

# Merton Council

## Planning Applications Committee

### Membership

#### Councillors

Linda Kirby (Chair)

John Bowcott (Vice-Chair)

Tobin Byers

David Dean

Ross Garrod

Daniel Holden

Abigail Jones

Philip Jones

Peter Southgate

Geraldine Stanford

#### Substitute Members:

Janice Howard

Najeeb Latif

Ian Munn BSc, MRTPI(Rtd)

John Sargeant

Imran Uddin

A meeting of the Planning Applications Committee will be held on:

**Date: 17 March 2016**

**Time: 7.15 pm**

**Venue: Council chamber - Merton Civic Centre, London Road, Morden  
SM4 5DX**

This is a public meeting and attendance by the public is encouraged and welcomed. If you wish to speak please see notes after the list of agenda items. For more information about the agenda and the decision making process contact [democratic.services@merton.gov.uk](mailto:democratic.services@merton.gov.uk) or telephone 020 8545 3357

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# Planning Applications Committee

## 17 March 2016

- 1 Apologies for absence
- 2 Declarations of of pecuniary Interest
- 3 Minutes of the previous meeting 1 - 10  
Officer Recommendation:  
That the Minutes of the meeting held on 11 February 2016 be agreed as a correct record.
- 4 Town Planning Applications - Covering Report 11 - 14  
Officer Recommendation:  
The recommendations for each individual application are detailed in the relevant section of the reports. (NB. The recommendations are also summarised on the index page at the front of this agenda).
- 5 31B Arterberry Road, Raynes Park, SW20 8AG (Ref. 15/P4768) (Raynes Park Ward) 15 - 52  
Officer Recommendation:  
Grant Permission subject to S.106 Obligation and conditions.
- 6 Land adjacent to No.1 Bridge Villas, Ashcombe Road, Wimbledon, SW19 8JR (Ref. 15/P1955) (Wimbledon Park Ward) 53 - 70  
Officer Recommendation:  
Grant Permission subject to S.106 Obligation and conditions.
- 7 27 Cannon Hill Lane, Raynes Park, SW20 9JY (Ref. 15/P3653) (Cannon Hill Ward) 71 - 104  
Officer Recommendation:  
Grant Permission subject to conditions.
- 8 81 Dora Road, Wimbledon Park, SW19 7JT (Ref. 15/P3969) (Wimbledon Park Ward) 105 - 124  
Officer Recommendation:  
Grant Permission subject to conditions.
- 9 17 Ernle Road, West Wimbledon, SW20 0HH (Ref. 15/P3751) (Village Ward) 125 - 138  
Officer Recommendation:  
Grant Permission subject to conditions.
- 10 14 Grosvenor Hill, Wimbledon, SW19 4SA (Ref. 15/P3909) (Village Ward) 139 - 164  
Officer Recommendation:  
Grant Permission subject to conditions.



11	94-96 Haydons Road and 1-3 Quicks Road, South Wimbledon, SW19 1HJ (Ref. 15/P4595 (Abbey Ward))  Officer Recommendation: Grant Variation of Condition 2 of Planning Permission 15/P2070 subject to conditions and deed of variation of S.106 agreement.	165 - 200
12	8 Hazelbury Close, Merton Park, SW19 3JL (Ref. 16/P0104) (Merton Park Ward)  Officer Recommendation: Grant variation of Conditions 2 and 7 attached to LBM planning permission 14/P3132 (dated 27/08/2014).	201 - 220
13	14 Lambourne Avenue, Wimbledon, SW19 7DW (Ref. 15/P4105) (Wimbledon Park Ward)  Officer Recommendation: Grant removal of condition 5 attached to LBM Planning permission Ref.12/P0125 (dated 06/03/2012)	221 - 232
14	The Cricketers PH, 340 London Road, Mitcham, CR4 3ND (Ref. 15/P0890) (Cricket Green Ward)  Officer Recommendation: Grant Permission subject to conditions.	233 - 260
15	The William Morris PH, 20 Watermill Way, Colliers Wood, SW19 2RD (Ref. 15/P0615) (Colliers Wood Ward)  Officer Recommendation: Grant Permission subject to conditions.	261 - 288
16	Planning Appeal Decisions  Officer Recommendation: That Members note the contents of the report.	289 - 294
17	Planning Enforcement - Summary of Current Cases  Officer Recommendation: That Members note the contents of the report.	295 - 300

#### **Declarations of Pecuniary Interests**

Members are reminded of the need to have regard to the items published with this agenda and, where necessary to declare at this meeting any Disclosable Pecuniary Interest (as defined in the The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Council's Assistant Director of Corporate Governance.

#### **Declarations of Pecuniary Interests – Members of the Design and Review Panel (DRP)**

Members of the Planning Applications Committee (PAC), who are also members of the DRP, are advised that they should not participate in an item which has previously been to DRP where they have voted or associated themselves with a conclusion reached or recommendation made. Any member of the PAC who has also sat on DRP in relation to items on this PAC agenda must indicate whether or not they voted in such a matter. If the member has so voted they should withdraw from the meeting.

## NOTES

- 1) **Order of items:** Please note that items may well be not considered in the order in which they are shown on the agenda since the items for which there are many observers or speakers are likely to be prioritised and their consideration brought forward.
- 2) **Speakers:** Councillors and members of the public may request to speak at the Committee. Requests should be made by telephone to the Development Control Admin. Section on 020-8545-3445/3448 (or e-mail: [planning@merton.gov.uk](mailto:planning@merton.gov.uk)) no later than 12 Noon on the last (working) day preceding the meeting. For further details see the following procedure note.
- 3) **Procedure at Meetings:** Attached after this page is a brief note of the procedure at Planning Application Committee meetings in relation to
  - a. requests to speak at meetings; and
  - b. the submission of additional written evidence at meetings. Please note that the distribution of documentation (including photographs/drawings etc) by the public during the course of the meeting will not be permitted.
- 4) **Copies of agenda:** The agenda for this meeting can be seen on the Council's web-site (which can be accessed at all Merton Libraries). A printed hard copy of the agenda will also be available for inspection at the meeting.

