

**Merton Council**  
**Planning Applications Committee**  
**17 October 2019**  
**Supplementary agenda**

16 Modifications

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## Planning Applications Committee 17<sup>th</sup> October 2019 Supplementary Agenda (Modifications Sheet)

### Item 5. 44 Arthur Road, Wimbledon SW19 – 19/P2841 – Wimbledon Park Ward.

#### Consultations (page 15):

Additional letter raising objection from the Wimbledon Park Ward Councillors on the following grounds:

- We as Councillors for Wimbledon Park Ward support the many objections that have been well made by many residents to the application for 44 Arthur Road.
- This new application to demolish the existing house and rebuild a new 6 bedroom single dwelling house would change the streetscape and is out of keeping with the homes surrounding it and in this conservation area.
- The application disregards the current street building lines to the front and rear. The bulk and mass and proposed elevations would create a building dominating and out of keeping with its surroundings with an appearance that is closer in design to one used for a commercial building or block of flats than for a domestic family home. It certainly fails to follow, enhance or preserve the Conservation Area.
- It would also particularly dominate, overshadow and affect detrimentally the amenity of the homes at 46 and 42 Arthur Road with a far greater height and bulk than the approval that had originally been given in 2007.

Additional photographs and diagrams submitted raising objection from 42 Arthur Road. (Members have been circulated these via email)

Additional letter of support from the Agent raising the following points:

- Surprised with the conservation officer's comments on the importance of the existing house to the conservation area, when the council has accepted its demolition previously. The conservation area appraisal makes no reference to it making a positive contribution to the conservation area, and these comments were not made at the pre-application stage.
- Furthermore, for the previous permission the conservation officer stated that 'the existing house is not one which is considered to make a positive contribution to the CA character'. Having elevated the importance of the existing house to the conservation area without justification, the conservation officer then suggests that its replacement needs to 'strive for architecture of outstanding merit' so that the loss of the house 'is not lamented'.
- We find these comments most troubling as they have no policy or statutory relevance to decision making in conservation areas and because the conservation officer then uses this position to assert that this design 'objective' is not met by the proposal. However, the conservation officer does agree that modern architecture can sit comfortably in a historic context.

- The test is for the decision maker is to 'pay special attention to the desirability of preserving or enhancing the character or appearance of a conservation area'. The NPPF advises that when determining applications, local authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets; and new development making a positive contribution to local character and distinctiveness.
- The existing building is part of a later group of buildings built at a similar time (many of which have been extensively altered and extended) that collectively do not make a positive contribution to the character and appearance of the conservation area.
- The existing house has an uninteresting design of very limited heritage significance, save for it being a large detached dwelling set in a spacious and verdant setting with brick boundary treatment and use of traditional materials (which are retained by the proposal).
- The application proposals are to replace the existing uninteresting house with a detached dwelling of an exemplary design quality that would be a positive addition to the area.
- In our view the proposal would preserve the character and appearance of the conservation area and responds very well to the conservation area appraisal which states that 'throughout this length of the road [Arthur Road], strong design elements and decorative details used in the differing house types combine to create a sense of harmony in the street, with the variety of roof shapes, ridge lines and the many chimneys forming a distinctive streetscape'.
- In summary the proposal would:
  - deliver a detached house in a spacious plot with a bold and distinctive design and detailing to continue the theme of architectural variety in the road;
  - maintain the stepped nature of the road;
  - deliver a house of a scale that is in keeping with other houses and would sit comfortably in the streetscene;
  - allow glimpsed views of the rear vegetation by stepping in the building from the boundaries thereby preserving this characteristic of the conservation area (there is development on the ground floor of the western boundary but there is already a garage in this location);
  - use materials that reflect the historic materials of the conservation area and complement nearby properties including red facing bricks, timber cladding and dark field stone;
  - retain and enhance the verdant character of the area with the designs by Patrick Collins seeking to retain the mature plants, trees and shrubs and includes other native species into the planting scheme;
  - retain the historic boundary treatment of the original brick wall with mature planting behind.

