

Merton Council

Planning Applications Committee

17 March 2016

Supplementary agenda

18 MODIFICATIONS SHEET (for various items)

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Planning Applications Committee 17th March 2016 **Supplementary Agenda (Modifications Sheet)**

Item 5. 31B Arterberry Road SW20 (15/P4768)(Raynes Park Ward)

Comparison plans provided for Committee showing proposed development compared to planning approval 09/P1295. Appended to Supplementary Agenda

Item 6. Land adj 1 Bridge Villas, Ashcombe Road SW19 (15/P1955)(Wimbledon Park Ward).

No modifications.

Item 7. 27 Cannon Hill Lane SW20 (15/P3635)(Cannon Hill Ward).

No modifications.

Item 8. 81 Dora Road, SW19 (15/P3969)(Wimbledon Park Ward).

Late representation received from James Baker (of 54 Vineyard Hill Road), following reconsultation. His letter states that the revisions to the submitted plans have addressed the concerns he raised in his original objection. He will not be attending the Committee meeting on the basis that the plans will not be changed within the meeting, and he requests notification if that will be the case.

Item 9. 17 Ernle Road SW20 (15/P3751)(Village Ward).

Checklist information (Page 125)

Amend Heads of Agreement under Checklist information to read: None.

Item 10. 14 Grosvenor Hill SW19 (15/P3909)(Village Ward).

No modifications.

Item 11.94-96 Haydons Road and 1-3 Quicks Road SW19 (15/P4595)(Abbey Ward).

Drawings (pages 203-205).

Revised plans received (attached to Supplementary agenda).

Plan QK-401 Rev B replaces QK-401 Rev A.

Plan QK-402 Rev B replaces QK-402 Rev A.

Plan QK-403 Rev B replaces QK-403 Rev A.

Revised plans show that the darker, charcoal coloured brick that was originally proposed has been omitted and replaced by a lighter brick.

Consultations (page 170).

One additional representation letter from the Battles Area Residents Association. The letter states that in the previous application 15/P2070 it was agreed that samples of materials would be submitted to the Chair and Vice-Chair and Abbey Ward Councillors prior to officers approving any such materials. The previous case officer confirmed that this would be the case for the current planning application also. The letter goes on to suggest that the application be heard at the following Committee meeting (April) to allow Councillors to see brick samples and for residents to have a chance to comment to Councillors prior to the preparation of the Planning Officer's Report.

Item 12. 8 Hazelbury Close, SW19 (16/P0104)(Merton Park Ward).

Recommendation (page 201).

Amend to read “Grant planning permission subject to variation of Conditions 2, 3 and 7 attached to application reference 14/P3132 granted permission on appeal”.

Current proposals (page 202).

Add to end of paragraph 3.1

To assist in the overall assessment of the changes the applicant has also provided materials samples as follows:

Render sample – white STO31337.

Triple glazed window detail framed in grey.

Roof tile - grey synthetic slate.

Cladding to dormer – zinc type cladding material.

Bricks for single storey extension – Hoskins Lithium Code 45.

Amend paragraph 3.2 to read only “The proposals also include the removal of condition 7 which related to a requirement to comply with the building standards associated with Code for Sustainable Homes Level 4. The applicants have stated their intention to accord with Passiv Haus standards but offered no alternative conditions.

Planning considerations (page 206).

Amend paragraph 7.8 to read.

The applicant acknowledges that an application to “remove” this condition would have benefitted from being accompanied by a replacement wording such that it was effectively an amendment/variation to the condition as there was no intention on their part to reduce the sustainability of the development.

Amend paragraph 7.9 to read.

On 25th March 2015 the Government issued a statement setting out steps it is taking to streamline the planning system. Relevant to the proposals, the subject of this application, are changes in respect of sustainable design and construction, energy efficiency and forthcoming changes to the Building Regulations. The Deregulation Act was given Royal Assent on 26th March 2015. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.

The government expects local planning authorities not to set conditions with requirements above a Code level 4 equivalent. Where there is an existing plan policy which references the Code for Sustainable Homes, the Government has also stated that authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard.

The condition imposed by the Inspector pre-dates this change. In light of the government’s statement and changes to the National Planning Framework it is recommended that the condition is amended so as to ensure the development is designed and constructed to achieve CO2 reduction standards and water consumptions standards equivalent to Code for Sustainable Homes level 4.

Insert new paragraph 7.10.

While not seeking to discharge a condition the effect of submitting the various materials samples to clarify in more detail the changes to the elevations described

on the submitted plans would, in the event that members are supportive of the proposed materials, also enable Condition 3 to be amended to the effect that the development is implemented in accordance with these materials rather than requiring a further submission.

Recommendation (page 207)

Amend to read "Grant planning permission subject to variation of Conditions 2, 3 and 7 attached to application reference 14/P3132 granted permission on appeal".

Delete second part of condition commencing Part 2.

Condition 3. Amend to read. The development shall be implemented in accordance with the materials samples submitted in support of this application (insert schedule of materials into decision letter).

Item 13. 14 Lambourne Avenue SW19 (15/P4105)(Wimbledon Park Ward).

Annotated plan, elevation and cross section showing areas of glazing and additional photograph appended to Supplementary Agenda.

Item 14. The Cricketers PH, 340 London Road, CR4 (Cricket Green Ward).

Site and surroundings (page 234).

Officers note that The White Hart Public House is now closed.

Consultations (page 239)

Insert new paragraph 5.7. The Council's Conservation and Design Officer has commented - This proposal is the best we have had. I think the Vestry Hall elevation picks up on features from Vestry Hall, the eaves line and the horizontal lines. The units facing the Green are accessed from the front with garden space to the front which will enhance the frontage to the Green. The Fire Station frontage also pick up on features from the Fire Station, the pitched roofs for example, and works very well. Overall I support this proposal.

Recommendation (pages 244 to 249)

Additional conditions.

No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4. 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.

The new dwelling unit/s shall be constructed to Lifetime Homes Standards, and shall not be occupied until the applicant has provided written evidence to confirm this has been achieved based on the relevant Lifetime Homes Standards criteria. Reason: To meet the changing needs of households and to comply with the following Development Plan policies for Merton: policy 3.8 of the London Plan 2015, policy CS8 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Polices Plan 2014.

Item 15. The William Morris PH, 20 Watermill Way SW19 (15/P0615)(Colliers Wood Ward).

Insert 3D Computer Generated images of proposed alterations and extensions. Appended to Supplementary Agenda.

Item 16. Planning Appeal decisions.

No modifications.

Item 17. Planning Enforcement.

