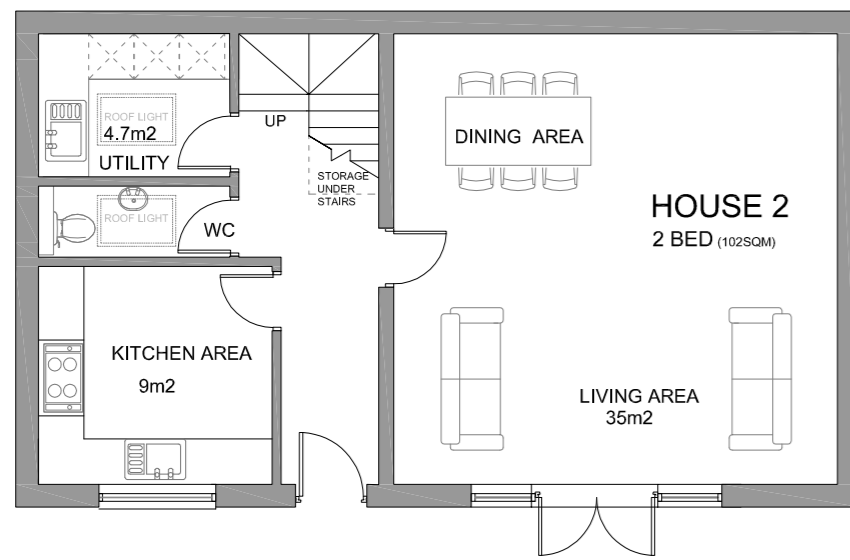


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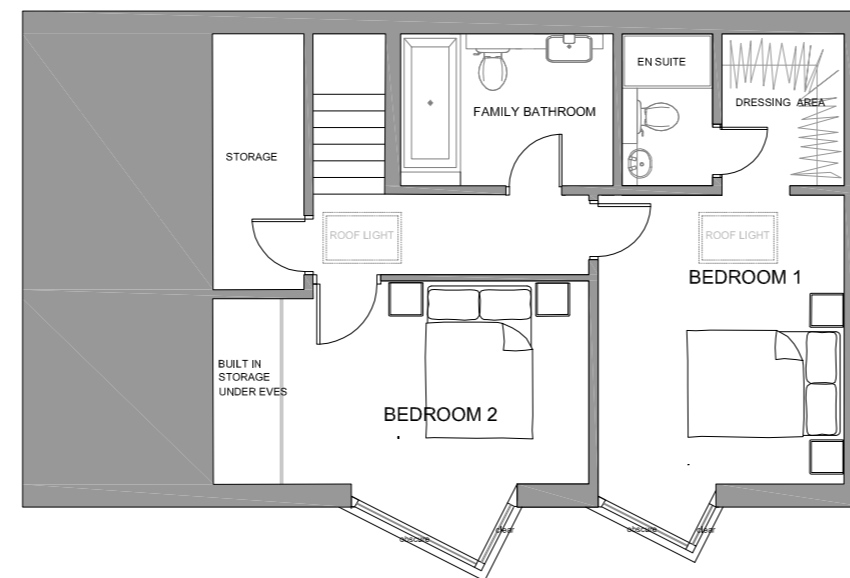
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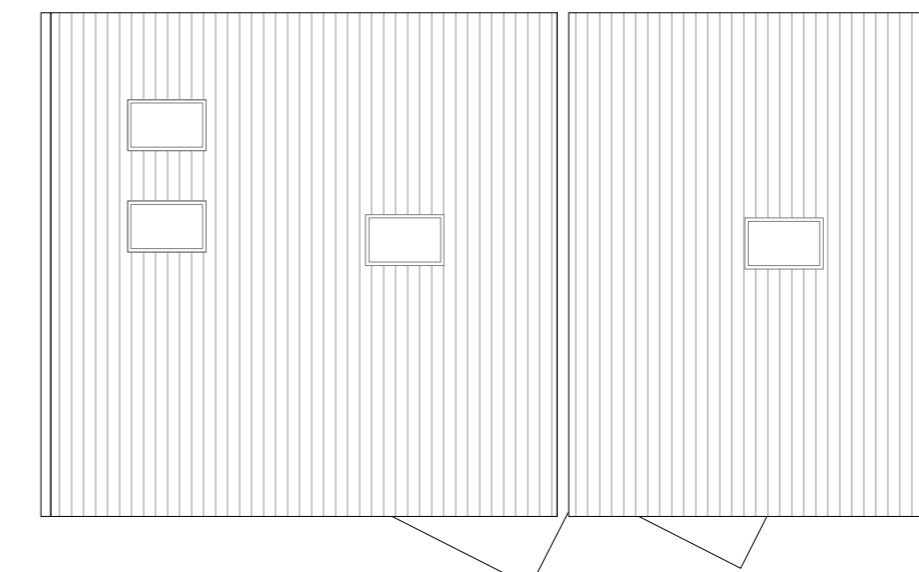
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PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED ROOF PLAN

Scale 0 1 2 3 4 5 M

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101 Hamilton Road  
London, SW19

Drawing Name

**PROPOSED NEW DETACHED HOUSE**

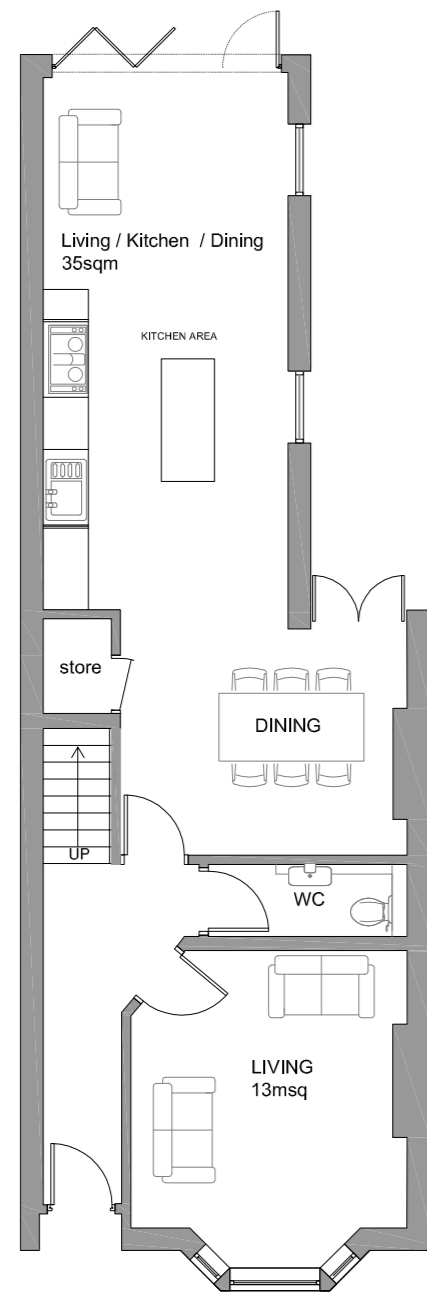
Client's Name  
**Mattocks Properties Ltd**

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Checked by <b>Chris Gwilliam</b>	Date 26/07/2015

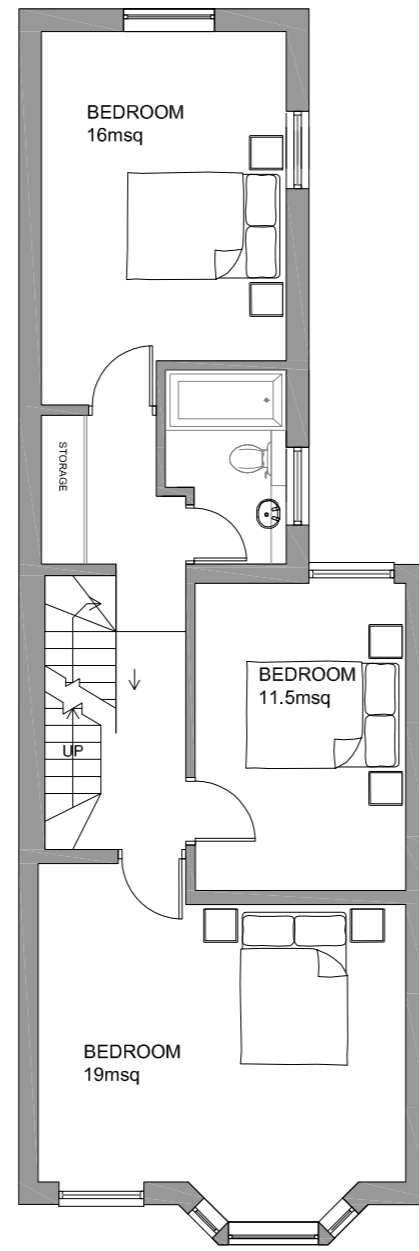
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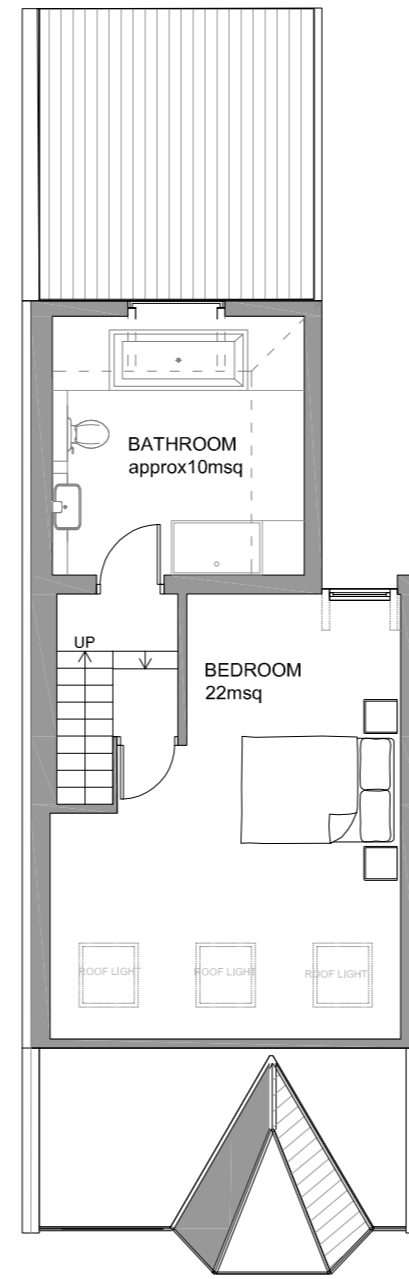




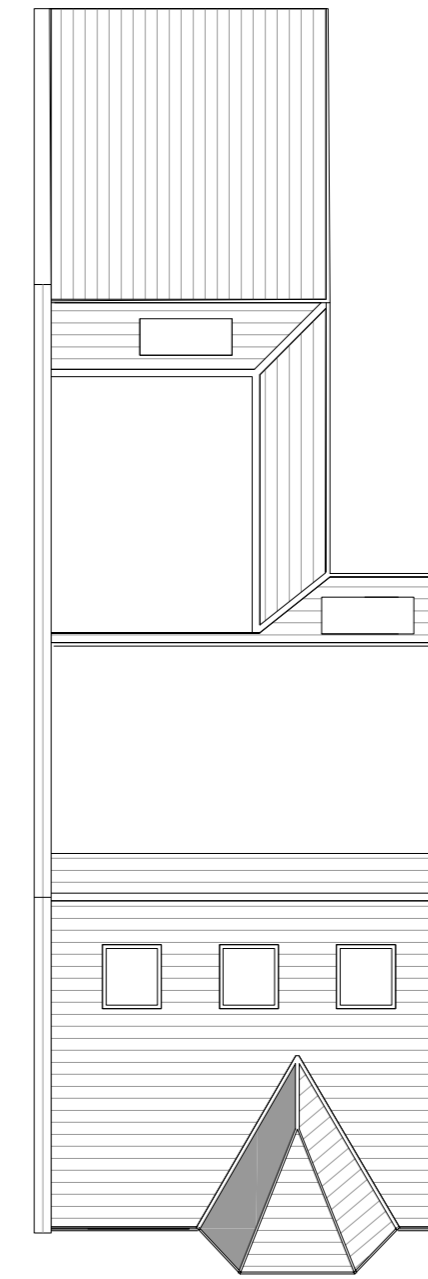
PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED SECOND FLOOR PLAN



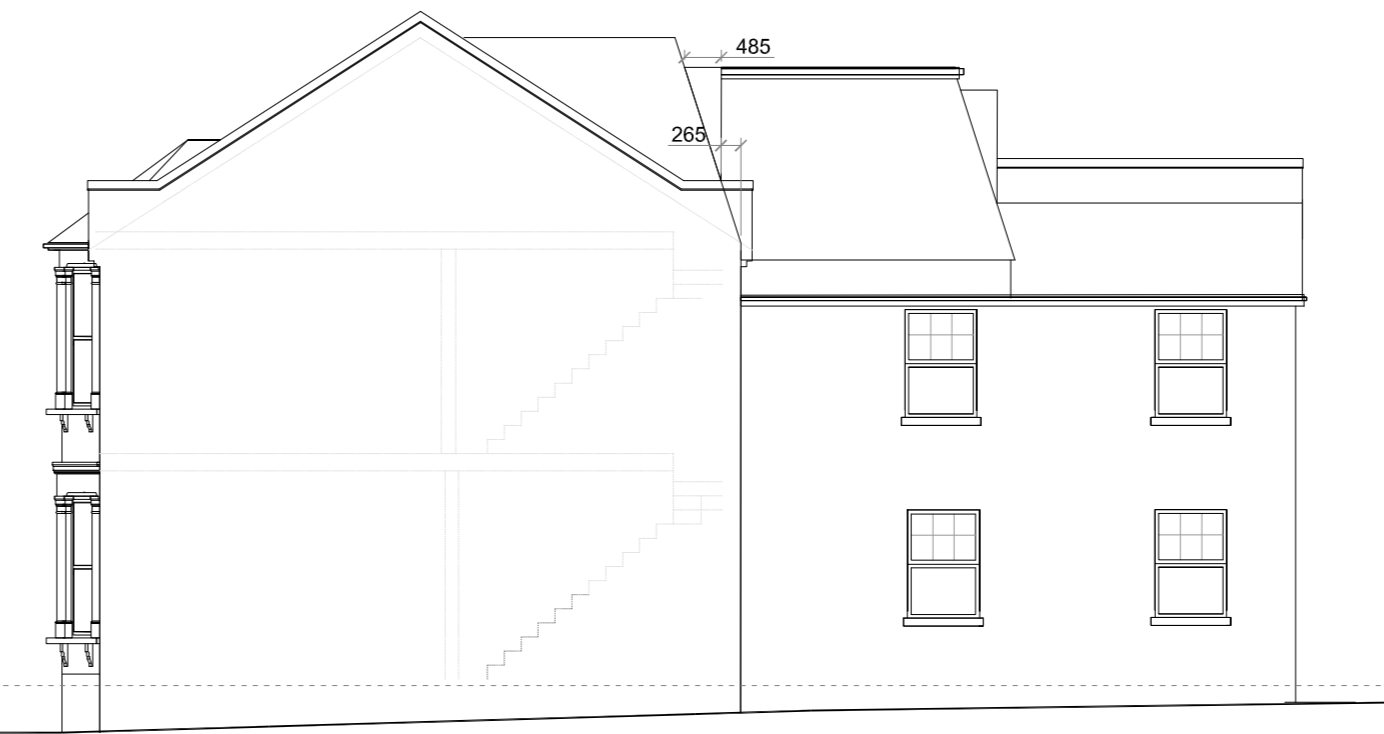
PROPOSED ROOF PLAN



PROPOSED FRONT ELEVATION



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION

Scale 0 1 2 3 4 5 M



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East Putney, London, SW15 2RS  
Tel - 020 8823 0750

101 Hamilton Road  
London, SW19

Drawing Name

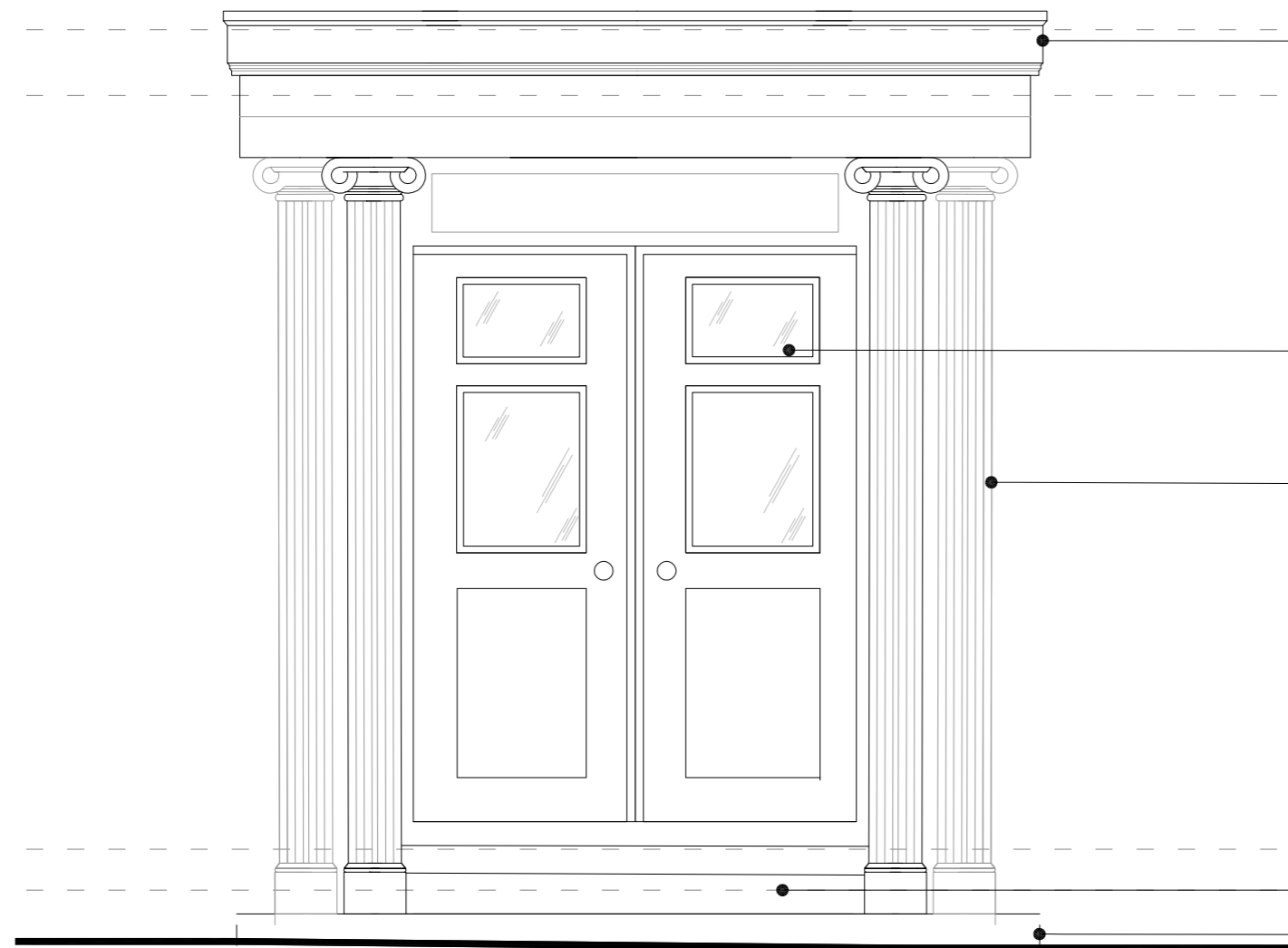
**PROPOSED NEW TERRACE HOUSE**

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Revision  
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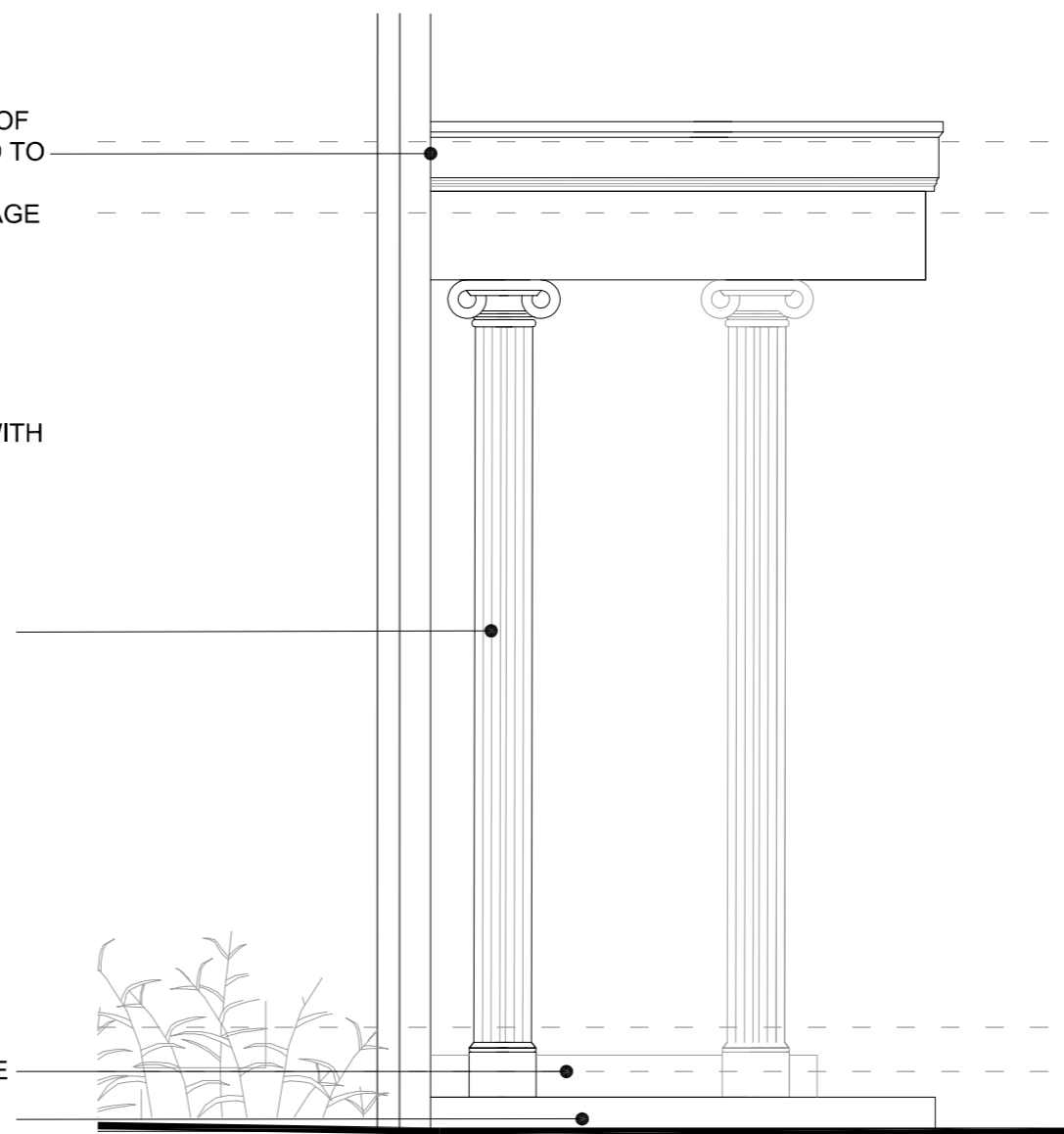
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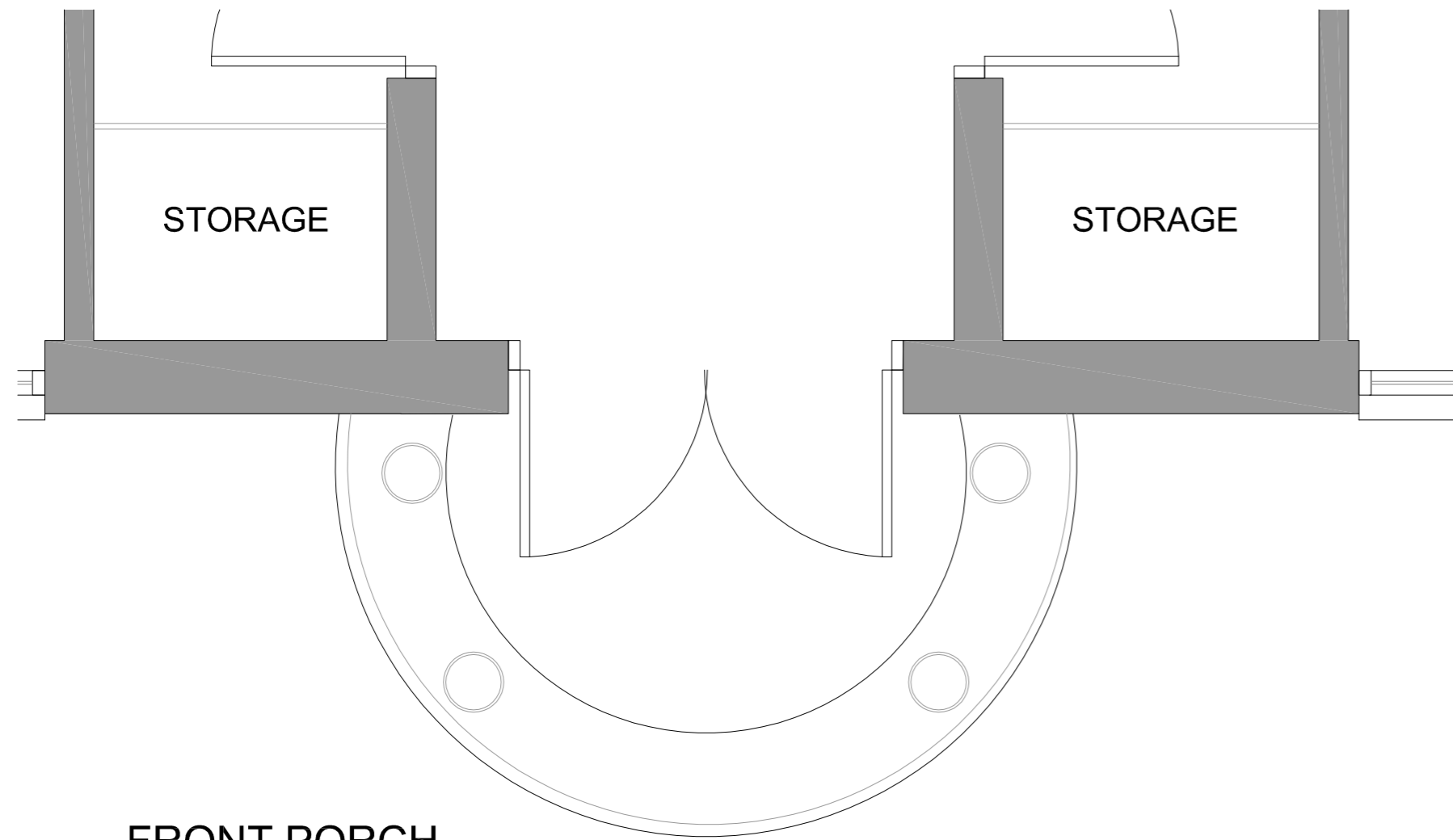
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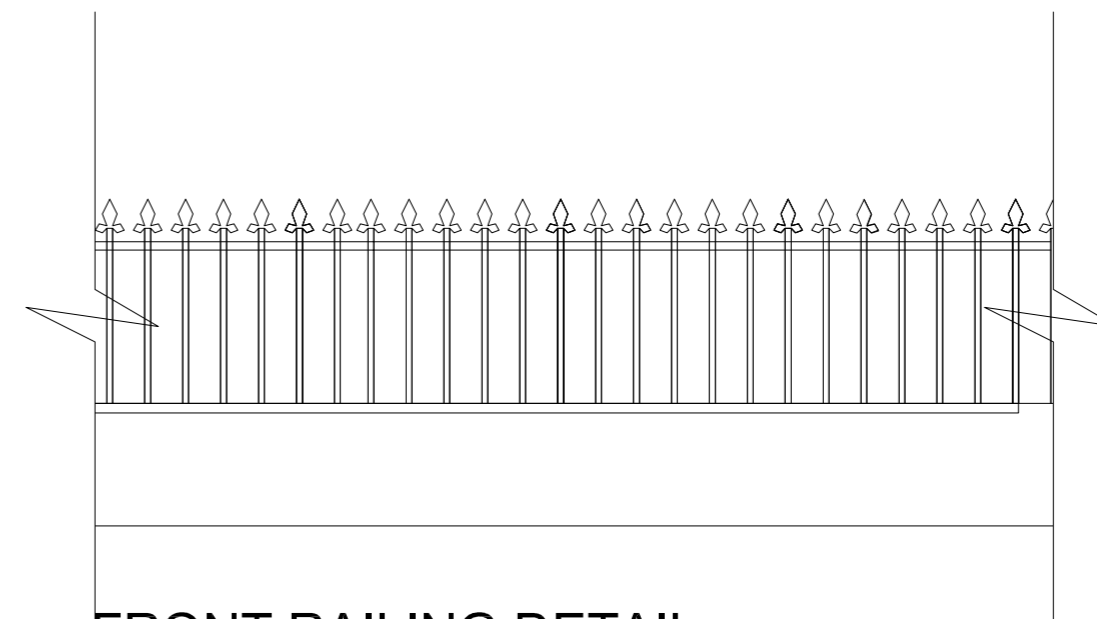
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FRONT PORCH  
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FRONT PORCH  
 PLAN 1:25@A2



FRONT RAILING DETAIL  
 1:25@A2



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 Hyde Park House, 5 Manfred Road  
 East Putney, London, SW15 2RS  
 Tel - 020 8823 0750

Job Title  
**PROPOSED RENOVATION  
 ROSE COTTAGE**

101 Hamilton Road  
 London, SW19

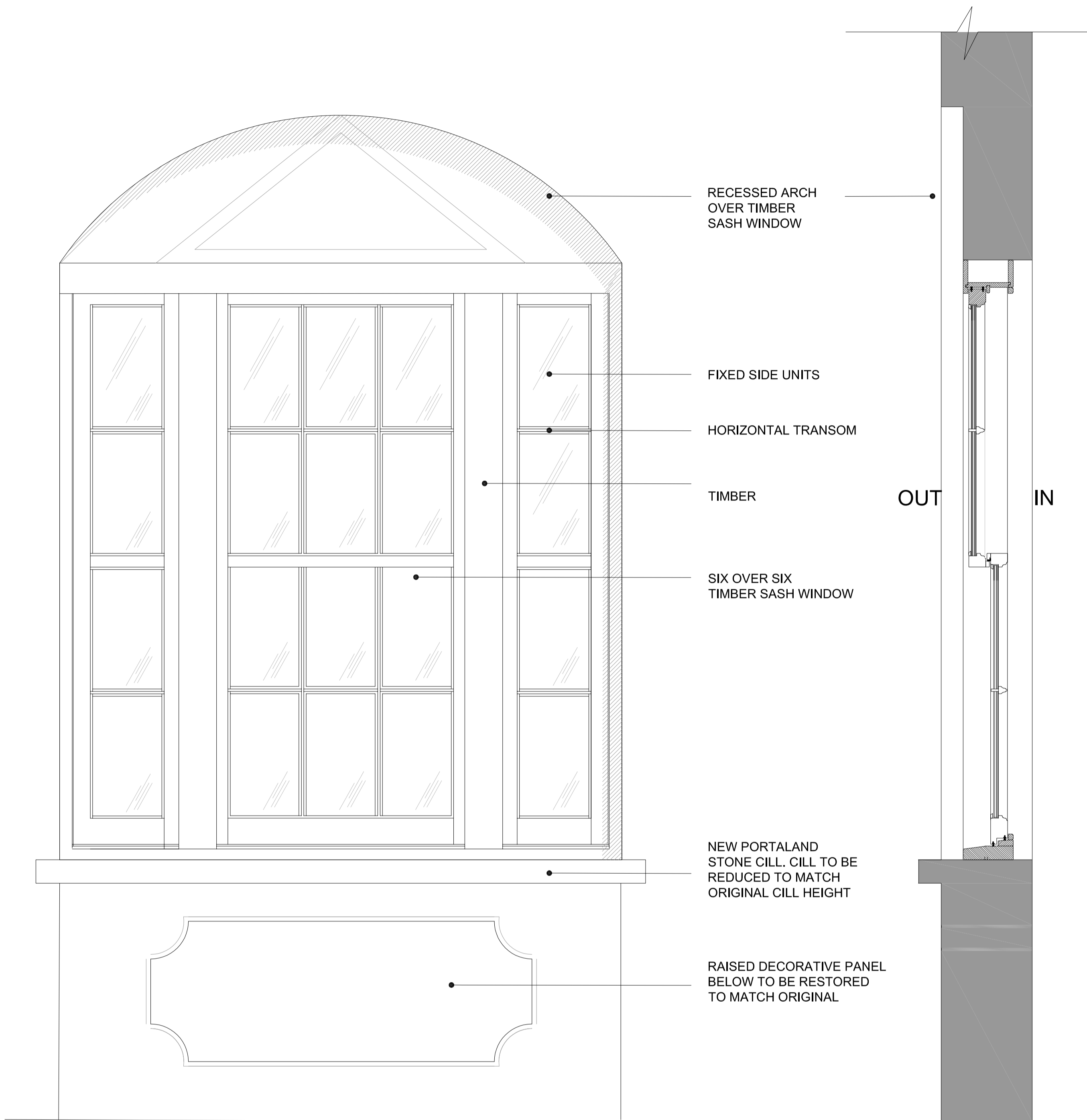
Drawing Name  
**PROPOSED NEW RENOVATION  
 PORTICO DETAILS**

Client's Name  
**Mattocks Properties Ltd**

<small>Drawn by</small> <b>KATE LOGUE</b>	<small>Date</small> 26/07/2015
<small>Checked by</small> <b>Chris Gwilliam</b>	<small>Date</small> 26/07/2015