**Item 6. 36 Aston Road, Raynes Park SW20 – 19/P2715 – Dundonald Ward.**

Consultation (Page 26):

Two additional letters raising objection on the following grounds:

- proposal is contrary to Council's Core Strategy Policy in preventing the loss of family homes;
- upper flat lacks amenity space;
- lots of other larger development sites have been granted permission for flats, which are smaller units. Little provision given for family sized units;
- could lead to a large influx of developers converting family homes to flats;
- builders have started on site already.
- Residents who originally objected did not receive notification this application was going to Planning Committee.
- Notice of this application going to Committee is very short notice regardless.
- When Merton's Core Strategy was agreed local residents in the Apostle Roads were reassured that the family units in these roads would be protected by policy. This now appears to not be the case.
- All the houses in the Apostle roads were originally built as 3 bedroom houses when they were first built.
- The application will set a precedent for all the houses in the Apostle roads.

**Item 7. 141 The Broadway, Wimbledon SW19 – 17/P0296 – Abbey Ward.**

Drawings (page 39)

Ground floor plan amended (20-00 P04) to reflect the amended landscaping plan (9989-PP01 Rev P2). Amendments include enlarged planting beds

List of drawing numbers updated to reflect the above:

20-00 P04, 20-RF Rev P03, 20-01 Rev P03, 20-02 Rev P03, 20-03 Rev P03, 20-04 Rev P03, 20-05 Rev P03, 20-06 Rev P03, 20-07 Rev P03, 21-01 Rev P05, 21-03 Rev P04, 21-04 Rev P05 and 29-01 Rev A.

**Item 8. Chenab Court, 176A London Road, Morden SM4 – Merton Park Ward**

No modifications.

**Item 9. 21 Parkside, Wimbledon SW19 – 19/P1785 – Village Ward.**

Consultation (Page 99):

Additional representation providing a photograph showing the original property on the site. (Members have been circulated this via email).

**Item 10. Wandle House, 10 Riverside Drive, Mitcham CR4 – 18/P4017 and 4089 – Ravensbury Ward.**

Recommendation (page 127)

Application A.

Amend condition 10 as follows:

No part of the development hereby approved shall commence until a detailed energy/sustainability strategy (The Strategy)(to be informed and read in line with a detailed schedule of works required for the approved conversion and extension works) has been submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how the development will achieve CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day unless a shortfall in respect of sustainability targets arises and the local planning authority has confirmed in writing that it is satisfied that the applicant has demonstrated that any shortfall that has arisen from the need to safeguard the historic fabric and the character and setting of the listed building. The development shall be implemented in accordance with such details deriving from The Strategy, and the flats not to be occupied until the applicant has confirmed in writing that the works have been completed.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources without resulting in harm to the character and appearance of the Listed building and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2016 and Policy CS15 of Merton's Core Planning Strategy 2011.

Application B.

Amend condition 7, requiring further details to be approved, as follows.

Prior to the commencement of any works [including demolition] regarding those approved under Listed Building Consent 18/P4089 and associated planning application 18/P4017, a detailed specification of works required to deliver the conversion into self-contained units and erection of the glass extension, involving: demolition, refurbishment, internal and external alterations, including materials to be re-used or new (as appropriate); shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in full accordance with the approved schedule and details.

Reason: In the interests of the appearance of the Listed Building and to comply with the following Development Plan policies for Merton: policy 7.8 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2, D3 and D4 of Merton's Sites and Policies Plan 2014.

**Item 11. 21A St Mary's Road, Wimbledon SW19 – 19/P2462 – Village Ward.**

Recommendation (page 140)

Remove condition 15

**Item 12.41-47 Wimbledon Hill Road Wimbledon SW19 – 18/P1947 – Hillside Ward.**

Consultation (page 149).

Three additional objections have been received including an objection letter from the Wimbledon East Hillside Residents Association (WEHRA) concerning the following:

- Impact on noise and air pollution
- Doesn't serve world's image of Wimbledon
- Doesn't enhance the local community of family homes and independent shops and local schools
- Impact on sewers, flooding
- Increases policing/terrorism and Anti Social Behaviour problems
- No recognition of redevelopment of Wellington House across the street
- Application is unsafe
- Degradation of Conservation Area and Heritage Asset
- Cumulative Impact with large rooftop club/bar
- Poor servicing
- Unsafe
- Change of use

Add paragraph 6.12

Future Merton – Climate Change officer

No objections subject to conditions

Add paragraph 6.13

Environmental Health Officer

No objections regarding environmental impact including air quality subject to conditions

Planning considerations (page 160)

Add paragraph No.7.6

Sustainability

Although the Energy Statement does not quote the correct baseline and percentage improvement against Building Regulations, the BRUKL outputs provided do demonstrate a 37.9% improvement against Building Regulations 2013 using the appropriate TER from the Be Lean level and the BER from the Be Green level which exceeds the minimum 35% improvement required.

