

PLANNING APPLICATIONS COMMITTEE
21st January 2016

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	15/P2567	30/06/2015

Address/Site 222 Somerset Road, SW19 5JE

(Ward) Village

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

Drawing Nos Site location plan, 04c; 05a; 06a; 07a; 08b; 09a;; Design & Access statement dated June 2015; Construction method statement Rev B dated September 2014; Basement Impact Assessment dated June 2015; code for sustainable homes pre-assessment report dated March 2015; daylight, sunlight and overshadowing assessment dated July 2014, planning addendum statement

Contact Officer: Mark Brodie (0208 545 4028)

RECOMMENDATION

Grant Planning Permission subject to conditions

CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 14
- External consultations: 1

- Controlled Parking Zone: No

1. **INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections received.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a double fronted six bedroomed, two-storey detached dwellinghouse positioned on the western side of Somerset Road. The plot which has a width of approx. 15m & hosts a deep garden (approx. 34m) which narrows to the rear of the plot. Positioned at the end of the long rear garden is the flank gabled end of 38 Welford Place, a three-storey end of terrace property, with its ground floor set some 3m above garden level.
- 2.2 The neighbouring house to the north is no 220 Somerset Road, a large two-storey detached house, also with long rear garden and set some 0.7 to 1.2m lower than no.222. To the south on Somerset Road are no.s 224 and 226 Somerset Road, a pair of two-storey semi-detached properties which are raised some 1m higher than no.222.
- 2.3 To the rear of nos.224 & 226 Somerset Road is Renshaw Court, a four-storey locally listed detached Victorian Villa, sub-divided into flats, which takes its access from, and whose principal elevation fronts towards, Church Road. Its rear boundary is the side rear garden boundary of the application site.
- 2.4 The western side of this part of Somerset Road, between Church Road and Marryat Road, is characterised by detached and semi-detached houses. The eastern side is occupied by the All England Lawn Tennis Club with Wimbledon Park on the other side of Church Road beyond. The application site is at the end of Somerset Road where it rises upwards to meet Church Road. Four properties including the application site –nos 220, 222, 224 and 226 Somerset Road – form a spur at the end of Somerset Road which is a cul-de-sac, separated from Church Road by a footpath and a line of bollards.
- 2.3 The site is not located within a Conservation Area, although its southern side boundary marks the boundary of the Wimbledon North Conservation Area. There are no Tree Preservation Orders on the site.
- 2.4 The houses in this stretch of Somerset Road are a mixture of styles and materials. Although there is a predominance of white render and off-white, 224-226 are red brick, 208 is a mixture of render and brick and 204 is

wholly brick. The majority are traditional in appearance but 210 and 214 are both of modern flat roofed design constructed over 3-storeys.

3. **CURRENT PROPOSAL**

- 3.1 The current application is for full planning permission to demolish the existing two-storey double fronted house and garage and replace it with a new six bedroomed detached house on a similar footprint to the existing house.
- 3.2 The proposed house would be double fronted and arranged over four floors with accommodation at basement, ground, first floor and roof levels. The internal layout of the house consists of bedrooms on upper levels with ensuite bathrooms and more formal dining and reception areas at ground level with an open plan family lounge, kitchen, dining area, gym and utility rooms at lower ground floor level
- 3.3 The proposed house would be “L” shaped and have an eaves height of 6.3m, height at ridge 8.7m, depth in part 7.2m, overall depth 12m. The design of the house would be contemporary in design, constructed of predominantly brick elevations with grey metal windows; stone window surrounds; with grey metal capping and glass balustrade to the front viewing platform. The roof would incorporate glazing with zinc cladding. The rear elevation would be white render with dark grey aluminum windows. To the rear at ground and lower ground levels would be a double height glass façade.
- 3.4 Amended Scheme: The application has been through a series of amendments since originally submitted, involving a reduction in the width of the proposed basement setting off the southern and northern boundaries by 1.2m & 0.8m respectively; the submission of a construction traffic management plan; reduction in massing at roof level to site to reduce impact on 224, the introduction of obscured glazing to specific rear facing windows and changes to size and position of rear facing windows.

