

## PLANNING APPLICATIONS COMMITTEE 22 MARCH 2018

<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
17/P4187	15/11/2017
<b>Address/Site</b>	Woodman Public House, Durnsford Road, SW19 8DR
<b>Ward</b>	Wimbledon Park
<b>Proposal:</b>	Refurbishment of existing public house including new garden area following demolition of single storey side and rear extensions. Creation of 18 new residential units, comprising the erection of two storey buildings with accommodation within the roof space fronting the crescent (7 houses) and erection of a 3 storey block of flats fronting Durnsford Road (11 x 1 bedroom flats), and associated car parking, landscaping and alterations to the highway.
<b>Drawing Nos</b>	001, 002 A, 100, 110, 111, 112, 113, 114 A, 115 and 200
<b>Contact Officer:</b>	Stuart Adams (0208 545 3147)

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### **RECOMMENDATION**

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

**(Recommendation subject to the applicant providing evidence of contact with at least three Registered Providers (RP's) relating to the 7 shared ownership units during S106 drafting/discussions)**

### **CHECKLIST INFORMATION.**

Heads of agreement: - Permit Free Development, Car Club & Affordable Housing (plus Affordable Housing Review), Travel Plan, Car Club, Carbon Offset & Land Transfer

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 – 154  
External consultations – No.  
PTAL score – 3  
CPZ – P1

1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee for consideration due to the number of objections received against the application and officer recommendation to grant permission subject to conditions and S106 agreement.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a broadly rectangular plot of land fronting onto Durnsford Road and backing onto The Crescent. It is currently occupied by the former Woodman Public House, car park and ancillary areas. The 30 space car park is accessed from Durnsford Road at the point where the road starts to rise over the railway lines to the south. There is also a vehicular access on The Crescent to the rear of the pub. On The Crescent street frontage there is currently no built development on this side of the site.
- 2.2 The surrounding area is characterised by residential and commercial uses. Traditional two storey terraced residential streets are located to the west of the site in The Crescent and Crescent Gardens. To the north and northwest of the application site is Arthur Road High Street which comprises a mix of commercial and residential units. To the east and south of the application site are commercial uses.
- 2.3 The application site has a PTAL score of 3 (moderate) with Wimbledon Park Underground Station on the District line being 200m from the application site and there is a northbound bus stop directly outside the site on Durnsford Road.
- 2.4 The application site is located within Flood Zone 1, the Woodman Public House is locally listed and there is a Tree Preservation Order on the site – Merton (No710) Tree Preservation Order 2017.

3. **CURRENT PROPOSAL**

- 3.1 Refurbishment of existing public house including new garden area following demolition of single storey side and rear extensions. Creation of 18 new residential units, comprising the erection of two storey buildings with accommodation within the roof space fronting the crescent (7 houses) and erection of a 3 storey block of flats fronting Durnsford Road

(11 x 1 bedroom flats), and associated car parking, landscaping and alterations to the highway.

#### Layout

- 3.2 The proposal seeks to retain a Public House and provide 18 new residential units. The redevelopment of the site would be achieved by the removal of the pubs ground floor rear/side extension, omission of the 30 space car parking area to the south and reduced sized amenity space (only on the south side of the site).
- 3.3 The new public house and block of flats (containing 11 studio flats) would be directed onto Durnsford Road and would be accessed via pedestrian accesses only. The 7 houses in the form of a terrace and one detached house would be directed onto The Crescent.
- 3.4 The existing vehicle crossover on The Crescent would be removed and replaced by a new crossover to the south which would serve the 8 on-site car parking spaces. The car park would be accessed via a under croft within the terrace. There would be eight parking spaces, one for each of the houses, two of which would be disabled spaces and one disabled space for the flats. Secure provision would be made for cycle parking in the rear gardens of the houses and communally for the apartments.

#### Refurbishment of Public House

- 3.5 The former public house on the site closed in April 2017. The proposed development involves partial demolition of the ground floor of the public house and remodelling and refurbishment of the existing building to provide a new Public House with outside seating to the east and south. The new Public House will provide ground floor bar, restaurant and kitchen accommodation, with ancillary residential space and function room to the first floor.

#### Houses

- 3.6 Seven, 4 bedroom, two storey houses with accommodation within the roof space would be provided along The Crescent street scene. The houses would have their refuse storage within a part soft landscaped front garden enclosed by a low boundary wall with railings above. Each one of the houses would have an allocated onsite car parking space. The houses would have a traditional design approach with red multi stock facing brick, fibre cement slate tiles, timber fascia board, stone detailing and hardwood front doors.