## Procedure at meetings of the Planning Applications Committee

- 1 Public speaking at the Planning Applications Committee
- 2 Submission of additional written evidence at meetings

### 1 Public speaking at the Planning Applications Committee

- 1.1 The Council permits persons who wish to make representations on planning applications to speak at the Committee and present their views. The number of speakers for each item will be at the discretion of the Committee Chair, but subject to time constraints there will normally be a maximum of 3 objectors (or third party) speakers, each being allowed to speak for a maximum of 3 minutes.
- 1.2 Following the issue of the agenda, even if a person has previously indicated their wish to address the Committee, they should contact either
  - the Planning Officer dealing with the application (or e-mail: [planning@merton.gov.uk](mailto:planning@merton.gov.uk)) or
  - the Development Control Admin. Section on 020-8545-3445/3448 (9am – 5pm); or
  - the Development Control hotline 020-8545-3777 (open 1pm – 4pm only).
- 1.3 Requests to speak must be received by 12 noon on the day before the meeting, and should include the person's name, address, and daytime contact phone number (or e-mail address) and if appropriate, the organisation they represent; and also clearly indicate the application, on which it is wished to make representations.
- 1.4 More speakers may be permitted in the case of exceptional circumstances/major applications, but representatives of political parties will not be permitted to speak. (See also note 1.10 below on Ward Councillors/Other Merton Councillors.)
- 1.5 If a person is aware of other people who wish to speak and make the same points, then that person may wish to appoint a representative to present their collective views or arrange that different speakers raise different issues. Permission to speak is at the absolute discretion of the Chair, who may limit the number of speakers in order to take account the size of the agenda and to progress the business of the Committee.
- 1.6 Applicants (& agents/technical consultants): Applicants or their representatives may be allowed to speak for the same amount of time as the sum of all objectors for each application. (For example, if objectors are allowed to speak for three minutes each, then if there was only one objector, the applicant may be allowed to speak for a maximum of 3 minutes; but if there were 2 objectors, the applicant may be allowed to speak for a maximum of 6 minutes and so on.)
- 1.7 Unless applicants or their representatives notify the Council to the contrary prior to the Committee meeting, it will be assumed that they will be attending the meeting and if there are objectors speaking against their application, will take the opportunity to address the Committee in response to the objections.

- 1.8 When there are no objectors wishing to speak, but the application is recommended for refusal, then the Applicants or their representatives will also be allowed to speak up to a maximum of 3 minutes.
- 1.9 Applicants will not be allowed to speak if their application is recommended for approval and there are no objectors speaking. An exception will be made if an applicant (or their representative) wishes to object to the proposed conditions; and in this case they will be allowed to speak only in relation to the relevant conditions causing concern.
- 1.10 Speaking time for Ward Councillors/Other Merton Councillors: Councillors, who are not on the Committee, may speak for up to a maximum of 3 minutes on an application, subject to the Chair's consent, but may take no part in the subsequent debate or vote. Such Councillors, however, subject to the Chair's consent, may ask questions of fact of officers.
- 1.11 Such Councillors, who are not on the Committee, should submit their request to speak by 12 noon on the day before the meeting (so that their name can be added to the list of speaker requests provided to the Chair). Such requests may be made to the Development Control Section direct (see 1.2 above for contact details) or via the Councillor's Group office.
- 1.12 Points of clarification from applicants/objectors: If needed, the Chair is also able to ask applicants/objectors for points of clarification during the discussion of an application.

## **2 Submission of additional written evidence at meetings**

- 2.1 The distribution of documentation (including photographs/drawings etc) during the course of the Committee meeting will not be permitted.
- 2.2 Additional evidence that objectors/applicants want to provide Committee Members (i.e. Councillors) to support their presentation (when speaking) must be submitted to Merton Council's Development Control Section before 12 Noon on the day before the relevant Committee meeting.
- 2.3 If an applicant or objector wishes to circulate additional information in hard copy form to Committee Members, they are required to provide 16 hard copies to the Planning Officer dealing with the application before 12 Noon on the day before the meeting.
- 2.4 Any queries on the above should be directed to:
  - [planning@merton.gov.uk](mailto:planning@merton.gov.uk) or;
  - the Development Control hotline 020-8545-3777 (open 1pm – 4pm only).
  - Contact details for Committee Members and all other Councillors can be found on the Council's web-site: <http://www.merton.gov.uk>

# Agenda Item 3

All minutes are draft until agreed at the next meeting of the committee/panel. To find out the date of the next meeting please check the calendar of events at your local library or online at [www.merton.gov.uk/committee](http://www.merton.gov.uk/committee).

## PLANNING APPLICATIONS COMMITTEE

11 FEBRUARY 2016

(7.15 pm - 11.10 am)

PRESENT: Councillors Councillor Linda Kirby (in the Chair),  
Councillor John Bowcott, Councillor Tobin Byers,  
Councillor Ross Garrod, Councillor Daniel Holden,  
Councillor Abigail Jones, Councillor Philip Jones,  
Councillor Peter Southgate, Councillor Geraldine Stanford and  
Councillor Najeeb Latif (Substitute for Councillor David Dean)

ALSO PRESENT: Councillor Andrew Judge

Chris Chowns (Principal Transport Planner), Jonathan Lewis  
(South Team Leader - Development Control)), Neil Milligan  
(Development Control Manager, ENVR), Sue Wright (North  
Team Leader - Development Control) and Michael Udall  
(Democratic Services)

### 1 FILMING (Agenda Item )

The Chair confirmed that, as stated on the agenda, the meeting would be filmed and broadcast via the Council's web-site.

### 2 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor David Dean.

### 3 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

Councillor John Bowcott declared an interest (but not a disclosable pecuniary interest) in Item 8 (Grosvenor Court, Grosvenor Hill, Wimbledon, SW19 4RX) ( ref. 15/P0797) by reason that he lived near the application site, but indicated that this would not influence his consideration of the item.

### 4 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That (1) the Minutes of the meeting held on 21 January 2016 be agreed as a correct record; and

(2) the Committee approves the revised minutes from the meeting of the Planning Applications Committee held on 12 November 2015, to prevent disclosure of personal information and to ensure the Council is acting within data protection requirements

### 5 TOWN PLANNING APPLICATIONS - COVERING REPORT (Agenda Item 4)

The published agenda and the modifications sheet tabled at committee form part of the Minutes.

(a) Modifications Sheet - A list of modifications for items 5, 6, 7, 8, 9, 10 & 15, and additional letters/representations and drawings received since agenda publication, were tabled at the meeting.

(b) Oral Representations – The Committee received oral representations at the meeting made by third parties and applicants/agents in respect of items 5, 6, 7, 8, 9, 10, 12 & 13. In each case where objectors spoke, the Chair also offered the applicants/agents the opportunity to speak; and the Chair also indicated that the applicants/agents would be given the same amount of time to speak as objectors for each item.

The Council also received oral representations at the meeting from the following Councillor (who was not a members of the Committee for this meeting) in respect of the items indicated below -

Items 7 & 9 – Councillor Andrew Judge

(c) Order of the agenda – Following consultation with other Members at various times during the meeting, the Chair amended the order of items to the following - 7, 8, 6, 9, 10, 12, 5, 13 & then 11.

RESOLVED: That the following decisions are made:

6 LAND ADJACENT TO 5 CAMBRIDGE ROAD (AND REAR OF 3 CAMBRIDGE ROAD), WEST WIMBLEDON, SW20 0SQ (REF. 15/P2177) (RAYNES PARK WARD) (Agenda Item 5)

1. Proposal – Demolition of existing garage building and the erection of a detached 1 bed dwellinghouse.

2. Trees – Officers confirmed that the proposal would result in the removal of one tree, but that proposed condition (7) would require provision of a suitable replacement tree; and advised that other trees shown on photos of the site appeared to be located outside the application site.