Drawing Scale  
**1:25 @ A2 OR 1:50@A4**

Layout ID  
 Revision  
**820C/13**

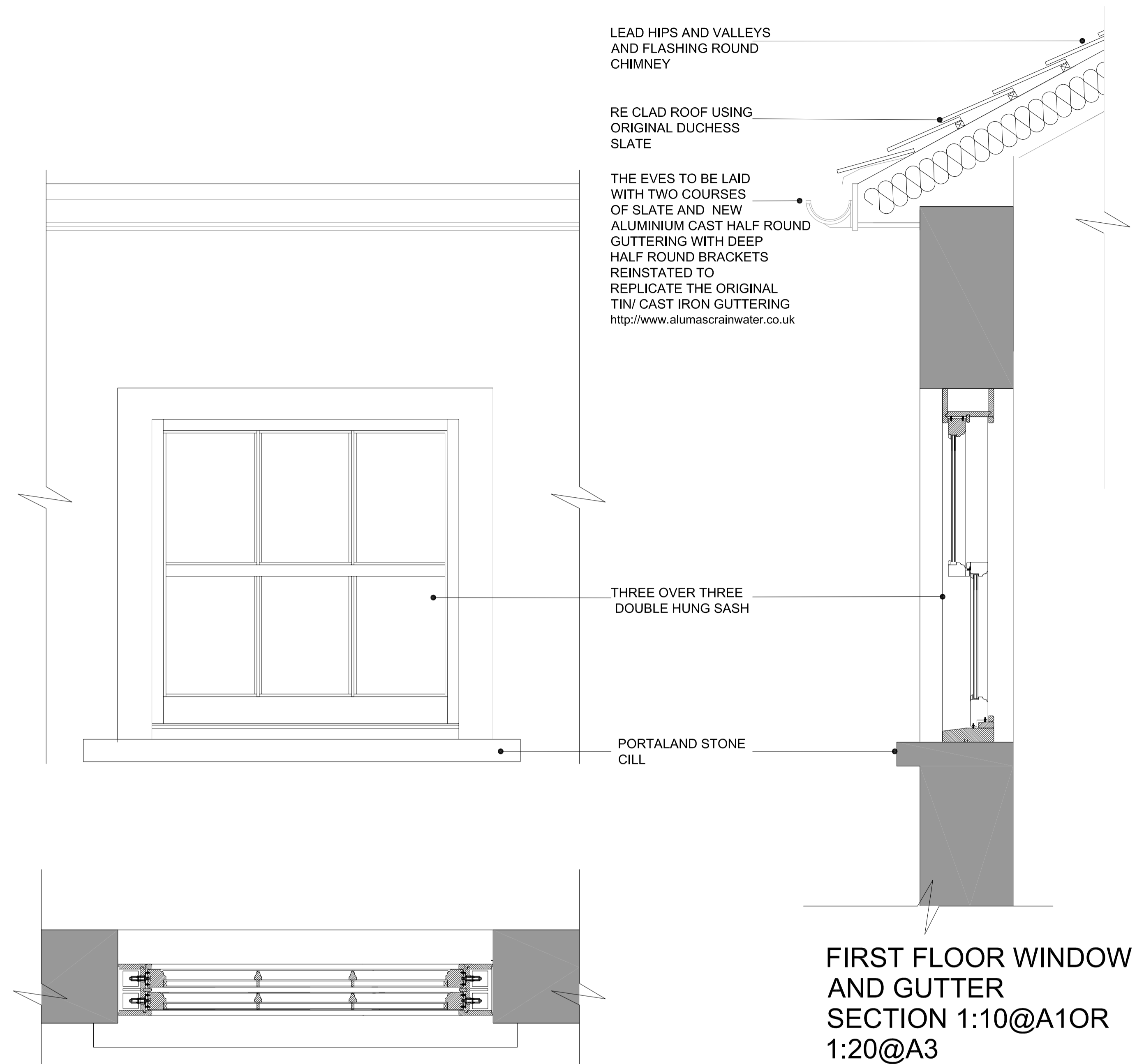


**GROUND FLOOR WINDOW SECTION 1:10@A1 1:20@A3**

WINDOWS TO BE SUPPLIED AND FITTED BY LONDON BOX SASH WINDOWS OR EQUAL AND APPROVED <http://www.londonboxsash.com/>

London Box Sash Windows  
1-4 Lower Green West,  
London,  
CR4 3AF

**GROUND FLOOR WINDOW PLAN AND ELEVATION 1:10@A1 1:20@A3**



**FIRST FLOOR WINDOW PLAN AND ELEVATION 1:10@A1 OR 1:20@A3**

**FIRST FLOOR WINDOW AND GUTTER SECTION 1:10@A1OR 1:20@A3**



Ideal Planning and Design Ltd,  
Hyde Park House, 5 Manfred Road  
East Putney, London, SW15 2RS  
Tel - 020 8823 0750

Job Title  
**PROPOSED RENOVATION ROSE COTTAGE**

101 Hamilton Road  
London, SW19

Drawing Name  
**PROPOSED NEW RENOVATION WINDOW DETAILS**

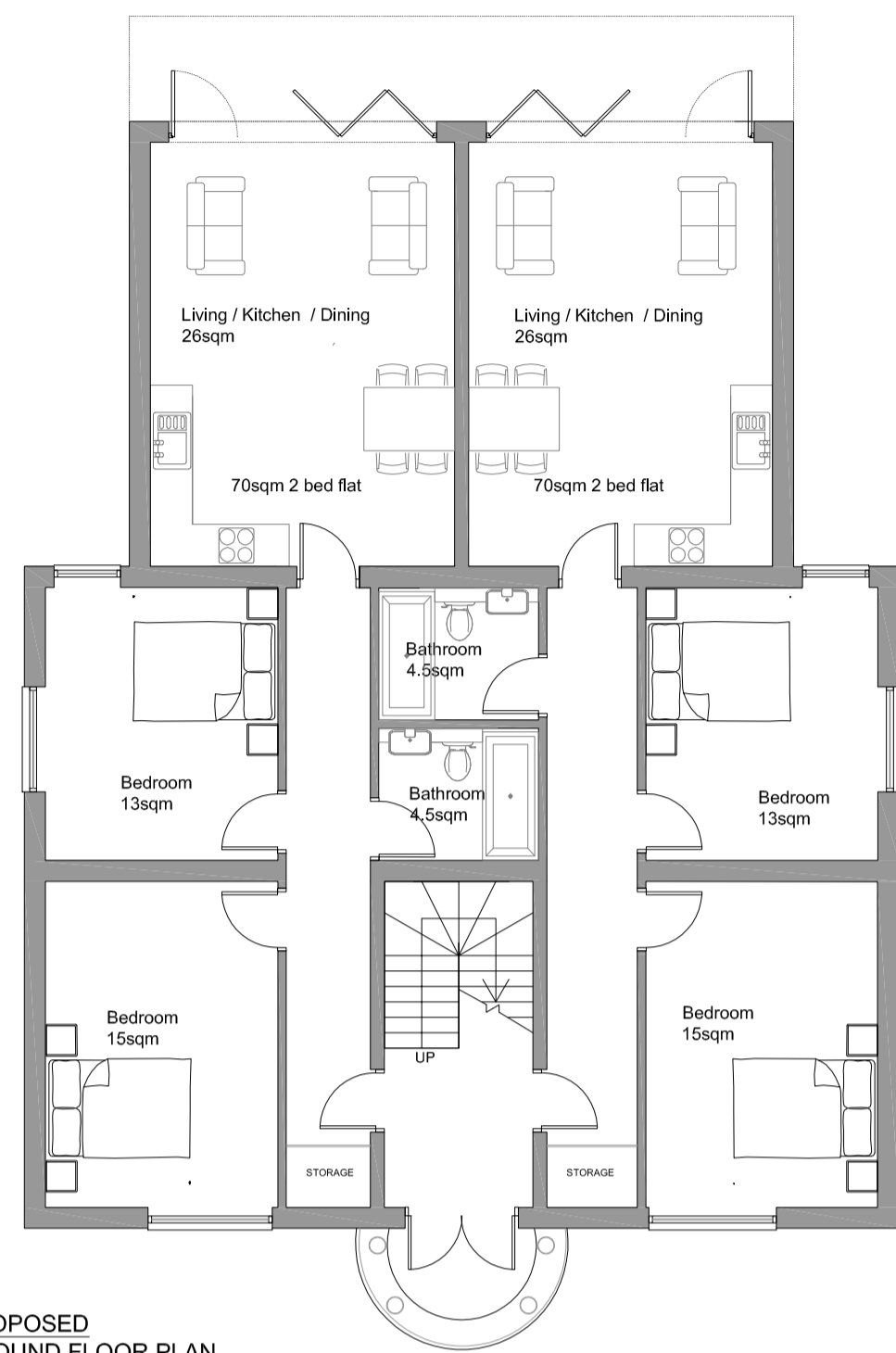
Client's Name  
**Mattocks Properties Ltd**

Drawn by <b>KATE LOGUE</b>	Date 26/07/2015
Checked by <b>Chris Gwilliam</b>	Date 26/07/2015

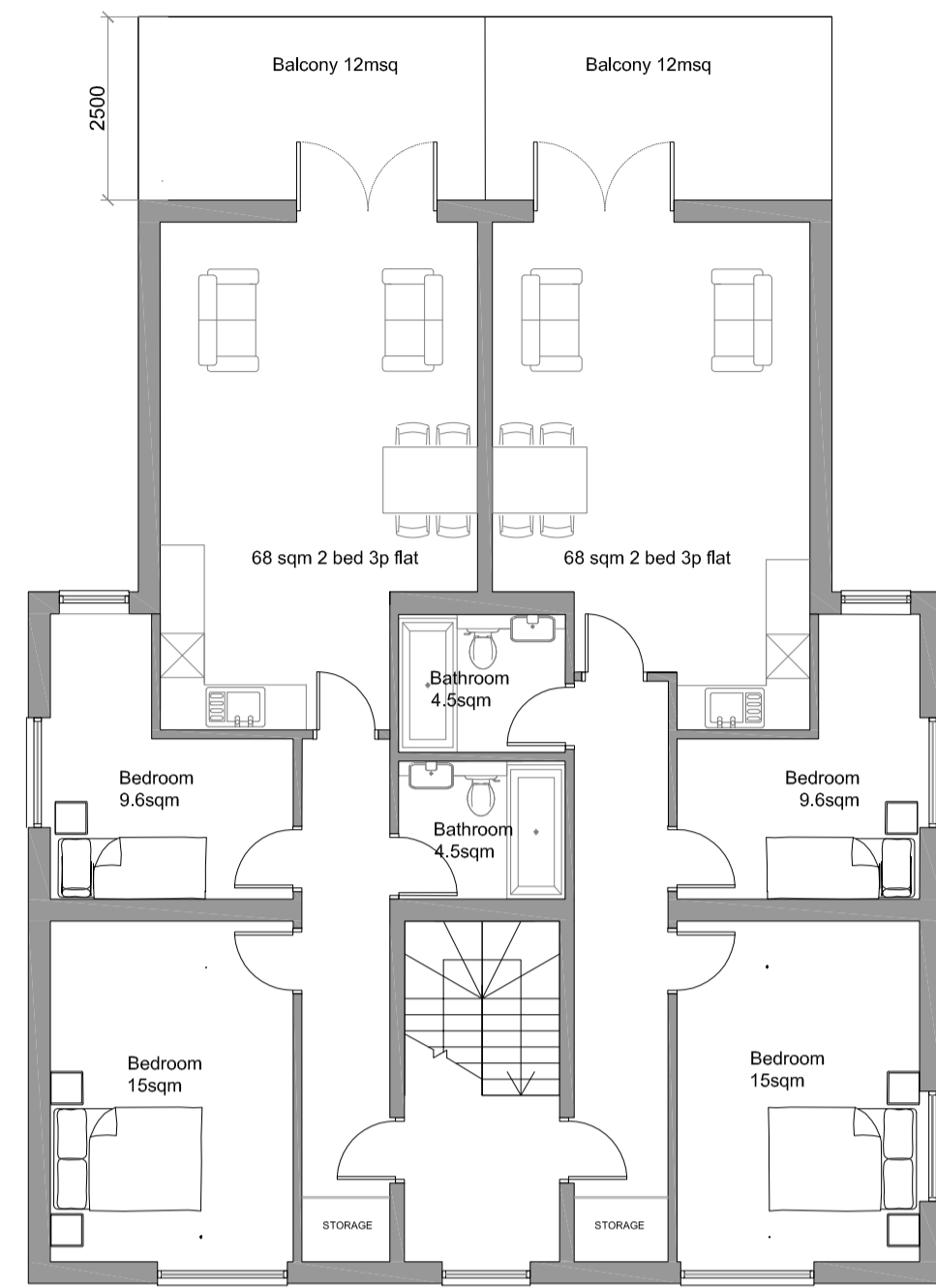
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Revision  
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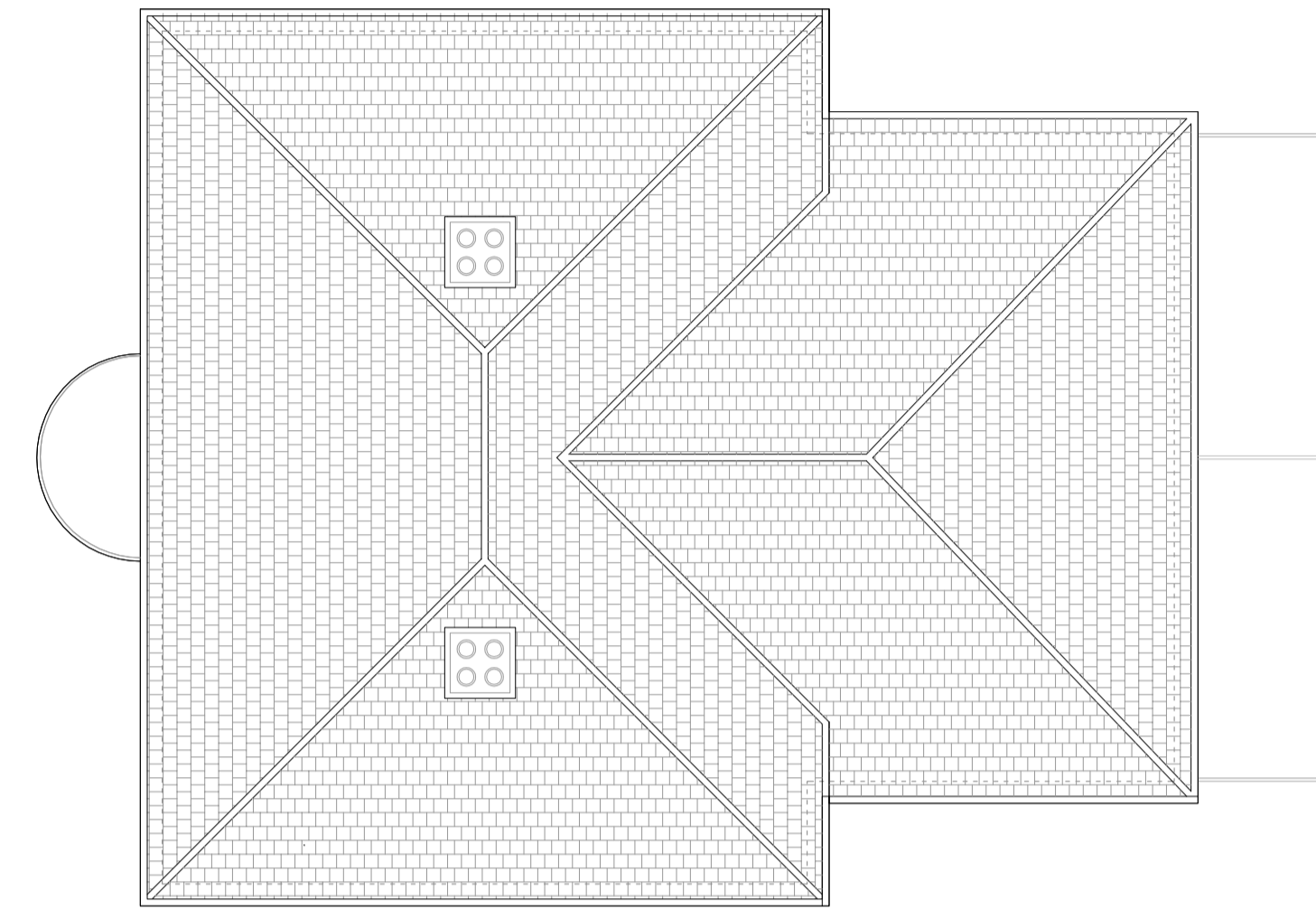




PROPOSED GROUND FLOOR PLAN



PROPOSED FIRST FLOOR PLAN



PROPOSED ROOF PLAN

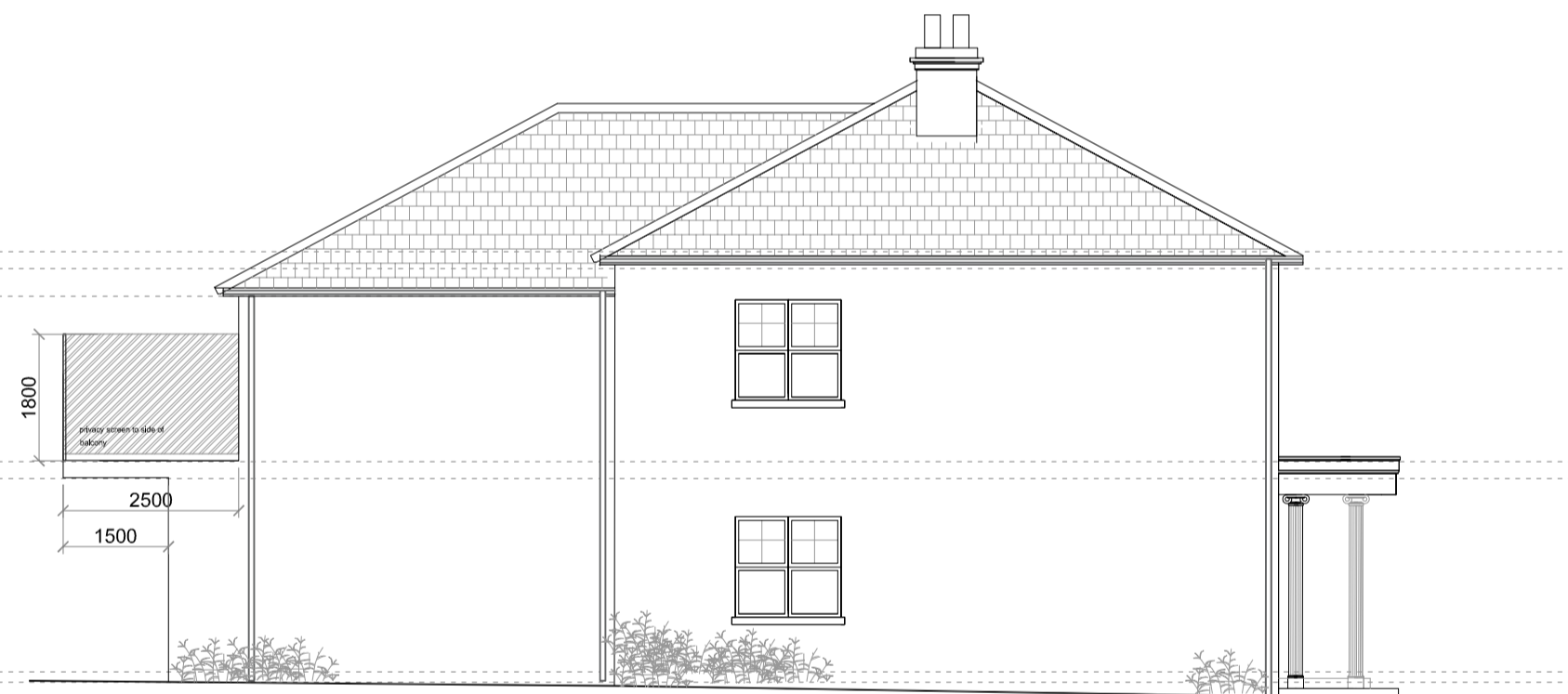


PROPOSED FRONT ELEVATION

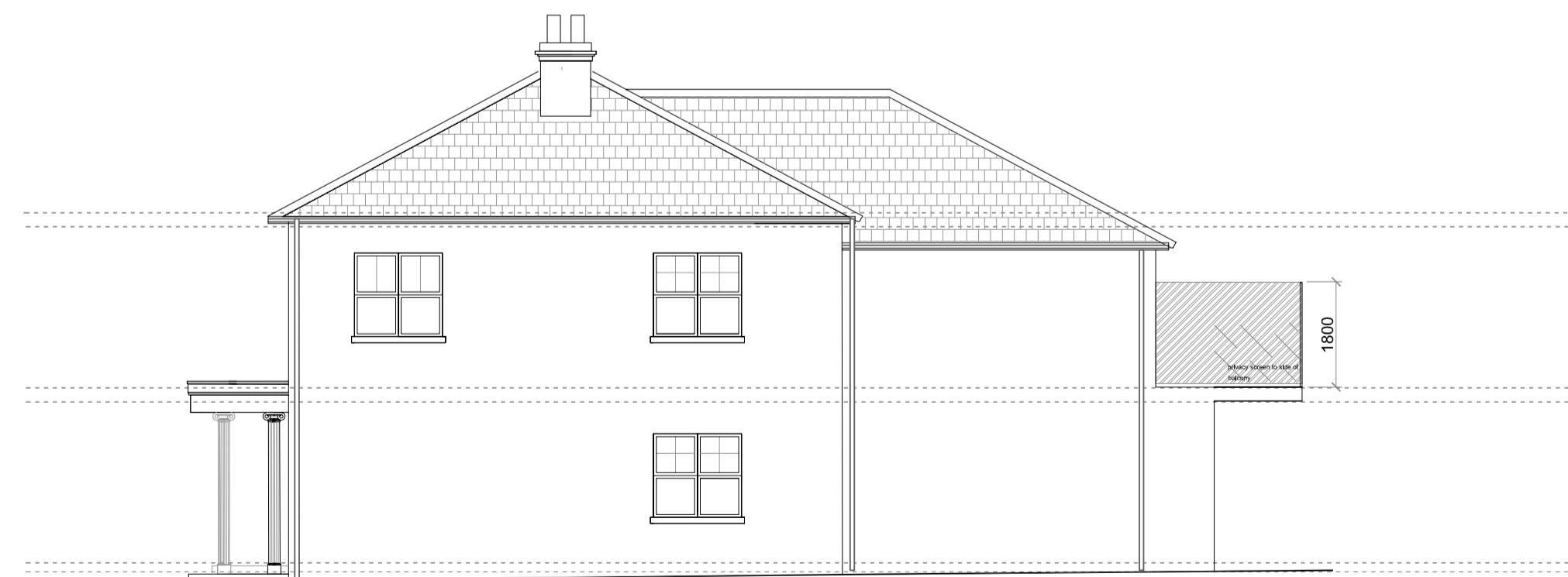
Scale 0 1 2 3 4 5 M



PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION



Ideal Planning and Design Ltd.  
Hyde Park House, 5 Manfred Road  
East Putney, London, SW15 2RS  
Tel - 020 8823 0750

Job Title  
**PROPOSED NEW RENOVATION**

101 Hamilton Road  
London, SW19

Drawing Name  
**PROPOSED RENOVATION**

Client's Name  
**Mattocks Properties Ltd**

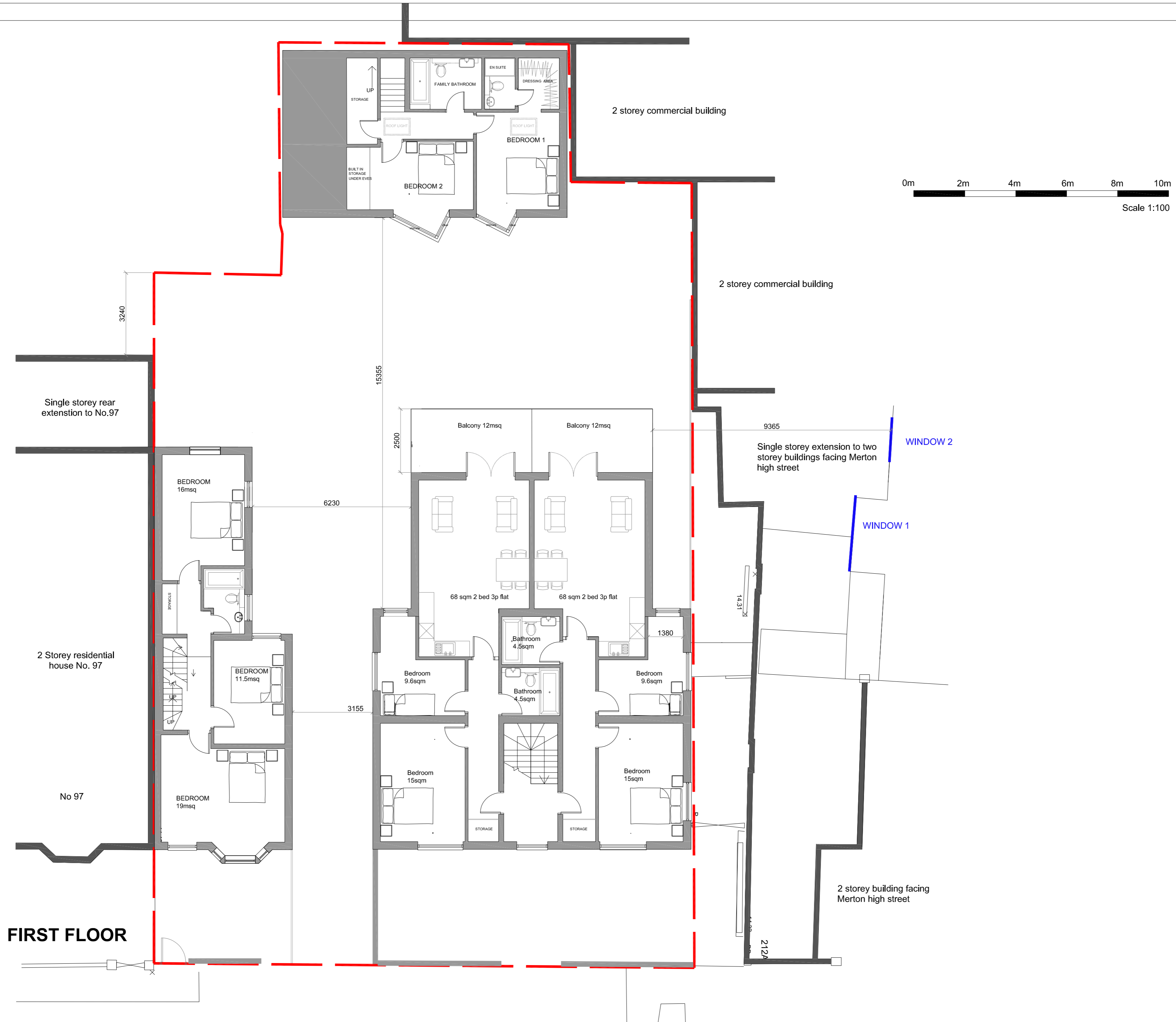
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Checked by **Chris Gwilliam** Date 26/07/2015

Drawing Scale  
**1:100 @ A1**

Layout ID  
Revision  
**820C/12 REV D**



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FIRST FLOOR



Ideal Planning and Design Ltd.  
 Hyde Park House, 5 Manfred Road  
 East Putney, London, SW15 2RS  
 Tel - 020 8823 0750

101 Hamilton Road  
 London, SW19

Drawing Name  
**ROSE COTTAGE FIRST FLOOR  
 WINDOW DISTANCES**

Client's Name  
**Mattocks Properties Ltd**

Drawn by <b>KATE LOGUE</b>	Date 26/07/2015
Checked by <b>Chris Gwilliam</b>	Date 26/07/2015

Drawing Scale  
**1:100 @ A2**

Layout ID Revision	820C/16	REV A
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## PLANNING APPLICATIONS COMMITTEE

11<sup>th</sup> February 2016

Item No:

UPRN

APPLICATION NO.

DATE VALID

15/P2482

10/07/2015

**Address/Site:**

Land Rear of 150-152 Hartfield Road, Wimbledon, SW19 3TJ

**(Ward)**

Dundonald

**Proposal:**

Erection of detached dwellinghouse on land at rear of 150-152 Hartfield Road

**Drawing Nos:**

HR\_PRO\_LANDS\_PLAN\_008(008),  
HR\_PRO\_SIDE\_ELVS\_008(008),  
HR\_PRO\_FF\_PL\_008(008),  
HR\_PRO\_EAST\_ELVS\_008(008),  
HR\_PRO\_WEST\_ELVS\_008(008),  
HR?PRO\_SECTION\_AA\_008,  
HR\_PRO\_GF\_PL\_005(005)

**Contact Officer:**

David Gardener (0208 545 3115)

---

## RECOMMENDATION

**GRANT Planning Permission Subject to a S106 Legal Agreement and Conditions**

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## CHECKLIST INFORMATION

- Heads of agreement: Permit free, Affordable housing
- 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: 55
- External consultations: None

## **1. INTRODUCTION**

1.1 The applications have been brought before the Planning Applications

Committee at the request of Councillor Grocott and due to the number of objections received.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises a parcel of land, which is located to the rear of Nos. 150 and 152 Hartfield Road. The frontage properties (Nos. 150 and 152) are each sub-divided into flats.
- 2.2 The application site is located on the east side of Hartfield Road. The surrounding area is generally characterised by a mixture of houses and flats. It should be noted that houses have also been erected at the rear of a number of properties along this side of Hartfield Road including the adjoin site, No.154.
- 2.3 The application site has a PTAL rating of 6b (excellent) and is not located in a conservation area. The site is also located in a controlled parking zone (Zone W4).

## **3. CURRENT PROPOSAL**

- 3.1 The application has been amended since it was originally submitted with a single detached three bedroom house now proposed to the rear of Nos. 150 and 152 rather than two, three bedroom semi-detached houses.
- 3.2 The proposed house would be arranged over two floors with the first floor accommodated in the roof space. The proposed house would have a maximum height of 6.36m and an eaves height of 3.8m and feature London stock facing brickwork, a slate roof and timber windows. The front elevation would feature three dormers and also high level rooflights inserted in the rear elevation at first floor level.
- 3.3 Private amenity space, off-street car parking, cycle parking and bin storage are also proposed.

## **4. PLANNING HISTORY**

The following planning history is relevant:

- 4.1 No.150
- 4.2 MER419/71 - Conversion forming three self-contained flats on first and second floors. Granted - 10/06/1971
- 4.3 No.152
- 4.4 14/P4584 - Application for a lawful development certificate for the proposed conversion of 2 x flats into a single family dwelling house. Issued - 27/01/2015

## **5. POLICY CONTEXT**

- 5.1 Adopted Merton Sites and Policies Plan and Policies Maps (July 2014): DM D1 (Urban design and the public realm), DM D2 (Design considerations in all developments), DM T1 (Support for sustainable transport and active travel), DM T3 (Car parking and service standards)
- 5.2 Adopted Merton Core Strategy (July 2011) are: CS.8 (Housing Choice), CS.9 (Housing Provision), CS.14 (Design), CS.20 (Parking, Servicing and Delivery)
- 5.3 London Plan (March 2015) are: 3.3 (Increasing Housing Supply), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 5.3 (Sustainable Design and Construction), 6.13 (Parking)
- 5.4 The following Supplementary Planning Guidance (SPG) is also relevant: New Residential Development (September 1999)

## **6. CONSULTATION**

- 6.1 The application was publicised by means of a site notice and individual letters to occupiers of neighbouring properties. In response, 13 letters of objection have been received, including objections from Councillor Grocott and the Wimbledon Society. The objections are on the following grounds:
- The proposed shared access is for the use of occupiers of No.154 only.
  - Proposed plans overstate the area over which Nos. 150 and 152 have shared access
  - Traffic and parking impact
  - Proposed dwellings are out of character with surrounding area
  - Proposed houses are larger than existing backland development along this part of Hartfield Road
  - Proposed houses are too bulky and would be overbearing when viewed from properties on Gladstone Road
  - Loss of daylight/sunlight, overshadowing, loss of privacy, and overlooking
  - Noise impact
  - Inaccuracies in proposed plans
  - Loss of existing rear garden, mature trees, open space and impact on biodiversity
  - Overdevelopment
  - Lack of amenity space
  - Disruption/damage to neighbouring properties during construction
  - No information on how refuse would be collected
- 7.2 Following the amendments to the original submission a further re-consultation of neighboring properties was undertaken. In response a further 7 letters of objection were received including a further objection from Councilor Grocott reiterating previous concerns.



## **7. PLANNING CONSIDERATIONS**

The main planning considerations are the impact that the proposed house would have on visual and residential amenity, the standard of accommodation and impact on parking/highways.

### **7.1 Visual Amenity**

7.11 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings, whilst using appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.

7.12 The proposed house would be located to the rear of Nos. 150 and 152 Hartfield Road, which means it would not be readily visible from the street. The house is considered to be acceptable in terms of its appearance as it would have a traditional 'cottage' style design with three dormers located in the front elevation and London stock brick and slate facing materials, which means it would relate well with surrounding properties. The house is also not excessive in terms of its size with a maximum height of 6.36m and an eaves height of only 3.8m, which is lower than the adjoining house, No.154a.

7.13 Overall, it is considered that the current proposal would complement the character of the Ridgway Place street scene and the wider area in general and as such accords with policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

### **7.3 Standard of Accommodation**

7.31 The London Plan was published in July 2011 and sets out a minimum gross internal area standard for new homes as part of policy 3.5. It provides the most up to date and appropriate minimum space standards for Merton.

7.32 In addition, adopted policy CS.14 of the Core Strategy and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) encourages well designed housing in the borough by ensuring that all residential development complies with the most appropriate minimum space standards and provides functional internal spaces that are fit for purpose. New residential development should safeguard the amenities of occupiers by providing appropriate levels of sunlight & daylight and privacy for occupiers of adjacent properties and for future occupiers of proposed dwellings. The living conditions of existing and future residents should not be diminished by increased noise or disturbance.