#### Flats

- 3.7 Eleven studio flats within a three storey, detached block would be provided along the Durnsford Road street scene. The flats would have a communal entrance to the north side of the building with an enclosed rear

staircase and open landings at each floor. Refuse storage would be provided from the front of the building via a communal bin store. The flats would have a modern design approach with London stock facing brick, fibre cement slate tiles, grey windows, perforated metal cladding and glass balustrades to balconies.

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

- 4.1 17/P4186 - Outline permission (landscaping, layout and scale) for the refurbishment of existing public house including new garden area following demolition of single storey side and rear extensions. creation of 18 new residential units, comprising the erection of two storey buildings with accommodation within the roof space fronting the crescent (7 houses) and erection of a 3 storey block of flats fronting durnsford road (11 x 1 bedroom flats), and associated car parking, landscaping and alterations to the highway – Pending decision.
- 4.2 96/P0399 - Installation of two externally illuminated fascia signs and one flag sign, with lantern illumination, and replacement hanging sign – Grant - 96/P0399.
- 4.3 MER686/86 - Erection of a new conservatory together with a single storey extension to licensed premises to form enlarged bar area – Grant - 05/08/1986
- 4.4 MER260/73 - Display of illuminated fascia name board and a non-illuminated sign board – Grant - 11/05/1973
- 4.5 MER803/72 - Alterations & extension & formation of car park – Grant - 18/09/1972.

#### 5. **CONSULTATION**

- 5.1 The application has been advertised by major press notice procedure and letters of notification to the occupiers of neighbouring properties.
- 5.1.1 In response to the consultation, 7 letters of objection, 17 letters of support and 3 letters of comment were received.

The letters of objection raise the following points:

##### Design

- Large scale of development on a small site
- The 3 storey houses will superimpose on the existing houses and will mar the aesthetics of the surrounding houses. Therefore, only two storey houses should be built, which should not be facing The

Crescent.

- The 7 houses with an oversize front of the buildings will certainly not add to the aesthetics of the area. The joined houses would look odd and superimpose the existing houses which have adequate spaces between them which is not being followed in the proposed development

#### Highways

- The development must be permit free
- Parking in the area is already tight.
- The parking survey notes that utilization of the Crescent and Crescent Gardens was between 75% and 90% and there are many occasions when even 90% is exceeded.
- The controlled hours for parking Zone P1 should be extended to protect residents against pub customers parking in the roads. Previously the Woodman had its own on-site customer parking, but this is taken up by housing in the proposed development.
- The applicants traffic survey data is not site specific.
- Alternative parking solutions should be explored (underground, less development etc).
- History of overflow car parking from pub onto surrounding streets.
- Concern with serving of the pub from a small area fronting Durnsford Road right at the point the traffic is stopping for the junction and where the existing bus stop is located.
- Entrance of the site should be continued from Durnsford Road rather than shift it to The Crescent.
- Opening a new vehicle entrance will compound the parking problems and increase traffic activity at the configuration of the two roads

#### Public House

- Taking away the entire parking and re-furbishing the Woodman Pub would not achieve any positive viable results.
- Under no circumstances should barriers be placed by Goldcrest land to make it unattractive to lessees so that Goldcrest can re-develop the pub into houses/apartments. The pub is an important and necessary part of the community and Goldcrest have promoted the development of the remainder of the site on the basis that they will retain an operating pub of similar size.
- Supportive of the application but concerns relate to ensuring the viability of the Pub.

#### Neighbour Amenity

- Loss of privacy to 33 Crescent Gardens and its rear garden from proposed houses
- A full and appropriate sun and daylight assessment has not been

conducted on 33 Crescent Gardens. Loss of light to the nine windows, door and garden area

- Do not support the reopening of the pub as this has caused years of noise and disruption to neighbours
- Loss of open view from 33 Crescent Gardens

#### Other

- The proposed development because of its size, design, siting, bulk and massing would result in an unduly prominent development, with a cramped and unsatisfactory standard of residential accommodation.
- Would rather see more affordable housing and parking, rather than the pub re-opening.
- The development would lower the value of the neighbourhood and 33 Crescent Gardens

#### 5.1.2 The 17 letters of support raise the following points:

- Retaining the Woodman pub is worthwhile. This is the only pub in the Wimbledon Park area. Its re-opening as a family friendly pub would bring great benefit to the area
- The proposal is modest, considering development of family homes, with off street parking, for Wimbledon Park, a short walk from the underground.
- Scale and appearance of the proposed two storey houses facing The Crescent is reasonable
- 33% of the scheme will be 1 bed starter homes to local people
- Provision of one on-site parking place per house combined with a prohibition of on-street permits means it will not make the current parking problems in The Crescent and Crescent Gardens any worse.
- The pavement on Durnsford Road will be widened and improved, leading to increased pedestrian safety.
- The proposal will significantly improve the soft landscaping, with extensive planting and new trees.