4. **PLANNING HISTORY**

- 4.1 MER399/74 Erection of a single storey extension at rear and side of dwelling.
- 4.2 87/P0051 Erection of a first floor extension and single-storey conservatory at rear of dwellinghouse - granted
- 4.3 99/P0348 Erection of a two-storey side extension and alterations to front roof forming gable above existing bay window.

5. **CONSULTATION**

5.1 Site and press notices placed. Letters of notification to the occupiers of 14 neighbouring properties (original scheme). 10 representations have been received of which 3 are from residents of Renshaw Court, 157 Church Lane; 6 from residents in Somerset Road; 1 from a resident in Welford Place.

- Drainage/Flooding – Ground levels vary substantially as the site and neighbouring properties are positioned on a steep hill; during normal rainfall the sheer volume of water which runs down both Church and Somerset Road is immense and often can be seen spewing from the drain covers; the proposed basement is likely to create a backing up of groundwater; the hydrological report acknowledges that “there will be an increase in water level at the southwest of the site due to the damming effect of the basement”, There is no explanation of how this increase in water level will be controlled. If basement is allowed and a precedent set in the road flooding could become a significant problem to all properties in Somerset Road & Renshaw Court.
- Construction Traffic/Noise & Disturbance – Residents already experience considerable disturbance for four months of the year from the All England Tennis Club and the proposal will exacerbate this disturbance; the sheer number of skips necessary will impede access and generate considerable traffic causing disturbance to residents through added noise, vibration, pollution and related safety hazards. If allowed restrictions over controlled hours of operation would make disturbance more bearable. Proposal should be accompanied by a construction Traffic management plan
- Structural Risk - Renshaw Court which is a building of architectural interest & is likely to be at structural risk due to proposed excavation and potential changes to water table; contrary to policy DM D2b(iii) “ not involve excavation...or any nearby excavation that could affect the integrity of the listed building, except on sites where the basement would be substantially separate from the listed building...”. The existing foundation support line for Renshaw Court will be seriously compromised by any basement excavation thus putting the stability of this four-storey historic building at risk.
- Loss of privacy and overlooking – the wall of windows of the third floor rear viewing platform will overlook neighbouring properties resulting in the loss of privacy.

- Parking – the proposal would result in an unacceptable increase in demand for parking both during construction and after completion.
- Style & Streetscape – there are a variety of architectural styles along Somerset Road many of which incorporate a pebble dash or stucco finish painted in a shade of off white providing a synergy to the whole of the street; the integrity of the streetscape would be broken by the construction of a large, brick façade house which is completely out of keeping with the architecture of the area.*
- Loss of Daylight/sunlight ; loss of daylight to north facing side ground floor window at no.224 Somerset Road .
- Loss of Privacy and overlooking – the wall of windows of the 3rd floor rear viewing platform will result in a loss of privacy.
- Environmental Impact – once constructed permanent artificial ventilation and pumping systems/equipment will be required which will create constant noise and environmental disruption resulting in a greater Carbon emission from basement in respect to materials and extensive use of artificial light
- Basement would set an undesirable precedent for similar proposals with the subsequent associated disturbance to residents;

- 5.2 14 Neighbours re-consulted on amended scheme involving the submission of a construction management plan and a reduction in the width of the proposed basement setting off the southern and northern boundaries by 1.2m & 0.8m respectively. 4 objections received of which 3 are from residents of properties in Somerset Road and 1 from Renshaw Court. Objections reiterate original concerns outlined above.
- 5.3 14 Neighbours re-consulted on further amendment involving reduction in size of roof extension over proposed two-storey rear addition; the introduction of obscured glazing to some rear facing second floor windows and changes to rear facing windows at second floor level. 3 objections of which 2 are from residents of properties in Somerset Road and 1 from Renshaw Court. Objections reiterate original concerns outlined above
- 5.4 Environment Agency – No comments
- 5.5 Transport Officer – No transport objections but would comment in respect to concerns raised by neighbours and the submission of the Construction Traffic Management Traffic Plan (CTMP) as follows: The CTMP states that the anticipated working hours will be between 8am and 5pm Monday to Friday and 8am to 1pm Saturday. As part of the condition LBM could request that all deliveries and vehicle movements associated with demolition and construction are restricted to outside of peak hours and school closing times ie. 9.30 – 3pm. The CTMP will need to include a commitment to maintaining access to 226 and other neighbouring properties at all possible times. The speed cushion is on Church Road