7.33 The proposed house would comfortably exceed the minimum space standard set out in the London Plan and provide good circulation. To prevent overlooking of adjoining properties from bedrooms 2 and 3, the dormer windows and north facing side windows will be obscure glazed and fixed shut

up to 1.7m internal floor height. Although this is not ideal it is considered that the provision of two windows in each of the bedrooms would allow for adequate levels of daylight/sunlight. In addition, the proposed house would provide 110sqm of private amenity space, which is in excess of the minimum of 50sqm required in policy DM D2. The proposed house would therefore comply with policy 3.5 of the London Plan (July 2011), CS.14 of the Core Planning Strategy (July 2011) and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

#### **7.4 Residential Amenity**

- 7.41 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.
- 7.42 It is considered that the proposed house would not be visually intrusive or overbearing when viewed from the rear of properties along Gladstone Road or Hartfield Road or result in an unacceptable level of daylight/sunlight loss. The Council's SPG on new residential development states that where new housing is orientated to face directly towards an existing residential building, then a spacing of 10 metres (for a two-storey dwelling) will be required between the new dwelling and the site boundary. Although the proposed house would be located between 6.7m and 8.2m from the site boundaries of properties along Gladstone Road and Hartfield Road, it is considered that this would be acceptable in this instance given its low profile with the first floor accommodated in the roof space. The proposal also incorporates significant landscaping to the front and rear further reducing its visual impact.
- 7.43 With regards to privacy the Council's SPG on New Residential development suggests a minimum 20m separation distance between two-storey dwellings and facing neighbouring habitable room and kitchen windows. The house would not only achieve this separation distance from properties along Gladstone Road (approx. 20.5m), but also incorporate high level rooflights at first floor level on its east facing elevation, which means any overlooking would be minimal. Although the house would be located 13.8m from the rear elevation of Nos. 150 and 152 Hartfield Road it is considered that privacy levels would be preserved in this instance with the front dormer windows being obscure glazed and fixed shut below 1.7m internal floor height. The first floor north facing side windows would also be obscure glazed and fixed shut in the same way to protect the amenity of occupiers at Nos. 146 – 148 Hartfield Road. Overall, it is considered that given the above considerations that the proposal would accord with policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

#### **7.5 Parking and Traffic**

- 7.51 The application site has a PTAL rating of 6b, which means it has excellent access to public transport. The scheme proposes the provision of one off-street parking space to the side of the house, which will be accessed via a shared access way from No.154 Hartfield Road. The applicant has provided evidence in the form of title deeds from the Land Registry confirming that they have right of way with or without vehicles to this shared access.
- 7.52 Policy DM T3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that development should only provide the level of car parking required to serve the site taking into account its accessibility by public transport (PTAL) and local circumstances in accordance with London Plan standards unless a clear need can be demonstrated. Policy 6.13 Table 6.2 of the London Plan (March 2015) allows for up to 1 space per unit for a 3 bedroom house where there is a PTAL rating of 5-6. The level of parking provision is therefore in accordance with London Plan policy. Given the application site is located in a controlled parking zone (Zone W4) and has excellent access to public transport it will be required that the development is permit free so that it does not create any additional parking stress in the area.
- 7.53 Policy DM T1 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that development must provide cycle parking in accordance set out in the London Plan. It states that residential cycle parking facilities should be provided in secure and conveniently sited positions with good access to the street. Policy 6.13 of the London Plan states that developments must meet with minimum cycle parking standards set out in Table 6.3 which in this instance requires 2 spaces per dwelling. Given the proposed house would provide 4 secure bicycle spaces in the rear garden it is considered the proposal complies with local and regional planning policy.

## **7.6 Landscaping**

- 7.61 The proposed house would feature a front and rear gardens. Trees, which are proposed along the front and rear boundaries of the application site would provide screening to adjoining properties. A condition would be attached requiring details of landscaping including the species of the proposed trees. The condition would also require that the trees are permanently retained.

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

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

## **9. LOCAL FINANCIAL CONSIDERATIONS**

- 9.1 The proposal would result in a net gain in gross floor space and as such will be liable to pay both the Mayoral and Merton Community Infrastructure Levies (CIL). The funds will be spent on the Crossrail project, with the remainder spent on strategic infrastructure and neighbourhood projects.

## **10. SECTION 106 LEGAL AGREEMENT**

### 10.1 Affordable Housing

10.11 In terms of affordable housing, Policy CS.8 of the Core Planning Strategy (July 2011) requires developments of 1 – 9 units to make an off-site financial contribution for provision of affordable housing in the borough. The affordable housing contribution is calculated based on a formula using the median open market valuation of the completed development based on three independent valuations. The proposal would result in a net increase of one residential unit in this instance. After applying the formula a figure of (£84,341) would be sought as a S106 planning obligation.

### 10.2 Permit Free

10.21 The development is to be ‘Permit Free’ in line with policy CS.20 of the Core Planning Strategy, which seek to reduce reliance on private motor vehicles in locations with good access to public transport facilities.

10.22 Further information in respect of the above, including details of supplementary research carried out in justification of the S106 requirements, can be viewed here:

<http://www.merton.gov.uk/environment/planning/s106-agreements.htm>

## **11. CONCLUSION**

11.1 It is considered that the proposed house would be acceptable in terms of its size and design and would not have an unacceptable impact on the surrounding area. The house is also considered to have an acceptable impact on neighbour amenity, traffic/parking and would provide a satisfactory level of landscaping. Overall it is considered that the proposal would comply with all relevant planning policies and as such planning permission should be granted.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

Subject to a S106 legal agreement with the following heads of terms:

1. That the residential units are ‘Permit Free’;
2. Financial contribution for affordable housing (£84,431)
3. The developer agreeing to meet the Council’s costs of preparing, drafting and monitoring the Section 106 Obligations.

### **And the following conditions:**

1. A.1 (Commencement of Development)



2. A.7 (Approved Plans)
3. B.1 (External Materials to be Approved)
4. B.4 (Details of Site/Surface Treatment)
5. B.6 (Levels)
6. C.1 (No Permitted Development (Extensions))
7. C.2 (No Permitted Development (Windows and Doors))
8. C.4 (Obscured Glazing (Opening Windows))
9. C.10 (Hours of Construction)
10. F.1 (Landscaping/Planting Scheme)
11. F.2 (Landscaping (Implementation))
12. F.9 (Hardstandings)
13. No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes level 4. Evidence requirements are detailed in the "Schedule of evidence Required for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide. Evidence to demonstrate a 25% reduction compared to 2010 part L regulations and internal water usage rats of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: policy 5.2 of the London Plan 2011 and policy CS15 of Merton's Core Planning Strategy 2011.

14. Prior to the commencement of the development details of the provision to accommodate all site operatives, visitors and construction vehicles and loading / unloading arrangements during the construction process shall be submitted and approved in writing with the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

Reason: To safeguard the amenities of the occupiers of neighbouring properties.

15. H.2 (Vehicle Access to be provided)

16. H.7 (Cycle Parking to be implemented)
17. J.1 (Lifetime Homes)

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# NORTHGATE SE GIS Print Template




**150-152 Hartfield Road**

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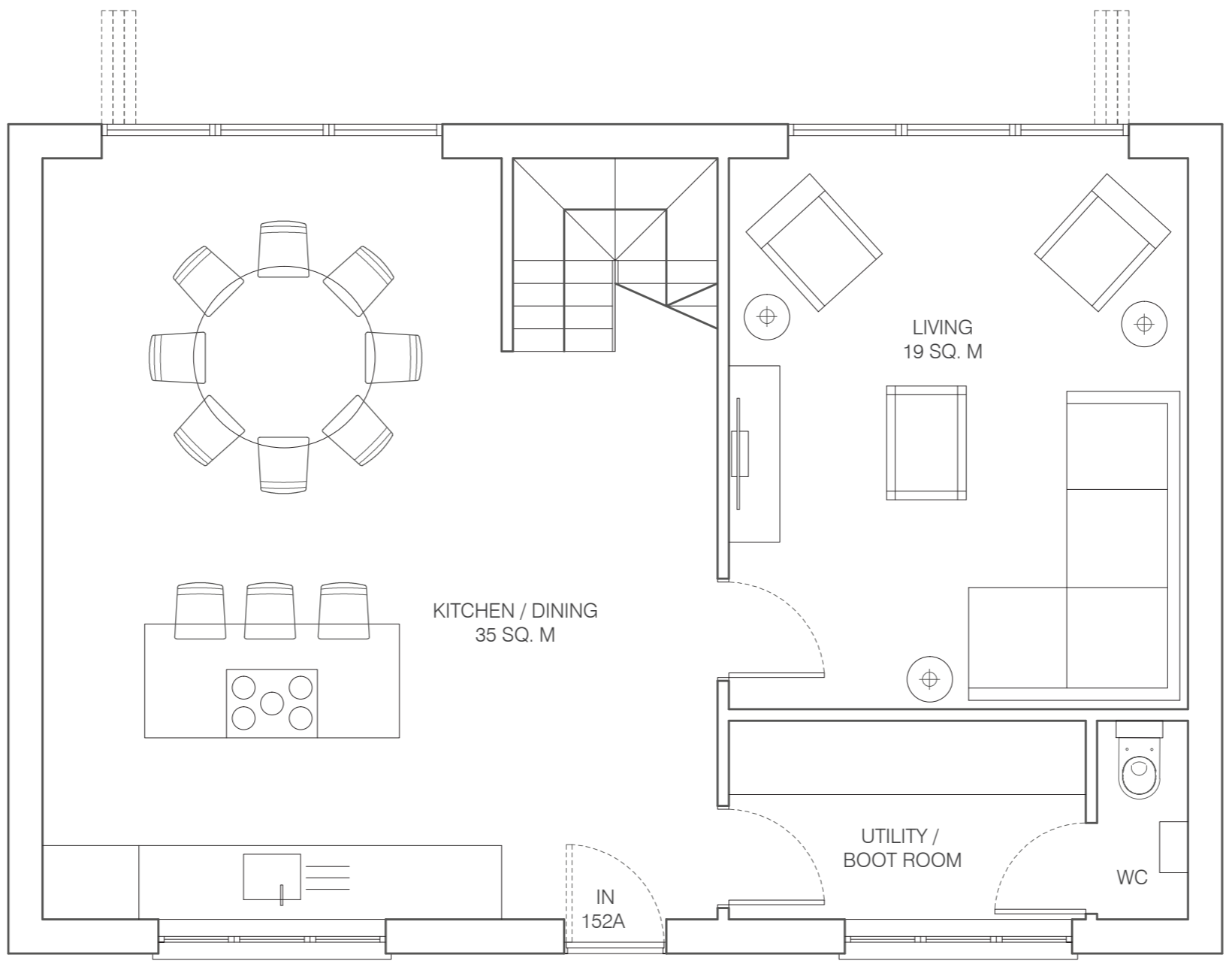


- SITE OUTLINED IN RED.  
 - COMMUNAL ACCESS OUTLINED IN BLUE

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	DRAWING NO: HR_EX_BLOCK_PLAN_001	VERSION: 001	DRAWN BY: PR		



152A GROUND FLOOR  
67 SQ. M / 721 SQ. FT

TOTAL AREA:  
132 SQ. M / 1420 SQ. FT



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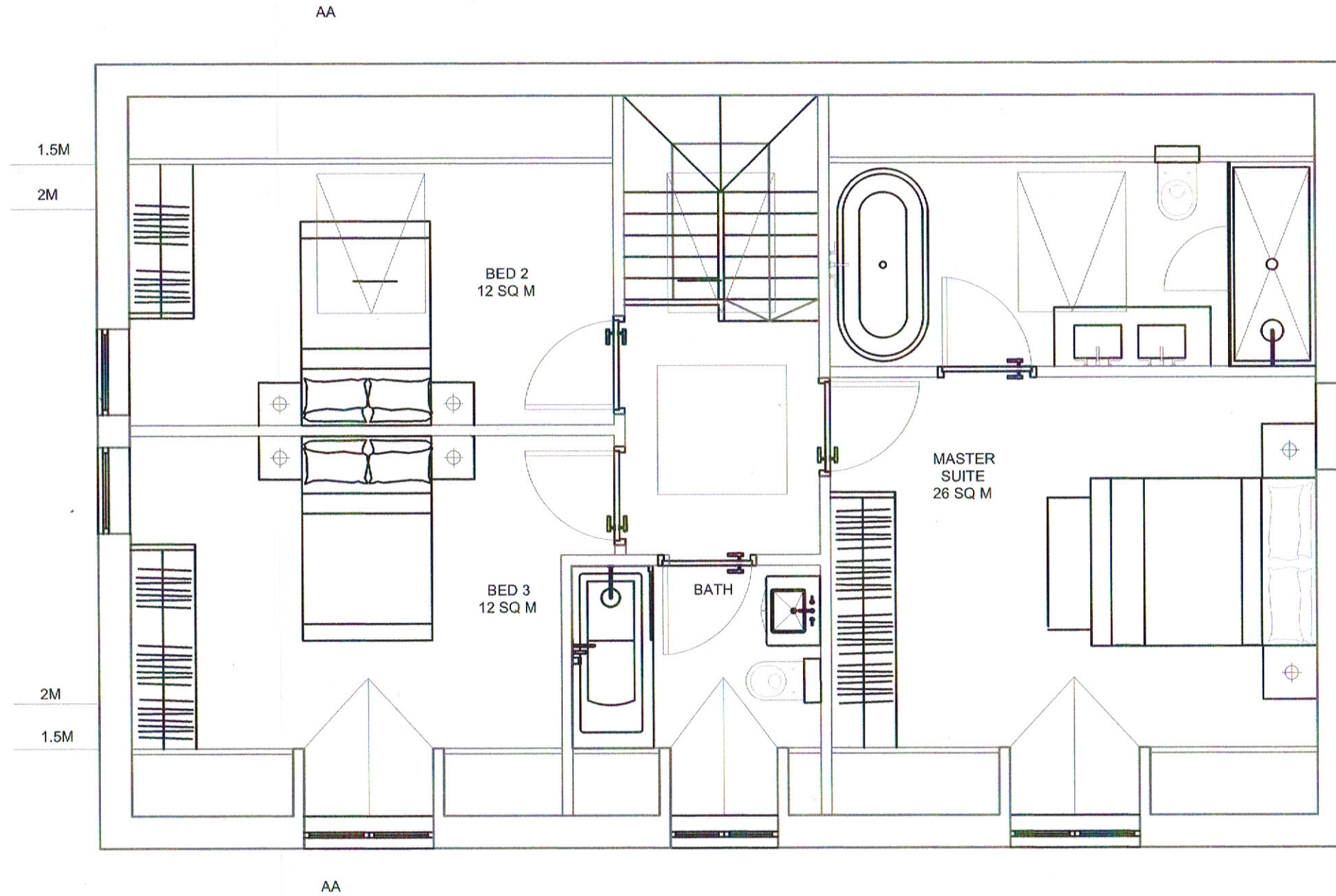



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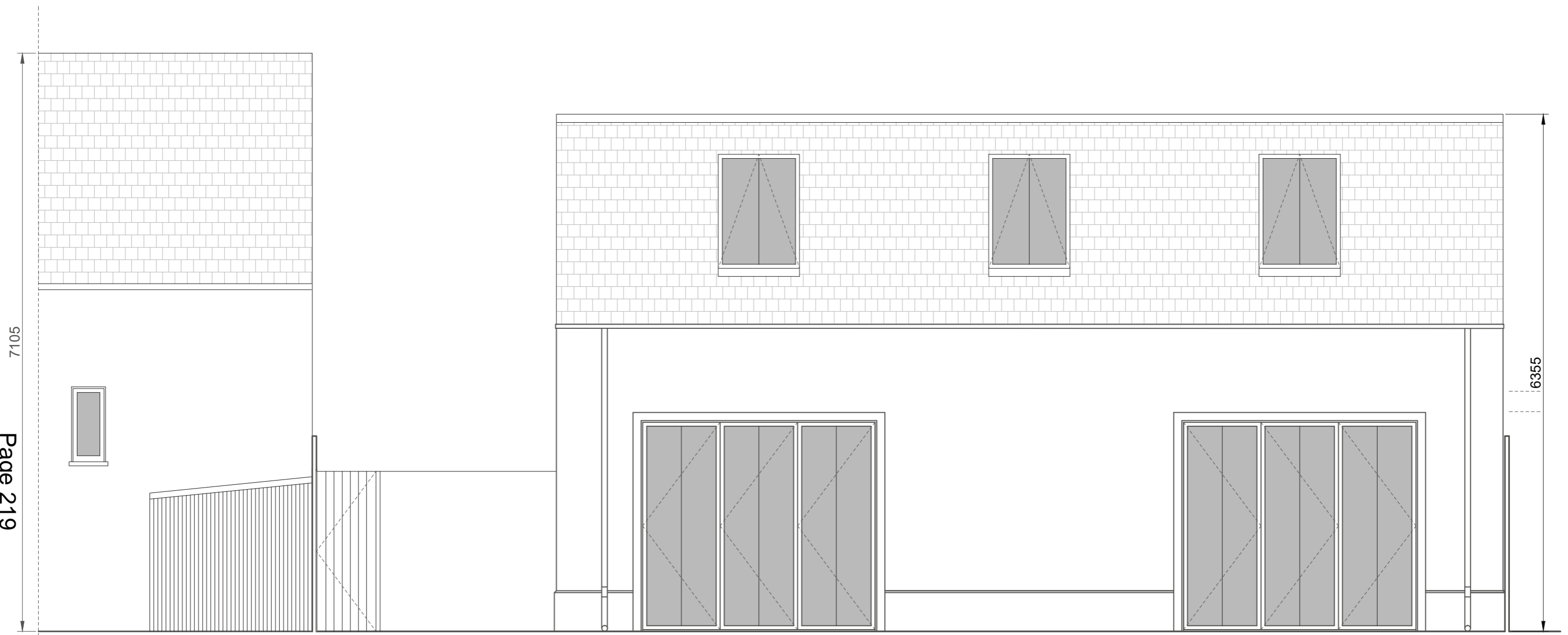
NOTES:  
 BOTTOM HALF OF THE WINDOWS AT FIRST FLOOR LEVEL TO BE FROSTED UP TO 1.7M  
 EAVES HEIGHT THE SAME AS 154A WITH RIDGE HEIGHT 750MM LOWER

152A FIRST FLOOR  
 60 SQ M / 645 SQ FT

TOTAL AREA  
 133 SQ M / 1431 SQ FT



PROJECT: LAND TO THE REAR 150 & 152 HARTFIELD ROAD LONDON SW19 3TJ	DRAWING TITLE: PROPOSED COTTAGE FIRST FLOOR PLAN	SCALE: 1:50 @ A3	DATE: 15/01/2016	NOTES: - ALL DIMENSIONS MUST BE CHECKED ON SITE AND VARIFIED WITH PATRICK RAMSEY LTD. - ALL DIMENSIONS IN MM. - DO NOT SCALE FROM THESE DRAWINGS.	 <p>Patrick Ramsey LTD          Architecture &amp; Planning</p>
	DRAWING NO: HR_PRO_FF_PL_008	VERSION: 008	DRAWN BY: PR		




154A  
(EXISTING NEIGHBOURING PROPERTY)

MATERIALS:  
LONDON STOCK BRICKWORK WITH PAINTED TIMBER WINDOWS  
AND SLATE ROOFING. RAINWATER DOWNPIPES TO BE CAST IRON

WINDOWS AT FIRST FLOOR LEVEL TO BE FROSTED  
UP TO 1.7M

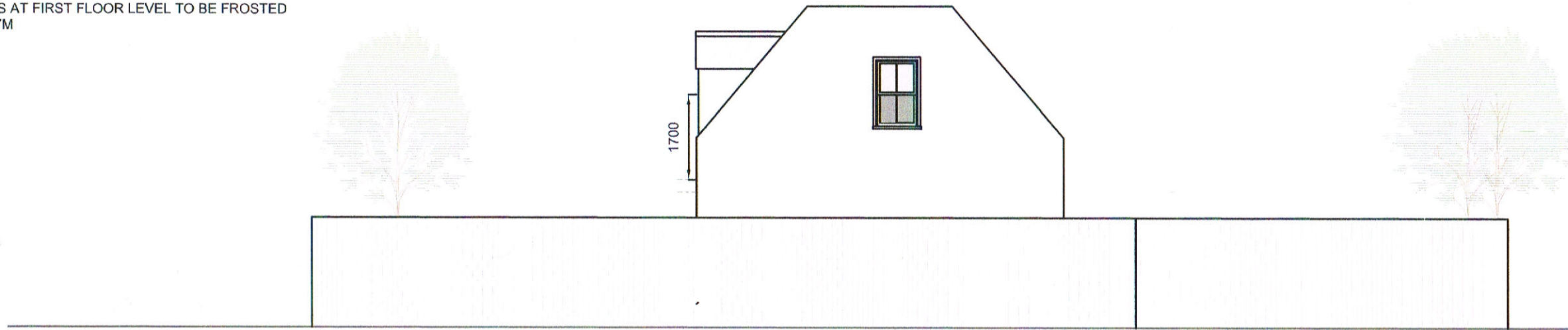


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	DRAWING NO: HR_PRO_EAST_ELVS_008	VERSION: 008	DRAWN BY: PR		



MATERIALS:  
 LONDON STOCK BRICKWORK WITH PAINTED TIMBER WINDOWS  
 AND SLATE ROOFING. RAINWATER PIPES TO BE CAST IRON

WINDOWS AT FIRST FLOOR LEVEL TO BE FROSTED  
 UP TO 1.7M

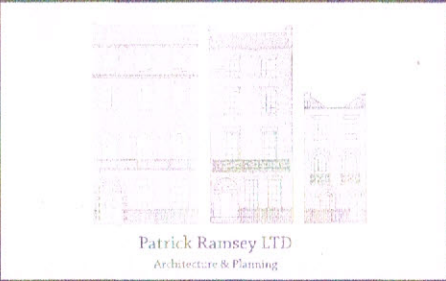


SOUTHERN SIDE ELEVATION  
 (FROM NO 154A SIDE)



NORTHERN SIDE ELEVATION



PROJECT: LAND TO THE REAR 150 & 152 HARTFIELD ROAD LONDON SW19 3TJ	DRAWING TITLE: PROPOSED COTTAGE SIDE ELEVATIONS	SCALE: 1:100 @ A3	DATE: 15/01/2016	NOTES: - ALL DIMENSIONS MUST BE CHECKED ON SITE AND VARIFIED WITH PATRICK RAMSEY LTD. - ALL DIMENSIONS IN MM. - DO NOT SCALE FROM THESE DRAWINGS.	
	DRAWING NO: HR_PRO_SIDE_ELVS_008	VERSION: 008	DRAWN BY: PR		

NOTES:  
 BOTTOM HALF OF THE WINDOWS AT FIRST FLOOR LEVEL TO BE FROSTED UP TO 1.7M  
 EVES HEIGHT THE SAME AS 154A WITH RIDGE HEIGHT 750MM LOWER


Page 221

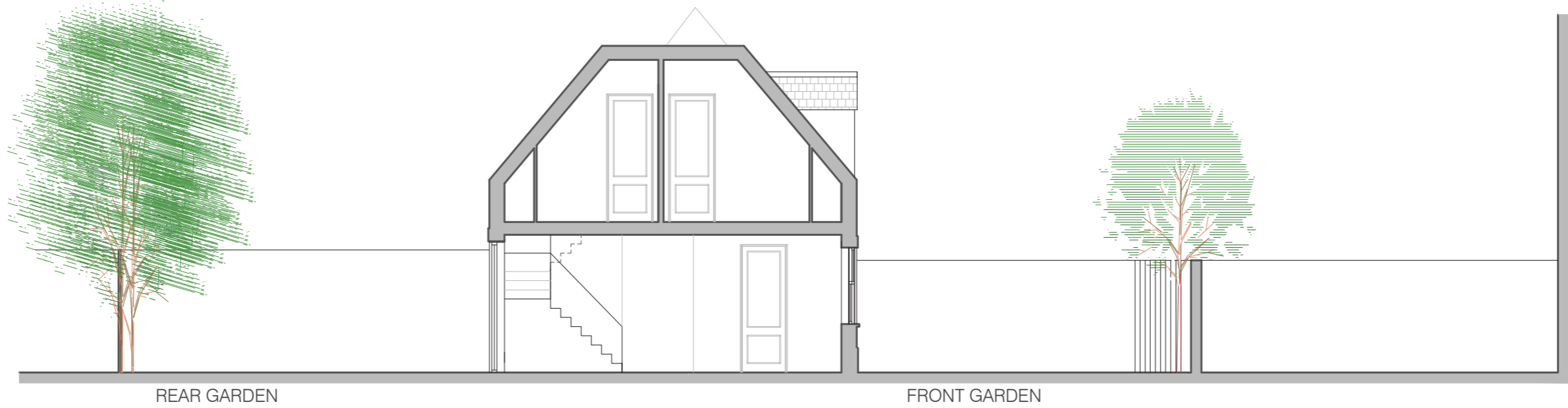


MATERIALS:  
 LONDON STOCK BRICKWORK WITH PAINTED TIMBER WINDOWS  
 AND SLATE ROOFING. RAINWATER DOWNPIPES TO BE CAST IRON

WINDOWS AT FIRST FLOOR LEVEL TO BE FROSTED  
 UP TO 1.7M



PROJECT: LAND TO THE REAR 150 & 152 HARTFIELD ROAD LONDON SW19 3TJ	DRAWING TITLE: PROPOSED COTTAGE WESTERN ELEVATIONS	SCALE: 1:50 @ A3	DATE: 15/01/2016	NOTES: - ALL DIMENSIONS MUST BE CHECKED ON SITE AND VARIFIED WITH PATRICK RAMSEY LTD. - ALL DIMENSIONS IN MM. - DO NOT SCALE FROM THESE DRAWINGS.	
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PROPOSED SECTION AA

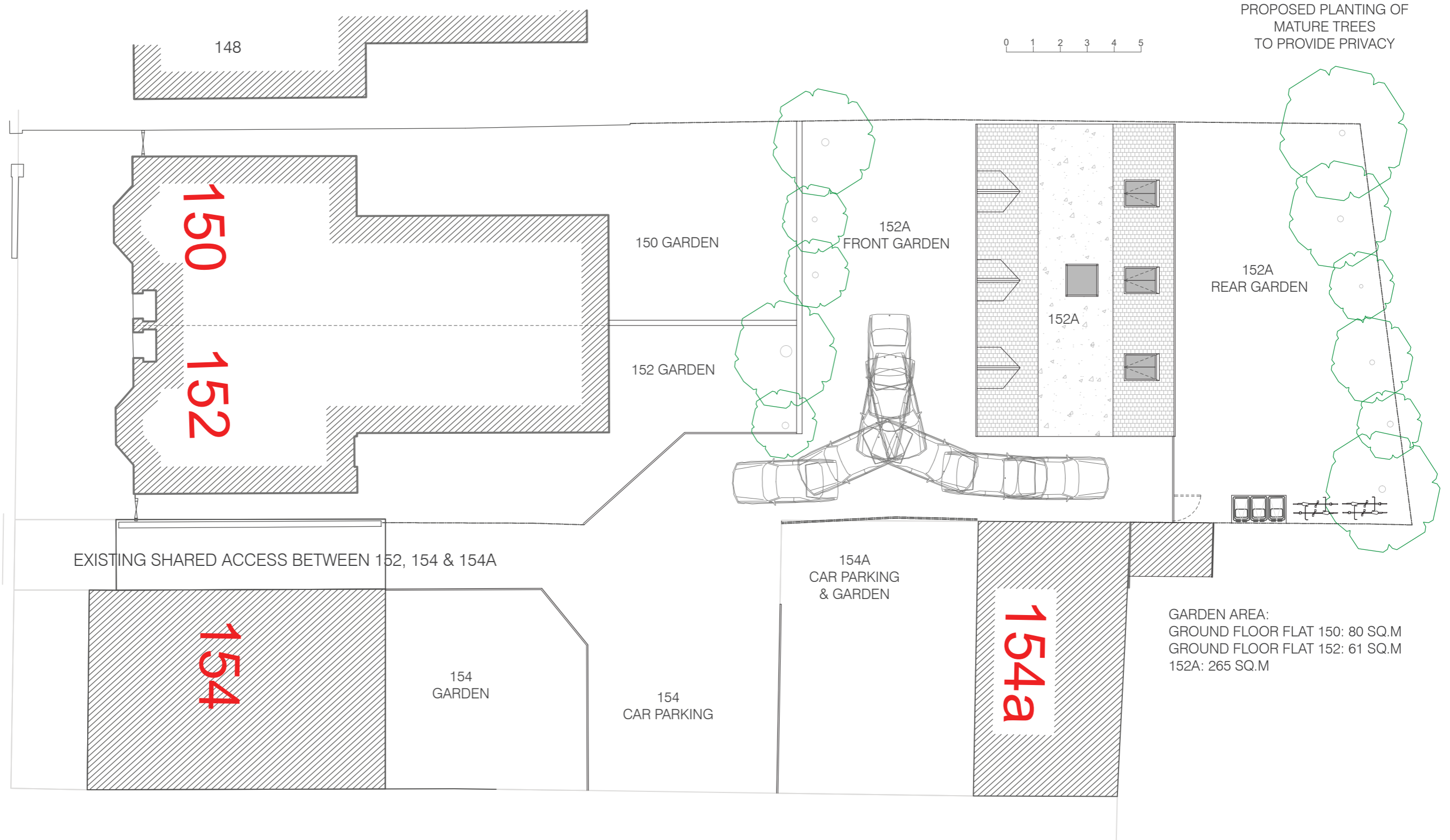


MATERIALS:  
LONDON STOCK BRICKWORK WITH PAINTED TIMBER WINDOWS  
AND SLATE ROOFING. RAINWATER DOWNPIPES TO BE CAST IRON

WINDOWS AT FIRST FLOOR LEVEL TO BE FROSTED  
UP TO 1.7M

PROJECT: LAND TO THE REAR 150 & 152 HARTFIELD ROAD LONDON SW19 3TJ	DRAWING TITLE: PROPOSED COTTAGE SECTION AA	SCALE: 1:100 @ A3	DATE: 15/01/2016	NOTES: - ALL DIMENSIONS MUST BE CHECKED ON SITE AND VARIFIED WITH PATRICK RAMSEY LTD. - ALL DIMENSIONS IN MM. - DO NOT SCALE FROM THESE DRAWINGS.	 <p>Patrick Ramsey LTD Architecture &amp; Planning</p>
	DRAWING NO: HR_PRO_SECTION_AA_008	VERSION: 008	DRAWN BY: PR		

HARTFIELD ROAD



PROJECT:  
LAND TO THE REAR  
150 & 152  
HARTFIELD ROAD  
LONDON  
SW19 3TJ

DRAWING TITLE:  
PROPOSED COTTAGE  
PROPOSED LANDSCAPING  
PLAN

DRAWING NO:  
HR\_PRO\_LANDS\_PLAN\_008

SCALE:  
1:150 @ A3

VERSION:  
008

DATE:  
15/01/2016

DRAWN BY:  
PR



NOTES:  
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VIEW OF PROPOSED SITE LOOKING NORTH EAST FROM 152 HARTFIELD ROAD WITH CAR PARK OF 146 & 148 TO THE LEFT



VIEW LOOKING SOUTH AT FLANK WALL OF NO. 154A



VIEW OF 154A WITH SITE TO THE LEFT



VIEW OF PROPOSED ACCESS FROM HARTFIELD ROAD. THIS ACCESS IS SHARED BETWEEN NO 150, 152, 154 & 154A



VIEW OF PROPOSED ENTRANCE INTO LAND TO THE REAR 150 & 152 HARTFIELD ROAD

PROJECT: LAND TO THE REAR 150 & 152 HARTFIELD ROAD LONDON SW19 3TJ	DRAWING TITLE: PHOTOGRAPHS	SCALE: 1:500 @ A3	DATE: 16/06/2015	NOTES: - ALL DIMENSIONS MUST BE CHECKED ON SITE AND VARIFIED WITH PATRICK RAMSEY LTD. - ALL DIMENSIONS IN MM. - DO NOT SCALE FROM THESE DRAWINGS.	
	DRAWING NO: HR_PHOTOGRAPHS_001	VERSION: 001	DRAWN BY: PR		

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**PLANNING APPLICATIONS COMMITTEE  
11 FEBRUARY 2016**

**Item No:**

<b><u>UPRN</u></b>	<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
	15/P3746	30/09/2015

**Address/Site:** 8 Pentney Road, Wimbledon, London, SW19 4JE

**(Ward)** Hillside

**Proposal:** Erection of a single storey rear extension

**Drawing No's:** Site Location Plan, Site Location Plan and Block Plan SW19 4JE D01, Proposed plans and elevations SW194JE D02 Rev A, Existing Plan, section and elevation SW194JE D02 Rev B.

**Contact Officer:** Lucas Zoricak (0208 545 3112)

---

**RECOMMENDATION**

**GRANT Permission subject to Conditions**

---

**CHECKLIST INFORMATION**

- Heads of Agreement: None
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 5
- External consultations: No
- Controlled Parking Zone: No



## **1. INTRODUCTION**

The applicant is an elected Ward Councillor, therefore the application must be determined by Planning Applications Committee rather than under delegated powers.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises a two storey mid-terrace property on the south-eastern side of Pentney Road, Wimbledon. The property has an existing rear dormer extension. It has a single storey part width centrally located rear projection with a monopitch roof which is an original feature of the terrace. It is not located within a conservation area. The neighbouring property at no. 7 has full width 3m deep rear extensions erected under permitted development either side of the deeper original projection. The other neighbour at no 9 retains the original rear projection but with a dual pitched rather than a monopitch roof.

## **3. CURRENT PROPOSAL**

- 3.1 The application involves the demolition of the existing original single storey central projection and its replacement with a full width single storey rear extension 4m in depth. It has a roof form which is part gable/part flat roof and has an eaves height of approximately 3m at the boundary with 7 Pentney Road and 2.4m at the boundary with 10 Pentney Road. The flat roofed element is 3m in height and the gable has a ridge height of 4m. The proposed materials are yellow London stock brick to match existing.

## **4. RELEVANT PLANNING HISTORY**

8 Pentney Road  
No planning history

7 Pentney Road  
14/P0529 – Certificate of Lawful Development for the proposed erection of 2 x single storey rear extensions – Granted – 10/04/2014

## **5. CONSULTATION**

- 5.1 The proposal has been publicised by means of site notice and individual neighbour notification letters.
- 5.2 In response to the initial consultation, 1 letter of objection was received from the occupiers of 7 Pentney Road with the following concerns:

- An extension of greater width and depth than allowed under permitted development will have an adverse impact on daylight and sunlight, will be visually intrusive and cause overshadowing
- The proposal would affect the character of the area and establish a damaging precedent.

### 5.3 Amended plans

The original proposal has been amended to change the roof form in order to reduce the eaves height adjacent to no.9 Pentney Road.

In response to re-consultation 1 letter of objection has been received from the occupiers of 9 Pentney Road (ground floor).