#### 5.1.3 The 3 letters of comment (including one CAMRA & Merton Green Party) raises the following points

- While supporting the application there are the following issues they make comment on.
- CAMRA's support for this application is predicated on the retention of the A4 ancillary accommodation, and they therefore oppose any subsequent planning application for change of use of the A4 accommodation.
- Disabled access to the Woodman Public House. Parking for wheelchair users is available on site with 3 disabled parking bays within the parking court, but it is not clear whether these parking

spaces are available to wheelchair using the pub customers, or solely for use by the newly built residential accommodation.

- We ask the Council to insist that the 40% affordable housing target be met, in terms of providing units which are either social rented or intermediate.
- Request that the applicant's viability assessment and that to be commissioned by the Council be made public, so that others with an interest can see the evidence on this vital issue.
- The applicant has agreed to make a gesture through a number of start homes but no details of the level of discount.
- Request to know the level of rent assumed for the pub. The applicant states that the pub will be completed to shell and core only which will mean an incoming tenant will need significant capital for fit out, in addition to rent. It is doubtful if this would make it affordable.
- A suggestion would be to forego the starter homes and instead apply a discount to the pub. Market the pub at 50% discount to market value for 5 years which would give the opportunity for a local brewer or social enterprise to raise the necessary funds.
- There is no mention made of the need to improve the junction arrangement of Arthur Road and Durnsford Road for pedestrians.
- Any CIL being paid should be directed towards improving the public realm and accessibility at this dangerous corner.

5.2 Transport For London – Confirmed that the application site relates to land outside the limits of land subject to consultation by the Crossrail 2 Safeguarding Direction.

5.3 Tree Officer – No objection subject to conditions

5.4 Flood Officer – No objection subject to conditions

5.5 Transport Officer – No objection subject to conditions and S106 agreement.

## 6. **POLICY CONTEXT**

6.1 Adopted Sites and Policies Plan (July 2014)

DM H2 Housing Mix

DM H3 Support for affordable housing

DM R5 Food and drink /leisure and entertainment uses

DM D1 Urban design and the public realm

DM D2 Design considerations in all developments

DM D3 Alterations and extensions to existing buildings

DM D4 Managing heritage assets

DM O2 Nature conservation, trees, hedges and landscape features

- DM EP2 Reducing and mitigating noise
  - DM EP4 Pollutants
  - DM F1 Support for flood risk management
  - DM F2 Sustainable urban drainage systems (SUDS) and; wastewater and water infrastructure
  - DM T1 Support for sustainable transport and active travel
  - DM T2 Transport impacts of development
  - DM T3 Car parking and servicing standards
  - DM T4 Transport infrastructure
  - DM T5 Access to the Road Network
- 6.2 Adopted Core Planning Strategy (July 2011)
- CS 6 Wimbledon Town Centre
  - CS8 – Housing Choice
  - CS9 – Housing Provision
  - CS14 - Design
  - CS15 – Climate Change
  - CS18 – Active Transport
  - CS19 – Public Transport
  - CS20 - Parking, Servicing and Delivery
- 6.3 The Relevant policies in the London Plan (July 2016) are:
- 3.3 (Increasing Housing Supply),
  - 3.4 (Optimising Housing Potential),
  - 3.5 (Quality and Design of Housing Developments),
  - 3.8 (Housing Choice),
  - 5.1 (Climate Change Mitigation),
  - 5.3 (Sustainable Design and Construction).
  - 7.3 (Designing Out Crime)
  - 7.4 (Local Character)
  - 7.6 (Architecture)

## 7. **PLANNING CONSIDERATIONS**

- 7.1 The principle planning considerations in this instance relate to the principle of development, design of development, impact upon neighbouring amenity, highways and parking, standard of residential and commercial accommodation, trees, sustainability and flooding.

### 7.2 Principle of Development

#### Residential

- 7.2.1 The requirement for additional homes is a key priority of the London Plan and the recently published Further Alterations to the London Plan (FALP) seeks to significantly increase the ten year minimum housing target across



London from 322,100 to 423,887 (in the period from 2015 to 2025), and this equates to an associated increase in the annual monitoring target across London to 42,389. The minimum ten year target for Merton has also increased by more than 30% to 4,107, with a minimum annual monitoring target of 411 homes per year. The delivery of 18 new residential units at this site will contribute to meeting housing targets and the mix of unit sizes will assist in the delivery of a mixed and balanced community in a sustainable location. New housing is considered to be in accordance with the objectives of the NPPF, London Plan targets, and LBM policy.