and was introduced as a road safety measure. Church Road is already a bus route and the cushions are designed so as to minimize noise and impact from larger vehicles such as buses and HGVs. The swept path analysis undertaken shows that larger vehicles can reverse into the road to undertake loading/unloading, however this will require the loss of an on-street parking outside 222 and 220 for the period of the works. The CTMP condition will need to require the contractor consult and liaise with neighbours about access and parking outside the site to ensure minimal disruption is caused.

- 5.6 Environmental Health – No comment or observations to make regarding this application.
- 5.7 Building Control – The report demonstrates a construction method that if undertaken in accordance with the guidance to safe guard the adjacent properties from any structural damage or ground movement with the construction of a perimeter piled wall to form the new basement. The proposal takes account of the migration of ground water across the site from higher to lower levels with provision for diversion of the water around the basement discharging water back into the sub soil at the lower level. I believe that the construction of the new property with a basement can be completed without undue risk to the adjacent properties without changing the general water content and support arrangements that exist at present for the adjacent properties.
- 5.8 The flood and structural engineers have assessed the proposal and are satisfied with the details submitted so far. They have requested further conditions are attached

6. **POLICY CONTEXT**

- 6.1 The relevant policies within the Adopted Merton Core Strategy (July 2011) are:

CS 8 (Housing Choice),
CS 9 (Housing Provision),
CS 14 (Design),
CS 15 (Climate Change),
CS 20 (Parking, Servicing, and Delivery)

- 6.2 The relevant policies within the Sites & Policies Plan & Policies Maps (09th July 2014)
DM D1 (Urban Design & The Public Realm);
DM D2 (Design considerations in all developments)
DM D4 (managing heritage assets)

DM F2 (suds)
DM H4 (demolition and redevelopment of a single dwelling house)

Design – SPG

6.3 The relevant policies in the London Plan (2011) are:

3.3 [Increasing housing supply];
3.4 [Optimising housing potential];
3.5 [Quality and design of housing developments];
3.8 [Housing choice]
5.3 [Sustainable Design & construction]

6.4 London Plan Housing SPG

6.5 National Planning Policy Framework (2012)

The National Planning Policy Framework (NPPF) is a key part of central government's reforms "...to make the planning system less complex and more accessible, and to promote sustainable growth.

The NPPF supports 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

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations related to this application are the principle of demolition, the design of the new house and its impact upon the Somerset Road street scene & the setting of the adjacent Wimbledon North Conservation Area; standard of accommodation provided; construction of the basement; impact on neighbouring amenity and parking/highways considerations.

7.2 **Principle of Development.**

7.3 The current application seeks to demolish the existing house and create a new replacement house. The existing house is not locally or statutorily listed, is not considered to be of any significant architectural quality, and is not within a Conservation Area. there is no in principle objection to its demolition and replacement with a new house, subject to the acceptability of the replacement building.

8.0 Design & Impact on Adjacent Conservation Area

8.1 Policy DM D2 of the Adopted Sites & Policies Plan & 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.

8.2 In relation to the street and surrounding properties it is not considered that the proposed house would be excessive in terms of its height, bulk or massing. There are a variety of architectural styles prevalent within Somerset Road, including traditional and contemporary. The amended scheme would be contemporary in character with predominantly brick elevations fronting Somerset Road and symmetrically laid out. Both no's.210 and 214 employ a modern flat roofed design over ground first and second floor. The simple modern design, and the massing, with an eaves height which provides a transition between nos 224 and 220, is considered to be acceptable in relation to the existing street scene and the setting of the adjacent Wimbledon North Conservation Area.