The stated objections and concerns relate to the following matters:

- An extension of greater width and depth than allowed under permitted development will have an adverse impact on daylight and sunlight, will be visually intrusive and cause overshadowing
- The proposal would create an extension which is out of scale with the terrace
- The proposal would affect the character of the area and establish a damaging precedent
- The design of the roof is unsympathetic, visually intrusive, will have an adverse impact on daylight and sunlight and cause overshadowing
- The proposal does not comply with the Party Wall Act
- The relocation of the sewage system will cause inconvenience.

## 6. POLICY CONTEXT

6.1 Adopted Merton Core Planning Strategy (July 2011):  
CS14 (Design)

6.2 Adopted Merton Sites and Policies Plan (July 2014):  
DM D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings).

6.3 Supplementary Planning Guidance: Residential Extensions, Alterations and Conversions (2001).

## 7. PLANNING CONSIDERATIONS

7.1 The principal planning considerations in this case relate to the design and appearance of the development and the potential for the development to cause harm to the amenity of neighbouring properties.

### 7.2 Design and Visual Amenity

7.3 The proposed extension is sited at the rear of the property and would only be publically visible from the adjacent railway line. It is not in a sensitive location and there a variety of rear extension designs in the surrounding area.

7.4 The proposed extension is relatively modest in scale and is designed in matching stock brick. It is considered to be acceptable in terms of its design, layout, and form and therefore complies with the aims and Policies DM D2 (Design Considerations in all Developments) and CS14 (Design). Its depth is no greater than the original part width projections on this terrace and it is not considered to set an undesirable precedent.

### 7.5 Impact on Residential Amenity

7.6 Policy DM D3 (Alterations and Extension to Existing Buildings) and the Residential Extensions Supplementary Planning Guidance requires there to be no unacceptable impact on the residential amenities of the occupiers of the adjoining properties.

7.7 The proposed 4m deep single storey rear extension would only project 1m beyond the rear wall of the existing 3m deep single storey rear extension at 7 Pentney Road and would have the same eaves height on this boundary. Given this modest projection, there is not considered to be an unacceptable impact on this property it terms of daylight, sunlight, visual intrusion or overshadowing.

7.8 The extension has been amended from the original submission, reducing the eaves height from 3.1m to 2.4m adjacent to the boundary with 9 Pentney Road, which has not been extended full width at the rear. It is only 1m greater in depth than an extension that could be constructed under permitted development rights with 0.6m lower eaves. On this basis, the proposed extension is considered to be acceptable in terms of impact on daylight and sunlight. There would be no appreciable overshadowing given the orientation.

7.9 In light of the above, the proposal is considered to be acceptable in terms of its impact on occupiers of neighbouring properties and does not conflict with policy DM D3.

## **8. CONCLUSION**

- 8.1 It is considered that the proposed erection of a single storey rear extension is acceptable in terms of design and impact on neighbouring amenity. Accordingly, it is recommended that planning permission be granted.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION subject to the following conditions:**

1. A1 Commencement of Development (Full Application)
2. A7 Plans
3. B2 Matching materials
4. D11 Hours of Construction

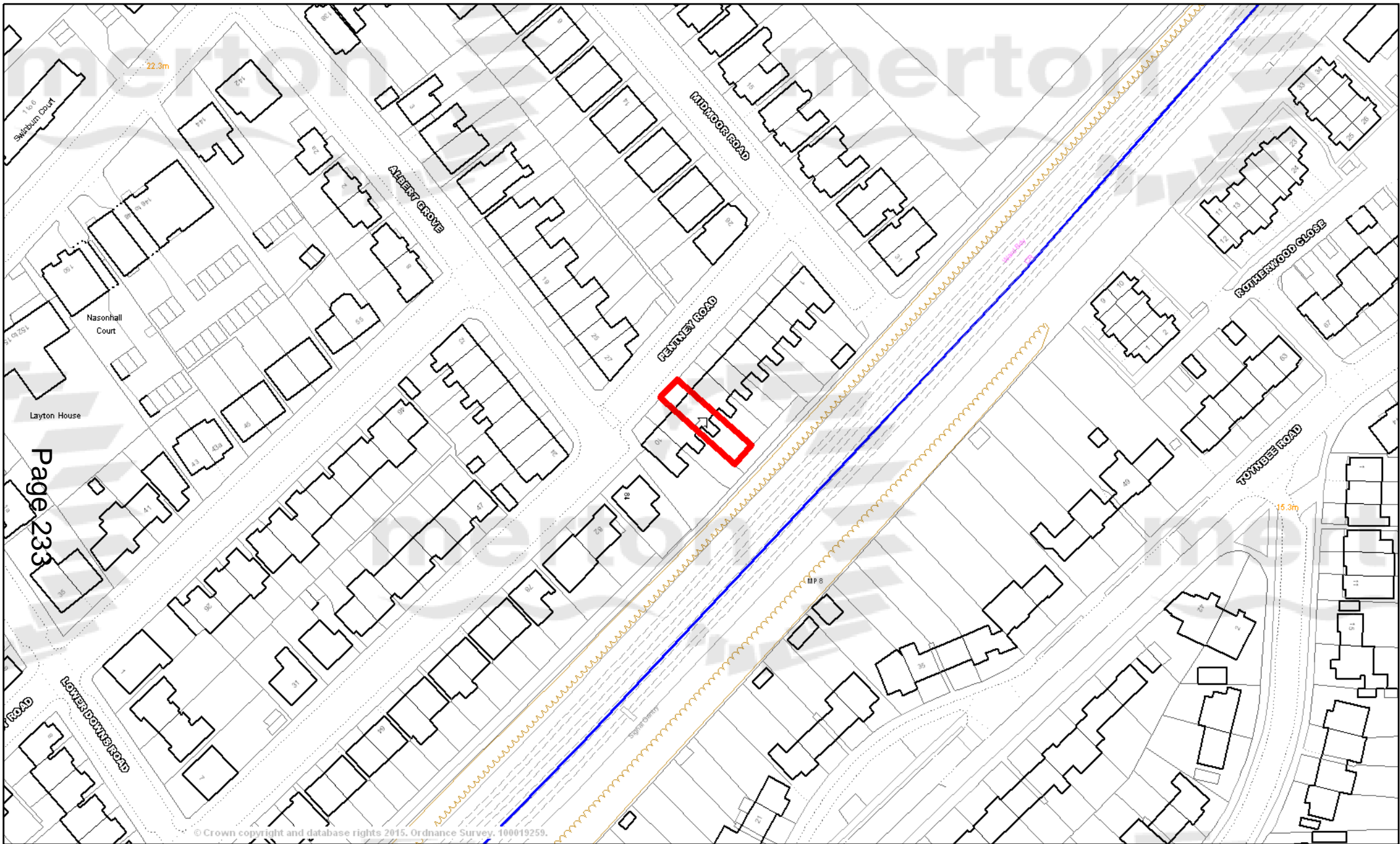
Informatives:

Party Walls Act

Note 1



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8 Pentney Road

Scale 1/1250

Date 6/1/2016

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

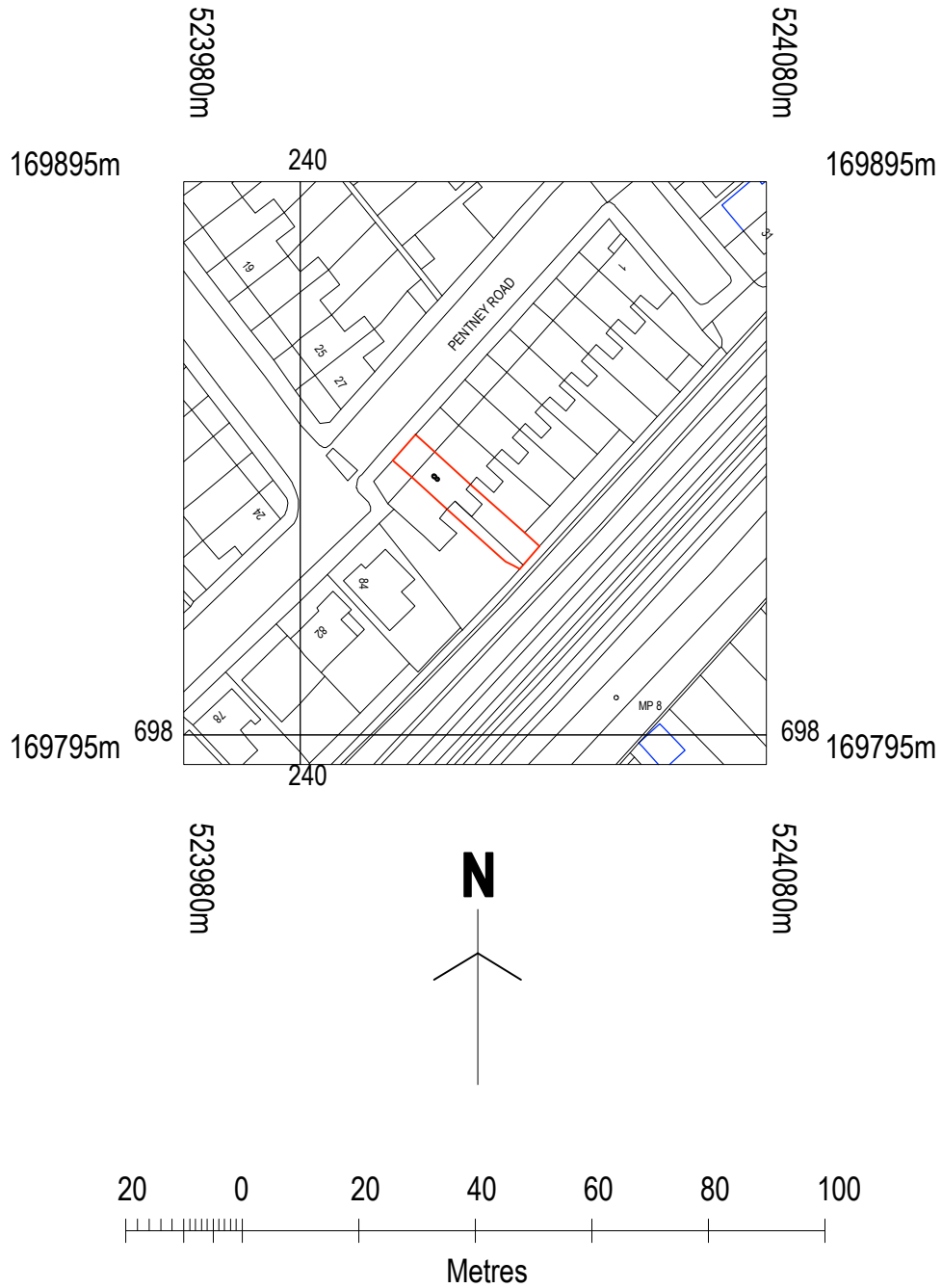


DEVELOPMENT CONTROL

# SW19 4JE LOCATION PLAN

8 PENTNEY ROAD LONDON SW19 4JE

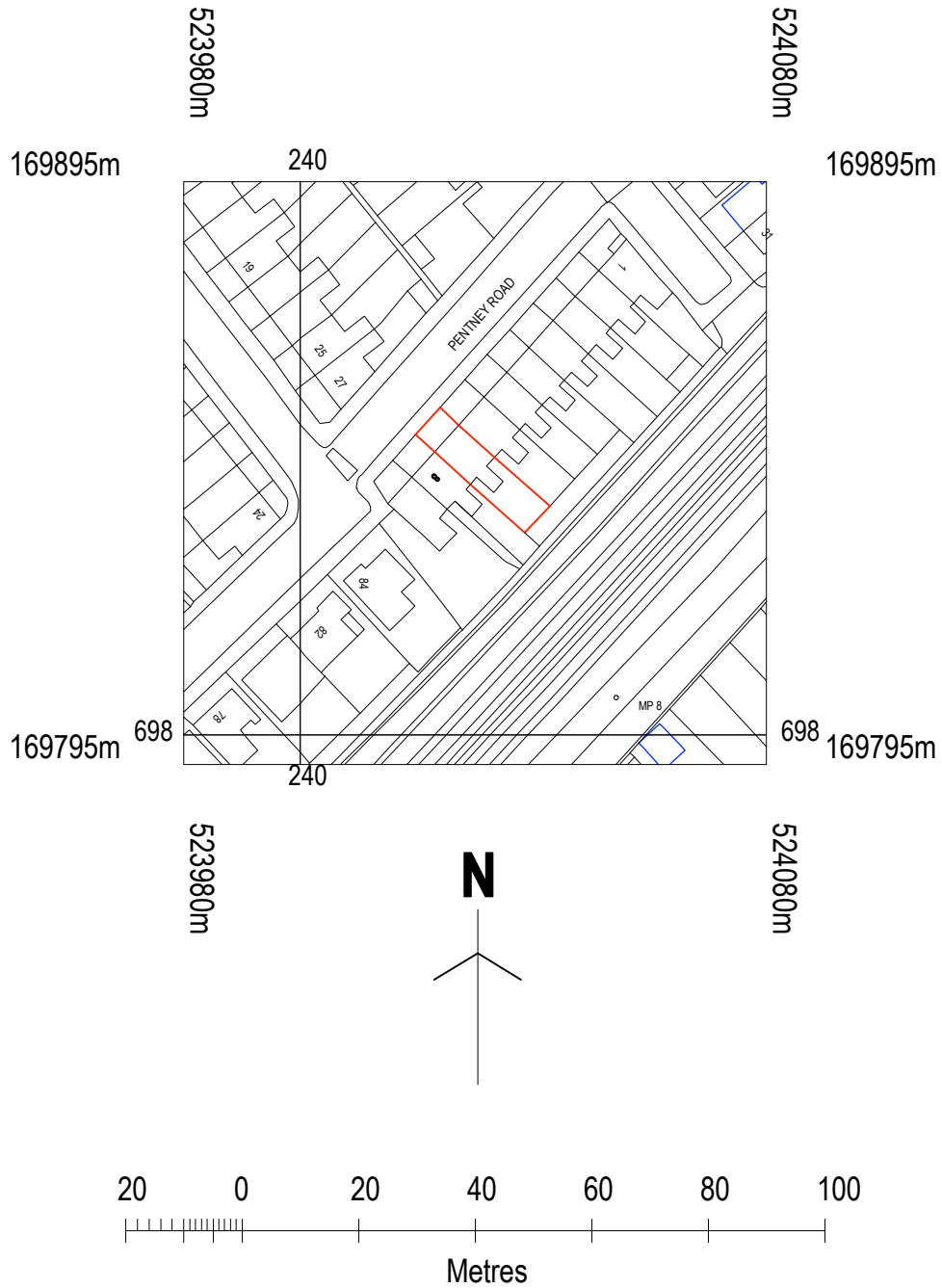
scale 1:1250 September 2015



# SW19 4JE LOCATION PLAN

8 PENTNEY ROAD LONDON SW19 4JE

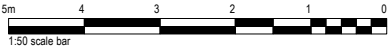
scale 1:1250 September 2015





refer to all relevant detail drawings before undertaking any work  
read this drawing in conjunction with Consultant's relevant drawings  
verify all dimensions on site before undertaking any work or preparing any shop drawings  
refer any discrepancies to the architect immediately  
refer to the architect before undertaking work or giving instructions if in doubt

notes



revisions

- B** 03/01/16 Title block corrected
- A** 08/12/15 Site location corrected

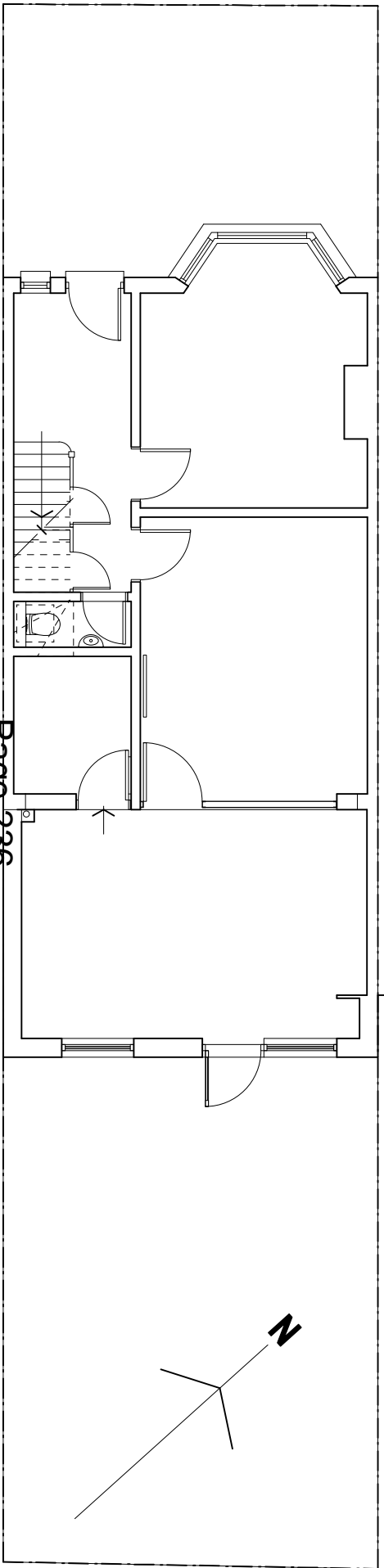
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TEDDINGTON TW11 0DN 07766 912382  
info@clivedavisarchitect.co.uk

project  
8 PENTNEY ROAD  
SW19 4JE  
drawing  
SITE & BLOCK PLANS

drawing number  
SW19 4JE **D01**  
scale  
1:100 & 1:500 at A3

date  
SEP 2015

revision **B**

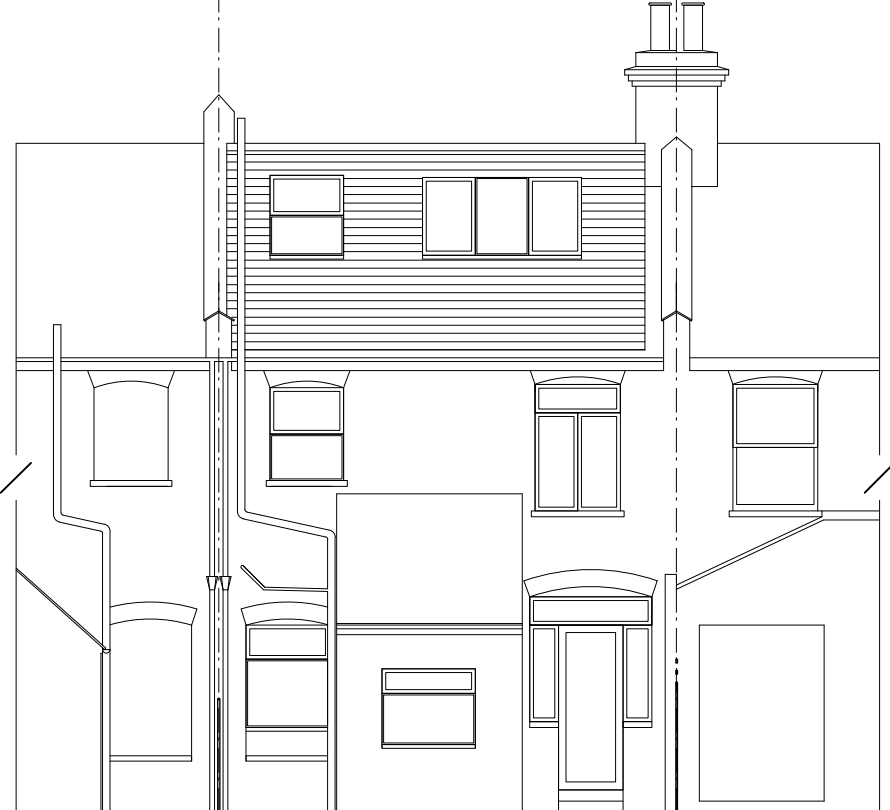


Site plan scale 1:100

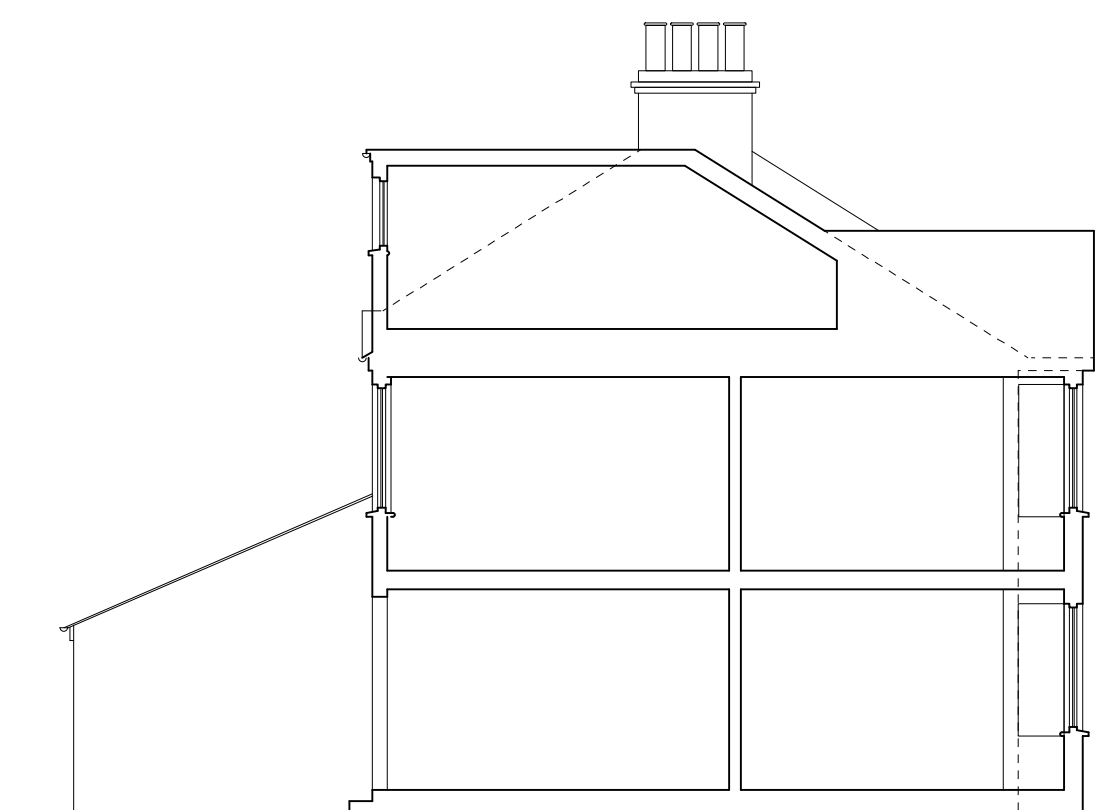


Block plan scale 1:500

Page 236



garden elevation



sectional elevation AA

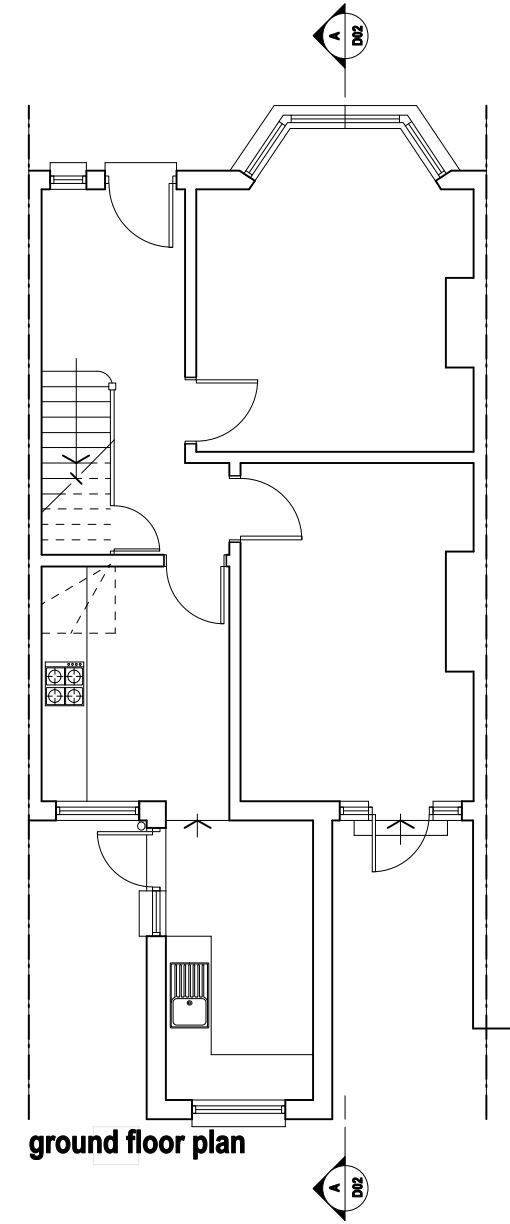
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refer to the architect before undertaking work or giving instructions if in doubt

notes



revisions



ground floor plan



- A 04/01/16 Title block corrected
- A 08/12/15 House numbering corrected

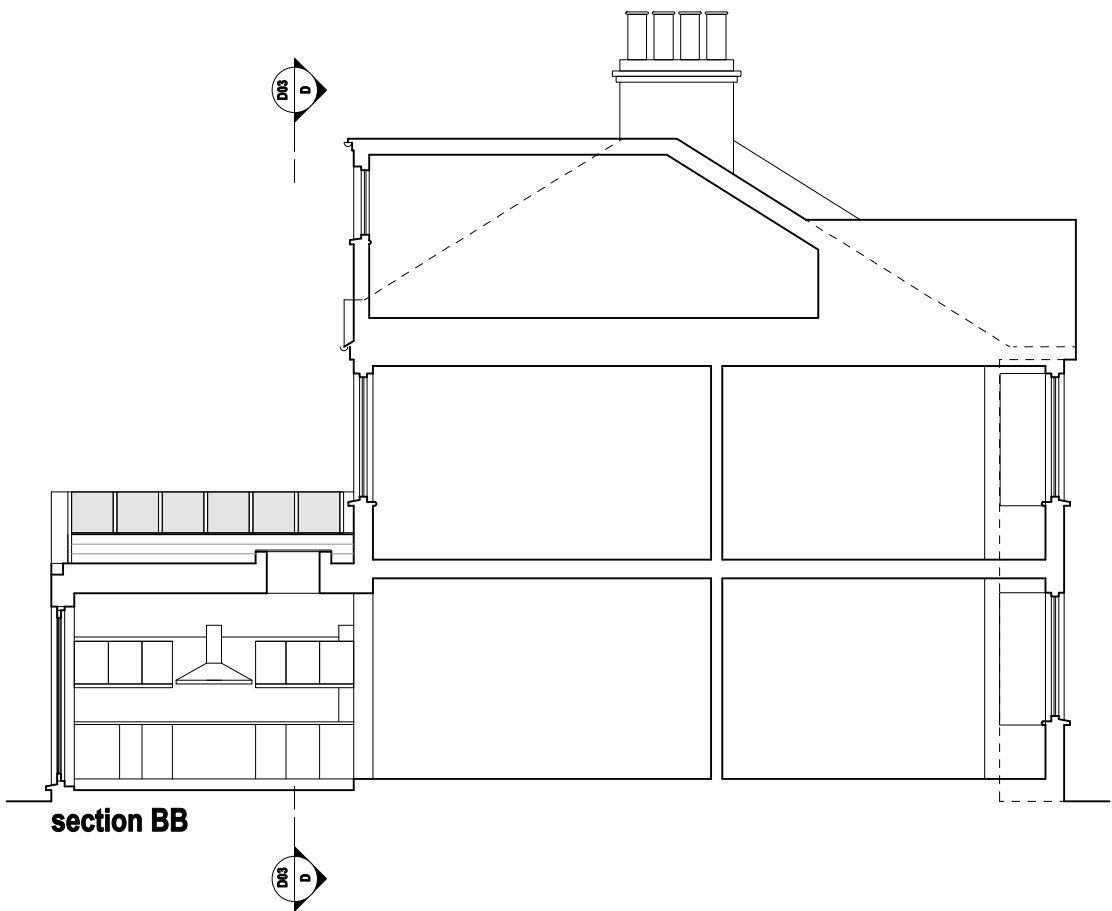
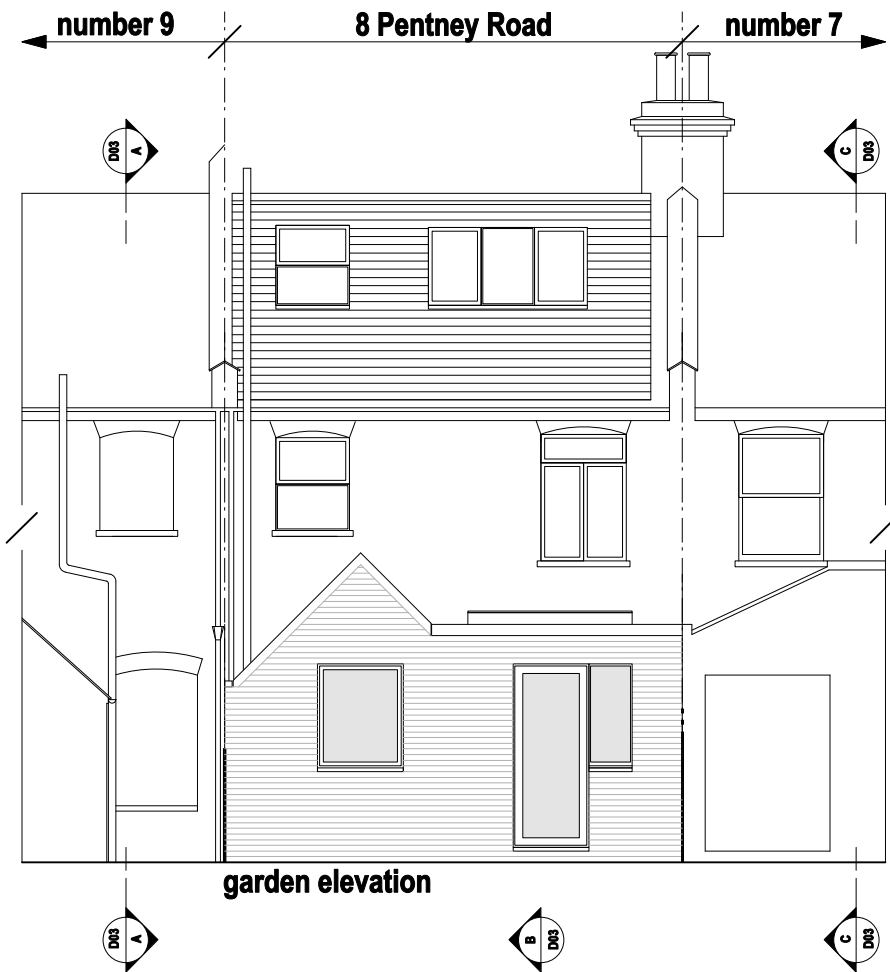
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info@clivedavisarchitect.co.uk

project  
8 PENTNEY ROAD  
SW19 4JE  
drawing  
EXISTING PLAN, SECTION & ELEVATIONS

drawing number  
SW19 4JE **D02**  
scale  
1:100 at A3

date  
SEP 2015

revision **B**



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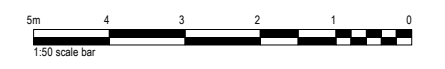
read this drawing in conjunction with Consultant's relevant drawings

verify all dimensions on site before undertaking any work or preparing any shop drawings

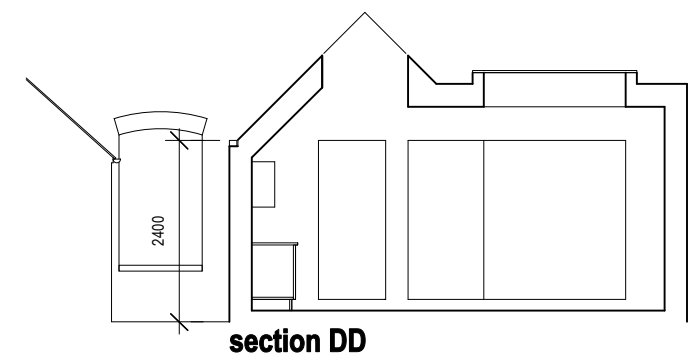
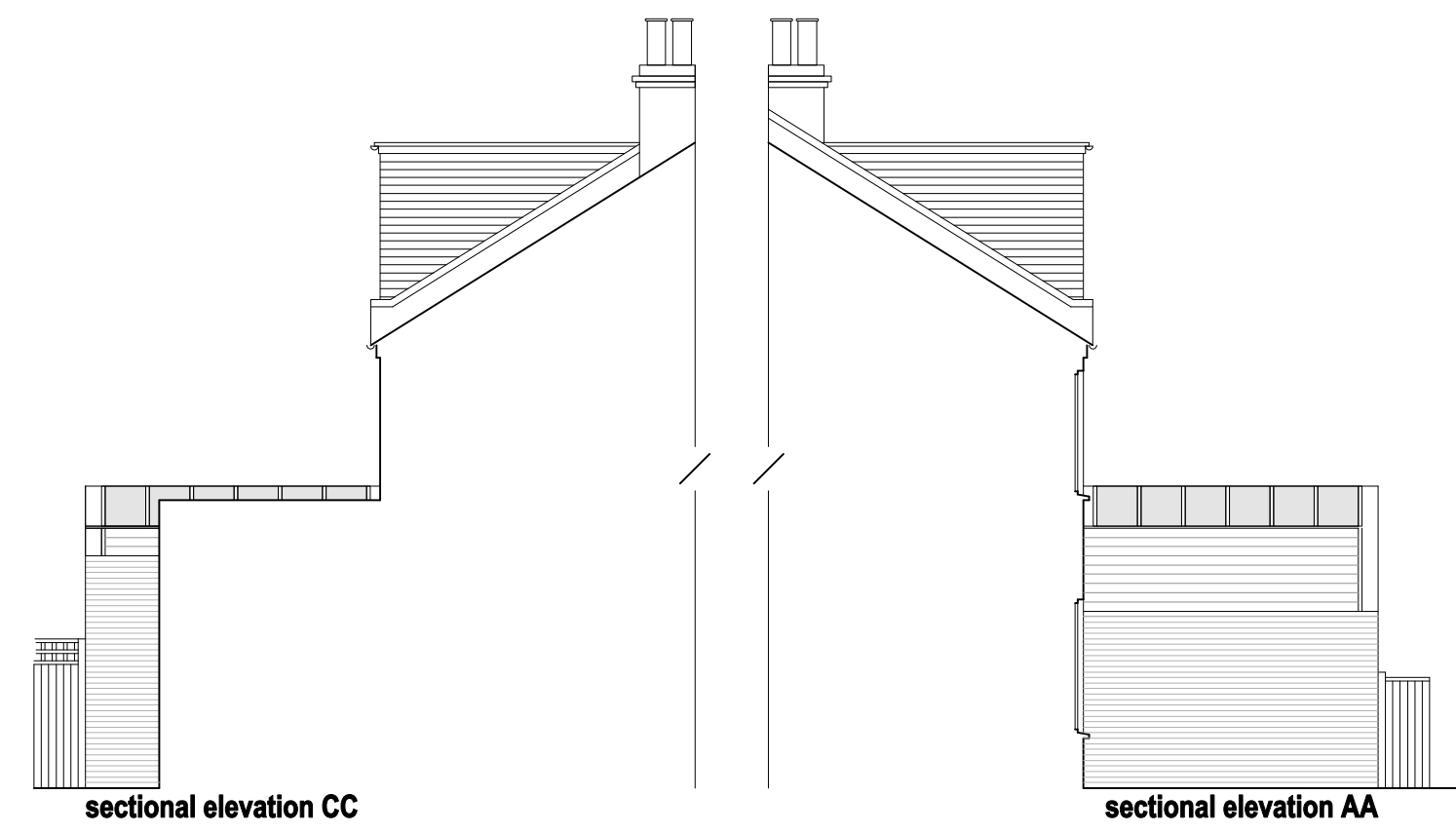
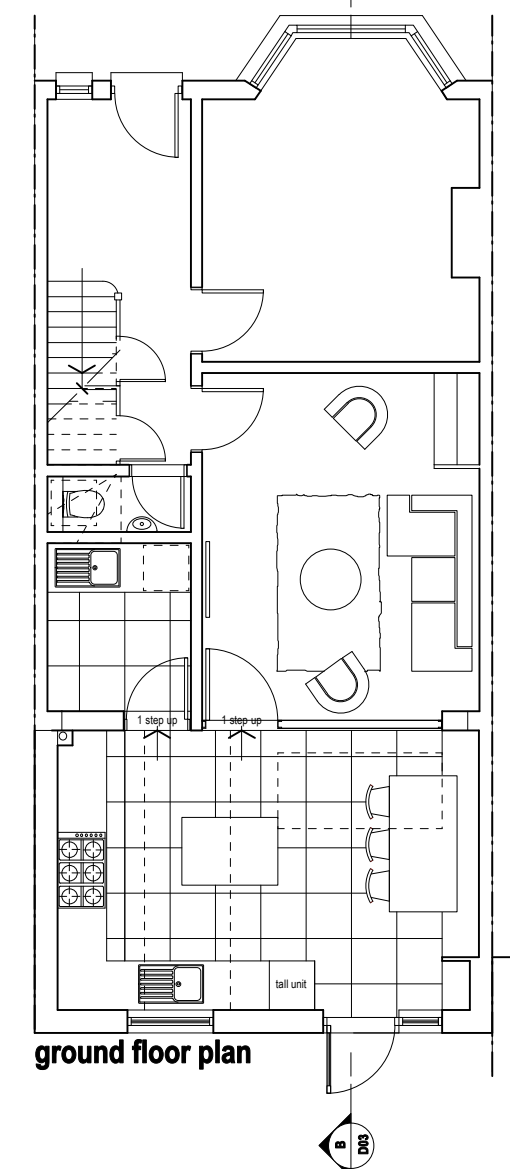
refer any discrepancies to the architect immediately

refer to the architect before undertaking work or giving instructions if in doubt

notes



revisions



**A** 08/12/15 Redesigned with reduced height flank wall alongside number 9 Pentney Road.

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project  
8 PENTNEY ROAD  
SW19 4JE  
drawing  
PROPOSED PLAN AND ELEVATIONS

drawing number  
SW19 4JE **D02**  
scale  
1:100 at A3

date  
SEP 2015

revision **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 comprises a detached two storey dwelling house situated on the north east side of Peregrine Way. Peregrine Way is a cul-du-sac accessed from Woodhayes Road. A single storey rear extension has recently been constructed as 'permitted development'. The application site is within the Merton (Wimbledon West) Conservation Area.