#### Commercial

- 7.2.2 Planning policy DM R5 (Food and drink/leisure and entertainment uses) states that the Council will resist the loss of public houses as they serve a community role (for example, by providing space for clubs, meetings or performances). The pub would have a reduced sized floor area (from 595 to 424 sqm) and would remove on-site car parking. However, the proposal seeks to retain and refurbish the existing pub on the site. The changes focus on improving the interior of the building and bringing the first floor as a function room and letting rooms or ancillary staff accommodation. The garden space for the pub would be moved to the south of the building with new doors leading out to a garden area which includes a play area. The principle of development is therefore welcomed by the Council as it would retain an important community facility. This is particularly important given the national trend of losing Public Houses.

### 7.3 Design & Layout

- 7.3.1 Planning policy DM D2 (Design considerations in all development) seeks to achieve high quality design and protection of amenity within the Borough. Proposals are required to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of the surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area.
- 7.3.2 The proposed layout of the site is considered to be logical with the public House retaining a garden to the south, two storey houses fronting The Crescent and the three storey block of flats fronting Durnsford Road. The proposal results in two active street frontages, both with distinctively different character. Overall, the layout is considered to respond well to the existing site surroundings.

#### Houses

- 7.3.3 The 2 storey houses with accommodation within the roof space front onto The Crescent. The houses would have a small landscaped front garden and a traditional design approach that is considered to be good quality,

satisfactorily responding to the form and design of surrounding houses in The Crescent and Crescent Gardens. The use of brick elevations, tiled roofs and soft landscaped gardens would ensure that the development responds to the design of surrounding residential houses and results in a good quality street frontage. A planning condition requiring the submission of materials and soft landscaping would ensure that the development uses appropriate materials.

#### Flats

- 7.3.4 The three storey block of flats fronting onto Durnsford Road are considered to respect the Durnsford Road street scene. The proposed three storey block of flats would respond to the height and massing of the adjacent Woodman Pub. Whilst being higher than the adjacent industrial building to the south, the three storey height would front a busy street and sits adjacent to the railway bridge, in this context a three storey building is considered to be acceptable.

#### Pub

- 7.3.5 The Woodman Public House is locally listed and externally is still within a good condition. The proposal seeks to remove the unsympathetic rear/side additions. There is no objection to the removal of these extensions. The focus of redeveloping the Public House is improving the internal fabric of the building. The character and appearance of the locally listed Public House would therefore be preserved. External changes include a traditional brick and railing boundary treatment and widening the public footpath for pedestrian and bus users on Durnsford Road. The widening of the footpath to 2.7m is particularly welcomed as it is considered to be a positive element of the proposal. The new boundary treatment would respond to the general pattern of development in the area and new soft landscaping would enhance the visual amenities of the area.

#### 7.4 Retention of Public House

- 7.4.1 As set out above, the Woodman Public House would have a reduced size floor area, amenity space and loss of car parking. The applicant has commissioned an independent report by Intrinsic Property in regards to the viability of the proposed Public House. Intrinsic Property is a specialised property consult and general practice surveyor in the leisure and retail market. The conclusions of the report state that the proposed Public House is likely to provide a viable business opportunity in line with the expectations of the licensed property market and would appeal to the diverse nature of London pub operators. On balance, whilst the proposal would result in the reduction of the pubs floor space and removal of car parking, the proposal is seeking to retain and refurbish the Public House. The provision of a function room at first floor level is considered to be a new feature that would help contribute towards the pub remaining a viable business. Given the mass closure of many Public Houses in the country,

the retention of the Public House in this instance is welcomed. The lack of onsite car parking is noted however it must be noted that it is not uncommon for Public Houses to have no or limited car parking. This issue is considered further in the committee report.

## 7.5 Standard of Residential Accommodation

7.5.1 The floor space (GIA) and amenity space standards of individual residential units are as follows compared to London Plan 2016 requirements and Merton planning policy DM D2 Design considerations in all developments).

<u>Proposal</u>	<u>Dwelling Type</u>	<u>Proposed GIA (sqm)</u>	<u>GIA London Plan</u>	<u>Proposed Amenity (sq m)</u>	<u>Lon Plan – Merton Amenity Space Standards</u>
<b><u>Flats</u></b>					
1	1b1p	37	37	5	5
2	1b1p	37	37	5	5
3	1b1p	40	37	6.7	5
4	1b1p	37	37	5	5
5	1b1p	37	37	5	5
6	1b1p	37	37	5	5
7	1b1p	40	37	5	5
8	1b1p	37	37	5	5
9	1b1p	37	37	5	5
10	1b1p	37	37	5	5
11	1b1p	40	37	5	5
<b><u>Houses</u></b>					
1 (A)	4b7b	188.9	121	163.26	50
2 (B)	4p7p	155.1	121	70.51	50
3 (C)	4p7p	155.1	121	68.68	50
4 (D)	4p7p	155.1	121	61.44	50
5 (E)	4p7p	155.1	121	55.18	50
6 (F)	4b8p	201.5	130	51.63	50
7 (G)	4b7p	148.9	121	53.20	50

7.5.2 In terms of the quality of the accommodation proposed, it is considered that the proposed houses and flats would provide a satisfactory standard of accommodation for future occupiers. The proposed units would exceed/meet minimum London Plan Gross Internal Area, room size and amenity space standards. Each of the units would have private outdoor amenity space, which is welcomed. Each habitable room would receive suitable light levels, adequate outlook and would be capable of

accommodating furniture and fittings in a suitable and adoptable manner.