3. Approval – The application was approved unanimously.

Decision: Item 5 - ref. 15/P2177 (Land adjacent to 5 Cambridge Road (and rear of 3 Cambridge Road), West Wimbledon, SW20 0SQ)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report.

7 258 COOMBE LANE, RAYNES PARK, SW20 0RW (REF. 15/2082) (VILLAGE WARD) (Agenda Item 6)

1. Proposal – Demolition of existing bungalow and the erection of six houses (3 pair of semi-detached houses on basement, ground, first and second floors) with 6 parking spaces.

2. Noise/Boundary Fencing – It was noted that a continuous double boarded acoustic fence of 1.65m height was proposed along the side of the access road boundary with the side and rear garden of 260 Coombe Lane, and that this would assist in reducing the impact of noise from traffic along the access road. In response to concerns raised by a member about the possible noise impact of the proposed development on other properties in Coombe Lane, officers suggested that, possibly such fencing could be extended along the application site's boundary with those other properties in Coombe Lane.

2.1 The Chair invited the applicant's representatives present to comment on this suggestion and they indicated that such an extension of the fencing (as part of the development) would be acceptable to the applicant.

3. Access Road – Members raised concerns about the proposed access road, including referring to the increase in traffic in Coombe Lane since the previous scheme for the site was refused on appeal in 1998. Officers confirmed that they were satisfied that previous concerns raised by the appeal Inspector regarding the access road had been overcome, especially following a deed of easement allowing access over a triangle of land belonging to 260 Coombe Lane which would allow a remodelled access to the site.

3.1 Officers also confirmed that the access road would provide suitable access for emergency vehicles, and indicated that the widest fire engines would be 1.5m narrower than the proposed access road.

4. Access Road – Lighting – Officers confirmed that a condition was proposed requiring submission of details of access arrangements for approval, and this would allow officers to ensure that the access road had suitable lighting on both the footway and road, and met security requirements for designing out crime.

5. Refuse Store – Members expressed concern that the refuse store would be some distance from the proposed houses to the side of the access road near its Coombe Lane end, and occupiers would not transfer their refuse such a distance. Officers advised that they were satisfied with the proposed arrangements; that the current occupier of the existing bungalow on the site had similar arrangements; and that the exact siting of the store so as to minimise any narrowing of the access road, would be subject to approval by officers under the proposed conditions.

6. Parking – Members expressed concern amount the small amount of parking proposed, namely 6 parking spaces for 6 houses. Officers indicated that it should be possible to incorporate an extra parking space into the development, and for this to have a charging point for electric vehicles.

7. Discussion – There was considerable discussion about the above matters and other issues including proposed density; the lack of spacing between the proposed

buildings leading to a loss of views of the green area beyond; too much proportion of the existing garden land on the site being be lost to development; and including the issues detailed in the refusal grounds below.

8. Refusal Motion: It was moved and seconded that permission be refused as detailed below. The motion was carried by 7 votes to 1 (Councillor Daniel Holden dissenting). Subsequently the Committee agreed that officers be delegated authority to agree the detailed grounds of refusal and also agreed (C) below.

Decision: Item 6 - ref. 15/P2082 (258 Coombe Lane, Raynes Park, SW20)

(A) subject to detailed grounds of refusal being agreed in accordance with (B) below, REFUSE permission on grounds relating to the following -

- (i) The proposal constitutes overdevelopment of the site, resulting in the excessive site coverage of the development, and the intensity of the number of dwellings proposed is discordant with the pattern of plots locally contrary to Policy DN.D2 of the Merton Sites and Policies Plan (July 2014);
- (ii) The massing of the proposed buildings having a harmful impact in terms of being a backdrop to MOL (Metropolitan Open Land);
- (iii) The proposed development fails to demonstrate that there are suitable access/servicing arrangements; and
- (iv) The proposed development fails to conserve the natural environment.

(B) Delegation: The Director of Environment & Regeneration be delegated authority to agree the detailed grounds of refusal, including any appropriate amendments, additions and/or deletions to the proposed grounds/policies.

(C) Reasons for not following Planning Officers' recommendation for permission: The Committee considered that the officer report had given insufficient weight to relevant Council policies Plan.

8 30 GRIFFITHS ROAD, WIMBLEDON, SW19 1SP (REF. 15/P4370 (ABBEY WARD) (Agenda Item 7)

1. Proposal – Demolition of existing three storey block and the erection of a part three, part four storey building providing 21 residential units (3 x 1, 14 x 2 and 4 x 3) with associated landscaping, parking & access arrangements.

2. Updated Plans – Officers advised the floor plans circulated with the main agenda didn't show the most recent amendments to the scheme on which neighbours had been consulted; apologised for this; indicated that updated plans had been circulated to Committee members at the start of the meeting; and explained that the main changes on the updated plans included a reduction in scale due to the loss of one unit at second floor level and omission of second floor balconies. (NB The updated plans circulated at the meeting – already on Merton's web-site with the application papers- were subsequently also published on Merton's web-site with the agenda papers for this meeting.)



3. Affordable Housing – Officers referred to concerns raised by objectors that the proposed development would result in the loss of existing affordable housing on the site. Officers advised that this would not be the case as -

(a) the original planning permission in the 1960's for the buildings currently on the site didn't include any conditions restricting who the flats could be let to;

(b) the previous owner of the site, the Metropolitan Police, was not a registered social landlord, but had let the site to the Crown Housing Association who had found their own tenants; and

(c) the advice of the Council's Policy Unit was that in these circumstances, there were no grounds to refuse the current application by reason of loss of existing affordable housing.

3.1 Affordable Housing Contribution – Review – Reference was made to the proposed contribution of £200k towards affordable housing off site (as detailed in para. 10.1.2, agenda page 109). Members expressed concern that due to increasing property prices, the viability of the scheme and this contribution figure needed to be subject to further review once the scheme was built. Officers confirmed that it would be possible for any approval to be subject to the proposed Section 106 Agreement including an additional provision for a review mechanism for determining whether an increased affordable housing contribution can be provided later in the development timetable.

3.2 As indicated below, the Committee subsequently agreed that any approval be subject to such a review mechanism and that officers be delegated authority to agree the detailed wording required.

4 Controlled Parking Zone – Reference was made to the possible impact of the development on on-street parking in the area, especially in the evening outside of the hours when the local CPZ (Controlled Parking Zone) was in force. A member suggested that the proposed Section 106 Agreement also include a financial contribution towards a review of the CPZ. Officers explained that, as far as they were aware, there were currently no plans to review this CPZ at present, and as indicated below, the Committee didn't agree to such an additional provision to the Section 106 Agreement.

5. Sustainable Homes – In response to a members query regarding encouraging the use of sustainable energy measures, officers advised that proposed condition (12) (Sustainable Homes) would be fleshed out and would refer to such issues if needed.

6. Approval Motion – Following considerable discussion of the above matters and other issues including privacy, daylight, sunlight, overshadowing and density, it was moved and seconded that permission be granted. The motion was carried by 8 votes to 1 (Councillor Abigail Jones dissenting; and Councillor Tobin Byers abstaining).