Revised Statistics (top of page 296)

Current Enforcement Cases:	729	(786)
New Complaints	36	(43)
Cases Closed	93	(104)
No Breach:	51	
Breach Ceased:	42	
NFA2 (see below):	-	
Total	93	(104)

Burn Bullock Update 17/3/16 (para. 2.05, page 297)

The primary objective was to ensure the building was watertight to prevent a potential accelerated damage and deterioration. The roof has been repaired to stop any leakage into the building. Damaged ceilings have been repaired/plastered.

Windows have been repaired or painted (both internally and externally) to an acceptable standard. New casement windows are being made for the upper floors.

The works are being carried out in accordance with the requirements of the REPAIRS NOTICE.

This is not a requirement to refurbish the building. This would be possible when a new application or use is established.

Officers have been informed that the scheduled works are now complete apart from a few items of snagging currently in progress.

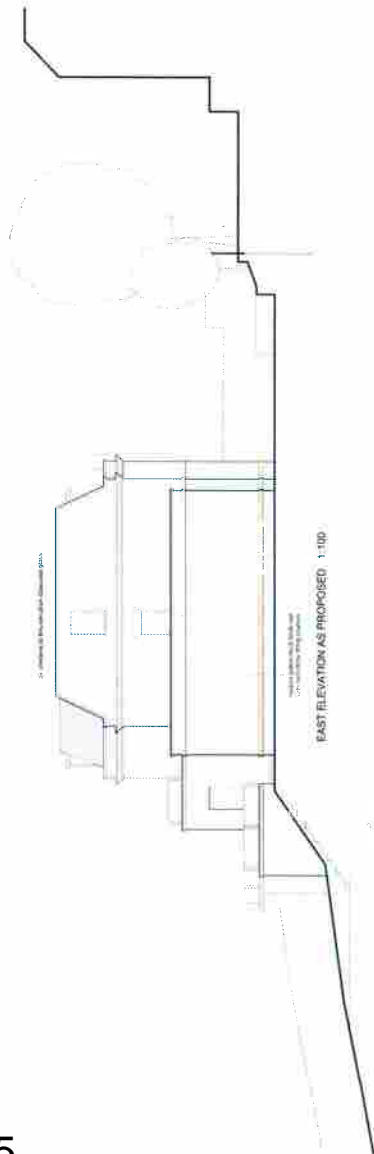
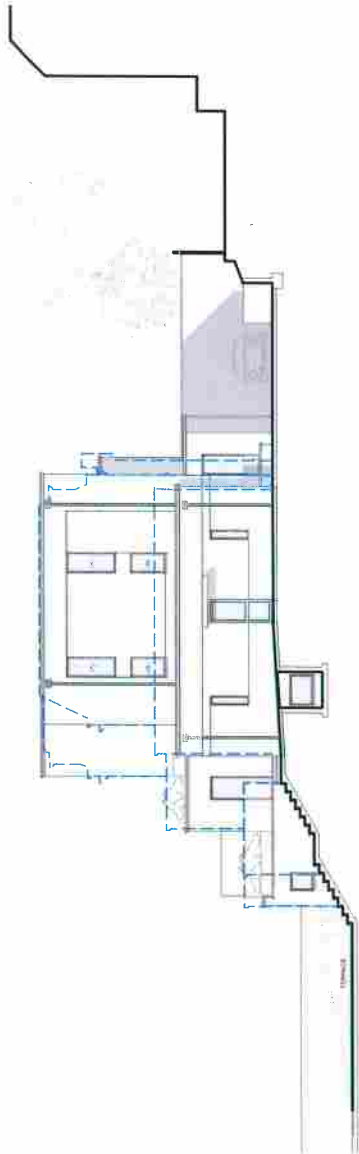
In order to conclude matters, a joint site meeting would be arranged for next week to review the completed works.



APPROVED PLANNING APPLICATION 09/P/1295 OUTLINE



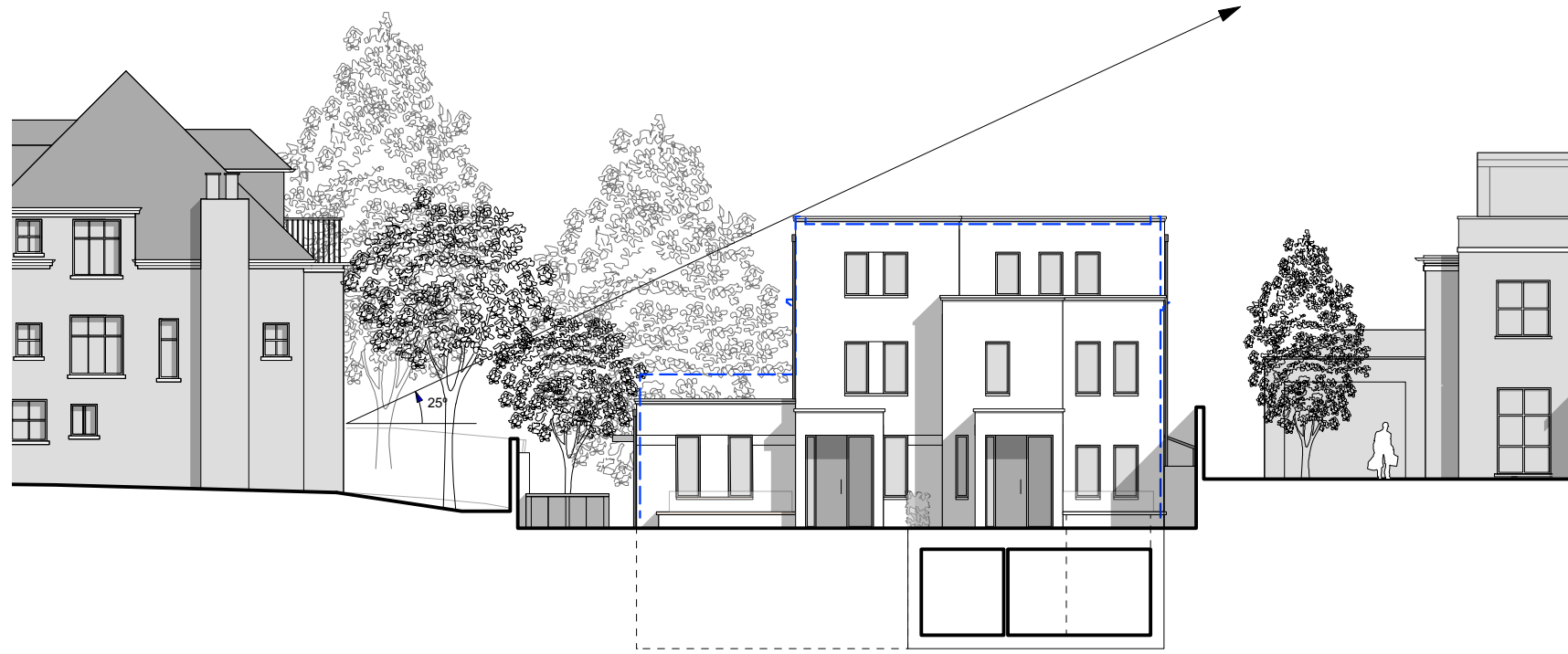
PROPOSED SCHEME



APPROVED PLANNING APPLICATION 09/P/1295

31B ARTERBERRY ROAD EAST ELEVATION		COMPARISON 664/ 024	
Scale	1:200 @ A3	Drawn	PM
Date	16/03/2016	Checked	AS
MBEA, 1 Compton Road Wimbledon, London SW19 7QA Phone +44 (0) 20 8946 4141 Fax +44 (0) 20 8946 4142 Email mba@marcus-beale.co.uk www.marcus-beale.co.uk		MARCUS BEALE ARCHITECTS	