#### Housing mix

- 7.5.3 Planning policy DM H2 (Housing Mix) of the Sites and policies Plan state seeks to achieve a housing mix of 33% (one bed), 32% (two bed) and 35% (three plus bed) for all new housing development. The proposed development would have a housing mix as follows:

Housing Mix	Number	Percentage	Merton's policy
1 bed	11	61%	33%
4 bed	7	39%	35%

- 7.5.4 Whilst the proposed development would not meet the Council housing mix, it must be noted that these targets are indicative. In this instance, the proposal would provide a range of different unit types. In particular the provision of 7, 4 bedroom houses on the site is welcomed in this instance as it is often difficult to provide family housing as part of redeveloped sites. Overall, the proposed mix is considered to be acceptable and suitable for the site and surrounding area.

#### Play Space

- 7.5.5 The scheme is not required to provide specific play space within the proposal. It should also be noted that Durnsford Recreation Ground is a short walk from the site and features a play area which features toddler and junior swings, multi-activity units and climbing boulders. Further, Wimbledon Park is within walking distance from the site, which contains sport facilities.

#### Affordable Housing

- 7.5.6 Planning policy CS 8 (Housing Choice) of Merton's Core Planning Strategy states that development proposals of 10 units or more require an on-site affordable housing target of 40% (60% social rented and 40% intermediate). In seeking affordable housing provision, the Council will have regard to site characteristics such as site size, its suitability and economics of provision such as financial viability issues and other planning contributions.
- 7.5.7 The amount of affordable housing this site can accommodate has been subject of a viability assessment. Following extensive discussions, the Councils independent viability assessor has confirmed that a policy compliant 40% affordable scheme is not viable in this instance. However it has been agreed that the scheme can offer 7 shared ownership units on site with an early stage review to be included in the s106 in accordance with mayors SPG. The shared ownership units would be accommodated within the flatted block proposed.

## 7.6 Neighbouring Amenity

### 33 Crescent Gardens

- 7.6.1 This neighbouring property is located on the opposite side of The Crescent. The neighbouring building sits at a right angle to the application site but has an unusual layout with a number of windows and its entrance door being located on the flank wall facing towards the application site. The neighbour has raised concerns with daylight and sunlight and overlooking and privacy. However it must be noted that the two ground floor windows and three first floor flank windows serve non-habitable areas (hallways). Therefore there would be no undue loss of amenity to those opening. In any event, there is a public highway separating with a reasonable level of separation to ensure that there would be no undue loss of light or overlooking. It should also be noted that this type of relationship is common within urban settings whereby properties are directed towards each other and separated by a public highway. The proposal would result in some views from the new front windows of the proposal towards the rear garden of 33, however, owing to the distance it is not considered to result in harm. It is considered that there would be no undue loss of amenity to warrant refusal of planning permission.

### 172 Arthur Road

- 7.6.2 172 Arthur Road comprises a three storey building at the junction between Arthur Road and The Crescent. The building is of suitable distance away from the proposed buildings to ensure that there would be no undue loss of amenity.

### 174 & 176 Arthur Road

- 7.6.3 These neighbouring properties, comprising both commercial and residential units are directed towards the northern boundary of the application site. The neighbouring buildings are set back, away from the boundary creating a good level of separation and rear facing would be directed towards the rear gardens of the proposed houses, thereby preserving neighbouring amenity.

### 176 A Arthur Road

- 7.6.4 176 Arthur Road backs onto the application site but is currently operating as a car repair garage; therefore there would be no undue loss of amenity.

### 212 Durnsford Road

- 7.6.5 The neighbouring building is currently operating as car hire and a hand car wash. Given the commercial nature of the adjoining site, there would be no undue loss of amenity.

### 110 – 114 The Crescent

- 7.6.6 110 – 114 The Crescent comprises a small terrace of three houses. The terrace sits at a right angle to the northern boundary of the application site. The adjacent house in the application site sits at a right angle to this neighbouring terrace, therefore there would be no loss of amenity. The other proposed buildings within the application site are of a suitable distance away from these neighbouring properties to ensure that there is no undue loss of amenity.