## 3. **CURRENT PROPOSAL**

- 3.1 The current proposal involves an increase in width of access to the existing garage, erection of a brick chimney to north side elevation and a brick planter to the front elevation of the house. It is proposed to increase the width of the existing garage by 1.1 metres to increase the width of the garage from 2.250 m to 3.350m in order to increase the width of the garage to accommodate larger cars. It is also proposed to bring the front elevation of the garage forward by 1.6 metres to align with the existing porch. A new gable would be formed above the new garage door. It is also proposed to increase the width of the utility room at the rear of the garage by 800mm to align with the new flank wall of the enlarged garage that would abut the boundary with 7 Peregrine Way. It is also proposed to construct a low brick planter in front of the porch and erect a chimney to the (north) side elevation of the house. The alterations and extensions to the property would be undertaken using facing materials to match the existing elevations of the house.

## 4. **PLANNING HISTORY**

- 4.1 The application property is part of a development of 15 houses dating from the early 1970's (Ref.83/76).
- 4.2 In December 2010 a Certificate of Lawfulness was issued in respect of a ground floor extension (LBM Ref.10/P3145).
- 4.3 On 16 October 2014 planning permission was refused by the Planning Applications Committee for the erection of a two storey rear extension (LBM Ref.14/P2515). Planning permission was refused on the grounds that:-
- 4.4 The proposal by reason of its height and bulk and mass and design would (a) fail to respect the space between buildings and so adversely affect the open views and spaciousness which characterises the area; and (b) fails to respect and complement the detailing of the original dwelling building and would be contrary to policies DM D2 and DM D3 (particularly para (a) (iv) and para (a) (i) and (ii) of the Merton Sites and Policies Plan (July 2014)'.

4.5 The applicant appealed against the Councils refusal of planning permission and the Planning Inspector dismissed the Appeal on 18 February 2015 (Appeal Ref.APP/T5720/D/14/2229822). The Planning Inspector considered the main issue to be the effect of the proposed double storey front and side extension at ground and first floor and single storey rear extension on the character and appearance of the area. The Inspector noted that the estate is characterised by large houses on spacious plots separated from each other by at least the width of an attached single storey garage. The appeal proposal involved a two storey front and side extension that would reduce the sense of spaciousness between buildings.

4.6 7 Peregrine Way

A planning application for a single storey front extension has been submitted for 7 Peregrine Way (LBM Ref.15/P4294). This application is currently undetermined.

5. **CONSULTATION**

5.1 The application has been advertised by Conservation Area site and press notice procedure. In response 8 letters of objection have been received. The grounds of objection are set out below:-

-Number 5 Peregrine Way has already been extended from its original size and is larger than other houses in Peregrine Way.

-Despite the refusal of planning permission in 2015 a single storey rear extension has recently been constructed.

-The proposal will result in creeping overdevelopment.

-The refused scheme included a large porch extension above the garage and the brick planter could be used to increase the size of the porch at a future date.

-The extended garage would adversely impact on the space between numbers 5 and 7 Peregrine Way.

-The increase in size of the garage would impact upon the streetscene.

-The proposed extension appears higher than the existing garage.

-There is a mature Acer tree and evergreen tree in the front garden to the side of the proposed garage extension. The planned extension could compromise trees.

-The garage extension would extend up to the boundary with 7 Peregrine Way.

-The alterations will result in a building that is out of character with other houses in the street.

-As indicated in the recent Appeal decision the Inspector stated that part of the essential character of the Peregrine Way estate is that of large detached buildings on spacious plots, reinforced by spaces between buildings. The proposed development would compromise the latter feature of the estates character.

5.2 North West Wimbledon Residents Association





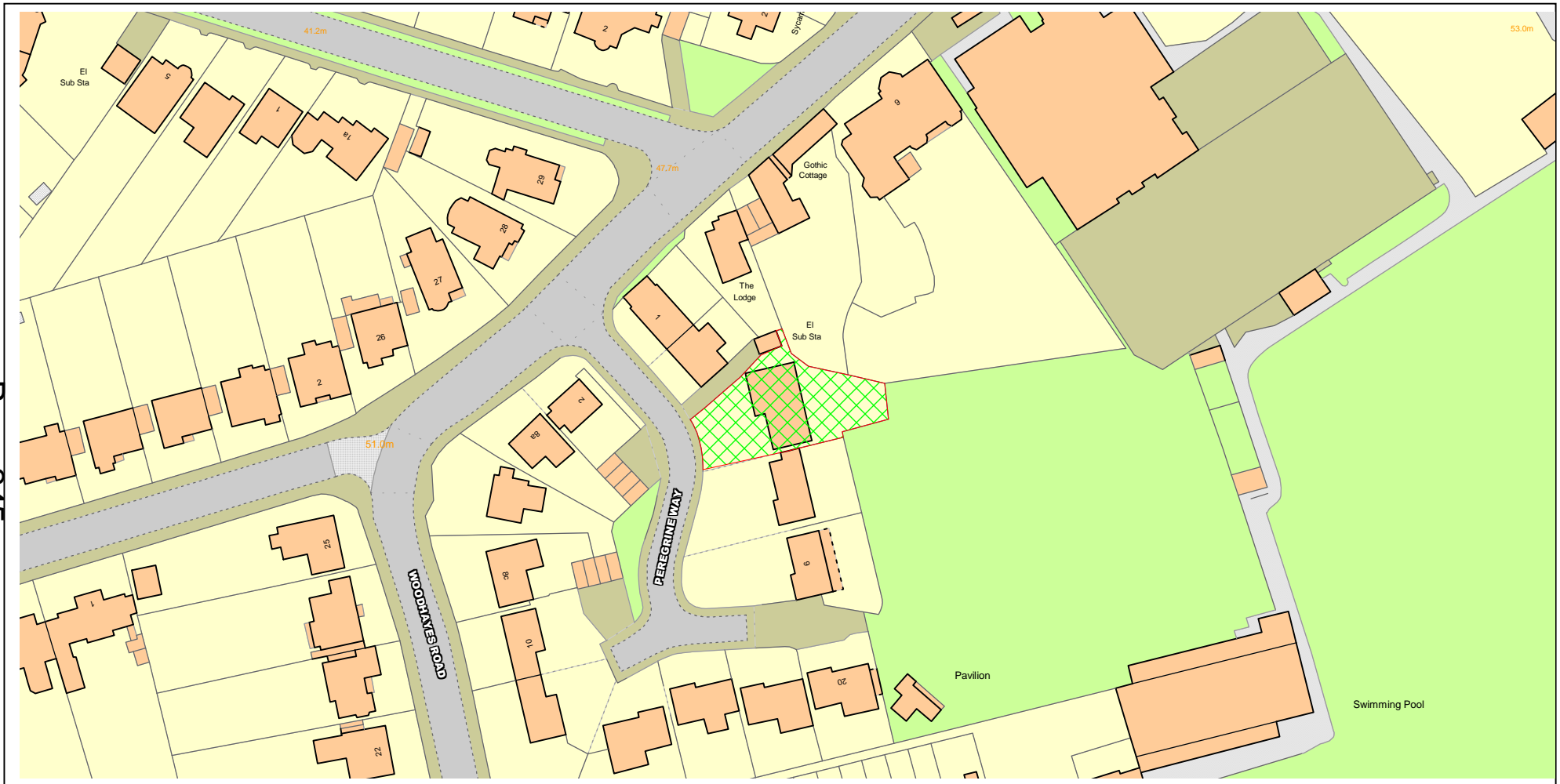


and subject to the following conditions:-

1. A.1 Commencement of Development
2. A.7 Approved Drawings
3. B.1 (Approval of Facing Materials)
4. C.2 (No Permitted Development Doors/Windows)
5. INF.1 Party Wall Act

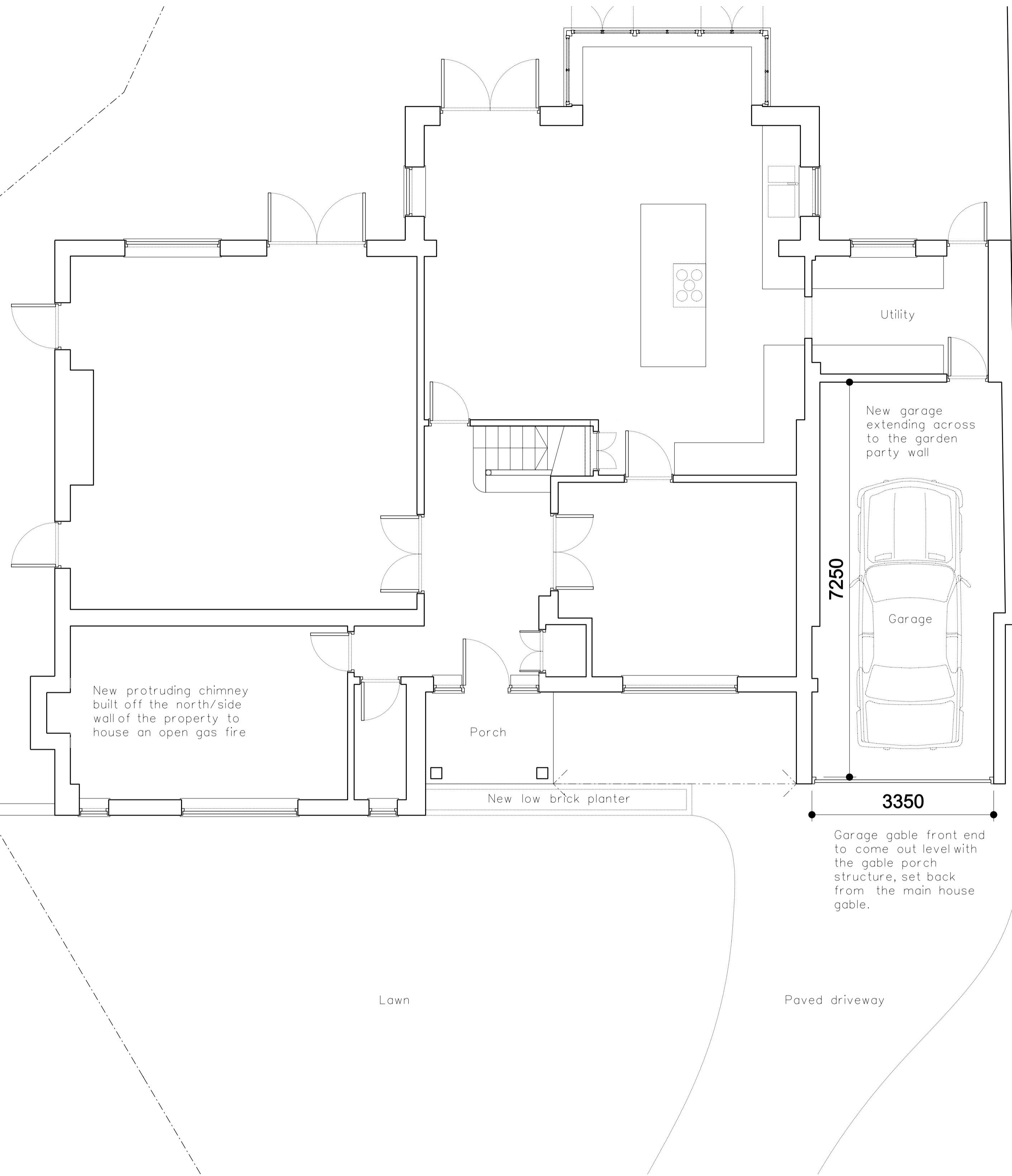
# NORTHGATE SE GIS Print Template

Page 245

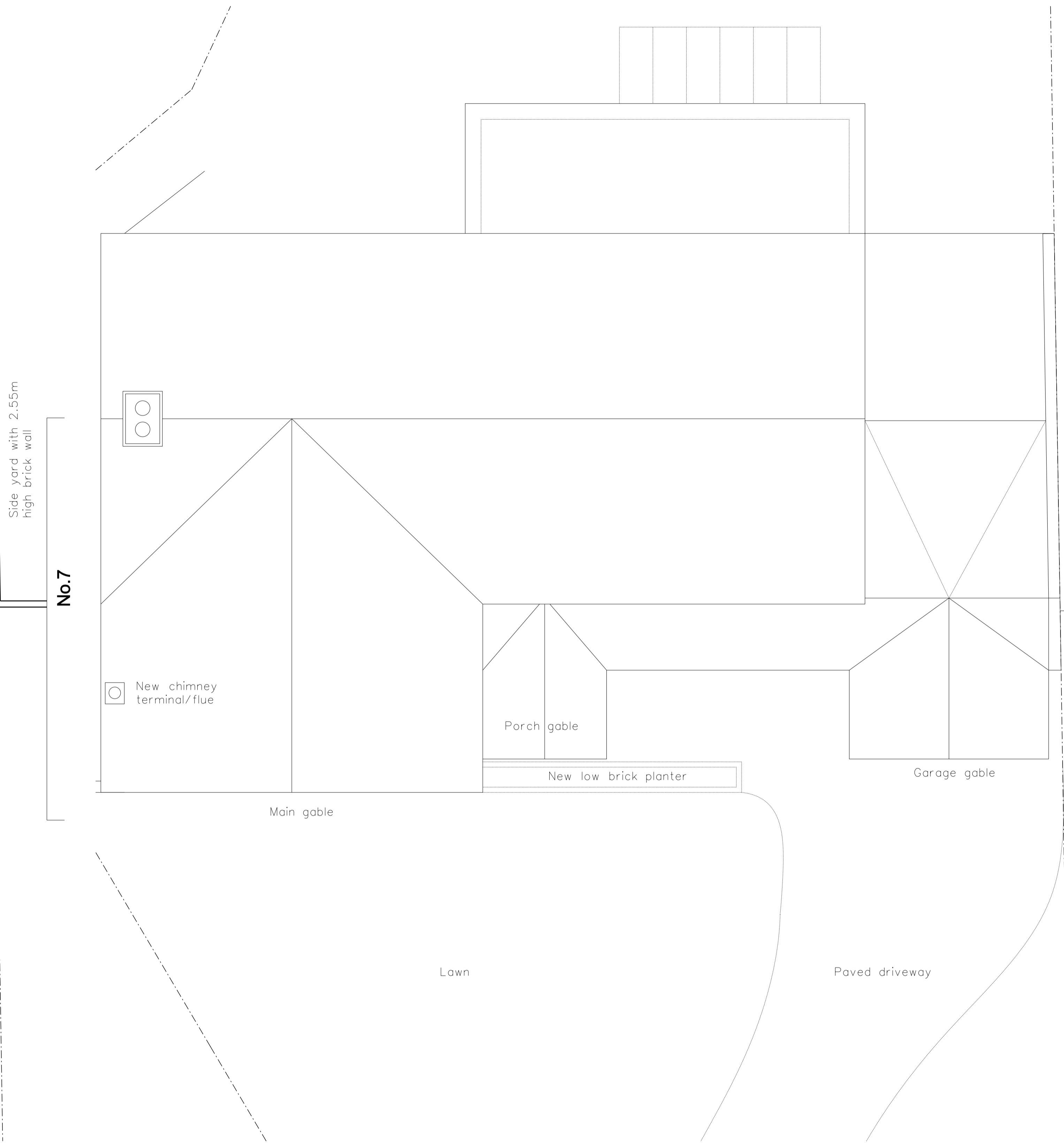


Text Details 5 Peregrine Way

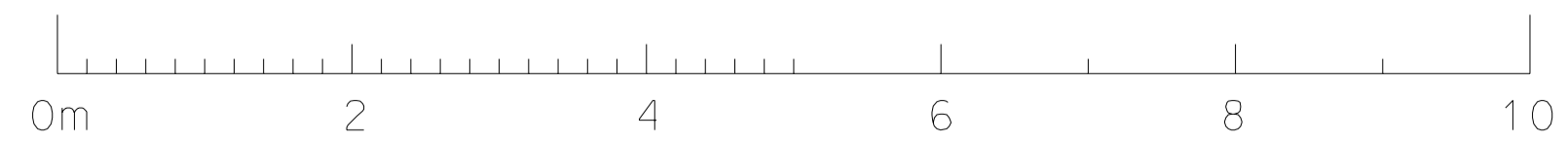
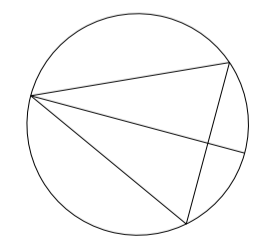
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GROUND FLOOR PLAN



ROOF PLAN



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REV	DATE	NOTES	REV	DATE	NOTES
A	24.09.15	ISSUED TO CLIENT AHEAD OF PLANNING			
B	06.10.15	ISSUED FOR PRE-PLANNING			
C	08.10.15	AMENDED FOR PRE-PLANNING			
D	19.10.15	ISSUED FOR PLANNING			
E	20.10.15	ISSUED FOR PLANNING			

PROJECT	5 Peregrine Way SW19 4RN	CODE	PWW	DRAWING STATUS	Planning
CLIENT	Andy Donoghue	DRAWING	GROUND & ROOF PLAN PROPOSED		
STRUCTURAL ENGINEER	Trigram Partnership	SCALE	1:50@A1/1:100@A3	DRAWING NUMBER	PWW_200
				Rev	E



New matching brick chimney. Flue terminal tbc

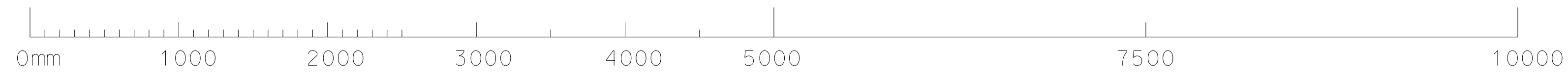
No change in ridge height

New low brick planters in matching brick

3350

New garage with gable front and timber doors extending out to the party wallline replacing the old side access alley

New wall on no.5 land built up to ridge height + parapet upstand to allow the roof to abut the wall and keep all drainage on no.5 side. Wall set back from garage front as shown on plan.



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A	24.09.15	ISSUED TO CLIENT AHEAD OF PLANNING			
B	06.10.15	ISSUED FOR PRE-PLANNING			
C	08.10.15	AMENDED FOR PRE-PLANNING			
D	19.10.15	ISSUED FOR PLANNING			
E	20.10.15	ISSUED FOR PLANNING			

PROJECT	5 Peregrine Way SW19 4RN	CODE	PWW	DRAWING STATUS	Planning
CLIENT	Andy Donoghue	DRAWING	West - Front Elevation Proposed		
STRUCTURAL ENGINEER	Trigram Partnership	SCALE	1:25@A1/1:50@A3	DRAWING NUMBER	PWW_210
				Rev	E



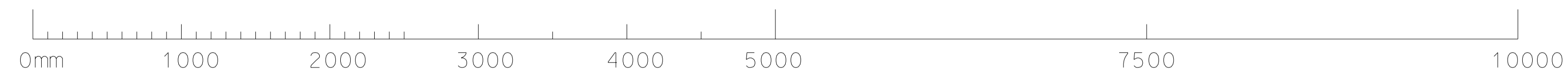
New wall on no.5 land built up to ridge height + parapet upstand to allow the roof to abut the wall and keep all drainage on no.5 side

No change in ridge height

Existing no.7 single leaf garden wall built up to the party wall line



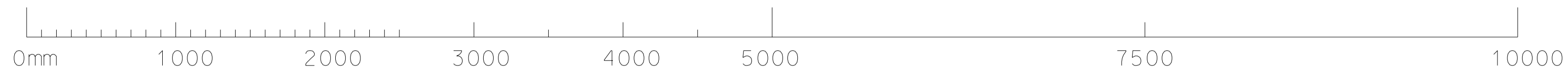
Utility room extended fully width to match the garage new width. New white painted timber door into garden. Existing window kept.



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REV	DATE	NOTES	REV	DATE	NOTES	PROJECT	CODE	DRAWING STATUS
A	24.09.15	ISSUED TO CLIENT AHEAD OF PLANNING				5 Peregrine Way SW19 4RN	PWW	Planning
B	19.10.15	ISSUED FOR PLANNING						
						CLIENT	DRAWING	
						Andy Donoghue		East - Rear Elevation Proposed
						STRUCTURAL ENGINEER	SCALE	DRAWING NUMBER
						Trigram Partnership	1:25@A1/1:50@A3	PWW_212
								Rev
								B

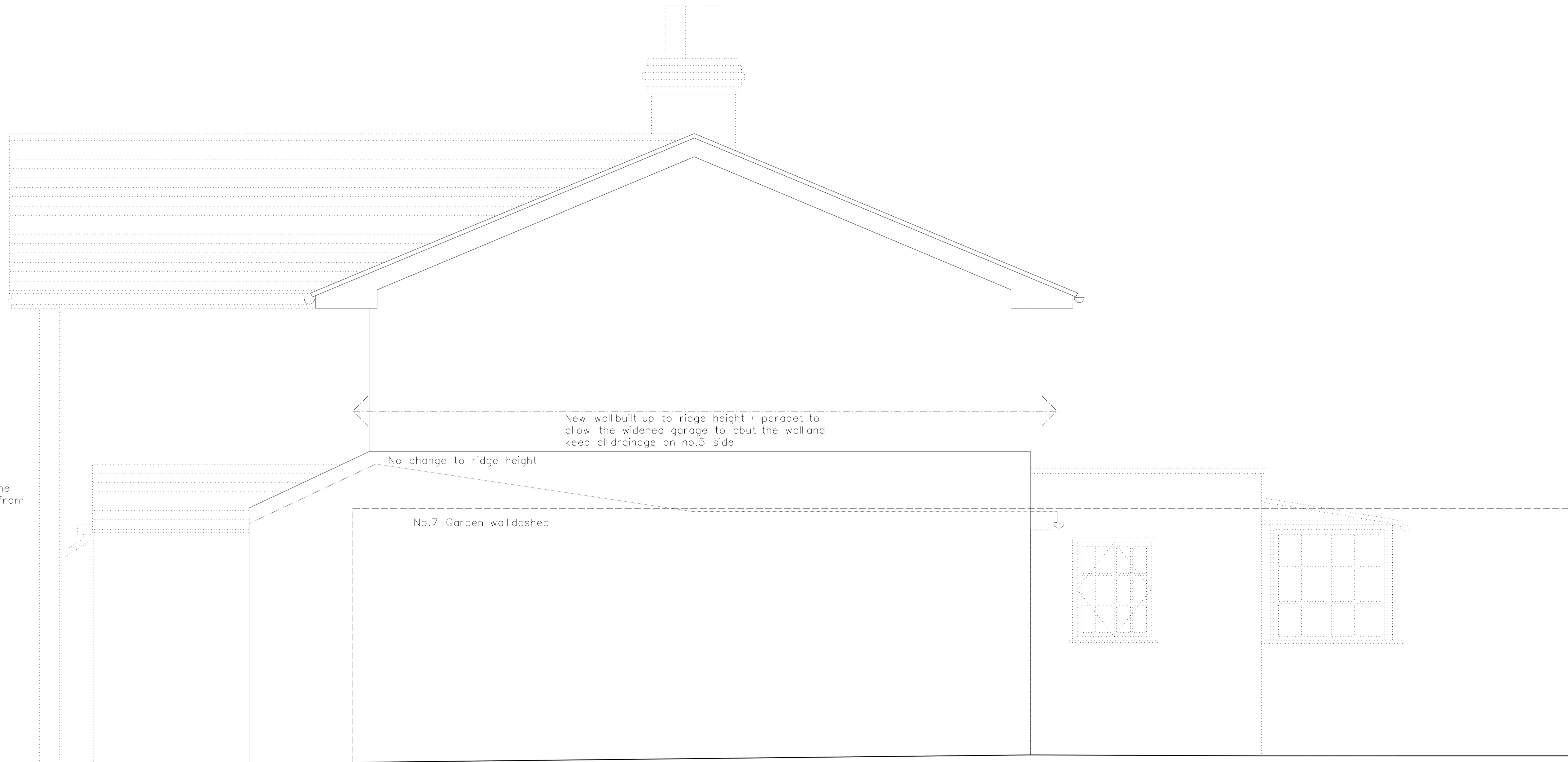


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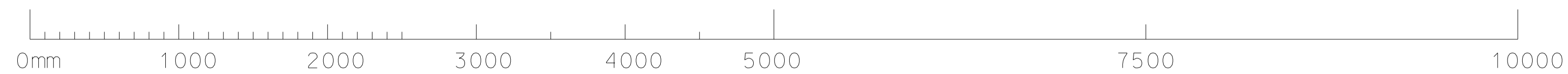
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REV	DATE	NOTES	REV	DATE	NOTES	PROJECT	CODE	DRAWING STATUS
A	24.09.15	ISSUED TO CLIENT AHEAD OF PLANNING				5 Peregrine Way SW19 4RN	PWW	Planning
B	19.10.15	ISSUED FOR PLANNING				Andy Donoghue		North - Side Elevation
						Trigram Partnership	1:25@A1/1:50@A3	DRAWING NUMBER PWW_211
								Rev B

New gable front to garage to match the line of the gable porch area, set back from the main house gable front



Hatched area the garage that is build up against the garden party wall



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London, W12 9EA

REV	DATE	NOTES	REV	DATE	NOTES
A	24.09.15	ISSUED TO CLIENT AHEAD OF PLANNING			
B	19.10.15	ISSUED FOR PLANNING			

PROJECT	5 Peregrine Way SW19 4RN	CODE	PWW	DRAWING STATUS	Planning
CLIENT	Andy Donoghue	DRAWING	South Elevation Proposed		
STRUCTURAL ENGINEER	Trigram Partnership	SCALE	1:25@A1/1:50@A3	DRAWING NUMBER	PWW_213
				Rev	B



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## Appeal Decision

Site visit made on 10 February 2015

**by Mr Kim Bennett BSc Dip TP MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 18 February 2015**

---

**Appeal Ref: APP/T5720/D/14/2229822**  
**5 Peregrine Way, London SW19 4RN**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr A Donahue against the decision of the Council of the London Borough of Merton.
  - The application Ref 14/P2515, dated 26 June 2014, was refused by notice dated 6 November 2014.
  - The development proposed was described as 'construction of a double storey front and side extension at ground and first floor as well as a single storey rear extension at ground floor. Construction of basement under part of house. Addition of new side access gate and hardstanding pathway at the front'.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matters

2. Although the original application apparently included reference to a basement and this was responded to in representations received, I note that it was subsequently deleted from the application. Whilst there is no copy of an amended application form before me to reflect that revision, for the avoidance of doubt and based on the amended plans I have considered the appeal on the basis that there is no proposed basement accommodation.
3. The appellant was not able to be present at the time of my site visit but left the side gate unlocked so that I was able to gain access to the rear garden. I was therefore able to fully appreciate the relationship of the proposed extension with No 7 Peregrine Way.

### Main Issues

4. The main issue is the effect of the proposal on the character and appearance of the area.

### Reasons

5. Number 5 Peregrine Way comprises a large detached 2 storey house located on the eastern side of Peregrine Way which is a cul-de-sac. The estate comprises some 20 houses built in the 1970s with loose design references to Georgian
-



Colonial Architecture according to the Conservation Area Appraisal. Within the estate itself Nos 1 & 2 have a pseudo classical design approach whilst the remainder, including No 5 as originally constructed, are of a simpler design with some period details and with a strong horizontal emphasis. The character of No 5 has changed in that respect with the introduction of a strong gable feature on the front elevation. It has an attached garage on its southern side close to the common boundary with No 7. There are 2 large evergreen trees in the front garden and the estate generally is characterised by open front garden areas. The whole estate is included within the larger Wimbledon West Conservation Area.

6. The appellant refers to pre application discussions with officers to discuss the design concept which was supported. The appellant also considers that the character of the area is defined by spaces in front of the buildings rather than spaces between them. Whilst I agree that the open plan nature of the estate is very much part of the character, I also consider the spaces between buildings reinforces a further part of the character which is that of large detached buildings in spacious plots. Currently, all the buildings are separated from each other by at least the width of an attached single storey garage and at present there is a clear gap between No 5 and No 7, above No 5's garage, when viewing the front of the properties from the Road. In that respect the existing space between both buildings would be reduced to just over 2 metres at ground and first floor level. Furthermore although the proposed gable extension would not be forward of the building line with No 7, its bulk and massing so close to the common boundary and on 2 levels would reduce the sense of spaciousness between the two properties that currently exists.
7. From a design point of view, I acknowledge that it has been carefully considered and the introduction of a further gable element would bring some symmetry to the existing design whilst continuing the Georgian theme. However in my view and in conjunction with the existing gable, it would create a very prominent design feature at the front of the building. Whilst perhaps an appropriate design solution in isolation, it would be at odds with the restrained horizontal character of the majority of the buildings elsewhere on the estate and would detract from the original design approach. Contrary to what the appellant suggests I also consider it would be very prominent when approaching the property from the entrance to the estate, largely as a result of the gable feature, and would emphasise the closing down and apparent separation from No 7 which exists at present.
8. A combination of the above factors would cause harm in my view and would detract from the character and appearance of this part of the estate. In reaching that finding I do not consider it is the loss of open views or plot to house ratios which are the issues, but the apparent and actual loss of space currently separating No 5 from No 7 as a result of the bulk and form of the proposed design approach.
9. I acknowledge that the National Planning Policy Framework (the Framework) states that planning decisions should not attempt to impose architectural styles. However the issue is not so much the introduction of an additional gable feature per se, but the impact that has on the character and appearance of this part of the estate. In that respect the Framework also advises that proposals should

seek to reinforce local distinctiveness and respond to local character which for the reasons given above, I do not consider would be the case.

10. Because of its location I have had special regard as to whether the proposal would preserve or enhance the character or appearance of the Conservation Area. I note from the Conservation Area Appraisal that the inclusion of Peregrine Way was primarily to avoid a break between 2 adjoining Conservation Areas rather than for any particular architectural or historic merit. I agree with the appellant that the estate has at best a neutral effect on the character of the Conservation Area as a whole and that therefore the proposal would preserve that wider character.