Decision: Item 7 - ref. 15/P4370 (30 Griffiths Road, Wimbledon, SW19 1SP)

(A) GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet, and subject to the following.

(i) Affordable Housing Contribution – Review – The Section 106 Agreement to include an additional provision for a review mechanism for determining whether an increased affordable housing contribution can be provided later in the development timetable, subject to (B) below.

(B) Delegation - The Director of Environment & Regeneration be delegated authority to agree the detailed wording of the additional provision for the Affordable Housing Contribution – Review.

9 GROSVENOR COURT, GROSVENOR HILL, WIMBLEDON, SW19 4RX  
(REF. 15/P0797) (VILLAGE WARD) (Agenda Item 8)

1. Proposal – Demolition of garage blocks (comprising 9 x garages) and erection of new garages, refuse store and cycle store at ground floor level and new 2 bed flat at first floor level.

2. Sunlight/Daylight – Officers drew attention to the new report on sunlight and daylight included in the Modifications Sheet (for various items) tabled at the meeting, showing that the proposed development would meet BRE guidance as regards the neighbouring property, Emerson Court.

2.1 Officers also confirmed that overall the proposed development would meet BRE guidelines, including separation distances.

3. External Materials – Officers confirmed that a condition (3) was proposed regarding the submission of external materials for approval.

4. Approval Motion - It was moved and seconded that permission be granted. The motion was carried by 8 votes to 0. (Councillor Daniel Holden abstaining).

Decision: Item 8 - ref. 15/P0797 (Grosvenor Court, Grosvenor Hill, Wimbledon, SW19 4RX)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet.

10 101 HAMILTON ROAD, SOUTH WIMBLEDON, SW19 1JG (REF. 15/P3573)  
(ABBEY WARD) (Agenda Item 9)

1. Proposal – Renovation of existing Rose Cottage to create 4x 2-bed self-contained flats including erection of two storey rear extension, erection of new 3-bed semi-detached house (adjoining 97 Hamilton Road) and erection of new detached two storey 2-bed mews house at rear of site.

2. Extra Condition – Restoration of Rose Cottage - Officers suggested that an extra condition possibly be imposed requiring that the restoration of Rose Cottage be

completed prior to the occupation of the other residential units on the site. As indicated below, the Committee subsequently agreed to this extra condition.

3. Materials – Officers confirmed that officers were satisfied as regards the level of detail provided regarding external materials and windows; and 1:20 detailed plans would be requested where needed.

Decision: Item 9 - ref. 15/P3573 (101 Hamilton Road, South Wimbledon, SW19 1JG)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet. and subject to the following additional condition -

(i) Extra Condition - Restoration of Rose Cottage – An extra condition be imposed requiring that the restoration of Rose Cottage be completed prior to the occupation of the other residential units on the site.

11 LAND REAR OF 150-152 HARTFIELD ROAD, WIMBLEDON, SW19 3TJ  
(REF. 15/P2482) (DUNDONALD WARD) (Agenda Item 10)

1. Proposal – Erection of detached dwellinghouse on land at rear of 150-152 Hartfield Road.

2. Separation distances – Officers referred to an objector's contention in their oral representations that the distance from the rear of the new development to the dwelling at 107 Gladstone Road would be only 18m, whereas the officer report stated that the separation distance to Gladstone Road properties would be approximately 20.5m. Officers advised that the 20.5m distance had been confirmed by the applicant and pointed out that even 18m would be close to the minimum 20m separation distance between 2-storey dwellings suggested in the Council's SPG on New Residential Development.

3. Rear Windows – Officers advised that the new development's two large ground floor rear windows facing Gladstone Road would not be easily visible from neighbouring properties due to the high fence at the back of the rear garden of the new development.

4. Approval – The application was approved unanimously.

Decision: Item 10 - ref. 15/P2482 (Land rear of 150-152 Hartfield Road, Wimbledon, SW19 3TJ)

GRANT PERMISSION subject to the completion of a Section 106 Agreement and subject to the conditions set out in the officer case report and the tabled modifications sheet.

12 8 PENTNEY ROAD, WIMBLEDON, SW19 4JE (REF. 15/P3746) (HILLSIDE WARD) (Agenda Item 11)

1. Proposal – Erection of a single storey rear extension

Decision: Item 11 - ref. 15/P3746 (8 Pentney Road, Wimbledon, SW19 4JE)

Decision: GRANT PERMISSION subject to the conditions set out in the officer case report.

13 5 PEREGRINE WAY, WEST WIMBLEDON, SW19 4RN (REF. 15/P3993)  
(RAYNES PARK WARD) (Agenda Item 12)

1. Proposal – Increase in width of access to existing garage, erection of a brick chimney to north side elevation and a brick planter to the front elevation.

2. Approval – The application was approved unanimously.

Decision: GRANT PERMISSION subject to the conditions set out in the officer case report.

14 8 ST MARY'S ROAD, WIMBLEDON, SW19 7BW (REF. 15/P3969) (VILLAGE WARD) (Agenda Item 13)

1. Proposal – Demolition of existing dwelling house and erection of new four storey dwelling house comprising a basement level and rooms in the roof space, together with associated car parking and landscaping.

4. Approval Motion - Councillor Najeeb Latif indicated that he had liaised with the owners of Nos 6 & 8 St Mary's Road on the application, and therefore he would not be voting. It was moved and seconded that permission be granted. The motion was carried by 8 votes to 0 (Councillors John Bowcott and Najeeb Latif abstaining).

Decision: Item 13 - ref. 15/P3969 (8 St Mary's Road, Wimbledon, SW19 7BW)

GRANT PERMISSION subject to the conditions set out in the officer case report.

15 MEETING BREAK (Agenda Item )

After consideration of item 9, at about 9.40pm, the Committee adjourned its discussions for about 5 minutes.

16 PLANNING APPEAL DECISIONS (Agenda Item 14)

RECEIVED

17 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 15)

Modifications Sheet - A list of modifications for various items, including this item, was tabled at the meeting.

RECEIVED

18 MODIFICATIONS SHEET (FOR VARIOUS ITEMS) (Agenda Item 16)

See above Minutes on

(a) Item 4 (Town Planning Applications – Covering Report); and

(b) Item 15 (Planning Enforcement – Summary of Cases).

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## Agenda Item 4

### **Committee: PLANNING APPLICATIONS COMMITTEE**

Date: 17<sup>th</sup> March 2016

Wards: ALL

**Subject:** TOWN PLANNING APPLICATIONS – Covering Report

Lead officer: James McGinlay - Head of Sustainable Communities

Lead member: COUNCILLOR LINDA KIRBY, CHAIR OF PLANNING APPLICATIONS COMMITTEE

Contact officer: For each individual application, see the relevant section of the report.

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### **Recommendations:**

A. The recommendations for each individual application are detailed in the relevant section of the reports. (NB. The recommendations are also summarised on the index page at the front of this agenda).