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NO. 31

S I T E

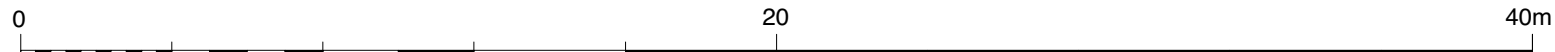
1 HIGHVIEW PLACE

Page 7



FRONT ELEVATION AS PROPOSED 1:100

37.00 DATUM

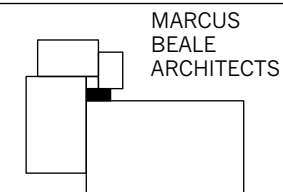


 APPROVED PLANNING APPLICATION 09/P1295 OUTLINE

PROPOSED SCHEME

APPROVED PLANNING APPLICATION 09/P1295

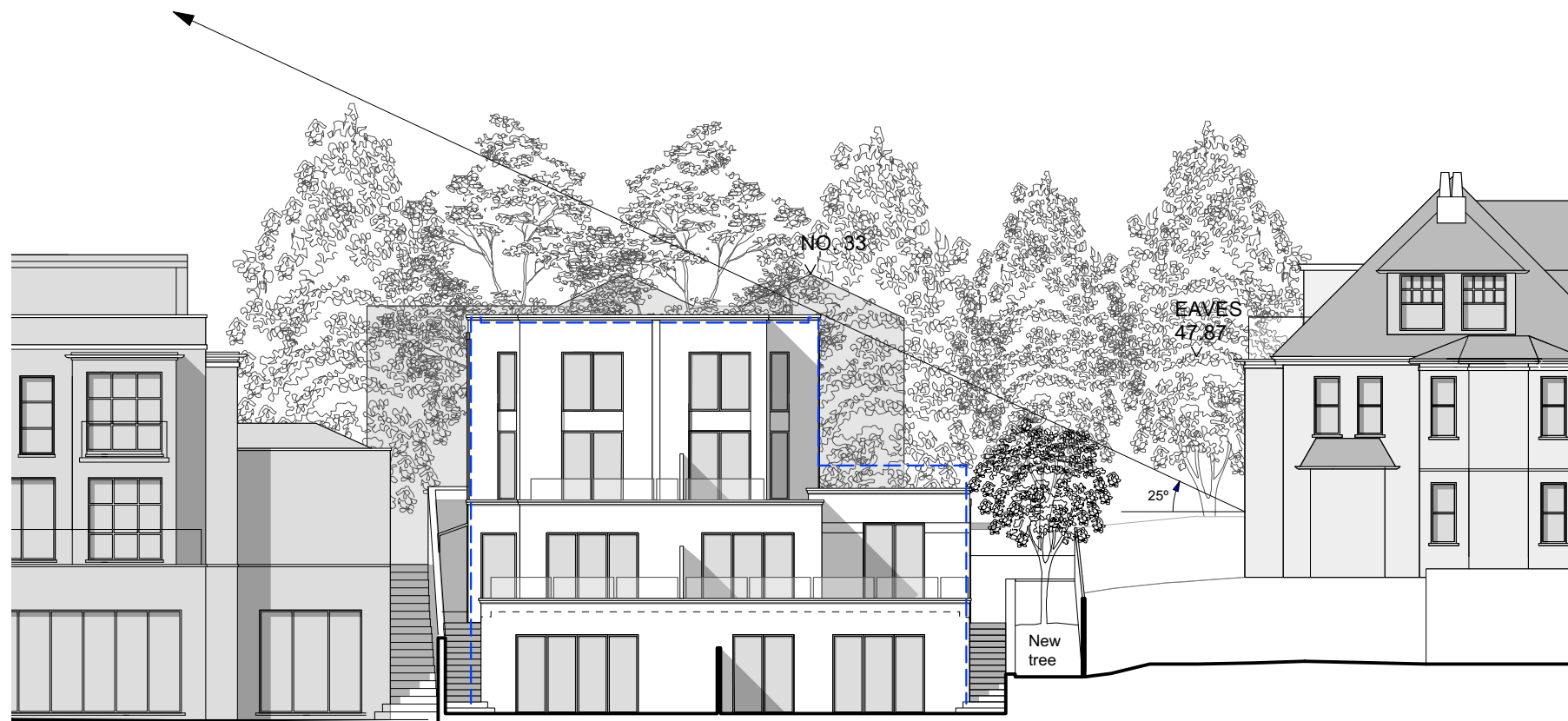
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Revisions

31B ARTERBERRY ROAD		NORTH ELEVATION	COMPARISON
Scale 1:200@A3	Drawn PM	664/ 022	
Date MARCH 2016	Check AS		



