

Agenda Item 8

PLANNING APPLICATIONS COMMITTEE
11th February 2016

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P0797	24/02/2015
Address/Site	Grosvenor Court, Grosvenor Hill, Wimbledon, SW19 4RX	
Ward	Village	
Proposal:	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	
Drawing Nos	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	
Contact Officer:	Stuart Adams (0208 545 3147)	

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 20th 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 19th 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