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## **1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY.**

1.1. These planning application reports detail site and surroundings, planning history, describe the planning proposal, cover relevant planning policies, outline third party representations and then assess the relevant material planning considerations.

## **2. DETAILS**

2.1 This report considers various applications for Planning Permission and may also include applications for Conservation Area Consent, Listed Building Consent and Advertisement Consent and for miscellaneous associated matters submitted to the Council under the Town & Country Planning Acts.

2.2. Members' attention is drawn to Section 38(6) of the Planning and Compulsory Purchase Act 2004 which requires that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

- 2.3 In Merton the Development Plan comprises: The London Plan (March 2015) the Merton LDF Core Planning Strategy (July 2011), the Merton Sites and Policies Plan (June 2014), and The South West London Waste Plan (March 2012). The National Planning Policy Framework (“NPPF”) which came into effect in March 2012 and the National Planning Policy Guidance, published in March 2014 are also of particular relevance in the determination of planning applications.
- 2.4 Members’ attention is also drawn to Section 16 (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (1990 Act), regarding applications for Listed Building Consent which places a statutory duty on the Council as local planning authority to have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses”.
- 2.5 With regard to Conservation Areas, Section 72(1) of the 1990 Act provides that “special attention shall be paid to the desirability of preserving or enhancing the character or appearance” of the conservation area when determining applications in those areas.
- 2.6 Each application report details policies contained within the Development Plan. For ease of reference and to introduce some familiarity, the topics covered by the policies are outlined in brackets. In the event that an application is recommended for refusal the reasons will cover policies in the Development Plan.
- 2.7 All letters, petitions etc. making representations on the planning applications which are included in this report will be available, on request, for Members at the meeting.
- 2.8 Members will be aware that certain types of development are classed as "Permitted Development" and do not require planning permission.
- 2.9 The Council’s Scheme of Management provides for officers to determine generally routine, applications, including householder applications, applications for new housing that have not been the subject of local interest at consultation stage and with which there is an associated S106 undertaking, provided that it would not contain any heads of terms or contributions that are not a standard requirement of the Local Plan or (for proposals where a standard requirement has been subject to modification through negotiation or otherwise) depart significantly from the standard requirement of the Local Plan; and applications for advertisement consent.

### **3. SUSTAINABLE DEVELOPMENT AND ENVIRONMENTAL IMPACT ASSESSMENT**

- 3.1 There is a need to comply with Government guidance that the planning process should achieve sustainable development objectives. It is for this reason that each report contains a section on sustainability and environmental impact assessment requirements.
- 3.2 Resolution 42/187 of the United Nations General Assembly defined sustainable development as "development which meets the needs of the present without compromising the ability of future generations to meet their own needs. The NPPF



states that “the purpose of the planning system is to contribute to the achievement of sustainable development” and that “there are three dimensions to sustainable development: economic, social and environmental”.

- 3.3 The NPPF states that “pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people’s quality of life”, and that “at the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking”.
- 3.4 It is also important that relevant applications comply with requirements in respect of environmental impact assessment as set out in the Town & Country Planning (Environmental Impact) Regulations 2011 (As amended). Each report contains details outlining whether or not an environmental impact assessment was required in the consideration of the application and, where relevant, whether or not a screening opinion was required in the determination of the application. Environmental impact assessments are needed in conjunction with larger applications in accordance with relevant regulations. In some cases, which rarely occur, they are compulsory and in others the Council has a discretion following the issue of a screening opinion. In practice they are not needed for the large majority of planning applications.

#### **4 ALTERNATIVE OPTIONS**

- 4.1. None for the purposes of this report, which is of a general nature outlining considerations relevant to the reports for specific land development proposals.

#### **5 CONSULTATION UNDERTAKEN OR PROPOSED**

- 5.1 Not required for the purposes of this report.

#### **6 TIMETABLE**

- 6.1. As set out in the body of the report.

#### **6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 6.1. None for the purposes of this report unless indicated in the report for a particular application.

#### **7 LEGAL AND STATUTORY IMPLICATIONS**

- 7.1. As set out in the body of the report.

#### **8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 8.1. These applications have been considered in the light of the Human Rights Act (“The Act”) and in particular, the First Protocol of Article 1 (Protection of Property); Article 6 (Rights to a Fair Trial) and Article 8 (Private and Family Life) which came into force on 2 October 2000.
- 8.2. Consideration has been given to the impact of each application on the people living and working in the vicinity of that particular application site and

to the impact of the proposals on the persons who have made written representations on the planning merits of the case. A full assessment of material planning considerations has been included in each Committee report.

- 8.3. Third party representations and details of the application proposals are summarised in each Committee report. It may be that the policies and proposals contained within the Development Plan and/or other material planning considerations will outweigh the views of third parties and/or those of the applicant.

## **9 CRIME AND DISORDER IMPLICATIONS**

- 9.1. As set out in the body of the report.

## **10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

- 10.1. As set out in the body of the report.

## **11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT**

- 11.1 None for the purposes of this report.

## **12. BACKGROUND PAPERS**

- Background papers – Local Government (Access to Information) Act 1985
- Planning application files for the individual applications.
- London Plan (2015)
- Merton LDF Core Planning Strategy (2011)
- Merton Sites and Policies Plan (2014)
  
- Appropriate Government Circulars and Guidance Notes and in particular the NPPF and NPPG.
- Town Planning Legislation.
- The Mayor of London’s Supplementary Planning Guidance.
- Merton's Supplementary Planning Guidance.
- Merton's Standard Planning Conditions and Reasons.
- Town & Country Planning (Environmental Impact Assessment) Regulations 2011 (As amended).

PLANNING APPLICATIONS COMMITTEE  
17 March 2016

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P4768	11/12/2015
<b>Address/Site</b>	31B Arterberry Road, Raynes Park, London, SW20 8AG	
<b>Ward</b>	Raynes Park	
<b>Proposal:</b>	Erection of 2 x 5 bedroom semi-detached three storey dwellings including accommodation at lower ground floor level.	
<b>Drawing Nos</b>	664/008 P2, 002 P1, 003 P1, 004 P1, 005 P1, 006 P1, 007 P1, 009 P1, 010 P2, 011 P1, 012 P2, 013 P1, 014 P2, 015 P1, 016 P2, 017 P1, 018 P1, 019 P1, 020 P1 and 306 P1	
<b>Contact Officer:</b>	Stuart Adams (0208 545 3147)	

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## RECOMMENDATION

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

## CHECKLIST INFORMATION.

Heads of agreement: - Affordable housing  
Is a screening opinion required: No  
Is an Environmental Statement required: No  
Has an Environmental Impact Assessment been submitted – No  
Press notice – Yes  
Site notice – Yes  
Design Review Panel consulted – No  
Number of neighbours consulted – 10  
External consultations – No.  
PTAL Score – 2  
CPZ – RPE

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## 1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee for consideration due to the number of objections received