 APPROVED PLANNING APPLICATION 09/P1295 OUTLINE

PROPOSED SCHEME

1 HIGHVIEW PLACE

SITE

NO. 31

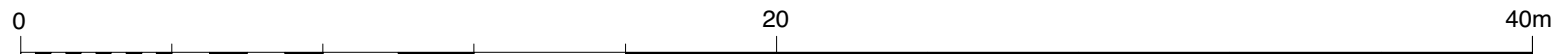
Page 8



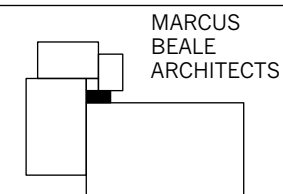
REAR ELEVATION AS PROPOSED 1:100

37.00 DATUM

APPROVED PLANNING APPLICATION 09/P1295



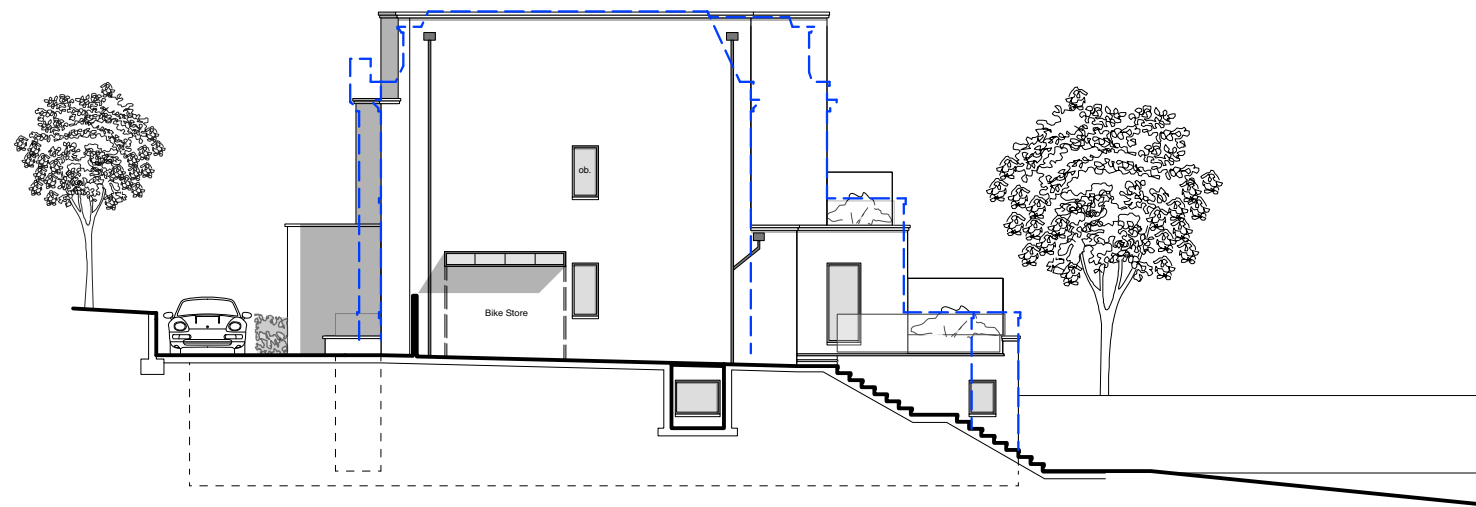
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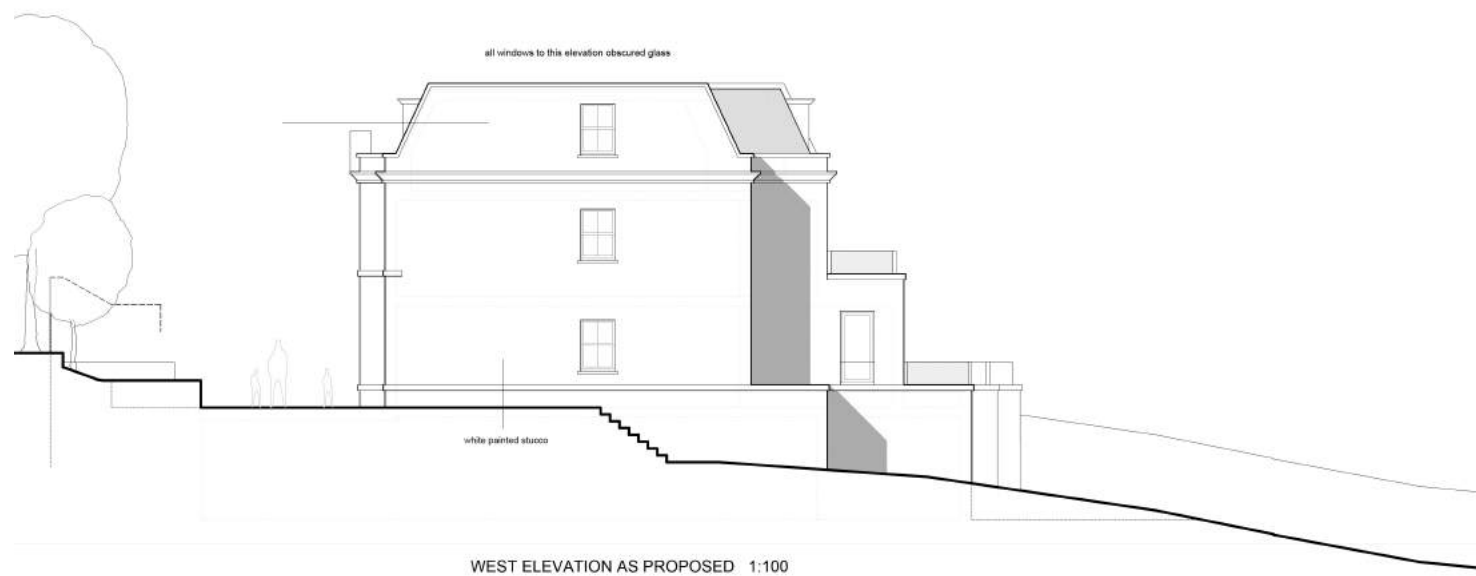
Revisions

31B ARTERBERRY ROAD		SOUTH ELEVATION	COMPARISON
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Date MARCH 2016	Check AS		

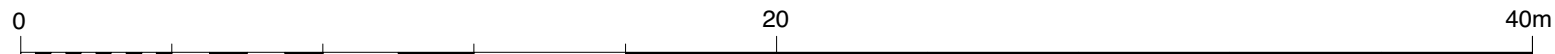


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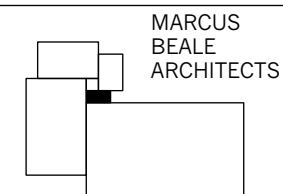
PROPOSED SCHEME