## 7.7 Highways

### Proposal

- 7.7.1 The proposal would see a reduced sized pub (from 595sqm to 424 sqm) and removal of the car parking area to the south. The proposal would provide a new vehicle access via The Crescent and 8 new car parking spaces on-site for the residential units. No on-site car parking is proposed for the Public House.
- 7.7.2 The proposal includes amendments to the site frontage on Durnsford Road which will increase the width of the existing footway from between 1m – 1.5m to a minimum of 2.6m. The applicant is willing to dedicate this parcel of private land to highway Authority under Adoption of Highways Act 1980. This can be controlled via a S106 agreement.
- 7.7.3 In addition, the crossover for the Public House car park will be closed and re-instated as footway. A new on-street loading bay on Durnsford Road is proposed immediately south of the existing bus cage and in the location of the vehicle crossover which will be closed and reinstated as footway.
- 7.7.4 The proposal also includes reinstating the service access drop kerb on The Crescent and rationalising the on-street parking bays on the northern side to accommodate the new access.

### Car Parking

#### Residential

- 7.7.5 The proposed would provide 8 on-site parking spaces within a private car parking area accessed from The Crescent. Each of the houses within the proposed development would be allocated one car parking space and the block of flats would include 1 disabled space. Whilst objections have been received from neighbours relating to the low level of car parking, the proposal complies with the London Plan and whilst offering low levels of car parking, given the PTAL score 3, the proposal would encourage sustainable travel patterns. The application site is located within a CPZ with a PTAL rating of 3. Therefore in order to minimise impact upon surrounding streets it is considered appropriate in this instance the

development is permit free. The appellant will be required to enter into a S106 agreement with the Council to ensure the development is permit free and no resident or business within the development can apply for an on street parking permit in the surrounding parking zones.

#### Public House

- 7.7.6 One of the main objections from third parties is the concern that the proposed pub has no car parking, impacting upon the viability of the pub and overspill car parking in surrounding residential streets. Neighbours have highlighted the history of the previous pub on the site and overspill car parking onto surrounding streets on occasions when the pub held events. Neighbours are concerned that the surrounding streets have little capacity and the proposed pub with no car parking will add pressure onto the surrounding residential streets.
- 7.7.7 It must be noted that there are no minimum/maximum car parking standards for Public Houses within the London Plan. Therefore the applicant can propose the level of car parking necessary providing that there is no undue impact upon surrounding streets without on-site car parking. It is noted that the Public House would place additional pressure on surrounding streets. The applicant has provided an additional on street parking surveys at the request of the Council. The surveys were carried out by the applicant on Friday 23<sup>rd</sup> February 2018 (4pm – 9pm) and Saturday 24<sup>th</sup> February 2018 (11am – 12 pm). The results indicate although the overall parking stress observed during survey time is high, there are adequate spaces available to park within 200m of the site. Specifically, the survey of the closest residential streets of The Crescent and Crescent Gardens found that there was spare capacity during peak times on Friday and Saturday evenings (between 6pm – 9pm). Of the two closest streets, the greatest spare capacity was found to be within The Crescent. The submitted Travel Plan aims to reduce the use of private cars, and promote the use of sustainable forms of transport for trips to and from the site. The Councils Transport Officer has confirmed that there is no objection to the scheme subject to conditions.
- 7.7.8 In terms of travel choices, it is not uncommon for Public Houses to have no or limited car parking. Public Houses often serve local communities where travel by car is not always necessary. The site is also well served by various public transport modes with a PTAL score of 3. The application site is located within short walking distances of Wimbledon Park Underground Station and a number of bus routes. The lack of parking on-site can promote sustainable modes of travel and in this instance the site provides suitable modes of travel to give customers/staff a valid choice. On balance, whilst there would be some increased pressure on surrounding streets, there is spare capacity within the local area and the lack of car parking on site would promote sustainable modes of transport.

It is therefore considered that the lack of on-site car parking for the Public House can be accepted.

#### Servicing

- 7.7.9 The pub will be serviced from the proposed on-street loading bay on Durnsford Road immediately south of the existing bus cage and in the location of the vehicle crossover which will be closed and reinstated
- 7.7.10 The 7 residential houses will place their refuse bins at the site frontage on The Crescent to be collected on-street. There will be a refuse bin store at ground floor level for the 11 residential flats and collection will be from the site frontage on Durnsford Road.
- 7.7.11 The number of movements associated with loading vehicle activity for the proposed pub is anticipated to be the same as the existing pub whilst refuse collection will also remain as existing. Overall, the Councils Highways Officer has assessed the proposed service arrangement and raises no objection.