### **Other Matters**

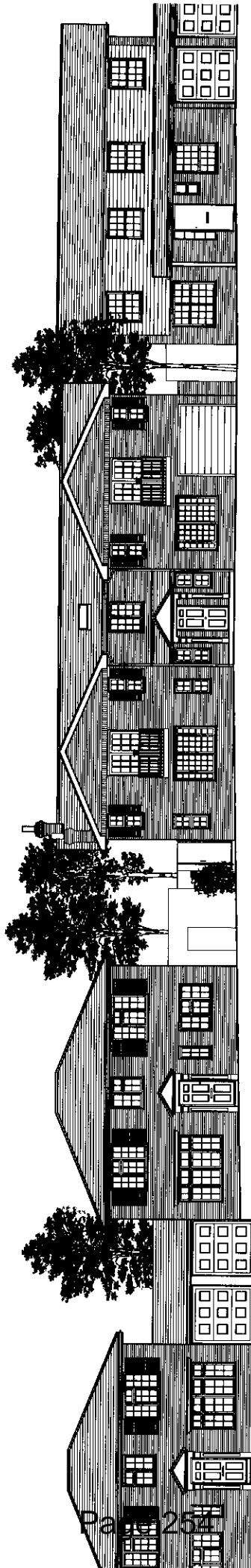
11. With regard to amenity concerns raised, I agree with the Council that because of the siting and separation of the proposed extensions from No 3, it would not result in any adverse impact to the living conditions of the occupiers of that property. There would be some impact upon No 7 given its close proximity but there are no windows in the northern flank wall of that property and the first floor extension would not project beyond the existing rear main elevation of No 5. I noted that the rear garden of No 7 has an open aspect and whilst the proposal would cause a minor loss of evening sunlight, the sunlighting study submitted with the application demonstrated that this would be negligible in the context of the greater part of the garden which is in shadow at that stage. Whilst I acknowledge that this is important to the occupier, I do not consider its loss would justify refusal of the application on that basis alone.
12. With regard to the loss of the eucalyptus tree I note that no objections were raised by the Council's arboricultural officer and see no reason to take a different view. Similarly I see no objections to the proposed single storey rear extension.

### **Conclusion**

13. I appreciate that Peregrine Way is in a sustainable location, the proposal would provide efficient use of the site and with a design that has been carefully considered in terms of the property itself. However, for the reasons set out it would give rise to other design issues in terms of adverse impact upon the character and appearance of the area. It would therefore be contrary to Policies DM.D2 and DM.D3 of the Merton Sites and Policies Plan 2014, in that it would not relate positively to the rhythm and massing of surrounding buildings and the street pattern, would not respect the form, bulk and proportions of the original building and would not respect the spaces between buildings which are part of the character of the area. Accordingly, for those reasons the appeal should be dismissed.

*Kim Bennett*

INSPECTOR



**Proposed Front Site Elevation**

NOTE: Drawing shows a 'situated' elevation to show adjacent houses in context.



5 PEREGRINE WAY, SW19 4RN

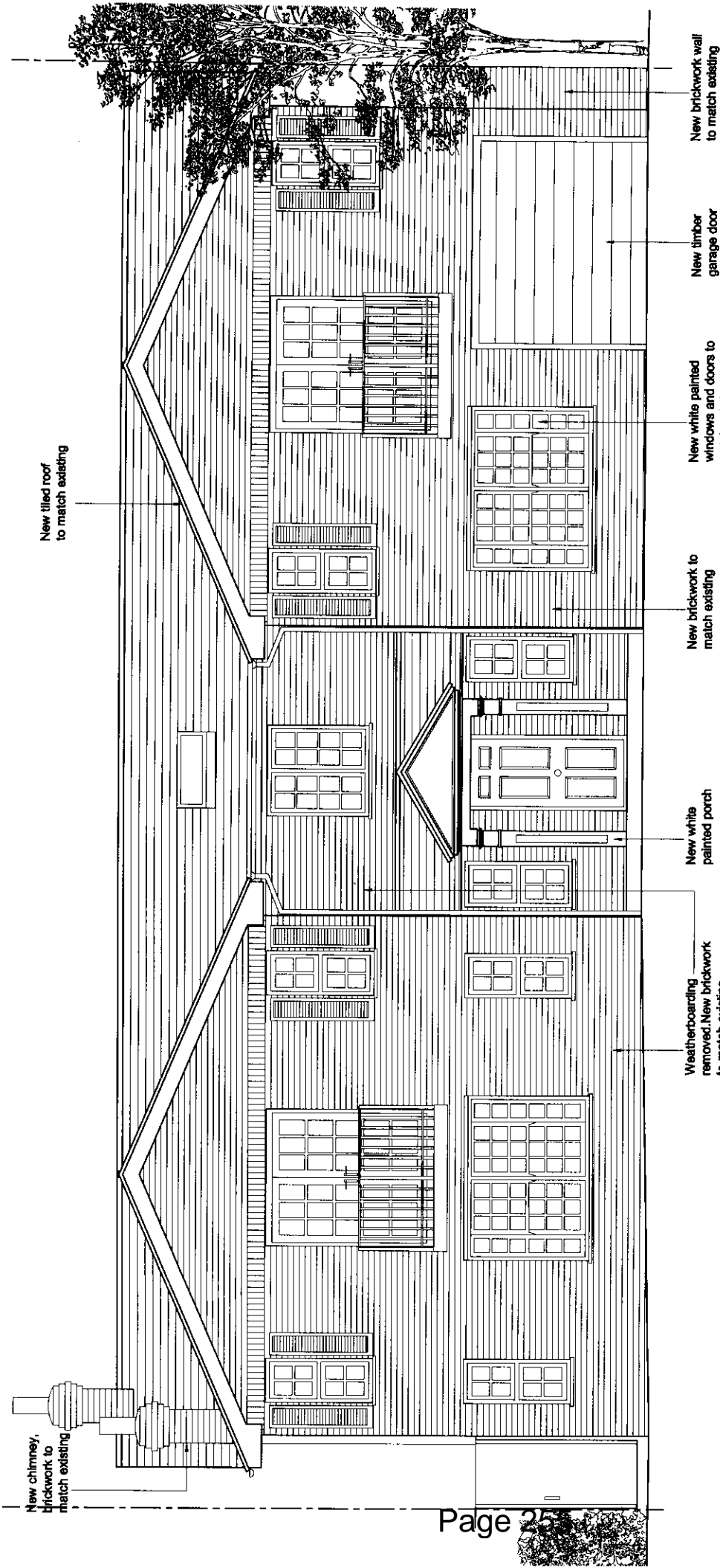
**BROOKS PRACTICE**

ARCHITECTS - SPACE PLANNERS - DESIGNERS  
 94 Ambly Grove London SW20 0LJ  
 Tel: +44 (0)208 9713288  
 kbrooks@btinternet.com  
 www.brooksppractice.com

Drawings: Proposed Front Site Elevation  
 Orig. No: P 28 Rev D  
 Scale: 1:100 @ A3  
 Date: May 2014

NOTE: All dimensions are in millimetres. Do not scale off the drawings and report any discrepancy to the architect. Drawings for planning purposes only.

14/P2515 Refused Scheme



**Proposed Front Elevation**

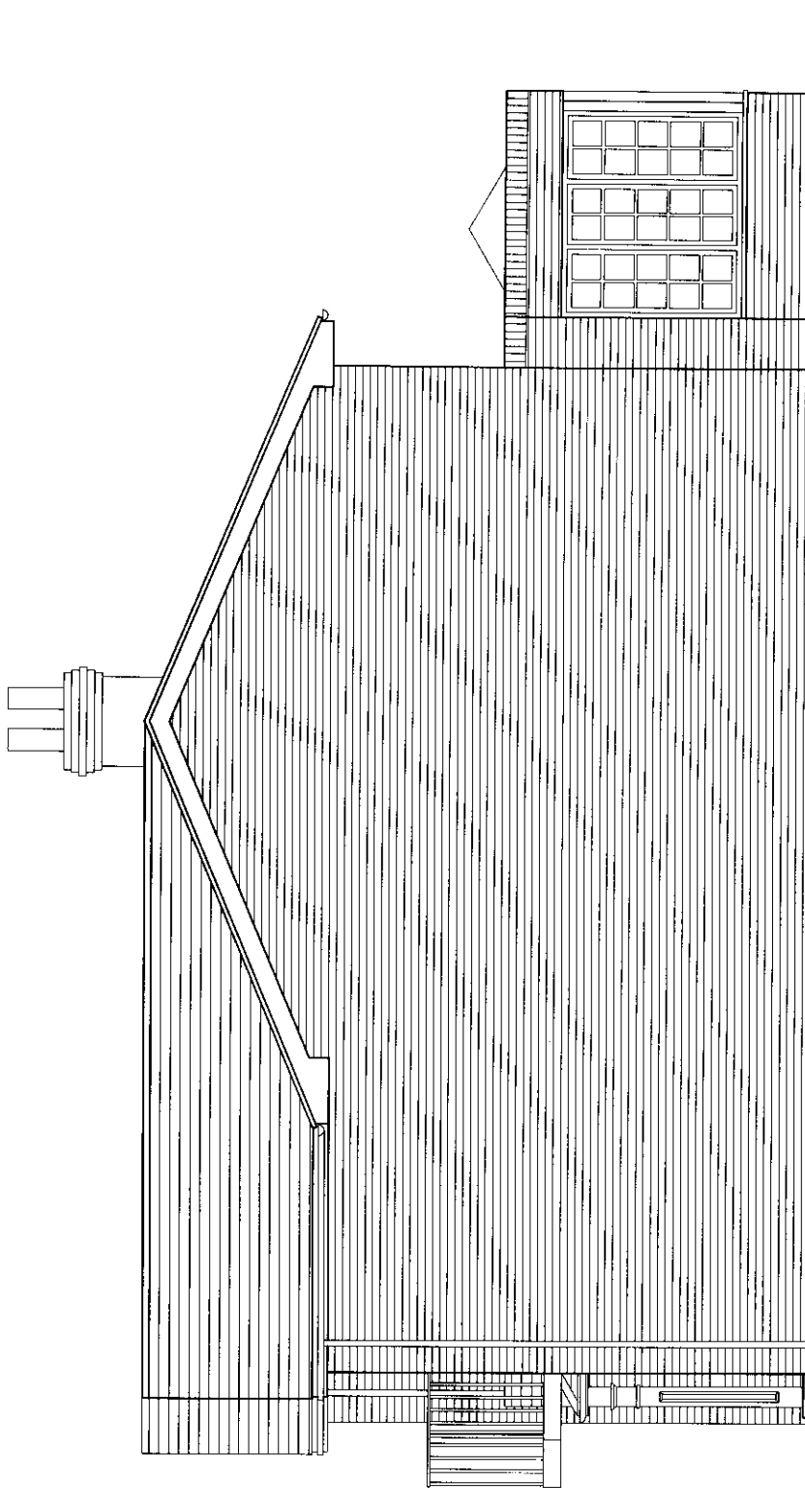
**5 PEREGRINE WAY, SP19 4BN**     **BROOKS PRACTICE**  
 Drawing: Proposed Front Elevation     ARCHITECTS - SPACE PLANNERS - DESIGNERS  
 Proj. No: P 19/04/02     94 Amity Grove     London     SW20 0LJ  
 Scale: 1:50 @ A3     Tel: +44 (0)20 8733388  
 Date: May 2014     Email: [brooks@brookspractice.co.uk](mailto:brooks@brookspractice.co.uk)  
 www.brookspractice.com

NOTE: All dimensions are in millimetres.  
 All measurements are to the face of the work.  
 The architect shall not be responsible for any discrepancy to the architect.  
 Changes for planning purposes only.



14/P2515 Refused Scheme



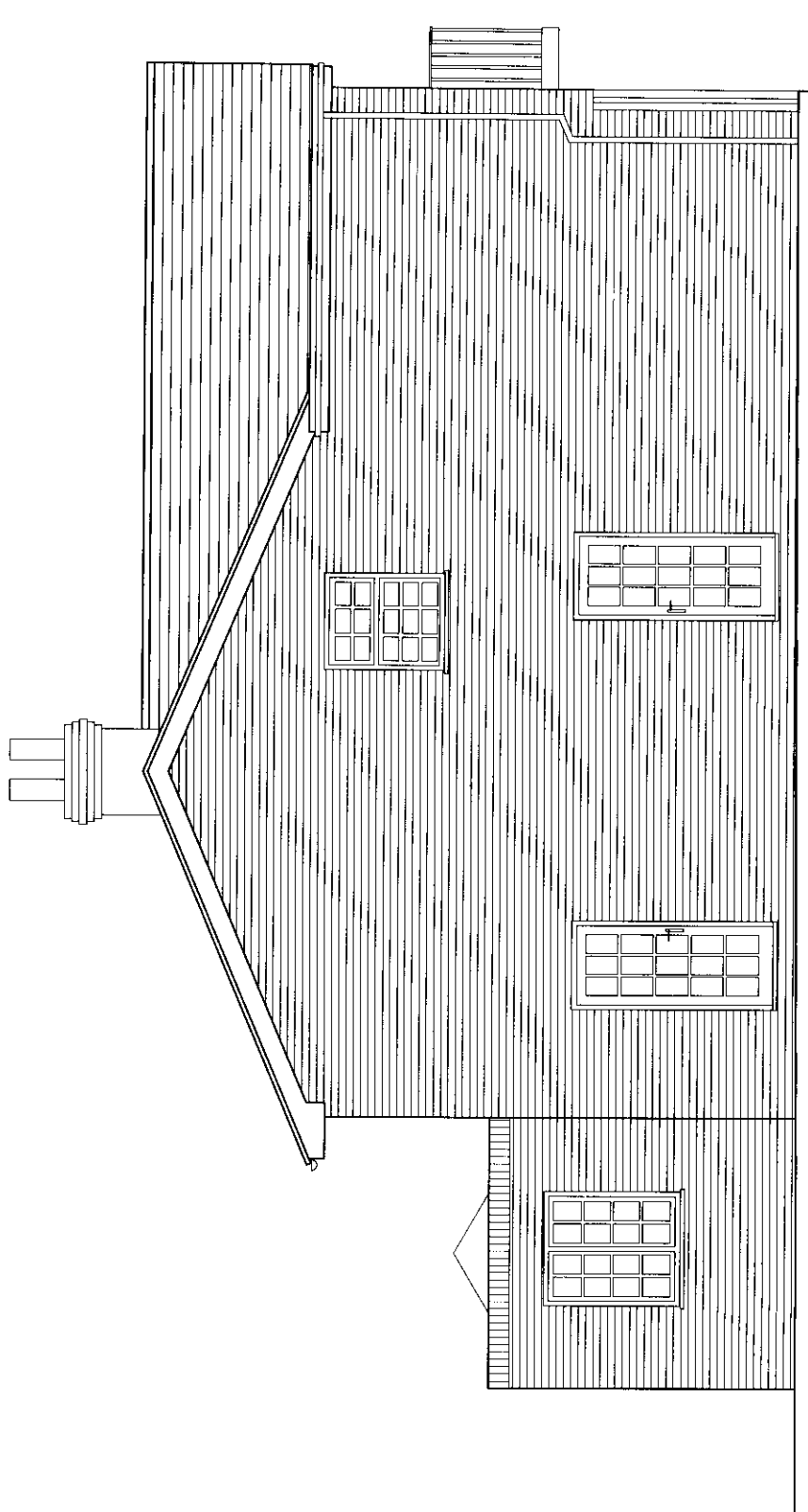


Proposed South Site Elevation

**5 PEREGRINE WAY, SW19 4JH**     **BROOKS PRACTICE**  
 Architects - SPACE PLANNERS - DESIGNERS  
 Architects     94 Anlby Grove     London     SW20 0LJ  
 Drawn: P 21 Rev D     Tel: +44 (0)208 9713388  
 Scale: 1:50 @A3     kbrooksarchitect@aol.com  
 Date: May 2014     www.brookspractice.com

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 All work shall be in accordance with the  
 British Standards BS 1192:2009 and BS 1192:2008.  
 All drawings are the property of Brooks Practice.

14/P2515 Refused Scheme



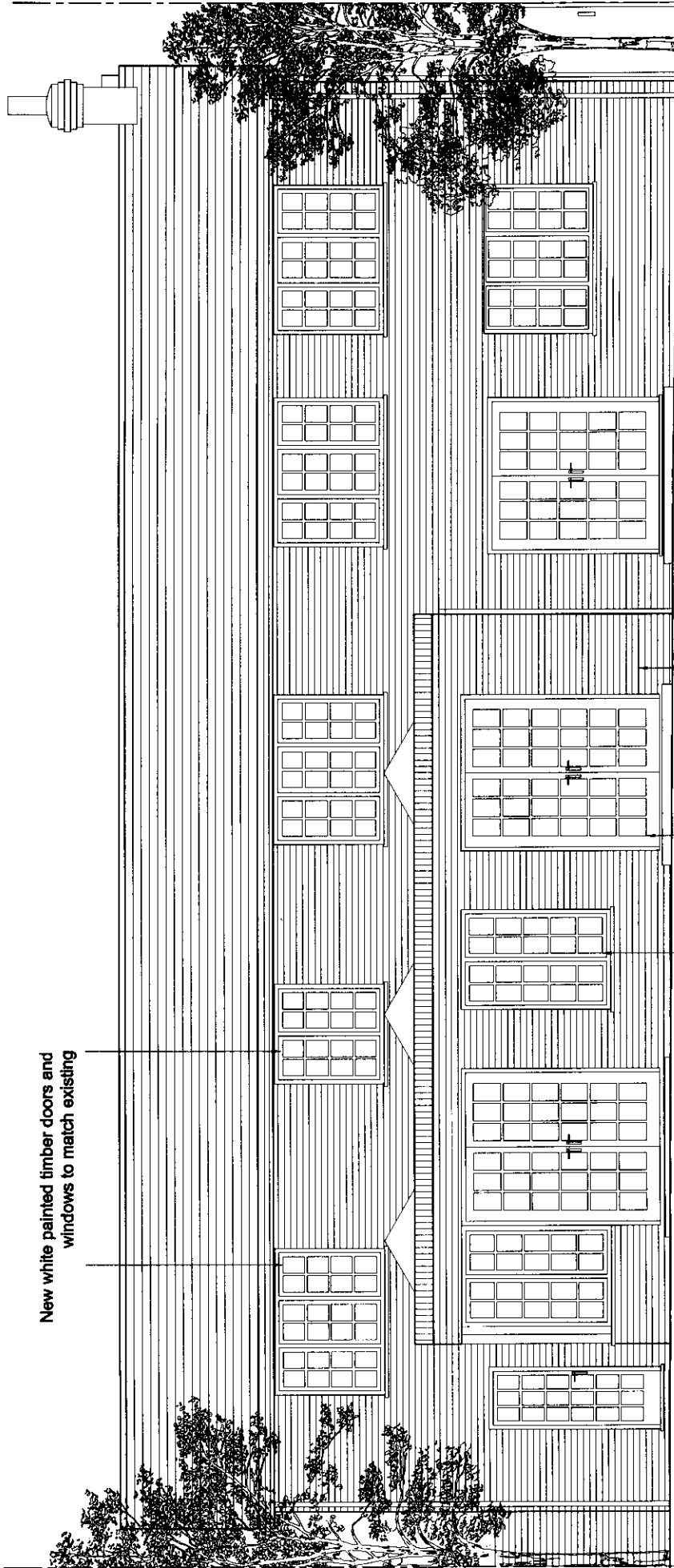
Proposed North Site Elevation

8 PEREGRINE WAY, SW19 4RN **BROOKS PRACTICE**

Drawing: Proposed North Site Elevation ARCHITECTS - SPACE PLANNERS - DESIGNERS  
 94 Amity Grove London SW20 0LJ  
 Draw. No: P 20 New D Tel: +44 (0)208 8713208  
 Scale: 1:50 @A3 kbrooksarchitect@aol.com  
 Date: May 2004 www.brookspractice.com

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14/P2515 Refused Scheme



New white painted timber doors and windows to match existing

New brickwork to match existing

New white painted timber doors and windows to match existing

**Proposed Rear Elevation**

**6 PEREGRINE WAY, SW19 4RN** **BROOKS PRACTICE**  
 ARCHITECTS - SPACE PLANNERS - DESIGNERS  
 Drawing: Proposed Rear Elevation  
 Proj. No: P 19 Rear D  
 Site: 157 @43  
 Date: May 2014  
 Tel: +44 (0)208 8715206  
 Email: kbrooks@brookspractice.co.uk  
 www.brookspractice.com

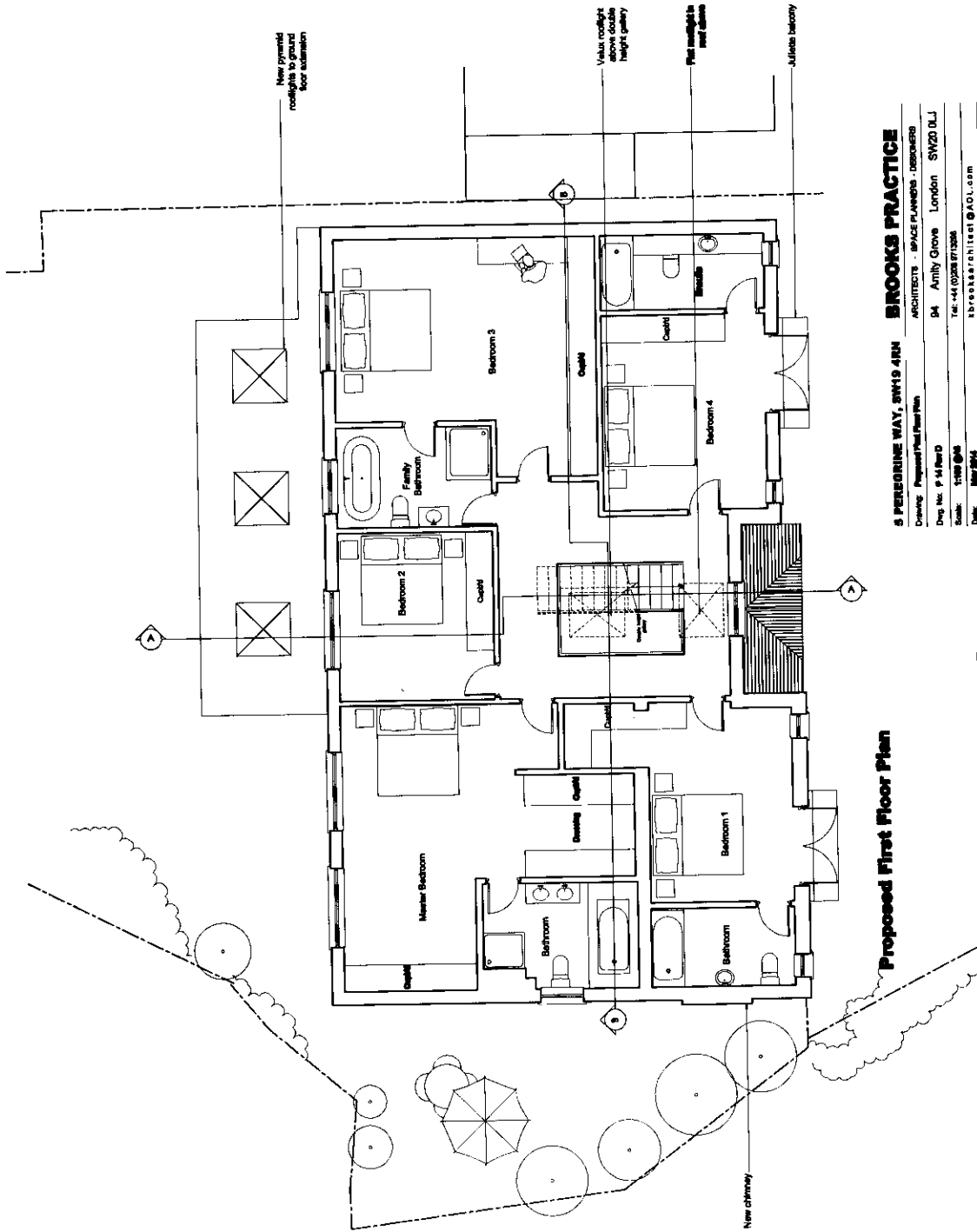


NOTE: All dimensions are in millimeters.  
 All drawings are subject to the provisions of the Building Act 2004.  
 This drawing is the property of Brooks Practice.

*14/02/15 Revised Scheme*







**5 PERDINE WAY, SM19 4NN** **BROOKS PRACTICE**  
 ARCHITECTS - SPACE PLANNERS - DESIGNERS  
 Drawing: Proposed First Floor Plan  
 Date: 14/05/10  
 Scale: 1:100 @A4  
 Tel: +44 (0)208 8712008  
 Email: info@brookspractice.com  
 Website: www.brookspractice.com

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**Proposed First Floor Plan**

*14/05/10 Refused Scheme*

**PLANNING APPLICATIONS COMMITTEE**  
**11 February 2016**

**Item No:**

**UPRN**

**APPLICATION NO.**

**DATE VALID**

15/P3969

22/10/2015

**Address/Site** 8 St Mary's Road, Wimbledon SW19 7BW

**(Ward)** Village

**Proposal:** Demolition of existing dwelling house and erection of new four storey dwelling house comprising a basement level and rooms in the roof space, together with associated car parking and landscaping

**Drawing Nos** Site Location Plan, Site Survey, 598/P01 Rev F, 598/P02 Rev E, Design and Access Statement, Daylight/Sunlight Report, Drainage Strategy and Basement Construction Method Statement

**Contact Officer:** Richard Allen (020 8545 3621)

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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- Yes
- Site notice-Yes
- Design Review Panel consulted-No
- Number of neighbours consulted – 5
- External consultants: None
- Density: n/a
- Number of jobs created: n/a

- Archaeology Priority Zone: Yes

## 1. **INTRODUCTION**

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

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a two storey detached house situated on the north-east side of St. Mary's Road at the junction with Church Hill. The adjoining house to the north, no.10 St Mary's Road, is newly completed and replaces the original house. To the south of the application site is 6 St Mary's Road, a large three storey detached dwelling, also a replacement for the original house, completed post-2001. The application site is not within a conservation area but is close to the boundary with the Merton (Wimbledon North) Conservation Area.

## 3. **CURRENT PROPOSAL**

- 3.1 The current proposal comprises the demolition of the existing dwelling house and the erection of a new dwelling house with accommodation over four levels including basement and rooms within the roof space. The submission follows the previous refusal of planning permission for the demolition of the existing dwelling house and the erection of a detached dwelling house by the Planning Applications Committee on 17 September 2015 (LBM Ref.15/P2556).

- 3.2 The original submission has been amended following discussions with the owners of no. 6 and the changes to the previously refused scheme are now as follows:-

- The front building line is set 1 metre further back from the front boundary
- The width of the house has been reduced by 300mm, increasing the distance from the boundary with number 6.
- The recessed part of the rear single storey element at ground floor (and the basement underneath) has been moved 1.5m further away from the boundary with no.6 to 4m and has also been shortened by 1m in depth.
- The first floor has a flat roofed element at the rear so that the main roof is set 0.7m further back, lining up with the corner of the main roof of no.6.
- The width of the projection of the chimney has been reduced.
- The height of the proposed fencing has been reduced by 0.2m and the front section has been replaced with 900mm trellis.
- A level survey of number 6 has been carried out and the information added to the plan and elevations.

- The volume of the development has been reduced from 1650 cubic metres to 1416 cubic metres (14.2% reduction) and the square meterage from 565 to 485 (14.1% reduction)
- 3.2 The proposed house would have an overall length of 18m from the front corner of the house to the rear elevation at ground floor level, and 12.7m at first floor level. It would have an average eaves height and ridge height of 6.7m and 10m and would be set away from the boundary with 6 St Mary's Road by between 1.15 and 1.3m. It would abut the boundary with 10 St Mary's Road at ground floor level, with a 1m set back at first floor level. The proposed house would be set back from the site frontage by between 8.8 and 10.5m to the front corners of the building. Two off street parking spaces would be provided within the front curtilage. A new front boundary wall, railings and gates are also proposed. At the rear of the site approximately 250m<sup>2</sup> of rear garden amenity space would be provided.
- 3.3 Internally, at basement level guest accommodation/staff flat, playroom and storage areas would be provided. The main habitable accommodation would be at ground floor level with an entrance hall, living room, study and living/kitchen/dining area. There are 3 bedrooms at first floor and 2 bedrooms within the roof space lit by dormer windows to the front and rear roof elevations and rooflights to the side. A single dormer would be provided to the side roof elevation facing 10 St Mary's Road to provide headroom to a bathroom. A traditional design approach has been adopted with facing brickwork, clay tiled roof and timber windows.

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

- 4.1 The original house dates from 1955. A garage extension was approved in May 1969 (MER 291/69), a single storey rear extension was approved (MER 328/77) in 1977, and a dustbin store was approved (MER 163/78) in 1978.
- 4.2 In March 2002 planning permission was granted for the erection of a part single/part two storey front extension (LBM Ref.01/P2125).
- 4.3 In August 2007 planning permission was granted for the erection of a new bathroom at first floor level and change of use of garage to sitting room at ground level and installation of new roof light to existing bathroom at first floor level (LBM Ref.07/P1853) with a further permission for the same proposal granted in May 2011 (LBM Ref.11/P0585).
- 4.4 In September 2015, Members resolved to refuse planning permission Planning Applications Committee for the demolition of the existing house and the erection of a new dwelling house (LBM Ref.15/P2556). Planning permission was refused on the grounds that:-

'The proposed dwelling would, by reason of its bulk, massing and siting constitute an overdevelopment of the site, that would be oppressive and overbearing and would have an unacceptable impact on the amenities of the occupiers of number 6 St Mary's Road, contrary to Policy DM D2 of the



Merton Sites and Policies Plan (July 2014) and Policy CS14 of the Merton LDF Core Planning Strategy (July 2011).

4.5 6 St Mary's Road

Planning permission was granted in October 2001 for the redevelopment of the site by the erection of a detached dwelling house (LBM Ref.01/P1438).

4.6 10 St Mary's Road

A similar redevelopment to that proposed has been recently undertaken at 10 St Mary's Road involving demolition of the existing dwelling house and erection of a new detached dwelling house with basement and accommodation within the roof space (LBM Ref.13/P3848 amended by LBM Ref.14/P3534). There is currently an application awaiting determination seeking to regularise the siting of the building 1.8m further away from the front boundary 15/P3783).

5. **CONSULTATION**

5.1 **Initial Consultation**

The application has been advertised by notice and individual letters. In response to the initial consultation, five individual letters were received from neighbouring properties as well as from Wimbledon Society and the Belvedere Estates Residents Association. One letter of support was received from occupiers of 10 St Mary's Road, which is the adjacent property on the left hand side.

5.2 Concerns and objections are set out below:-

-The owner of 4 St Aubyn's Avenue is concerned that the rear of the proposed house extends considerably beyond the present building, encroaching on their garden, which backs onto the site.

- It is unclear if the changes are of sufficient magnitude to address the reasons for refusal of the original application, without understanding the relative changes in magnitude on a % basis, impact on right to light and scale of development relative to adjacent sites and supports refusal until such information is provided, should at least receive proper scrutiny from Committee

-still constitutes a massive overdevelopment of the site, estimate that square footage only been minimally reduced. Previous issues raised at PAC have not been addressed.

-The occupiers of no.6 referred to meetings held between themselves and the developers and their architects, with Councillor Latif as arbitrator, which have led to the front building line moving back, reduction in depth of ground floor, reduction in width, reduction in size of chimney and replacement of front section of boundary treatment with 900mmm trellis instead of 2m closeboarded fence as well as a levels survey to accurately depict the relationships in relation to basement construction and light impact. However, as the submitted plans show the first and second floor extended back by a further metre compared to the refused application, the bulk, massing and

siting is still considered to be oppressive and overbearing and to have an unacceptable impact. Despite the changes and meeting the architect the owners of 6 St Mary's Road still cannot support the proposal.

#### 5.2 Wimbledon Society

Large window in the south-west elevation at ground floor level would overlook the garden of number 6 St Mary's Road given difference in site levels. A suitable condition should be applied in relation to the basement construction. Should be designed to Code 5. Ideally, parking should be restricted to one car to allow more soft landscaping. Design of front boundary treatment should be conditioned to encourage hedging to reflect green character of the area.

#### 5.3 Belvedere Estates Residents Association

BERA previously objected to the impact of excessive massing on neighbours, particularly 6 St Mary's Road, which is substantially lower than 8. The current application is 1m further back at the front but also at the rear so the effect will be worse. More should be done to meet local concerns. Previous objections are maintained.

5.4 One letter of support was received from the occupiers of 10 St Mary's Road who state that the amendments made from the previous application are all positive from the perspective of 10 St Mary's Road and strike a good balance between various objectives. They consider that the proposed dwelling will significantly improve the street scene.

#### 5.5 **Second Consultation**

Following further discussions between the developers, the occupiers of no 6 St Mary's Road and Councillor Latif as independent arbitrator, further revisions were submitted on 14 December 2015 which resulted in the changes as set out at para 3.2. The principal change from the original plans submitted for this current application is that the first and second floors do not project beyond the maximum depth of the previous application and the reductions are retained to the other elements.

5.6 In response to these further changes, 6 St Marys Road have advised that they do not object to the amended plans subject to conditions and a covenant from the developer as set out below:

- as agreed with the developer, a covenant to the deeds of no 8 that would restrict any future owner from erecting a wall or fence higher than the section of 900mm trellis shown on the amended plans
- light coloured fencing to be erected inside 8's boundary prior to demolition to minimise dust and debris, retained for duration of demolition, basement excavation and construction, with any scaffolding covered over, site to be dampened down each day during demolition, basement excavation and construction and waste cement not allowed to run down the road further past and the drain outside no.6 kept free from blockages,
- asbestos risk from demolition. Asbestos removal specialist to assess any asbestos risk prior to commencement of demolition work and if any asbestos found, neighbours to be notified of date of removal

- construction to be checked weekly to ensure strict adherence to approved drawings and any deviation immediately addressed before progressing further
- if excavation of the basement results in excessive movement being felt, especially visible cracks, a less aggressive method of construction to be employed
- condition requiring details of all boundary walls and fences to be approved prior to commencement and then thereafter be retained including 900mm trellis
- condition requiring windows in first and second floor side elevations to be obscure glazed to 1.7m above finished floor level
- no construction works outside 8am-6pm Mon-Fri, 8.30am- 1pm Sat and at no time on Sundays or Bank Holidays

## 6. **POLICY CONTEXT**

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

CS8 (Housing Choice), CS9 (Housing Provision), CS13 (Open Space, Nature Conservation, Leisure and Culture), CS14 (Design), CS15 (Climate Change) and CS20 (Parking)

### 6.3 Sites and Policies Plan (July 2014)

DM H2 (Housing Mix), DM H4 (Demolition and Redevelopment of a Single Dwelling house), DM 02 (Nature Conservation, Trees, Hedges and Landscape Features), DM D2 (Design Considerations in all Developments), DM D4 (Managing Heritage Assets), DM F2 (Sustainable Urban Drainage Systems) and DM T4 (Car Parking and Servicing Standards).