APPROVED PLANNING APPLICATION 09/P1295



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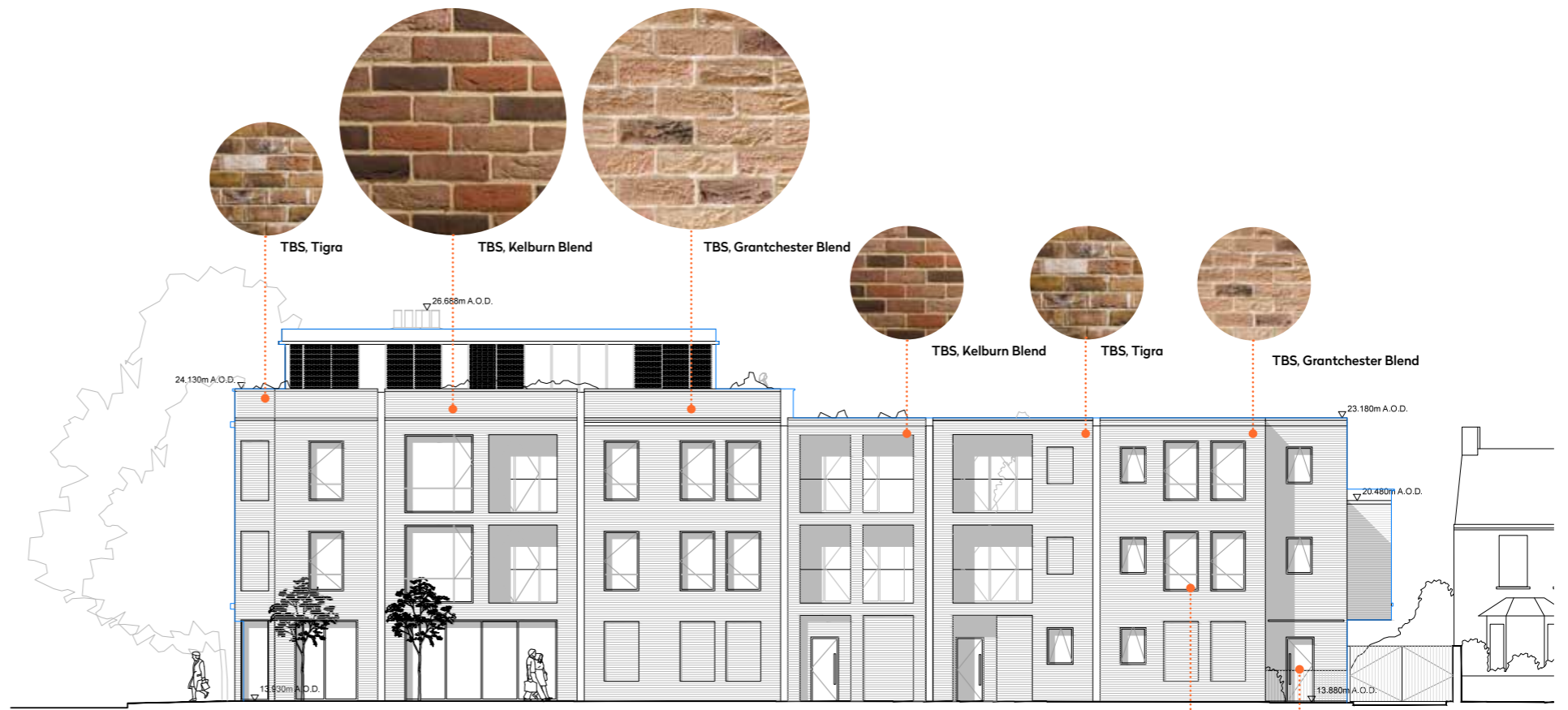
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Revisions		31B ARTERBERRY ROAD WEST ELEVATION COMPARISON
Scale 1:200@A3	Drawn PM	
Date MARCH 2016	Check AS	664/ 023

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Proposed East Elevation (Haydons Road)



Proposed North Elevation (Quicks Road)

All bricks supplied by Traditional Brick And Stone

Composite Timber/ Aluminium Window
RAL: 9002 - Pearl Light Grey

Composite Timber External Doorset
RAL: 9002 - Pearl Light Grey



Photo Realistic View From Haydons Road



Photo Realistic View From Haydons Road Recreation Park

REVISION	DATE/DRAWN
B	MATERIALS AMENDED 07/03/16 JH
A	AMENDED PLANNING ISSUE 05/02/16 TR
-	PLANNING ISSUE 27/11/15 JH



PROJECT	94-96 HAYDONS ROAD
	1-3 QUICKS ROAD
DRAWING TITLE	PROPOSED EXTERNAL FACADE MATERIALS
DATE	MARCH 2016 SCALE NTS
DRAWN	JH CHECK TR
STATUS	PLANNING
JOB NUMBER	AI-2232
DRAWING NUMBER	QK-401 REV B



Photo realistic view form Haydons Road

Page 12

B	MATERIALS AMENDED	07/03/16	JH
A	AMENDED PLANNING ISSUE	05/02/16	TR
-	PLANNING ISSUE	27/11/15	JH

REVISION DATE/DRAWN



PROJECT	94-96 HAYDONS ROAD		
	1-3 QUICKS ROAD		
DRAWING TITLE	PERSPECTIVE VIEW		
	FROM HAYDONS ROAD		
DATE	MARCH 2016	SCALE	NTS
DRAWN	JH	CHECK	TR
STATUS	PLANNING		
JOB NUMBER	A1-2232		
DRAWING NUMBER	QK-402	REV	B



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Photo realistic view form Haydons Road Recreation Park

B	MATERIALS AMENDED	07/03/16	JH
A	AMENDED PLANNING ISSUE	05/02/16	TR
-	PLANNING ISSUE	27/11/15	JH

REVISION DATE/DRAWN



PROJECT 94-96 HAYDONS ROAD
1-3 QUICKS ROAD
DRAWING TITLE PERSPECTIVE VIEW
FROM HAYDONS ROAD PARK

DATE MARCH 2016 SCALE NTS
DRAWN JH CHECK TR
STATUS PLANNING
JOB NUMBER A1-2232
DRAWING NUMBER QK-403 REV B

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Appeal Decision

Site visit made on 8 May 2015

by **John D Allan BA(Hons) BTP MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 June 2015

Appeal Ref: APP/T5720/W/14/3001828
8 Hazelbury Close, London SW19 3JL

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr D Sewell against the decision of the Council of the London Borough of Merton.
 - The application Ref 14/P3132, dated 12 August 2014, was refused by notice dated 8 December 2014.
 - The development proposed is the demolition of the existing 4-bedroom bungalow and the erection of a new 2-storey, 4-bedroom sustainable dwelling.
-

Application for Costs

1. An application for costs was made by the appellant against the Council. This application is the subject of a separate decision.

Decision

2. The appeal is allowed and planning permission is granted for the demolition of the existing 4-bedroom bungalow and the erection of a new 2-storey, 4-bedroom sustainable dwelling at 8 Hazelbury Close, London SW19 3JL in accordance with the terms of the application, Ref 14/P3132, dated 12 August 2014, subject to the conditions within the attached schedule.

Main Issue

3. The main issue is the effect of the proposal on the character and appearance of the area.

Reasons

4. The appeal proposal is a revised scheme for a new dwelling to replace the existing bungalow following a previous similar proposal refused permission on appeal in September 2014 (Ref APP/T5720/A/14/2221044). In that case the Inspector recognised the coherent form of development within Hazelbury Close but considered that given the unique position of the appeal property and its already differing form, together with relevant advice within the National
-

Planning Policy Framework (the Framework), that the design and materials of the new dwelling need not reflect those of its neighbours.

