

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)	

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## **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

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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

1. INF 01 Party Walls Act