### 6.4 London Plan (March 2015)

3.8 (Housing Choice), 5.1 (Climate Change Mitigation), 5.3 (Sustainable Design and Construction), 7.6 (Architecture),

## 7. **PLANNING CONSIDERATIONS**

### 7.1 **Background**

As set out in the 'Current Proposal' and 'Planning History' section above, the previous application for a replacement house (15/P2556) was refused by Members at Planning Applications Committee in September 2015 on the following grounds

*'The proposed dwelling would, by reason of its bulk, massing and siting constitute an overdevelopment of the site, that would be oppressive and overbearing and would have an unacceptable impact on the amenities of the occupiers of number 6 St Mary's Road, contrary to Policy DM D2 of the Merton Sites and Policies Plan (July 2014) and Policy CS14 of the Merton LDF Core Planning Strategy (July 2011).*

The main discussion at Committee related to concern about the impact on the amenities of 6 St Mary's Road.

7.2 Following the refusal of the previous application, discussions took place directly between the occupiers of no.6 St Mary's Road, the developer and their architects. This resulted in a number of amendments to the scheme prior to re-submission, followed by another round of revisions once the application had been made. These were the result of a further meeting with the occupiers of no.6, who have since advised that they raise no objections to the latest amended plans, subject to suitable conditions and the agreement of the developer to the provisions set out at 5.6 above.

7.3 **Main Planning Considerations**

The main considerations are the design and appearance and impact on the adjoining Conservation Area, impact on neighbour amenity including basement impact, parking, trees/landscaping and sustainability issues.

7.4 **Design and Impact on the setting of the Conservation Area**

The proposed house sits between 2 traditionally designed houses at 6 and 10 which have replaced the original properties (no. 10 just completed). The properties are on a hill and the proposed ridge and eaves height provides a transition between those of the neighbouring houses. No.8 adopts a similar traditional design approach to its neighbours using facing brick and clay tiles and timber windows. The gap between the proposed house and no.6 has been increased by 300mm compared to the previous refusal, and the gap between the boundary and flank wall is of a similar size to that between the flank wall of no.10 and the boundary. The siting of the front elevation sits appropriately between its neighbours in the streetscene. The detailing is of appropriate quality for the setting, close to the boundary with the Merton (Wimbledon North) Conservation Area. The proposal would not therefore, affect the character or appearance of the adjacent conservation area and is acceptable in terms of policies DM D2 and DM D4.

7.5 **Neighbour Amenity Issues**

7.6 10 St Mary's Road

No. 10 St Mary's Road sits at a higher level to the application site and its footprint of the proposed house does not extend beyond it at ground, first or second floor level. The flank elevation facing the side boundary with no.10 contains a small secondary bedroom window and a landing light at first floor, and a dormer serving the bathroom and 2 rooflights providing secondary light to 2 bedrooms at roof level. Given the siting, massing and change in levels, there is considered to be no adverse impact in terms of daylight, sunlight or outlook, and the flank windows will be conditioned to be obscure glazed and fixed below 1.7m or high level as appropriate to prevent any impact on privacy. The occupiers of no.10 have written in support of the current application.

7.7 6 St Mary's Road



As set out in the Proposal section (para. 3.2), a number of changes have been made to the massing and siting of the proposed house since the previous refusal, intended to address the concerns of Members of Planning Applications Committee and the occupiers of 6 St Mary's Road about the impact of the massing on no.6. The front building line has been set back by 1m, the flank wall has been moved away from the boundary with no.6 by 300mm, the boundary treatment has been amended to 900mm trellis instead of 2m closeboarded fence adjacent to the side bay window of no.6 and the side chimney has been reduced. The ground floor extension, which sits at a higher level relative to no.6, is recessed away from the boundary at the point where it is the same depth as the main wall of the existing house. The depth of recess has been increased by 1.5m to 4m compared to the refused application as well as being reduced by 1m in depth. The roof form at first and second floor level closest to the boundary with no.6 has been adjusted so that the main hipped roof does not project beyond the corner of the roof of no 6 close to the boundary. Each of the massing changes reduces impact on no 6. The size of the house has been reduced at every accommodation level resulting in an over 14% reduction in both volume and square meterage. Officers consider that the grounds for refusal of the previous application have been addressed and it is noted that the occupiers of no 6 have advised that they do not object to the revised plans subject to the caveats set out at 5.6 above.

- 7.8 It is noted that the developer has separately agreed to a covenant restricting the height of the front section of side boundary between 8 and 6 to 900mm trellis. A condition will be attached to the planning permission requiring provision of boundary treatment in accordance with the approved details.
- 7.9 There was some discussion at the previous Committee about loss of light to the secondary bay window on the flank wall of no.6. There are 3 main daylight assessments. The primary assessment is the VSC which measures the potential to receive light on the external face of the window wall. The BRE Guide permits a reduction of up to 20% before suggesting that reductions will be noticeable. The dining room and Bedroom assessed will fully and comfortably comply with this element of the BRE Criteria. The Family room will not achieve the 20% reduction but the reduction is now 22% compared to 32% previously which is a great improvement and only just beyond the Guideline. All rooms considered will fully and comfortably comply with the Daylight Distribution and Average Daylight Factor criteria for daylight clearly indicating that the rooms will remain well-lit in daylight terms post development despite the reductions recorded. The scheme is also fully compliant with the BRE Guidelines in terms of sunlight as well as the shadowing of the rear amenity area. The proposal is conserved to be acceptable in its impact on no6 on relation to daylight, sunlight and overshadowing.
- 7.10 In terms of privacy, the large flank window at ground floor will be screened by the proposed 1.8m high boundary fence. At first floor, there are 2 narrow flank windows both serving bathrooms, which can be conditioned to be obscure glazed and fixed below 1.7m. There are 2 flank rooflights serving a storage

area and a bedroom which will be set at least 1.7m above finished floor level and will be conditioned to be high level.

7.11 **Construction Impact**

The neighbour at no 6 has requested the provision of a solid hoarding on the side boundary before demolition commences to minimise dust as well as other dust and surface water control measures. A condition will be attached requiring the provision of a hoarding before demolition commences, damping down during demolition and during dry conditions, as well as control of surface water run off. In relation to concerns about asbestos report removal, it is noted that an asbestos report has already been prepared by a specialist contractor, and that a licensed contractor will be required to carry out the works under other legislation, therefore a planning condition is not required and would be ultra vires.

7.12 The Council's standard condition limiting construction works to between 8am-6pm Mon-Fri, 8am- 1pm Sat and at no time on Sundays or Bank Holidays will be applied.

7.13 It is noted that concerns have been expressed from neighbouring properties other than no 6 about impact on privacy or outlook, but the separating distances are more than sufficient to ensure that there is no adverse impact on these properties.

7.14 **Provision of Basement Accommodation**

Paragraphs 6.26-6.36 of policy DM D2 of the Sites and Policies Plan specifically refer to basement construction. The policy requires that all developments that involve the construction of basements are accompanied with a basement construction method statement. The architect has submitted a Basement Construction Method Statement produced by Structa Engineering which includes details of site soil/ground condition survey and a basement construction methodology. It is concluded that there is a safe and effective method of excavating and constructing the basement without significant impact on the public highway or neighbouring properties. Conditions will be attached requiring submission of a detailed construction method statement and drainage strategy prior to commencement of works on site.

7.15 **Parking**

The proposal would incorporate two off-street car parking spaces within the front garden accessed by a single vehicular crossover from St Mary's Road. The proposed access and parking arrangements are considered to be acceptable and accord with policy CS20.

7.16 **Trees and Landscaping**

There are no existing trees on the site that are protected by tree preservation order (TPO) or any trees that would be affected by the proposed development. The proposal is therefore acceptable in terms of policy DM 02. A landscaping scheme for the front and rear garden areas will be required by condition.

7.17 **Sustainability Issues**

The Government removed the requirement for compliance with the Code for Sustainable Homes on 26 March 2015, as part of the Deregulation Act 2015. The council is permitted, and will continue to enforce the mandatory minimum requirements for energy performance and water efficiency at a level equivalent to Code for Sustainable Homes Level 4 for the delivery of new residential units across the borough. This will ensure compliance with Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011. The architect has stated that using passive means for achieving energy efficiency will be the starting point with low U values for the external fabric of the building, improved air tightness, reduced thermal bridging and making effective use of resources and materials, minimizing water and CO2 emissions. The architect has also confirmed that the design of the proposed house meets the Lifetime Homes criteria.

## 8. **CONCLUSION**

- 8.1 Since the previous refusal of planning permission, the proposal has been amended to take into account the concerns of Planning Applications Committee and the adjoining occupier at no.6 about the impact on their amenities, with the result that the massing and floor area has been reduced by over 14%. It is considered to be acceptable in terms of impact on neighbour amenity, subject to the imposition of appropriate planning conditions. The design and massing would be appropriate to its setting and would not adversely affect the setting of the nearby Merton (Wimbledon North) Conservation Area. Accordingly, it is recommended that planning permission be granted.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

subject to the following conditions:-

1. A.1 Commencement of Development
3. A.7 Approved Plans
2. B.1 (Approval of Facing Materials)
3. B.4 (Site Surface Treatment)
4. B.5 (Boundary Treatment)
5. C.2 (No Permitted Development Doors/Windows)
6. No permitted development (extensions and outbuildings)

6. C.4 (Obscure Glazing, fixed below 1.7m – First Floor Side Windows and Dormer Windows Facing 6 and 10 St Mary’s Road)
7. Flank rooflights – cill height not less than 1.7m above FFL
7. C.7 (Refuse and Recycling-Implementation)
8. D.9 (External Lighting)
9. D.11 (Construction Times 08.00-18.00 Mon-Fri, 08.00-13.00 Sat, no time Sun or Bank Holidays )
10. F.1 (Landscaping Scheme- including no expansion of hardstanding area within front curtilage)
11. F.2 (Landscaping Implementation)
12. H.7 (Cycle Parking Implementation)
13. H.9 Construction Vehicles)
14. J.1 (Lifetime Homes)
15. Prior to commencement of development, a detailed Basement Construction Method Statement shall be submitted to and be approved in writing by the Local Planning Authority and the basement construction undertaken in accordance with the approved details.

Reason for condition: In the interest of neighbour amenity and to comply with policy DM D2.

16. Detailed drainage strategy
17. Control of dust and surface water run off
18. ‘No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4. Evidence requirements are detailed in the “Schedule of Evidence Required” for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide (2010). Evidence to demonstrate a 25% reduction compared to 2010 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing.’ Evidence requirements are detailed in the “Schedule of Evidence Required - Post Construction Stage” under Category 1: Energy and Carbon Dioxide Emissions (ENE1: dwelling emissions rate) and Category 2: Water (WAT1: Indoor water use) of the Code for Sustainable Homes Technical Guide (2010).’

INF.1 Party Wall Act

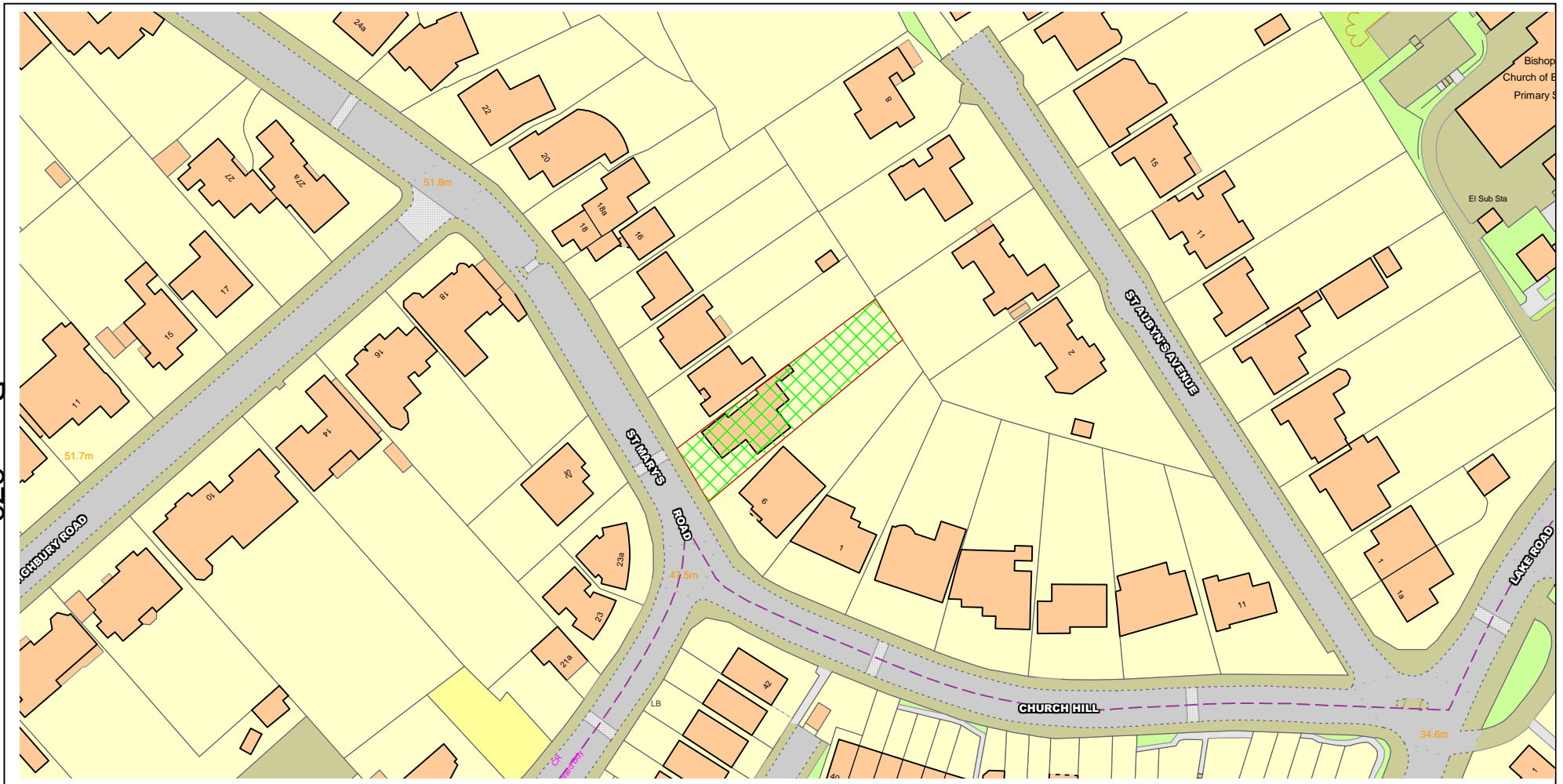
INF.8 Construction of Vehicular Access

INF.12 Works Affecting the Public Highway



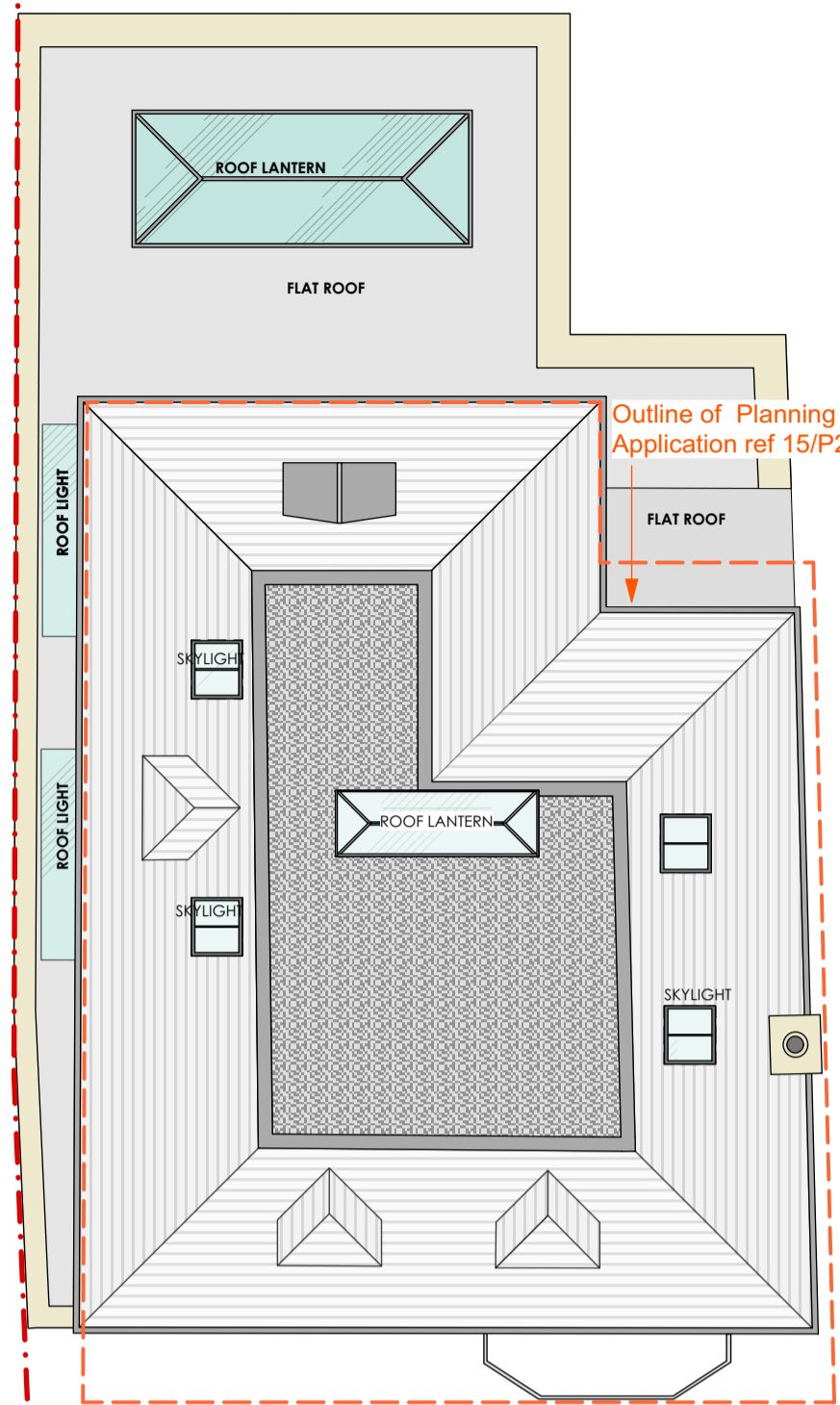
# NORTHGATE SE GIS Print Template

Page 273

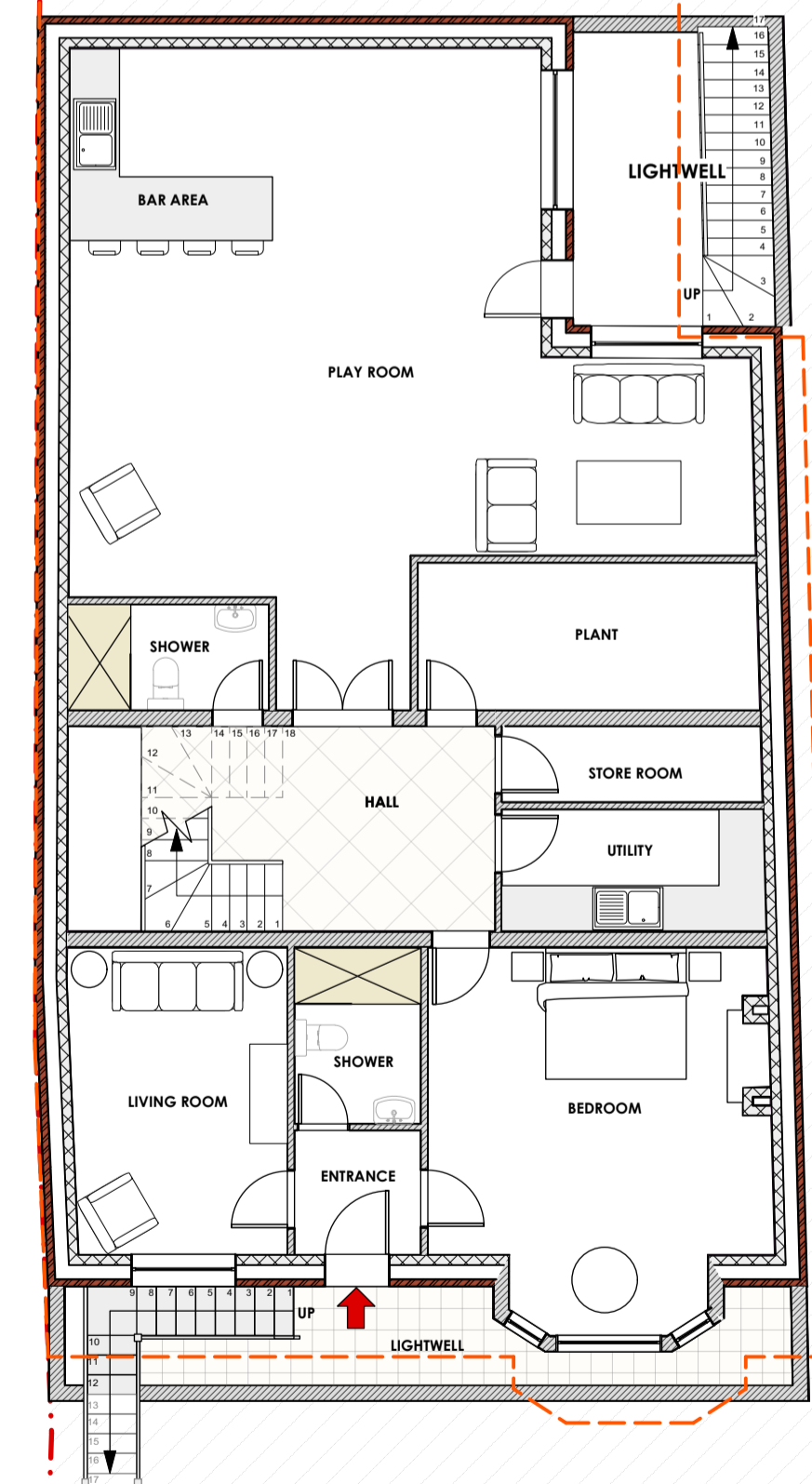


Text Details 8 St Marys Road

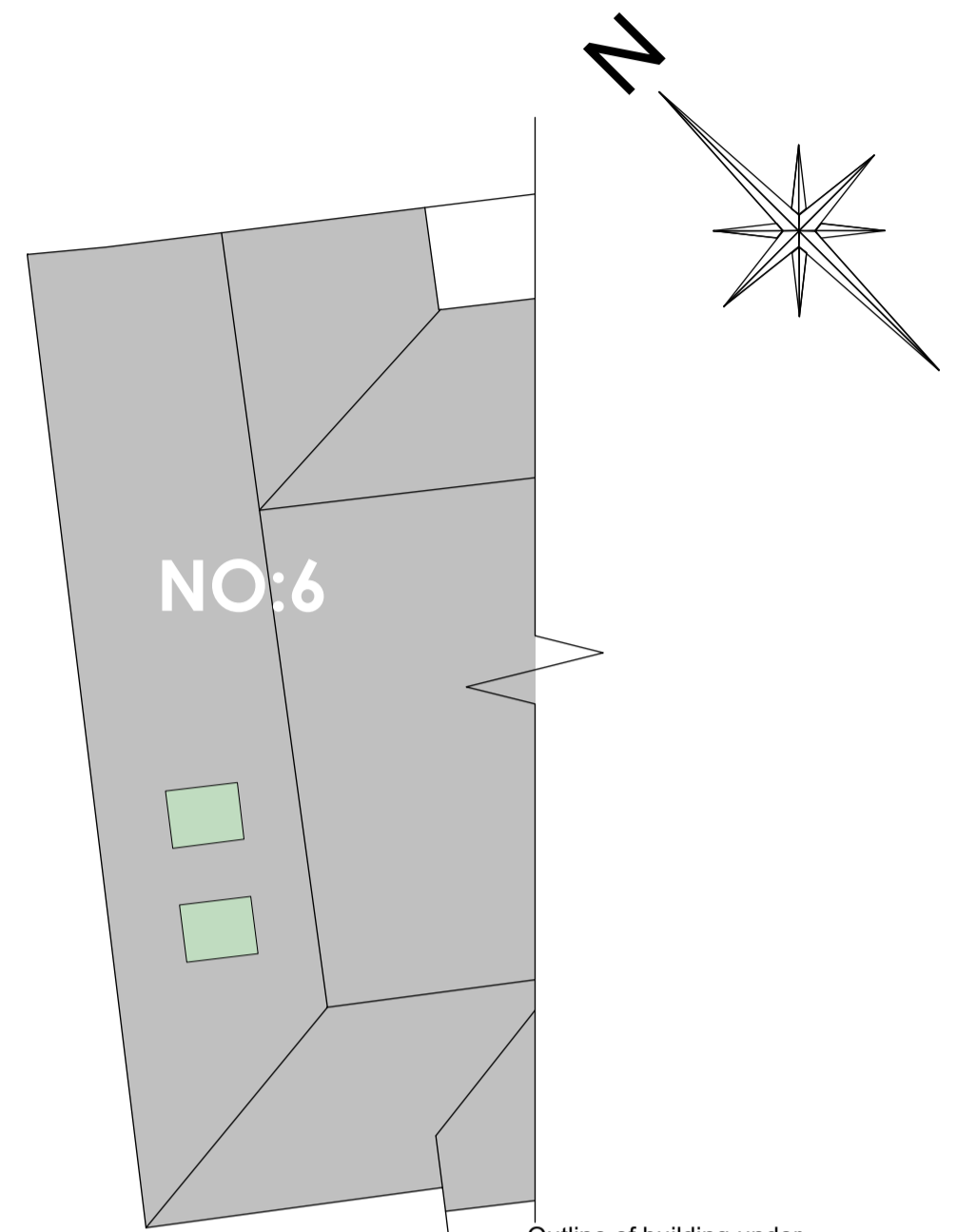
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ROOF PLAN



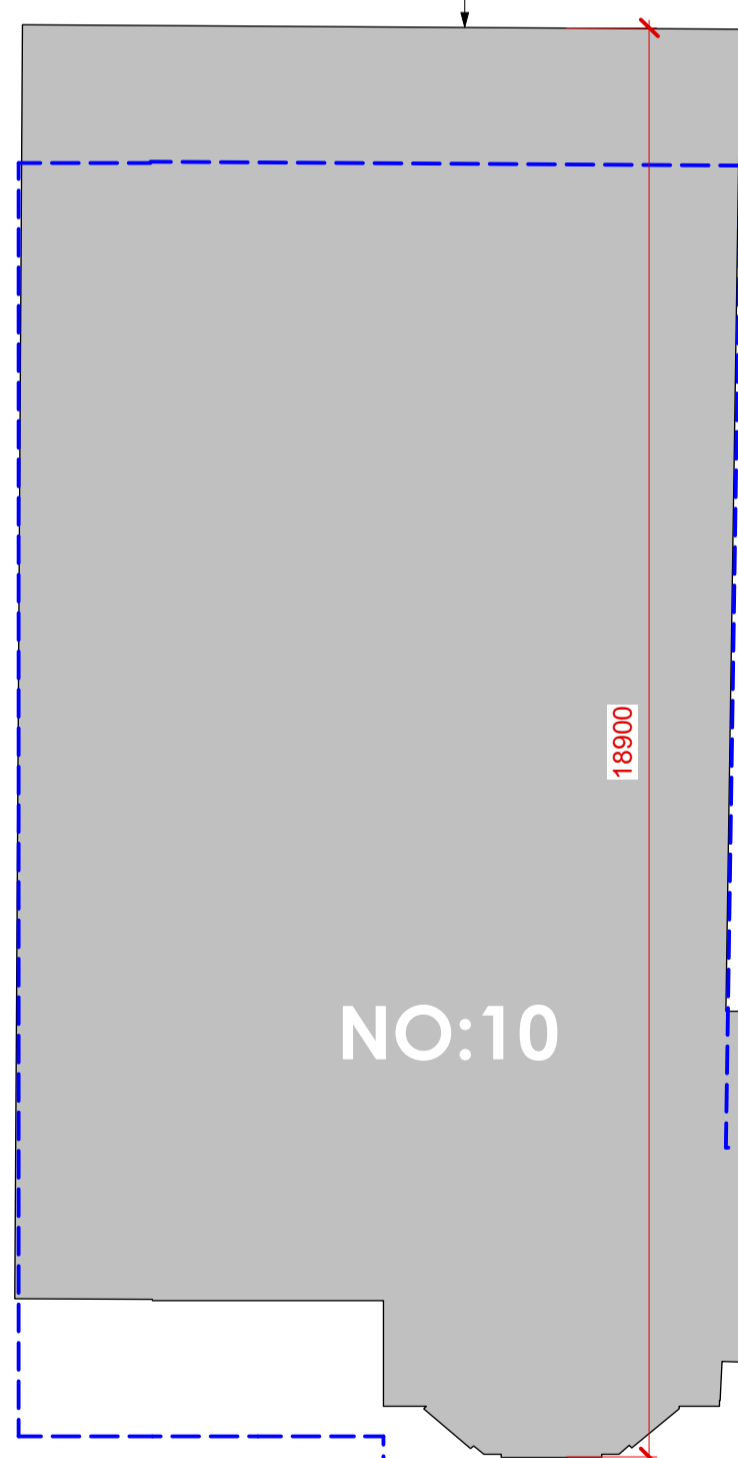
BASEMENT PLAN



SITE BOUNDARY

NO:6

NO:10

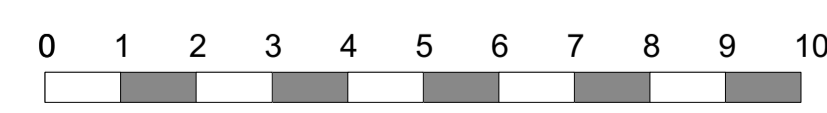
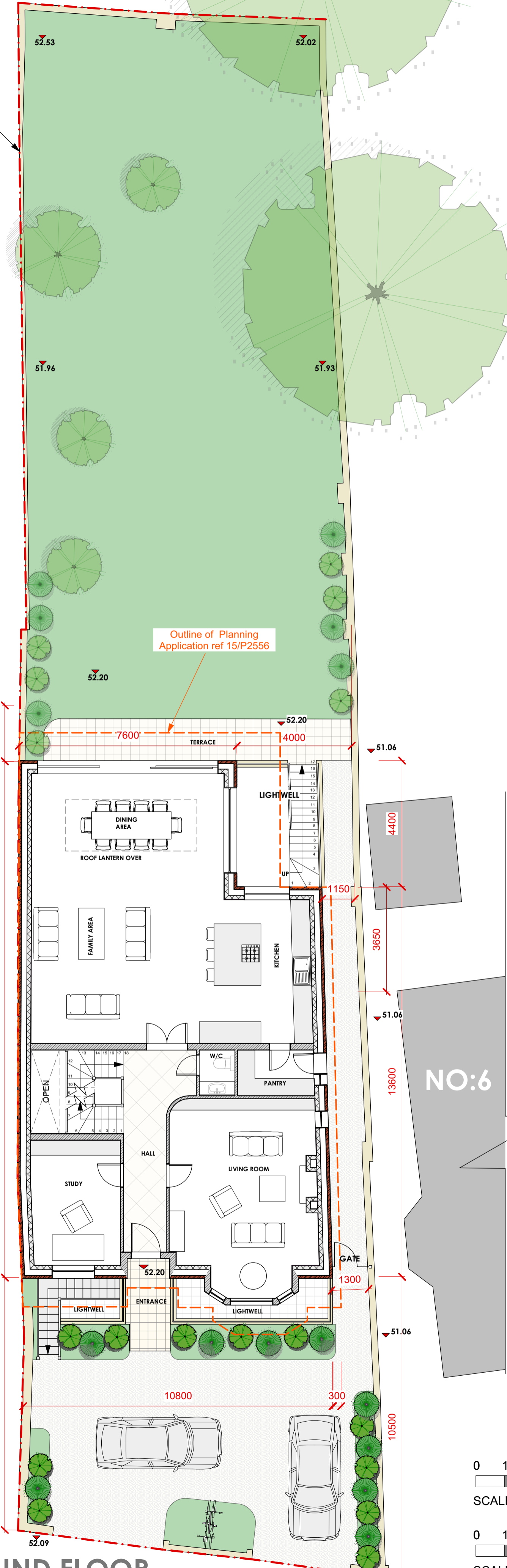