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a vacant plot of land within Arterberry Road, Wimbledon. The former house on the site was recently demolished following the grant of planning permission for its demolition and the construction a replacement house (08/P3096 and 09/P1295).
- 2.2 The application site is set well away from the road in a secluded position. Access to the site is via a narrow driveway which runs past 31 Arterberry Road and is adjacent to the driveway serving 1 & 2 Highview Place. Due to the natural topography of the land, the application site sits below Arterberry Road and land levels are naturally lower towards the rear of the site.
- 2.3 To the east of the application site, 31 Arterberry Road is a two storey detached building split into 4 flats. The building's rear elevation faces directly towards the application site and part of its northern flank elevation marks the side boundary of the narrow access to the application site.
- 2.4 To the west of the application site are two detached houses known as 1 and 2 Highview Place. The houses are situated a considerable distance away from the Arterberry Road frontage. Access to the houses is from a driveway to the north of the application site. The three storey houses have a flat roof modern design approach and accommodation at lower ground level at the rear.
- 2.4 To the south of the application site, at the bottom of the hill, is a recently built two storey detached house known as 29 B Arterberry Road.
- 2.5 The surrounding area is characterised by detached and semi detached houses. The application site is located within the Wimbledon West Conservation Area.

## 3. **CURRENT PROPOSAL**

- 3.1.1 The proposal is for the erection of 2x 5 bedroom semi-detached three storey dwellings including accommodation at lower ground floor level. The proposed three storey buildings would have a modern design approach

with a flat roof design. House A would have predominantly brick elevations whilst house B would have a rendered front elevation.

- 3.2 Two onsite car parking spaces are provided, one for each house. House A has a car parking space to the side and House B to the front within the existing driveway.
- 3.3 The floor space (GIA) and amenity space standards of individual residential units are as follows compared to London Plan 2015 requirements and Merton planning policy DM D2 Design considerations in all developments).

<u>Proposal</u>	<u>Type(b)bed (p) person</u>	<u>Proposed GIA</u>	<u>London Plan</u>	<u>Amenity Space (sq m)</u>	<u>London Plan/ Merton requirement</u>
House A	<u>5b4p</u>	<u>328</u>	<u>123</u>	<u>224</u>	<u>50</u>
House B	<u>5b4p</u>	<u>288</u>	<u>123</u>	<u>186</u>	<u>50</u>

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

- 4.1 WIM4087 - Planning permission was granted under delegated powers on 18/12/58 for the conversion of the existing house (31) to form 3 flats, erection of a new extension also comprising 3 flats and the erection of two detached dwelling houses (31B and 31C).
- 4.2 WIM4906 – Outline planning permission was granted under delegated powers on 5/4/60 to erect a dwelling house at rear of the site, with access through a private road to Arterberry Road.
- 4.3 WIM5438 – Planning permission was granted under delegated powers on 13/1/61 for the erection of one dwelling house and garage.
- 4.4 10 June 2008 Appeal Decisions
- 4.4.1 In 2007, two similar applications were submitted to demolish the existing house and replace it with a pair of semi-detached houses. 07/P1306 related to two 5-bedroom properties and 07/P2533 related to two 4-bed properties. Both were accompanied by Conservation area consent applications to demolish the existing house (07/P1307 and 07/P2614 respectively).
- 4.4.2 The two planning applications were both refused under delegated powers on the grounds of overdevelopment, detrimental impact on the character and appearance of Wimbledon West Conservation Area, visually intrusive

- impact on neighbours and loss of trees. The two applications for conservation area consent were refused on the basis that demolition of 31B Arterberry Road would be premature in the absence of an acceptable scheme for the redevelopment of the site.
- 4.4.3 Appeals were lodged on all four applications and were considered by the Planning Inspectorate in a single decision notice dated 10 June 2008. The two appeals against refusal of conservation area consent to demolish the house were allowed on the basis that the house was of unremarkable appearance and did not make any positive contribution to the conservation area as a whole.
- 4.4.4 The two appeals relating to the construction of a pair of semi-detached houses were both dismissed. The Inspector considered that there was no effect on the character or appearance of the conservation area, but that both proposals were unacceptable in terms of disturbance, loss of daylighting and visual intrusion to neighbouring occupiers.
- 4.5 07/P3499 – Conservation Area consent for demolish existing house in connection with erection of a pair of semi detached houses - Withdrawn.
- 4.6 07/P3501 – For full planning permission for redevelopment of site involving demolition of existing house and construction of a pair of new semi-detached houses - Withdrawn.
- 4.7 29 January 2009 Appeal Decision
- 4.71 08/P0353 - Demolition of existing house and construction of a three storey (with accommodation at lower ground floor level) 6-bedroom dwelling house was refused in May 2008 for the following reasons:
1. The proposed development by reason of its design, size, massing and position would result in an unneighbourly over-development of the site, out of keeping with and harmful to the character and appearance of the Wimbledon West Conservation Area and the Arterberry Road street scene and visually intrusive and unduly dominant to neighbouring occupiers contrary to policies BE.1, BE.15, BE.16 and BE.22 of the Adopted Merton Unitary Development Plan (October 2003)
  2. The proposed development would result in the loss of a Robinia tree at the rear of the existing house, which makes a positive contribution to the character and appearance of the Wimbledon West Conservation Area. The loss of the tree would be contrary to policy NE.11 of the Adopted Merton Unitary Development Plan (October 2003).
- 4.72 An appeal was lodged, which was dismissed on 29 January 2009. The

Inspector considered the felling of the Robinia tree to be justified, and found that the proposal preserved the character and appearance of the conservation area. He did not consider that the living conditions of occupiers of 1 Highview Place and the upper floors of no. 31 would be materially harmed. His grounds for dismissing the appeal proposal were centred on the impact on the ground floor rooms of no.31 in terms of visual intrusion, resulting from 'the sheer size and the arrangement of its massing in relation to the established property next door'.

- 4.8 08/P3096 – Full planning permission was granted subject to conditions by the Planning Application Committee on 5/6/09 for the demolition of existing house & garage and construction of a three storey 6 bedroom dwelling house with integral garage and accommodation at lower ground floor level.
- 4.9 09/P1295 - Full planning permission was granted subject to conditions by the Planning Application Committee on 12/11/09 for the demolition of existing house and the erection of a two storey detached house with accommodation at roof level, lower ground and basement level (amendment to previous permission 08/P3096)

Note - the application was identical to the application previously approved at Committee in March 2009 (ref 08/P3096) except that it sought to introduce a basement with the same footprint as the lower ground floor above it).

## 5. **CONSULTATION**

- 5.1 The application has been advertised by standard site notice procedure and letters of notification to the occupiers of neighbouring properties.
- 5.1 In response to consultation, 8 letters of objection received. The letters raise the following points:
- The proposed development is too large, visually intrusive and unduly dominant, overdevelopment.
  - Loss of trees. Existing trees contribute greatly to the general greenness of this part of the Conservation Area
  - Despite previous appeals, the proposal has reverted to a pair of semi-detached houses. The scheme is larger in footprint than the single house approved layout, primarily because the previous garage space is now to be used for habitable rooms, with parking within the curtilage.
  - Noise disturbance
  - Loss of daylight and infringes the 45 degree line from the centre of the lower ground floor window of 1 Highview Place.

