

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)

RECOMMENDATIONS

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

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 Policies 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 Policies 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 Policies 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 Policies 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 Policies 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 Policies 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 Policies 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 Policies 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 Policies 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 Policies 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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