GROUND FLOOR

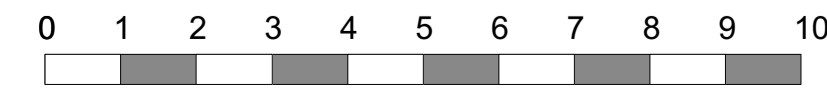
NO:10

NO:6

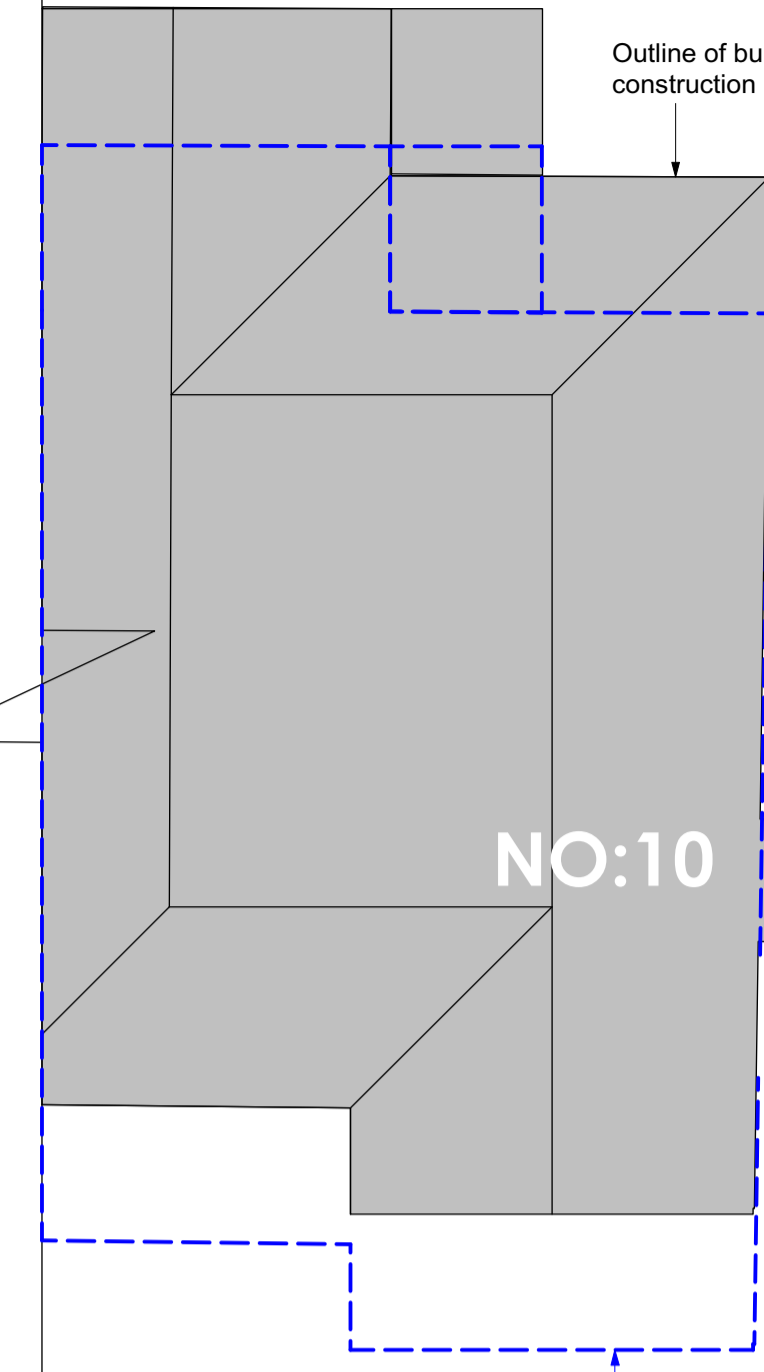
NO:10



SCALE 1:100 @ A1

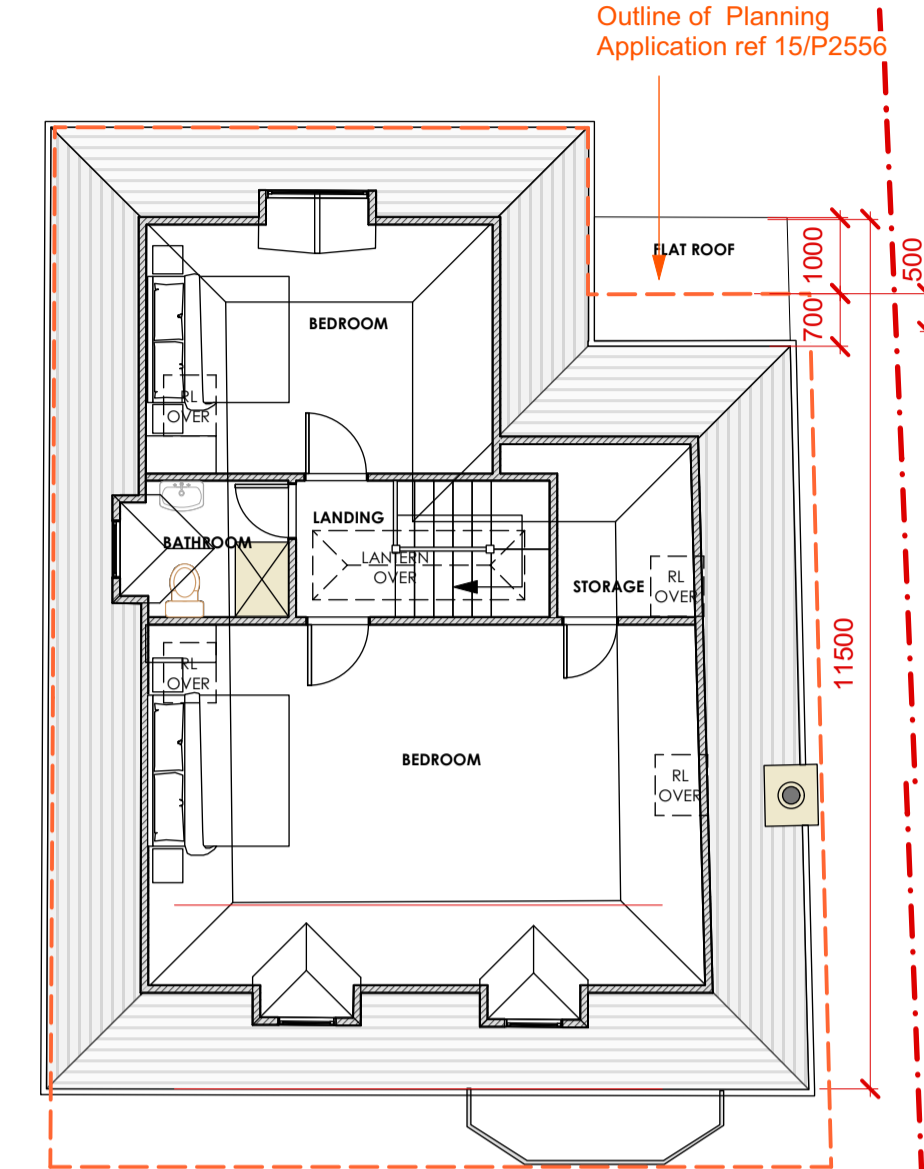


SCALE 1:200 @ A3



Outline of building under construction (Grey solid)

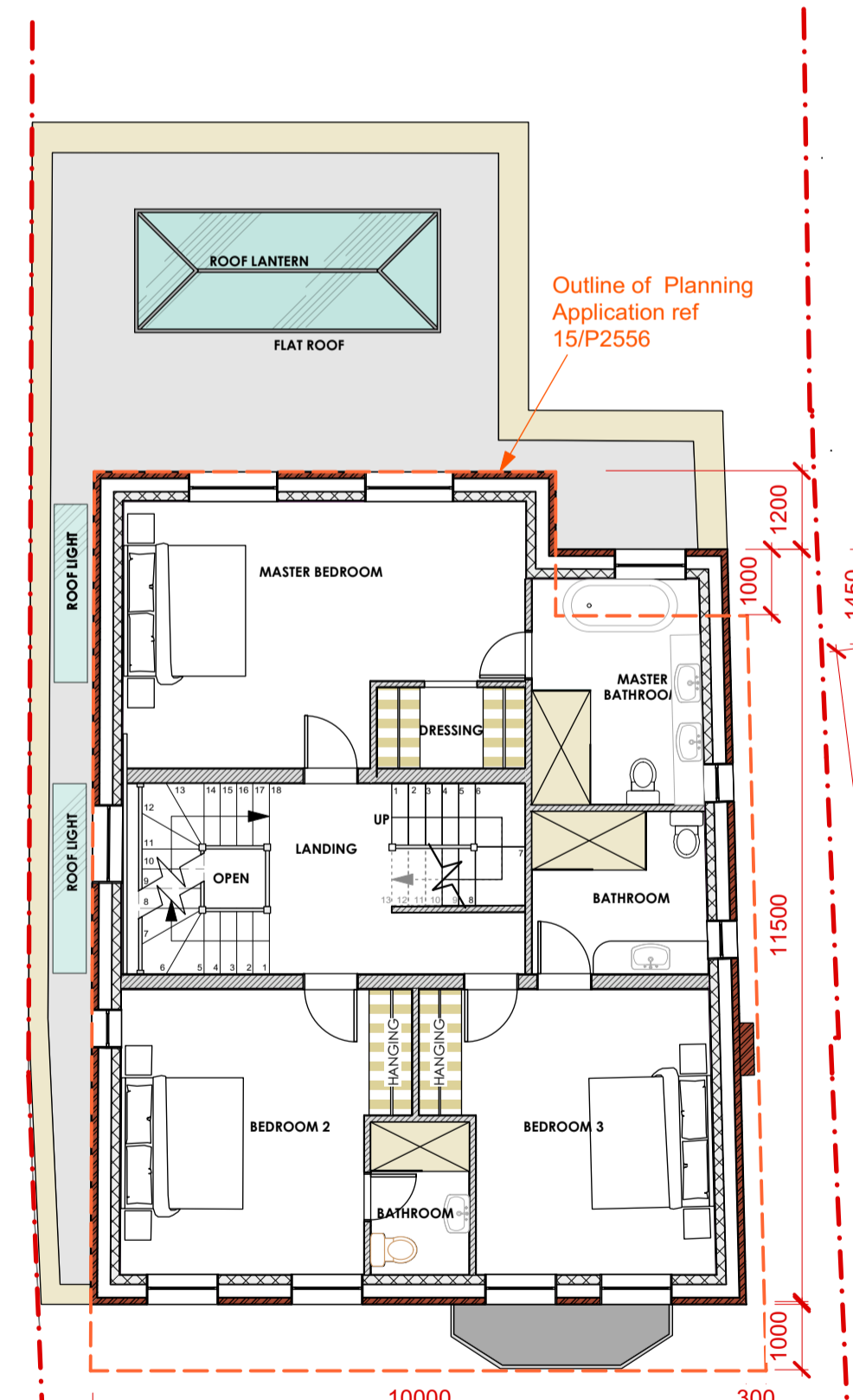
Outline of approved planning permission (Blue dashed) Planning ref. 13/P3848



SECOND FLOOR

Outline of Planning Application ref 15/P2556

NO:6



FIRST FLOOR

Outline of Planning Application ref 15/P2556

NO:6

NOTES:

UNUSUAL RISKS IDENTIFIED IN CDM RISK ASSESSMENT:

Rev	Date	Revisions	By
G	01.02.16	Additional dimensions shown	KR
F	09.12.15	General Revision	KR
E	14.10.15	General revisions	KR
D	22/09/15	Update to location of No.10 Impact on windows of No.8	KR
C	09/09/15	Update to existing building	KR
B	18/08/15	Revision made following LA site visit.	KR
A	20/07/15	REVISION MADE TO NEIGHBOURING ROOFLINE	RF

JOB: 8 St Mary Road, Wimbledon London, SW19

DWG: Proposed Plans

JOB NO: 598

DWG. NO: 598/P01

REVISION: F

SCALE: 1:100 @ A1

DATE: 06/06/2015

DRAWN BY: RF

CHECKED BY: HH

DWG. STATUS: PLANNING

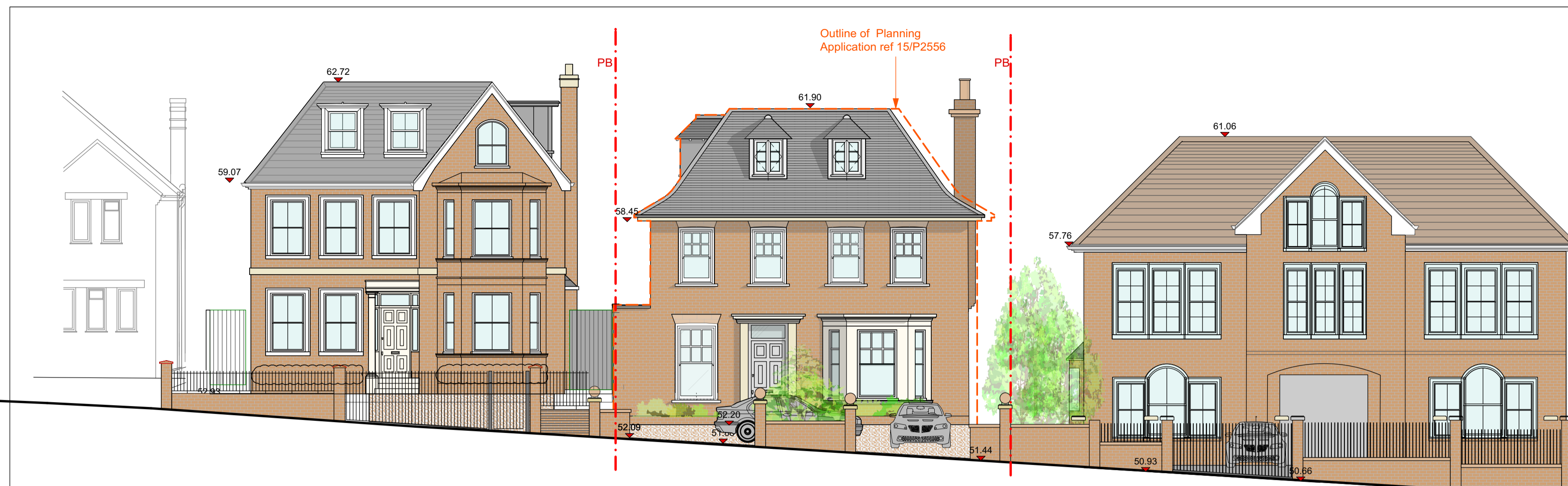
Do not scale this drawing

All dimensions to be checked on site

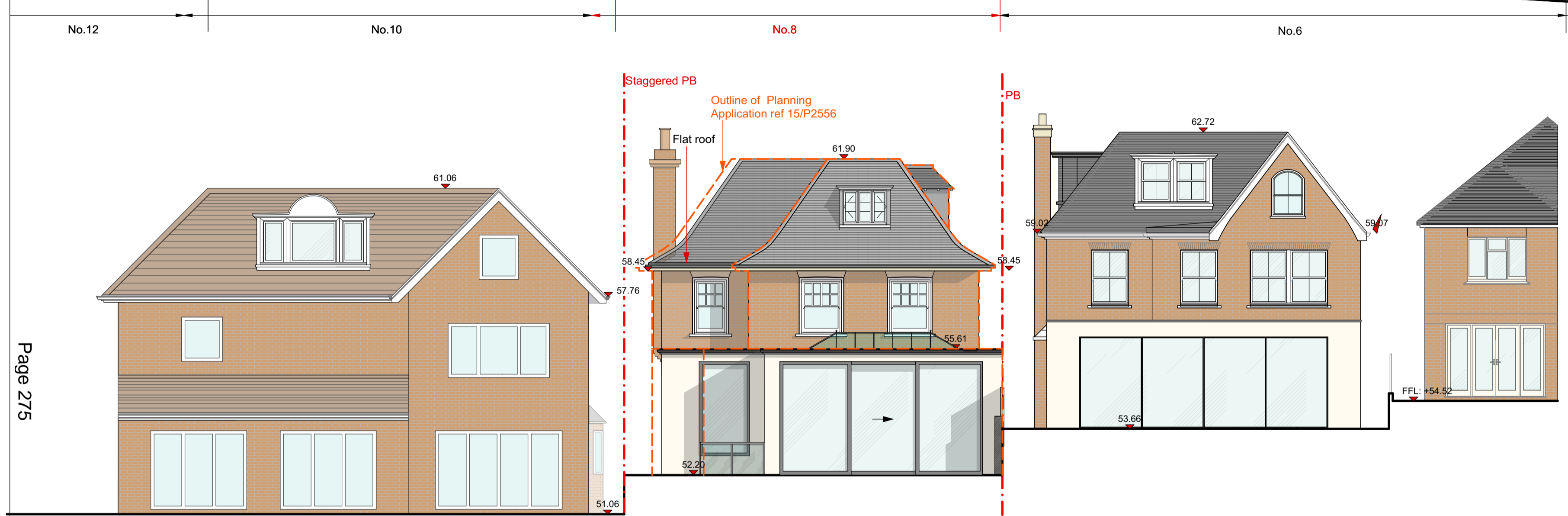
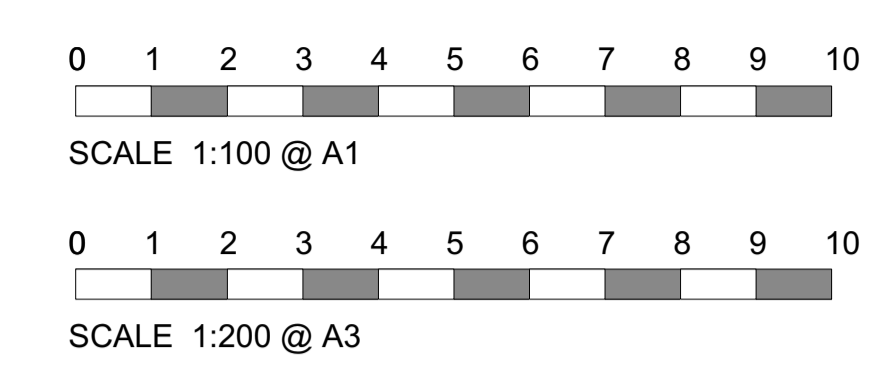
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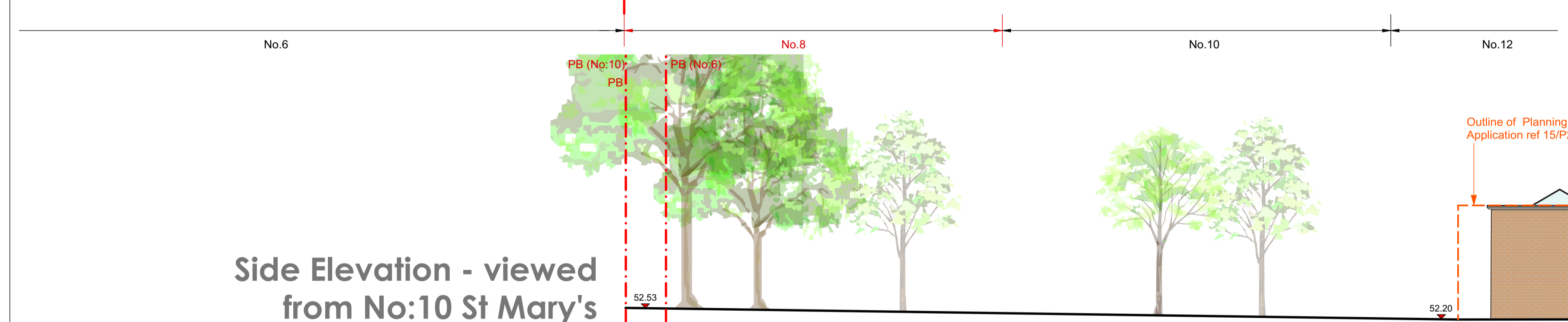




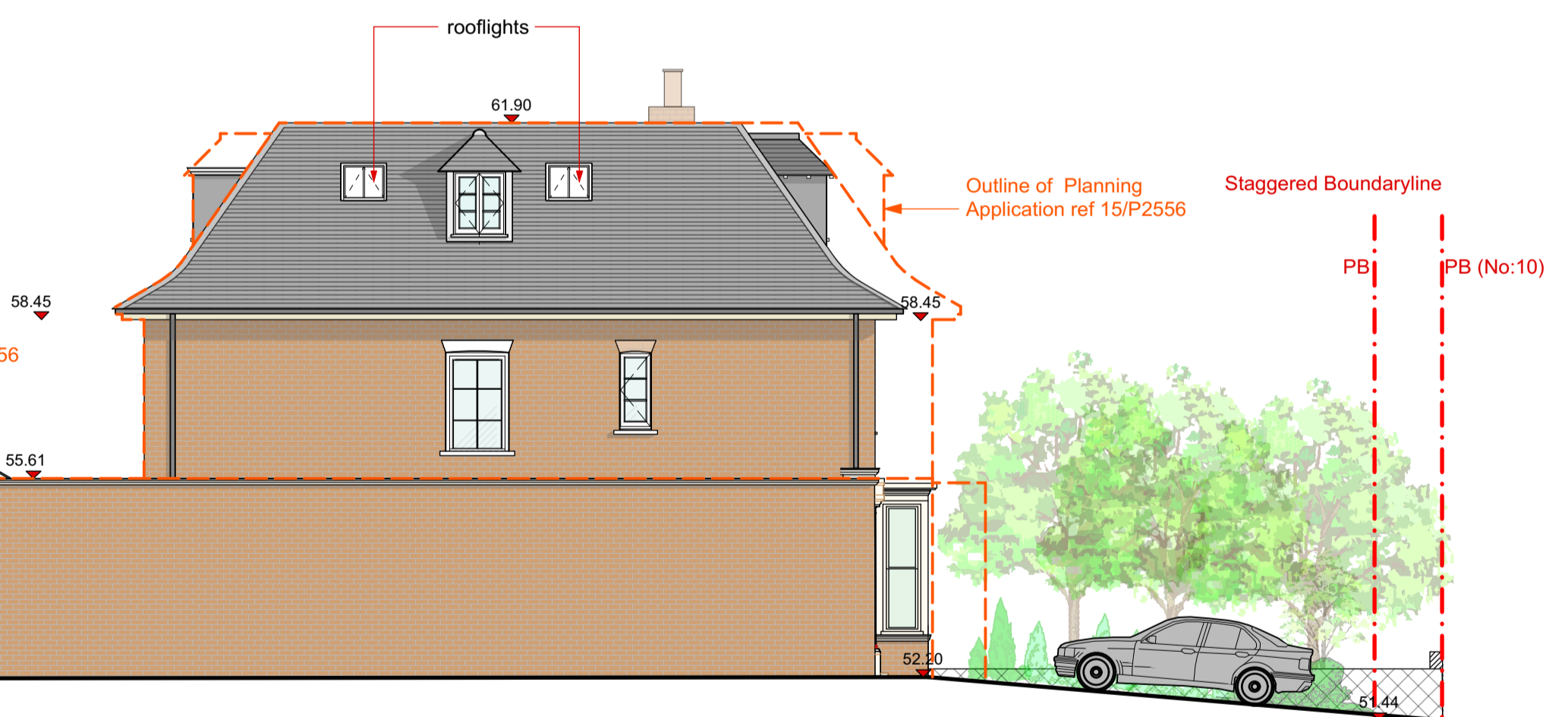
St Mary's Road - Proposed Streetscape



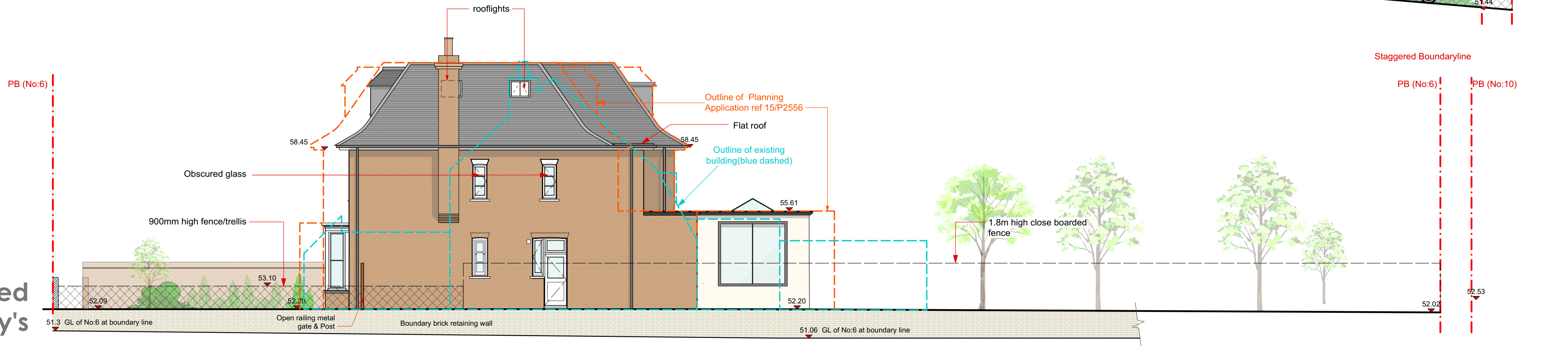
St Mary's Road - Proposed rear elevation



Side Elevation - viewed from No:10 St Mary's



Side Elevation - viewed from No:6 St Mary's



**NOTES:**  
UNUSUAL RISKS IDENTIFIED IN CDM RISK ASSESSMENT:

Rev	Date	Revisions	By
E	09.12.15	General revision	KR
D	14.10.15	General revisions	KR
C	09/09/15	Update to existing building	KR
B	18/08/15	Revision made following LA site visit.	KR
A	20/07/15	REVISION MADE TO NEIGHBOURING PROPOSAL	RF

JOB: **8 St Mary Road, Wimbledon London, SW19**

DWG: **Proposed Elevations**

JOB NO: **598**

DWG. NO: **598/P02**

REVISION: **E**

SCALE: **1:100 @ A1**

DATE: **06/06/2015**

DRAWN BY: **RF**

CHECKED BY: **HH**

DWG. STATUS **PLANNING**

Do not scale this drawing  
All dimensions to be checked on site  
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**Committee:** Planning Applications

**Date:** 11<sup>th</sup> February 2016

:

**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 Numbers: **14/P1146 & 15/P0980** (linked appeals)  
Site: Land between 2 Dawlish Avenue & 49 Haslemere Avenue, Wimbledon Park SW18 4RW  
Development: Erection of dwellinghouse  
Recommendation: Refuse Permission (Committee Decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 26<sup>th</sup> January 2016

### **Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000084000/1000084045/14P1146\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000084000/1000084045/14P1146_Appeal%20Decision%20Notice.pdf)

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**Application Number:** 15/P1707  
Site: 19 Belvedere Grove, Wimbledon Village SW19 7RQ  
Development: Erection of a single storey rear extension  
Recommendation: Refuse Permission (Committee Decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 27<sup>th</sup> January 2016

**Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000088000/1000088970/15P1707\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000088000/1000088970/15P1707_Appeal%20Decision%20Notice.pdf)

---

**Application Number:** 15/P1927  
Site: 12 St Barnabas Road, Mitcham CR4 2DU  
Development: Prior approval for a single storey rear extension  
Recommendation: Refuse Permission (Delegated Decision)  
Appeal Decision: **ALLOWED**  
Date of Appeal Decision: 11<sup>th</sup> January 2016

**Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000089000/1000089179/15P1927\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000089000/1000089179/15P1927_Appeal%20Decision%20Notice.pdf)

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**Application Number:** 15/P2375  
Site: 2 Chatsworth Avenue, Wimbledon Chase SW20 8JZ  
Development: Erection of a single storey rear extension and a rear & side roof extension  
Recommendation: Refuse Permission (Delegated Decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 20<sup>th</sup> January 2016

**Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000089000/1000089599/15P2375\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000089000/1000089599/15P2375_Appeal%20Decision%20Notice.pdf)

---

**Application Number:** 15/P2532  
**Site:** 60 Erridge Road, Merton Park SW19 3JD  
**Development:** Erection of a part single, part two storey rear extension  
**Recommendation:** Refuse Permission (Delegated decision)  
**Appeal Decision:** **ALLOWED**  
**Date of Appeal Decision:** 21<sup>st</sup> January 2016

### Link to Appeal Decision

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000089000/1000089748/15P2532\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000089000/1000089748/15P2532_Appeal%20Decision%20Notice.pdf)

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**Application Number:** 15/P2993  
**Site:** 5 Oldfield Road, Wimbledon SW19 4SD  
**Development:** Erection of a part single, part two storey rear extension, erection of rear roof extension and formation of bay window and porch canopy to front elevation.  
**Recommendation:** Refuse Permission (Delegated Decision)  
**Appeal Decision:** **SPLIT DECISION – Partially allowed/part dismissed**  
**Date of Appeal Decision:** 21<sup>st</sup> January 2016

### Link to Appeal Decision

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000090000/1000090184/15P2993\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000090000/1000090184/15P2993_Appeal%20Decision%20Notice.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.

**Committee:** Planning Applications Committee

**Date:** 11<sup>th</sup> February 2016

**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:**

---

That Members note the contents of the report.

---

## **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>786</b> <sup>1</sup> (847)	<b>New Appeals:</b>	<b>1</b> (0)
<b>New Complaints</b>	<b>43</b> (-)	<b>Instructions to Legal</b>	<b>0</b>
<b>Cases Closed</b>	<b>104</b> (-)	<b>Existing Appeals</b>	<b>6</b> (9)
No Breach:	66	<hr/>	
Breach Ceased:	38	<b>TREE ISSUES</b>	
NFA <sup>2</sup> (see below):	-	<b>Tree Applications Received</b>	<b>37</b> (58)
Total	<b>104</b> (-)	<b>% Determined within time limits:</b>	<b>90%</b>
<b>New Enforcement Notices Issued</b>		High Hedges Complaint	<b>0</b> (0)
Breach of Condition Notice:	0	<b>New Tree Preservation Orders (TPO)</b>	<b>4</b> (4)
New Enforcement Notice issued	0	<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	0 (0)		
<b>Prosecutions:</b> (instructed)	0 (0)		

Note (**figures are for the period (12<sup>th</sup> January – 1<sup>st</sup> February 2016)**). 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

None

### Some Recent Enforcement Actions

- 2.01 117 Haydons Road South Wimbledon SW19.** The Council served an enforcement notice on 9<sup>th</sup> November 2015 against the unauthorised change of use of the former public house into eight self-contained flats. The notice would come into effect on 15<sup>th</sup> December unless there is an appeal prior to that date and the requirement would be to cease using the building as residential units within 6 months. **The current notice is to be withdrawn and an amended notice issued to include the occupiers in the distribution.**



**2.02 10 Lammas Avenue Mitcham CR4-** The Council served an enforcement notice on 19<sup>th</sup> October 2015 against the erection of a rear roof extension to the property. The requirement is to demolish the extension and reinstate the roof slope using similar materials at the adjoining properties. Following further discussions, the notice was withdrawn to allow an amended application to be submitted for consideration. If implemented it would overcome the need for enforcement action otherwise a fresh notice can be issued. **The application was approved on 22/12/15 so officers would work with the landlord to resolve this.**

**2.03 61 Commonside West Mitcham CR4** An enforcement notice was issued on 12<sup>th</sup> October 2015 against a roof alteration at the property with a requirement to remove the unauthorised roof and replace with the original flat roof. The notice would come into effect on 20/11/15 unless there is an appeal prior to that. The compliance period is one month.

**2.04 1 Dovedale Rise, Mitcham CR4 -** The Council served an enforcement notice on 17<sup>th</sup> August 2015 against the erection of four outbuildings in the rear garden of the property with a requirement to demolish these structures within three months of the effective date. The notice came into effect on 25<sup>th</sup> September as there was no appeal prior to that date. The compliance period expires on 25<sup>th</sup> December 2015. The required steps must be completed before that date to prevent a potential prosecution. **The landlord has been put on notice that the council intends to prosecute for non-compliance as the structures are still in place.**

**2.05 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.

Listed Building Consent was granted on 3<sup>rd</sup> March 2015 to cover the required works which include:

- 1) The roof and rainwater goods,
- 2) Masonry, chimney and render repairs
- 3) Woodwork, glazing and both internal and external repairs.

On 6/11/15 an extension (ref 15/P2924) was granted to allow the required works to be completed. Works are still on-going and should be completed by end of March 2016.

### **3.0 New Enforcement Appeals**

**4 Sunnymead Avenue Mitcham CR4-** The Council served an enforcement notice against a front roof alteration and rear dormer on 26/10/15. The notice comes into effect on 5/12/15 unless an appeal is made prior to that date. The requirement is to demolish the unauthorised roof extension within one month.

### 3.1 Existing enforcement appeals

- **2 Cavendish Road, Colliers Wood SW19** - The Council issued an enforcement notice on 18th August 2015 against the unauthorised erection of a first floor extension to an existing structure. The notice would have come into effect on 30th September 2015 but the Council has been notified of an appeal. The main requirement is to remove the first floor structure within one month of the effective date.

**The Council's final statement has been sent and we are now waiting for a date for an inspector site visit.**

**61 The Quadrant SW20** - The Council issued an enforcement notice on 25th August 2015 against the unauthorised erection of a single storey rear extension. The notice would come into effect on 6th October 2015 unless there is an appeal prior to that date. The main requirement is to demolish the structure within three months of the effective date. **The Council's final statement has been submitted to the Inspectorate and we are awaiting a site visit date.**

- **14 Glenthorpe Road Morden SM4** An enforcement notice was issued against the erection of a raised timber decking with uprights and a polycarbonate lean-to with roofing. The requirements are to remove these structures within one month of the effective date. The owner has appealed and the council's statement was sent on 5/10/15.

**An inspector site visit has been scheduled for 8/2/16.**

- **36 Deal Road SW17** An enforcement notice was issued on 6th July 2015 against the conversion of the property from two into three self-contained flats involving the use of the roof space as a self-contained flat. The notice would have come into effect on 10th August 2015 but an appeal has been registered.

The main requirement of the notice would be for the use of the building as three self-contained flats to cease within 6 months.

**An inspector site visit has been scheduled for 4/2/16.**

- **24 Greenwood Close SM4** An enforcement notice was issued on 20th July 2015 against the unauthorised erection of a detached bungalow. The notice would have come into effect on 25th August 2015 but an appeal has been registered.

The main requirement of the notice is for the unauthorised building to be demolished within three months.

The Council's statement was sent on 1/12/15. PINS have confirmed an extension to 5/1/16 at the request of the appellant as they want two other planning appeals for the same development to be co-joined and dealt with by one inspector.

- **163 Central Road, Morden SM4**, An enforcement notice was issued on 9th April 2015 against the unauthorised conversion of an outbuilding into residential accommodation. The notice would have come into effect on 19th May 2015 but an appeal was registered and is proceeding under written representations. 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 within four months.

**An inspector site visit has been scheduled for 8/2/16**

- **204 Tamworth Lane, Mitcham CR4**, - An enforcement notice was issued on 11th May 2015 against the unauthorised erection of a second single storey rear extension and raised patio. An appeal has been registered and is proceeding under written representation. The main requirement of the notice is for the unauthorised extension to be demolished within 3 months.

**An inspector site visit took place on 24/11/15 and a decision is expected within five weeks.**

### **3.2 Appeals determined –**

- **14 St James Road, Mitcham**, An enforcement notice was issued on 29th April 2015 against the unauthorised conversion of the property into two flats. The appeal has been dismissed and planning permission refused for the use of the property as two flats on with an amendment to the compliance period to six months.

### **Prosecution case.**

**None**

### **3.4 Requested update from PAC**

*(b) 112 Edgehill, Mitcham, CR4 (para.'s 2.02 & 2.04) – Councillor Linda Kirby requested clarification and an update on action regarding this site.*

The enforcement action has been put in abeyance and the notice has been withdrawn to allow an amended application to be submitted for consideration. Additional information to be provided via modification sheet.

*(c) 18 Morton Road, Morden, SM4 (para. 3.1) – Councillor Philip Jones referred to the recent allowed planning appeal for site (for retention of a an existing outbuilding), but advised that the property was still being advertised as a bed and breakfast establishment and requested that this alleged unauthorised use continue to be investigated and any appropriate be action taken.*

Enforcement action is being considered against the use of the property as a bed and breakfast business and indeed the inspector's decision does not preclude this.

## **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**