5. I have no reason to disagree with the previous Inspector's findings on this matter. The appellant has proposed a building with timber cladding at ground floor level and smooth render above. Whilst these finishes would not be used in a manner that would directly mimic the appearance of any existing houses within Hazelbury Close, the use of render is not alien in the immediate locality and the pitched roofs to various elements of the new dwelling would all be finished with tiles to match the existing and other surrounding properties.
6. Although there would be accommodation over 3 floors the outward appearance of the building would be of 2-storey scale. The size of the dwelling has been reduced in scale compared with that previously proposed, with a slightly shorter width overall. The intimate relationship with the nearest neighbouring property at 7 Hazelbury Close would however remain unaltered and it was this factor, coupled with the bulk and design of the new dwelling's side elevation, which my colleague found to be unacceptable.
7. I observed in the vista along Hazelbury Close that all of the dwellings appear fairly close in relation to each other. Any sense of openness is derived not from significantly perceived gaps between adjoining dwellings but instead from their recessed building lines and open plan frontages. When viewing the appeal site from the adopted part of the highway I am not persuaded that the separation between the new dwelling and No 7 would stand out in the street scene as being markedly out of step to that perceived between other properties along Hazelbury Close.
8. Moreover, the form of the originally proposed dwelling has been altered by removing an incongruous flat roof element to the rear. This had the effect of enlarging the scale and bulk of the side elevation at roof level with the Inspector finding that its irregular form would jar with the appearance of No 7. In comparison the dwelling now proposed would have a conventional side gable that would reflect the gabled form of all other nearby properties. Although the height of the new dwelling would be greater than No 7, the step change would be fairly negligible and would not, in my assessment, be visually disruptive in the street scene.
9. I accept that the proposal would alter the appearance of Hazelbury Close around the appeal site. That is an inevitable consequence of replacing a building of one type with another. I also accept that the new dwelling would have a fairly prominent presence. However, whilst its form and appearance would not directly replicate the architecture of its surroundings it would display a high quality sustainable design that I find would relate positively and appropriately to its suburban context. I am satisfied that the spacious qualities of Hazelbury Close would be unaffected.
10. I recognise that there is considerable opposition to the proposal from a number of surrounding residents. However, my findings on the various other matters raised do not differ from those of the previous Inspector. Any views into adjacent properties would not unacceptably harm the privacy of any adjoining occupiers, including those in Dorset Road and Poplar Road. This is due to separation distances involved; the orientation of adjoining plots; and the angles

of view. For similar reasons there would be no unacceptable impacts upon daylight affecting neighbouring plots. The dwelling would be to the north side of No 7 and would not affect direct sunlight to that property. The nearby protected beech tree would remain an important and prominent feature in the locality. The replacement of the existing bungalow with a positive example of a sustainably designed and built new home, which would equally contribute to the variety of local housing stock, is supported by the Framework as well as development plan policies.

11. There is no evidence to suggest that the solar panels on the roof would cause any hazardous glare and I am satisfied that they would not exaggerate the scale of the building. Any disturbance during the construction of the building would be reasonably short term. I consider the possible holding of open days to showcase the sustainable credentials of the building would be unlikely to be frequent or disruptive to the locality given the future residential occupancy of the dwelling. Although there are some letters of support for the proposal these have not been instrumental in my reasoning.

Conditions

12. The Council has suggested a list of conditions which I have considered against the advice within the National Policy Guidance. In some instances I have varied the wording of the suggested conditions to more closely reflect the Guidance and model conditions.
13. For the avoidance of doubt and in the interests of proper planning it is necessary to impose a condition requiring that the development is carried out in accordance with the approved plans. In order to safeguard the character and appearance of the area a condition is necessary relating to materials of construction. I have noted an arboricultural report dated August 2014. However, this appears to have been prepared for extensions and modifications to the existing building. Therefore, for the same reason an arboricultural method statement is necessary to ensure that the development is sensitively undertaken with regard to the nearby beech tree. Within this condition I have included the requirement for foundation design, site supervision and a construction exclusion zone although I do not consider it necessary for the condition to explicitly require the Council to be notified of works commencing. In order to safeguard the residential amenities of neighbouring occupiers a condition is necessary to control the hours of construction works and to ensure that space is provided and used to accommodate site workers, construction vehicles and the like.
14. Conditions are necessary to ensure that the new dwelling is constructed to meet Level 4 of the Code for Sustainable Homes and Lifetime Homes Standards in light of the Councils' policies on these matters.

Conclusion

15. For the reasons given I conclude that the proposal would not be harmful to the character or appearance of the area. As such, there would be no conflict with the aims or objectives of Policy CS14 *Design* of the Merton Core Strategy (2011), Policy DMD2 *Design considerations in all developments* of the Merton Sites and Policies Plan (2014), or with Policy 7.6 *Architecture* of The London Plan (2011) insofar as they all relate to quality of design and the impact of new

development upon its surroundings. Therefore, and having regard to all other matters raised, the appeal is allowed.

SCHEDULE OF CONDITIONS

- 1) The development hereby permitted shall begin not later than three years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: Drg Nos HC 01, HC02 Rev C, HC03 Rev A and HC04.
- 3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the new dwelling have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 4) No development shall take place, including any works of demolition, until an Arboricultural Method Statement and Tree Protection Plan, drafted in accord with the recommendations of BS5837: 2012 Trees in Relation to Design, Demolition and Construction, have been submitted to and approved in writing by the local planning authority. The details shall include:
 - (a) the proposed design, materials and method of construction of the foundations to be used within 15m of the beech tree located within the garden of 53A Dorset Road;
 - (b) a programme for the erection and maintenance of protective fencing and the installation of any other protective measures within an identified root protection zone for the beech tree,
 - (c) provision for the supervision and monitoring of works by an arboricultural expert;

The details contained in the Arboricultural Method Statement and Tree Protection Plan shall be thereafter implemented on site and the protective fencing, other protective measures and monitoring shall be maintained during the course of construction.