9.0 Standard of Accommodation.

9.1 The consolidated London Plan was published in March 2015 and sets out a gross minimum standard for new homes as part of policy 3.5. It provides the most up to date and appropriate minimum space standards for Merton.

9.2 In addition, adopted policy CS14 of the Core Strategy and DM D2 of the adopted Sites & 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 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 and disturbance.

9.3 As the proposed house would comfortably exceed the minimum space standards set out in the London Plan, with each habitable room providing good outlook, light and circulation, it is considered the proposal would provide a good standard of accommodation. The proposed house would fulfil the relevant criteria in achieving Lifetime Homes compliance. In addition the proposed house would have over 250 sq.m of private amenity space which is considerably in excess of the minimum of 50 sq.m required in policy DM D2. The proposed house would therefore comply with policy 3.5 of the London Plan, CS14 of the Core Strategy and DM D2 of the

Adopted Sites & Policies Plan & Policies Maps in relation to quality of accommodation.

10. Residential Amenity

10.1 Policy DM D2 of the Adopted Sites & Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure 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.

10.2 The proposed development would not result in a significant loss of sunlight or daylight to neighbouring properties. The submitted daylight, sunlight and overshadowing assessment report advises that the development will not cause any materially noticeable effects on the accommodation within nos. 200 & 224 Somerset Road and Renshaw Court. Amendments to the scheme involving a reduction in the massing above the back addition of the proposed house will ensure that the single window within the side flank wall of no.224 at ground level would enjoy improved levels of daylight to that currently experienced. Overall the proposed development would not result in any materially unacceptable loss of daylight and sunlight in relation to neighbouring properties and gardens.

10.3 The existing garden to the rear of no.224 Somerset Road splays in part at an angle to the rear of no.222 in an elevated position and as such there is a degree of existing mutual overlooking between the two properties and gardens. In order to mitigate against increased overlooking, the proposed first and second floor rear facing windows closest to the boundary with 224 can be conditioned to be obscured glazed. The first floor window serves an ensuite bathroom and the second floor windows serve an ensuite and a bathroom. The remaining windows would be set behind the rear elevation of no.224 and would look down the garden in a conventional fashion. It is considered that the proposed house would not have an unacceptable impact on the amenities of adjoining properties and as such accords with policy DM D2 of the Adopted Sites & Policies Plan and Policies Maps (July 2014).

11. Basement Construction

11.1 Several of the objections refer to part b) of planning policy DM D2 (Design Considerations in all developments) of the Sites & Policies Plan (July 2014) which precludes basements under or near listed buildings. Members are advised that the definition of listed buildings for the interpretation of planning policy DM D2 has been confirmed by the

Council's Planning Policy section to refer to Statutory Listed Buildings only, not locally listed buildings, so there is no conflict with policy DM D2 in this respect, and in any event, the basement is not in such close proximity to the locally listed building at Renshaw Court for this to be considered an issue.

- 11.2 With regards to the basement the applicant has submitted a subterranean impact assessment report, drainage strategy and surface water and groundwater report. These were carried out by suitably qualified structural and civil engineers and soil and groundwater specialists. The reports were informed by on site borehole investigations. The Council's structural and flood engineers have assessed the proposal and are satisfied with the details submitted subject to the imposition of suitable conditions on any planning approval relating to groundwater, surface water drainage and a detailed method statement being submitted to the LPA for approval prior to commencement of development. It is therefore considered that the proposal would accord with policies DM D2 and DM F2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

12. Parking & Traffic

- 12.1 The application site has poor access to public Transport with a PTAL rating of 1b. However no increase in the number of units is proposed and the parking provision would remain unchanged from the current situation. The Transportation officer has confirmed that there is no objection to the scheme on Transport grounds but have recommended that a revised Construction Management Plan is required by way of a condition to secure the following:- ensure hours of construction works and deliveries are acceptable; ensure an on-going communication plan that sets out how the applicant/contractor will keep neighbours informed and up to date with the works programme; to require contact numbers of key personnel involved in the development be provided and distributed to neighbours, including how to make complaints or raise concerns; include anticipated start date; to include estimated number of vehicle movements expected to take place as part of the construction/demolition process including frequency and type of vehicle.