- Extensive basement proposed. The basement extending deep into the front garden of unit B appears to occupy more than half of the front garden space. Adverse impact upon water table and tree roots. The basement bedroom window in unit B is only lit from a narrow light well and faces onto a 3 storey high wall. Basement has not been supported with hydrology report etc. Deep excavations and history of subsidence and hill sliding away
- Increase traffic and noise and car parking provision is unrealistic. Details showing the notional turning/reversing tracking shown on the drawing is not attainable, an indication that two houses could not sensibly be accommodated on site.
- Concerns that the access is too narrow. This would be a health and safety risk, could cause damage to neighbouring properties and bordering wall and is inadequate for heavy machinery. The access is also outside the ownership of the applicant.
- Legal covenant restricts any development on this site to one dwelling
- No evidence in the application of the residents' responses to their consultation
- Incorrect details of the ownership form completed
- Planning description wrong
- Modern design does not complement the neighbouring properties or the Conservation Area.

## 6. **POLICY CONTEXT**

### 6.1 Merton Core Planning Strategy (July 2011)

CS8 – Housing Choice

CS9 – Housing Provision

CS12 – Economic Development

CS14 - Design

CS15 – Climate Change

CS18 – Active Transport

CS19 – Public Transport

CS20 - Parking, Servicing and Delivery

### 6.2 Adopted Merton Sites and Policies Plan (July 2014)

DM H2 Housing Mix

DM H3 Support for affordable housing

DM.D2 Design Considerations in All Developments

DM.D4 Managing Heritage Assets

DM.EP2 Reducing and Mitigating Noise

DM E3 Protection of scattered employment sites

DM T1 Support for sustainable transport and active travel

DM T2 Transport impacts of development

DM T3 Car parking and servicing standards



DMR2 Development of town centre type uses outside town centres

- 6.3 London Plan (July 2011)
  - 3.3 (Increasing Housing Supply),
  - 3.4 (Optimising Housing Potential),
  - 3.5 (Quality and Design of Housing Developments),
  - 3.8 (Housing Choice),
  - 5.1 (Climate Change Mitigation),
  - 5.3 (Sustainable Design and Construction).
  - 7.3 (Designing Out Crime)
  - 7.4 (Local Character)
  - 7.6 (Architecture)

## 7. **PLANNING CONSIDERATIONS**

- 7.1 The principal planning considerations related to this application are the principle of development, the design of the new houses and the impact upon the Arterberry Road street scene and the Wimbledon West Conservation Area, the standard of accommodation provided, impact upon neighbouring amenity, trees and parking/highways considerations.

### 7.2 Amendments

- 7.2.1 The height of the single storey side addition of house A has been lowered by 0.4m. The upper level of the flank elevation of house A, facing 31 Arterberry Road, has introduced part render in order to break down the massing of brickwork.

### 7.3 Principle of Development

- 7.3.1 The site forms part of an established residential area within the Wimbledon West Conservation Area and the proposal involves the redevelopment of the site, the original house having been demolished, to provide two replacement dwellings. Whilst the current proposal is for a pair of semi-detached houses rather than a single house, the principle of demolition and of a replacement dwelling on this site has been established by the grant of planning permissions 08/P3096 & 09/P1295. Planning application 09/P1295 was identical to 08/P3096 except that it introduced a basement with the same footprint as the lower ground floor above it. The current proposal has been designed to work broadly within the massing envelope of planning approval 09/P1295 but would not include a basement beneath the lower ground floor.

- 7.3.2 In terms of providing two dwellings on this site, there is no principle objection subject to the normal planning considerations set out below. It is noted that neighbours have raised concerns regarding a covenant restricting development to one dwelling and the driveway being outside

the ownership of the applicant, however these are private matters and are not planning considerations.

#### 7.4 Design and Layout

7.4.1 The application site is set well away from the road, in a secluded position on lower land levels than Arterberry Road. Any replacement house or houses on the site would therefore have a localised impact upon the visual amenities of the area and Wimbledon West Conservation Area.

7.4.2 The replacement houses have been designed to work broadly within the siting and massing of the approved scheme 09/P1295. Rather than the traditional design approved under 09/P1295, the proposed houses would have a modern form and detailing with large elements of glazing and a flat roof design. House A would have predominantly brick elevations on floors above natural ground floor level and a render finish at lower ground level (plus part render on the east facing flank elevation). House B would have a rendered front and lower ground floor elevations and brickwork elevations elsewhere. The proposed modern design approach would respond to the adjacent houses to the west of the application site, known as 1 & 2 Highview Place. Given the secluded location of the site and the eclectic mix of housing types in the vicinity, there is no objection to the proposed modern design. The proposed houses are therefore considered to conserve the heritage asset (Wimbledon West Conservation Area) as required by planning policy DM.D4 Managing Heritage Assets

#### 7.5 Neighbour Amenity

7.5.1 As noted above, the proposed development has been designed to work broadly within the footprint of the approved scheme 09/P1295. The context of the site has not materially changed since the time of the assessment under planning application 09/P1295. The previous decision is therefore a material planning consideration in this instance.

#### 31 Arterberry Road

7.5.2 This neighbouring property is split into four flats. It has a shallow rear garden and its rear windows face directly towards the application site. This creates an intimate relationship between neighbours which has been subject of debate and reasons for refusal under previous planning applications and appeals. The proposed development has been designed to work broadly within the external envelope of the house approved under planning permission 09/P1295, previously considered to be acceptable in terms of its impact on neighbouring properties.

7.5.3 The proposed ground floor side addition of House A has been lowered in

height by 0.7m compared to the side addition approved under 09/P1295. The side addition's flank elevation would be inset 8.42m from the rear facing bay window at 31 Arterberry Road. At the upper levels, the flank wall would be inset 13.02m from the rear facing bay window at 31 Arterberry Road and a part render/part brick finish has been introduced in order to break down the perceived bulk and massing. The 25 degree angle between the ground floor bay window and the top of the proposed building has been maintained in the proposed scheme (as for 09/P1295). Given the design and siting of the proposed houses, it is considered that there would be no undue loss of amenity to this property.

- 7.5.4 Flank windows at the upper levels and a first floor balcony are proposed. Therefore, in order to protect neighbour amenity from overlooking, the side facing windows would need to be obscured glazed and non-opening 1.7m above internal floor level and the balcony would need a 1.7m high side screen. These requirements can be secured via a suitable planning condition.

#### 33 Arterberry Road

- 7.5.5 This neighbouring property is located to the southeast of the application site. Its large rear garden partly backs onto the rear garden of House A. However this neighbour is well distanced away from the proposed houses, ensuring that there is no undue loss of amenity.