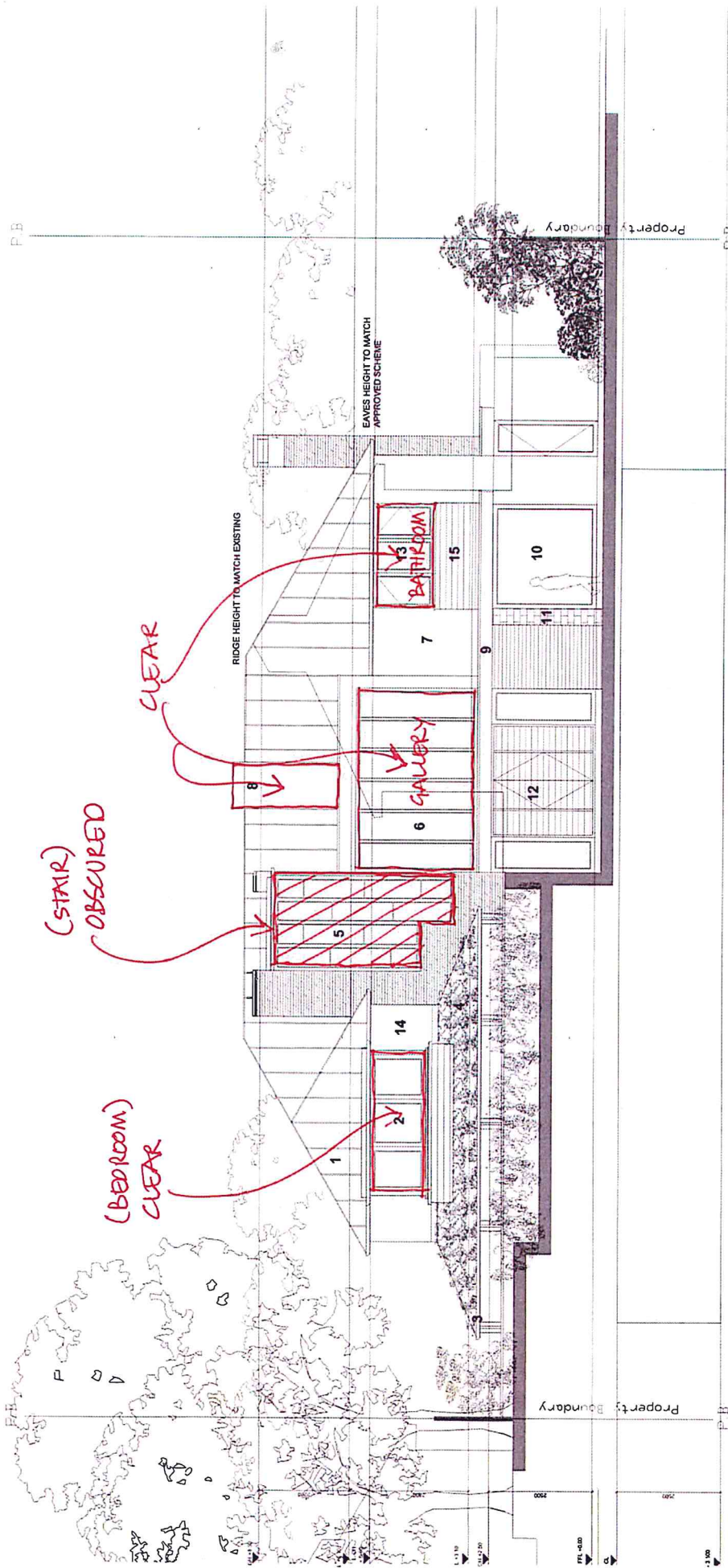
- 5) No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - (a) the parking of vehicles of site operatives and visitors;
 - (b) loading and unloading of plant and materials;
 - (c) storage of plant and materials used in constructing the development;
 - (d) wheel washing facilities ;

- (e) measures to control the emission of dust and dirt during construction;
 - (f) measures to control surface water run-off.
- 6) Demolition or construction works, including deliveries of construction materials or plant or machinery, shall not take place outside 0800 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or recognised public holidays.
 - 7) The new dwelling shall achieve as a minimum Level 4 of the Code for Sustainable Homes. The dwellings shall not be occupied until a final Code Certificate has been issued for it certifying that Code Level 4 has been achieved.
 - 8) The new dwelling shall be constructed to Lifetime Homes Standards. The dwellings shall not be occupied until written evidence has been provided to the local planning authority to confirm that this has been achieved based on Lifetime Homes Standards criteria.