The Council's Climate Change Officer has assessed the application and has advised the inclusion of standard conditions for major non-domestic schemes. The applicant will need to demonstrate compliance with the 35% target for the as-built development using the correct BRUKL outputs at pre-occupation stage. These outputs will also need to be in line with NCM methodology which states that "each space in the notional building will have the same level of servicing as the equivalent space in the actual building".

Recommendation (page 161).

Add the following conditions:

#### Condition

No development shall commence until the applicant submits to, and has secured written approval from, the Local Planning Authority on evidence demonstrating that the development has been designed to enable connection of the site to an existing or future district heating network, in accordance with the Technical Standards of the London Heat Network Manual (2014).

Reason: To demonstrate that the site heat network has been designed to link all building uses on site (domestic and non-domestic) and to demonstrate that sufficient space has been allocated in the plant room for future connection to wider district heating in accordance with London Plan (2016) policies 5.5 and 5.6.

#### Condition

Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until a Post-Construction Review Certificate issued by the Building Research Establishment or other equivalent assessors confirming that the non-residential development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good', and evidence demonstrating that the development has achieved not less than a 35% improvement in CO2 emissions reduction compared to Part L 2013 regulations, has been submitted to and acknowledged in writing by the Local Planning Authority.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply the following Development Plan policies for Merton: policy 5.2 of the London Plan 2016 and policy CS15 of Merton's Core Planning Strategy 2011.

#### Condition

Prior to the commencement of development, a Dust Management Plan (DMP), based on an AQDRA (Air Quality and Dust Risk Assessment), shall be submitted to and approved, in writing, by the local planning authority. The DMP will need to detail the measures to reduce the impacts during the construction phase. The development shall be undertaken in accordance with the approved plan.

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policy 5.3 and 7.14, and NPPF 181.

#### Condition

All Non-Road Mobile Machinery (NRMM) of net power of 37kW and up to and including 560kW used during the course of the demolition, site preparation and construction phases shall comply with the emission standards set out in Chapter 7 of the GLA's Supplementary Planning Guidance "Control of Dust and Emissions During Construction and Demolition" dated July 2014 (SPG), or subsequent guidance. Unless it complies with the standards set out in the SPG, no NRMM shall be on site, at any time, whether in use or not, without the prior written consent of the Local Planning Authority.

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policy 5.3 and 7.14, and NPPF 181.

#### Condition

Prior to the occupation of the development hereby permitted, a report with details of the combustion plant in order to mitigate air pollution shall be submitted to and approved in writing by the council. The report shall include the following:

a) Demonstrate that nitrogen dioxide emissions do not adversely impact local receptors using a methodology agreed with the LPA.

b) Gas fired boilers and Combined Heat and Power plant (CHP) installed shall meet or improve upon the emissions standards of <40 mgNO<sub>x</sub>/kWh (at 0% O<sub>2</sub>) and 95 mgNO<sub>x</sub>/Nm<sup>3</sup> (at 5% O<sub>2</sub>).

Where any combustion plant does not meet the relevant emissions Standards in part b) above, it should not be operated without the fitting of suitable secondary NO<sub>x</sub> abatement Equipment or technology as determined by a specialist to ensure comparable emissions.

Reason: To manage and prevent further deterioration of existing low quality air across London in accordance with London Plan policy 5.3 and 7.14, and NPPF 181.

#### **Item 13. The Lodge and Vine House, 1C Vineyard Hill Road, Wimbledon - TPO 742 – Wimbledon Park Ward.**

No modifications.

#### **Item 14. Appeals Decisions.**

No modifications.

#### **Item 15. Enforcement.**

No modifications.

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