#### Car Club

- 7.7.12 Any car use associated with the car free residential units is likely to be undertaken using car club vehicles; there are 2 car club vehicle locations within a 3 minute walk distance of the site. There are also a number of additional vehicles within a 12 minute walk distance. In this instance, 3 years free car club for future occupiers can be secured via a S106 agreement.

#### Travel Plan

- 7.7.13 The application includes a draft travel plan and this is broadly welcomed. The details of the travel plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section106 process.

#### Cycle Parking

- 7.7.14 Cycle parking is provided in accordance with the London Plan. The 7 residential houses have rear gardens with space to store a minimum of 2 bicycles each. The 11 studio flats are provided with 1 cycle parking space each within a cycle store to the rear of the building.
- 7.7.15 The London Plan standards require 12 cycle parking spaces to be provided for the Public House. These will be provided at the frontage of the building accessed from Durnsford Road.

#### Trees

- 7.8.1 The Merton (No.710) Tree Preservation Order 2017 applies to 11 existing



trees within the grounds of the Woodman Public House. Of these, 9 have been ring barked which means their life expectancy has been significantly shortened to a matter of approximately 2 years. The Yew tree and Ash tree were not subjected to ring barking. The Yew tree is the only existing tree proposed for retention in the proposed development;

- 7.8.2 At present the Yew tree is fully visible to the public view, thereby providing a significant amenity value to the public. The submitted arboricultural report has attributed a B1/B2 category to this tree. The proposed layout will change the visual amenity value of this tree. However, some of the tree will still be visible from Durnsford Road and above the roofline of the proposed 'House A'. The tree will be within the garden of this property and this could likely lead to repeated tree work applications for either crown reduction work or the complete removal of the tree on the basis of its size. This matter is, however to be balanced in the conclusion of the committee report.
- 7.8.3 Whilst the Councils Tree Officer has raised some concern with the treatment of the existing trees on the site and impact upon the Yew Tree, the scheme would provide 18 new trees. Planning Policy DM O2 (Nature conservation, trees, hedges and landscape features) states that the removal of trees may be permitted if the benefits of the development outweighs the trees amenity value. In this instance, the development would provide new housing, retained Public House and the selection of the size and species of each proposed tree is acceptable, and shall enhance the overall appearance of the development. Overall, officers raise no objection to the proposed tree removal, relationship of the development to the retained trees and provision of new trees.

### Sustainability

- 8.1.1 London Plan Policy 5.2 requires new development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- Be lean: use less energy
  - Be clean: supply energy efficiently
  - Be green; use renewable energy
- 8.1.2 The submitted energy statement indicates that the proposed residential element of the scheme should achieve 35.37% improvements in CO2 emissions on Part L 2013. This meets the minimum sustainability requirements of Merton's Core Planning Strategy Policy CS15 (2011) and Policy 5.2 of the London Plan.
- 8.1.3 It should note that all residential major development proposals validated after the 1<sup>st</sup> of October 2016 will be liable to demonstrate compliance with

the zero emissions target outlined for regulated emissions, in accordance with Policy 5.2 of the London Plan (2015). As such, major residential developments will be expected to achieve a minimum on-site emissions reduction target of a 35% improvement against Part L 2013, with the remaining emissions (up to 100% improvement against Part L 2013) to be offset through cash in lieu contribution. In this instance, the Councils Climate Officer has confirmed that a £27, 360 contribution is required to meet the 100% improvement against Part L 2013). This can be secured via a S106 agreement.

- 8.1.4 The non-domestic element of the scheme (Public House) cannot meet the required 35% improvements on Part L 2013. However, the appellant has indicated a number of difficulties that will be faced on meeting the 35% reduction target due to the historic nature of the refurbished element of the scheme. The Councils Climate Officer has confirmed that this is a valid reason in not being able to meet the targets. Therefore in this instance, it is considered acceptable that a payment of £11, 736 is secure against the shortfall. This can be secured via a S106 agreement.

9. Flooding

- 9.1 The site is located in Flood Zone 1. A surface water drainage strategy has been undertaken by RPS Group (Ref: HLEF54939/001R) dated Oct 2017.
- 9.2 In terms of coverage, the proposed development consists of 25% soft landscaping, 35% hardstanding and 40% built footprint.
- 9.3 The site proposes 740m<sup>2</sup> of permeable paving, with sub-base storage and a restricted discharge rate. An attenuation volume of 135.9m<sup>3</sup> is required to accommodate the 1 in 100 year +40% climate change allowance.
- 9.4 The permeable paving depth has been calculated as being 0.6m deep with 30% void ratio to provide 135.9m<sup>3</sup>. Runoff will be limited to no more than 2l/s, which is the lowest agreed (greenfield) rate which is acceptable and compliant with the London Plan standards (policy 5.13 and Design and Construction SPG).
- 9.5 The Councils Flood Officer has confirmed that he has no objection subject to a condition relating to sustainable drainage system.