John D Allan

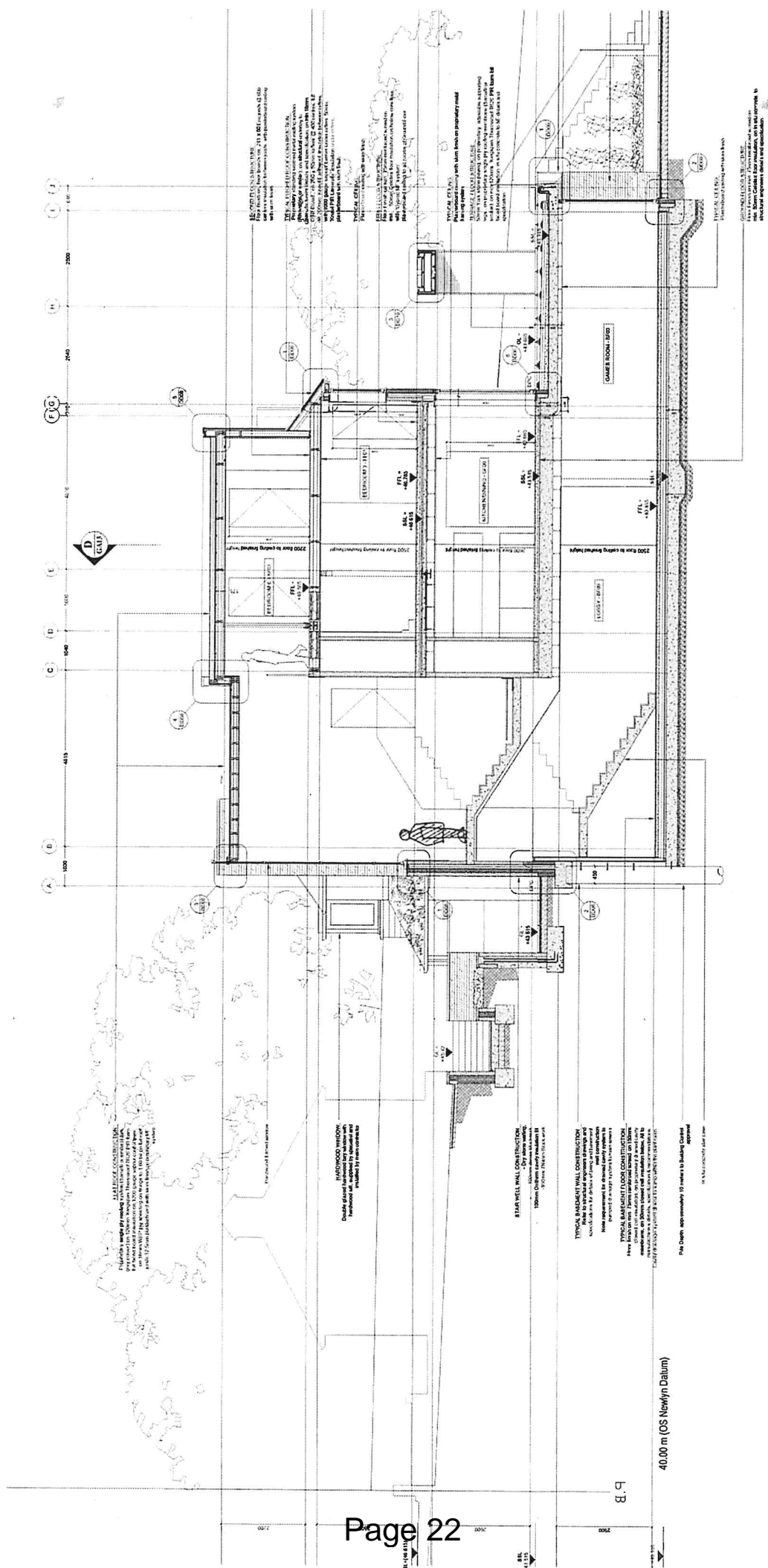
INSPECTOR

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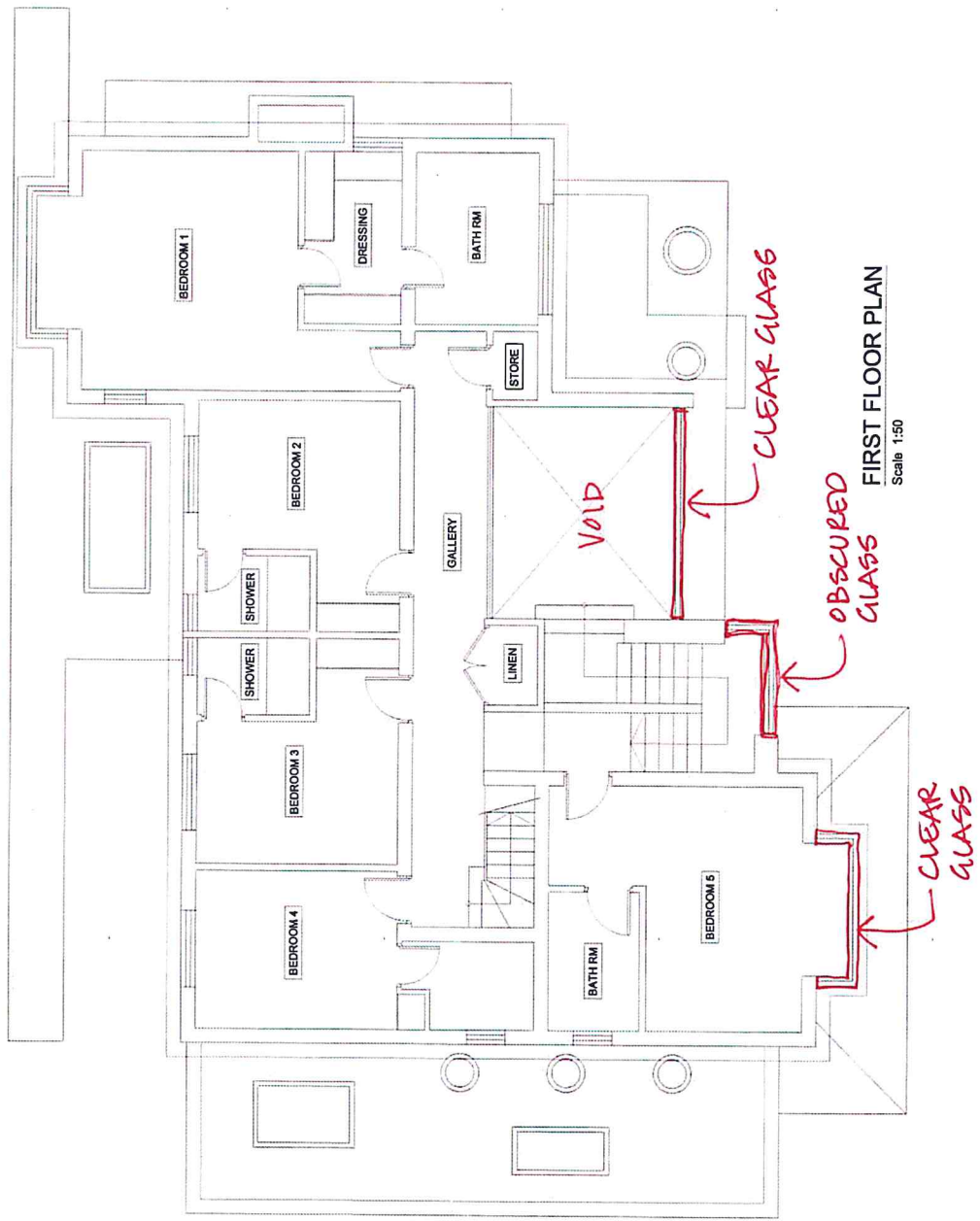


FRONT ELEVATION

15/P4105 14 Lambourne Avenue



15/P4105 14 Lambourne Avenue



FIRST FLOOR PLAN
Scale 1:50

15/P4105 14 Cambourne Avenue

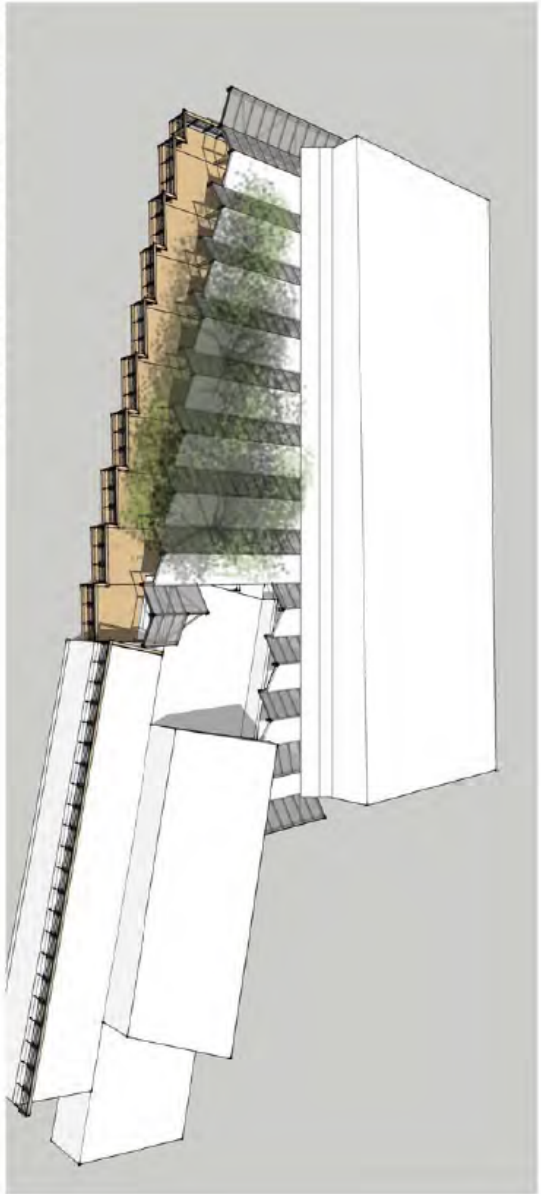
15/p4105 14 Lambourne Avenue





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