13 **ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 13.1 The proposal is for minor residential development and an Environmental Impact Assessment is not required in this instance.
- 13.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of an EIA submission.

14. **SUSTAINABILITY**

- 14.1 The Council's Core Strategy reinforces the wider sustainability objectives of the London Plan with policy CS15 requiring all development to demonstrate how the development makes effective use of resources and materials and minimises water use and CO2 emissions. On the 25th March 2015 the Government issued a statement setting out steps it is taking to streamline the planning system. The changes in respect of sustainable design and construction energy efficiency and forthcoming changes to the Building Regulations are relevant to the current application. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.
- 14.2 Until amendments to the Building Regulations come into effect the Government expects local authorities not to set conditions with requirements above a code level 4 equivalent. Where there is an existing plan policy with references to 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.
- 14.3 In light of the Government's statement and changes to the national planning framework it is recommended that conditions are not attached requiring full compliance with Code Level 4, but are attached so as to ensure the dwelling is designed and constructed to achieve CO2 reduction standards and water consumptions standards equivalent to code for Sustainable Homes Level 4.

15. **MAYORAL COMMUNITY INFRASTRUCTURE LEVY**

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

16. **MERTON'S COMMUNITY INFRASTRUCTURE LEVY**

- 16.1 Merton's Community Infrastructure Levy was implemented on 1st 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 developer contributions towards providing the necessary infrastructure should be collected.

17 **CONCLUSION**

- 17.1 In conclusion, it is considered that the principle of the development is acceptable and the proposed works would not detract from the character and appearance of the adjacent conservation area or streetscene. The design, siting, size, height and materials of the proposed house would contribute positively to the varied character of the surroundings and streetscene. The residential amenities of the occupiers of the adjoining residential properties will not be adversely affected or implicated to a degree that would warrant a refusal of planning permission.

RECOMMENDATION

GRANT PLANNING PERMISSION

subject to the following conditions:-

1. A1 Commencement of Development (full application)
2. A7 Approved Plans
3. B1 External Materials to be approved
4. B4 Details of surface treatment
5. B5 Details of walls/fences
6. B6 Levels
7. C1 No permitted development (extensions)
8. C2 No permitted Development (windows and doors)
9. C3 Obscured Glazing (fixed windows) (First and second floor rear facing windows serving an ensuite bathroom at first floor level and ensuite and landing room at second floor level)
10. C6 Refuse & Recycling (Details to be submitted)
11. C7 Refuse & Recycling (implementation)
12. D11 Construction Times
13. F1 Landscaping/Planting scheme

14. F2 Landscaping (implementation)
15. J1 Lifetime Homes
- 16 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).
- 17 No development approved by this permission shall be commenced until a scheme to reduce the potential impact of groundwater ingress 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 GO Contaminated Land Solutions Ltd report (dated June 2015, ref: 0600-BIA-1-E Rev ED). 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 policy DM F2 of Merton's Sites and Polices Plan 2014
18. 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:

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;

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 Policies Plan 2014.

- 19 No development approved by this permission shall be commenced until a construction method statement (CMS) detailing the construction sequence has been submitted to and approved by the Local Planning Authority. The CMS shall include structural calculations using the design assumptions set out in the submitted Construction Method Statement dated June 2015. The retaining wall and base design should use the worse case soil and water information derived from the bore hole surveys.
- 20 No development approved by this permission shall be commenced until a Construction Traffic Management Plan has been submitted to and approved by the Local Planning Authority to accommodate:-
- (i) On-going communication plan that sets out how the applicant/contractor will keep neighbours informed and up to date with the works programme.
 - (ii) Estimated number of vehicle movements expected to take place as part of the construction /demolition process including frequency and type of vehicle.