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.

## 12. **CONCLUSION**

12.1.1 The proposed development will provide 18 new dwellings and a retained and refurbished public house. The principle of development is considered to be acceptable by providing new housing and retaining a community facility. The design of the development is considered to be of good quality in terms of appearance and accommodation being proposed. The proposed buildings would respect the context of the site and would have no undue impact upon neighbouring amenity, trees, flooding or highway considerations. The relationship of House type A to the retained TPO tree on the site is considered to be acceptable and the benefits of the scheme outweigh any conflict. The proposal is in accordance with Adopted Sites and Policies Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions and S106 agreements.

## **RECOMMENDATION**

### GRANT PLANNING PERMISSION

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

1. Affordable housing (7 shared ownership units) with review mechanism.
2. Permit Free Development (residential and business)

3. Car Club - 3 year car club membership funded by the developer.
4. Land transfer (widening of public footpath)
5. Travel Plan - A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years.
6. Carbon Offset - £27, 360 = £11, 736.
7. 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. Hard Standing
7. Refuse details
8. Refuse implementation
9. Cycle parking details
10. Cycle implementation
- 11 Landscaping implementation (drawing 170346-L-01)
12. D11 Construction Times
13. Tree Protection: The details and measures for the protection of the existing trees as specified in the approved document 'Arboricultural Report' reference '17346-PD-11' and dated 'September 2017' shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report. The details and measures as approved shall be retained and maintained until the completion of site works.

Reason: To protect and safeguard the existing retained Yew tree in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and 02 of Merton's Sites and Policies Plan 2014;

14. F8      Site Supervision (Trees)

- 15            Yew tree: The existing retained Yew tree shall be retained and maintained to the satisfaction of the Local Planning Authority.

Reason: To protect and safeguard the existing retained Yew tree in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and 02 of Merton's Sites and Policies Plan 2014.

16.           Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery from the commercial use shall not exceed LA90-10dB at the boundary with the closest residential property.

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

17.           Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the dwellings as specified in the MoirHands, Planning Noise Assessment Report NO. 3254/31/17, dated 1 July 2017 shall be implemented as a minimum standard for the noise mitigation for the proposed dwellings. Confirmation that this has been achieved before the first dwelling is occupied shall be submitted to the LPA.

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

18.           Odour from the new extraction and odour control unit shall be designed and installed so that cooking odour is not detectable to affect other premises.

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

19.           Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

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

20. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

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

21. 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.

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

22. 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.

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

23. 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.

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

24. 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 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.

25. No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

- hours of operation
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative -displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of noise and vibration during construction.
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction works

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

26. Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:

- i. Provide information about the design storm period and intensity, attenuation (no less than 135.9m<sup>3</sup>) and control the rate of surface water discharged from the site to no more than 2l/s;
- ii. Include a timetable for its implementation;
- iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme is carried out in full. Those facilities and measures shall be retained for use at all times thereafter.

Reason: To reduce the risk of surface and foul water flooding and to ensure the scheme is in accordance with the drainage hierarchy of London Plan policies 5.12 & 5.13 and the National SuDS standards and in accordance with policies CS16 of the Core Strategy and DMF2 of the Sites and Policies Plan.

27. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO<sub>2</sub> reductions of not less than a 35% improvement on Part L regulations 2013 and in accordance with those outlined in the approved plans, and wholesome water consumption rates of no greater than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.

28. Within six months of the occupation of the site evidence in the form of an MCS Certificate will be submitted to the council in order to demonstrate that solar panels have been installed in line with the letter dated 08/02/2018.



Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.

29. Demolition / Construction Logistic Plan
30. Demolition / Construction Logistic Plan (including a Construction Management Plan compliant with Chapter 8 of the Road Signs Manual for temporary Works) sent LPA before commencement of work be required.
31. Removal of PD rights

#### Planning Informative

1. The site is adjacent to an Area of Surface Interest (AOSI) as set out in the 2015 Crossrail 2 Safeguarding Directions and therefore could be sited alongside a future Crossrail 2 worksite.

It would be appropriate to ensure that any development on this site limited the number of openings/doors/windows on this shared boundary with 212 Durnsford Road in particular and the prospective future occupiers of any re-development of this site should be aware that there is possibility of being adjacent to a future worksite for Crossrail 2.

2. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

3. Carbon emissions evidence requirements for Post Construction stage assessments must provide:
  - Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); OR, where applicable:

- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; AND
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

Water efficiency evidence requirements for Post Construction Stage assessments must provide:

- Documentary evidence representing the dwellings 'As Built'; detailing:
- the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:
- Water Efficiency Calculator for New Dwellings; OR
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

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[Click here](#) for full plans and documents related to this application.

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