#### 29B Arterberry Road

- 7.5.6 This neighbouring property is orientated at a right angle to the application and is situated on the adjoining site at the bottom of the hill adjacent to the rear gardens of the proposed houses. The proposed houses would sit at an elevated level due to the natural changes in ground levels, however given the orientation of this neighbouring property and 34.1m separation between neighbours, it is considered that there would be no undue loss of amenity.

#### 1 Highview Place

- 7.5.7 This neighbour sits to the west of the application and due to the slope of the land sit above the ground level of the application site. The proposed houses would respond to the front building line of this house and therefore there would be no undue impact upon its front room. The neighbouring house has its accommodation spilt into the main part of the house (three storeys with accommodation at lower ground level) and a two storey side addition (accommodation at lower ground and ground level). The proposed houses have been designed with a staggered rear building line that step away from this neighbouring property. At lower ground level,

House B would be inset least 1m from the boundary and would project 9m and 4.2m beyond the neighbour's games room and lower ground floor of the main house respectively. At ground floor level and upper levels, House B would be distanced 2.2m and 6.85m from the flank wall of the garage and main house thereafter. At ground and upper levels, House B would project 3.2m and 0.4m (ground floor) and 2m and 1.03m (upper levels) beyond the neighbours garage and rear bay window of the main house respectively. It must be noted that the two storey side addition serves non-habitable space (garage and games room). The main part of the house is well distanced away from the proposed development, being at least 6.85m from the flank wall of House B. Given the level of separation between neighbours and the staggered rear building line of the proposed houses, it is considered that there would be no undue loss of amenity.

7.5.9 Side screens to the rear terraces would need to be secured via a suitable planning condition to ensure that there is no undue loss of privacy.

## 7.6 Basement

7.6.1 It should be noted that, unlike planning permission 09/P1295, the current application does NOT seek to introduce a basement beneath the lower ground floor. The proposed semi-basement/lower ground level would have a limited impact upon the visual amenities of the area with the only elements visible from above ground level being the proposed front light well and lower ground floor at the rear. The application site is not clearly visible from Arterberry Road due to the setback location of the site and amount of vegetation. The light well and sunken terrace would therefore have no impact upon the visual amenities of the street scene and conservation area. The Council's tree officer has confirmed that there are no trees with public amenity value that would be affected by the proposal.

7.6.2 Neighbours have expressed concerns in relation to the proposed lower ground/basement level and its impact upon flooding, drainage and the structural stability of adjacent properties. As noted above, this element is less extensive than the previously approved application 09/P1295. In relation to the requirements of Policy DM.D2, the applicant commissioned an independent structural engineer (Structa) to produce a Construction Method Statement which provides a detailed assessment for the preparation and construction of the basement.

7.6.3 The reports acknowledge the narrow access to the site, however they consider that with careful planning the scheme can be built effectively and safely. A ground investigation completed at the site states that the most suitable method of forming the lower ground floor will be by installing a secant pile wall around the perimeter of the lower ground floor in order to provide support to adjacent ground and buildings, followed by excavation

of the lower ground floor to formation level. The stability assessment indicates that the proposed lower ground floor excavation should remain stable following the installation of an appropriate piled retaining wall around its perimeter, with piles extending to approximately 6m below the base of the excavation. The rate of groundwater inflows within excavations into the London Clay are likely to be limited and should be able to be adequately controlled with the use of conventional sump pumping techniques. The construction of the basement would also be subject of building control regulations; however the Council's Structural Engineer has confirmed that they have no objections to the proposed construction subject to planning conditions.

#### 7.7 Standard of Accommodation

7.7.1 The proposed houses would provide a satisfactory standard of accommodation for future occupiers, comfortably complying with the Mayor's minimum GIA and Council's amenity standards.

#### 7.8 Traffic, Parking and Highways

7.8.1 Access to the site would be from the existing pedestrian and vehicular access, which runs parallel to the side flank wall of 31 Arterberry Road. Whilst it is acknowledged that the width of the access to the site is narrow, this is an established access, which already serves the site. A planning condition requiring details of construction management plans would ensure that the development is constructed in a suitable manner that limits impact upon neighbouring amenity and highway networks.

7.8.2 The low PTAL rating of 2 would mean that some form of private transport is likely to be required for future occupants. The concerns of neighbours in regards to the amount of off-street car parking has been, however the London Plan states a maximum parking provision of up to 2 car parking spaces for 4 or more bedroom houses. It is acknowledged that the amount of car parking could be considered low for the development that proposes two, five bedroom houses, however the developer can decide how many car parking spaces they wish (or can accommodate) and in this instance the amount of off-street car parking is policy compliant. It is also worth noting that future occupiers would be fully aware of parking limitations.

#### 7.9 Trees

7.9.1 The applicant has provided an arboricultural report with the application that assesses the impact on trees on the site. The report states that the proposed development will retain all significant B category trees and will only require the removal of one category C tree, the false acacia of low amenity value. The Council's tree officer has confirmed that she has

objections subject to conditions relating to tree protection and site supervision.

## 8. Affordable Housing

8.1.1 Planning policy CS8 (Housing Choice) of Merton's Core Planning Strategy states that the Council will seek provision of an affordable housing equivalent to that provided on-site as a financial contribution on sites where there is a net increase of between 1-9 units. The site originally contained a single family dwelling house, therefore there is a net increase of 1 unit for the purposes of the affordable housing contribution. In line with the above requirement, the affordable housing contribution in this instance would be £186,438.

## 9. Local Financial Considerations

9.1 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.

## 10. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

10.1.1 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 of EIA submission. The houses will be required to meet the equivalent energy and water saving requirements of Level 4 of the Code for Sustainable Homes

## 11. **CONCLUSION**

11.1.1 The proposed development will provide 2 new family dwellings which are considered to satisfactorily relate to the context of the site and maintain an acceptable relationship with neighbouring properties. They are of a similar massing and footprint to the single house previously approved and are

considered to have no greater impact on neighbouring properties. The secluded position of the site means that the houses will not be very visible from the public realm, but in any event, their modern design is considered compatible with neighbouring development. The standard of residential accommodation proposed is considered to meet the needs of future occupiers, with an appropriate level of amenity space and room sizes with good levels of outlook and light. There would be no undue impact upon neighbouring amenity, trees, traffic or highway conditions. 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.

## **RECOMMENDATION**

### GRANT PLANNING PERMISSION

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

1. That the developer makes a financial contribution towards Affordable housing (£186,438).
2. 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. B1 Materials to be approved
4. B4 Details of Surface Treatment
5. B5 Levels
6. B5 Details of boundary treatment
7. C06 Details of refuse & recycling
8. C07 Refuse implementation
9. C08 Use of Flat Roofs

10. C09 Balcony Screening
11. D11 Construction Times
12. F05 Tree protection
13. F8 Site Supervision (Trees)
14. H06 Cycle Parking – Details to be submitted
15. H07 Cycle Parking to be implemented
16. Construction Management Plan
17. Construction Method Statement (basement)
18. Drainage details
19. Landscaping scheme
20. Landscaping Implementation
21. Removal of pd rights
22. Energy and water - sustainability

Note to Applicant

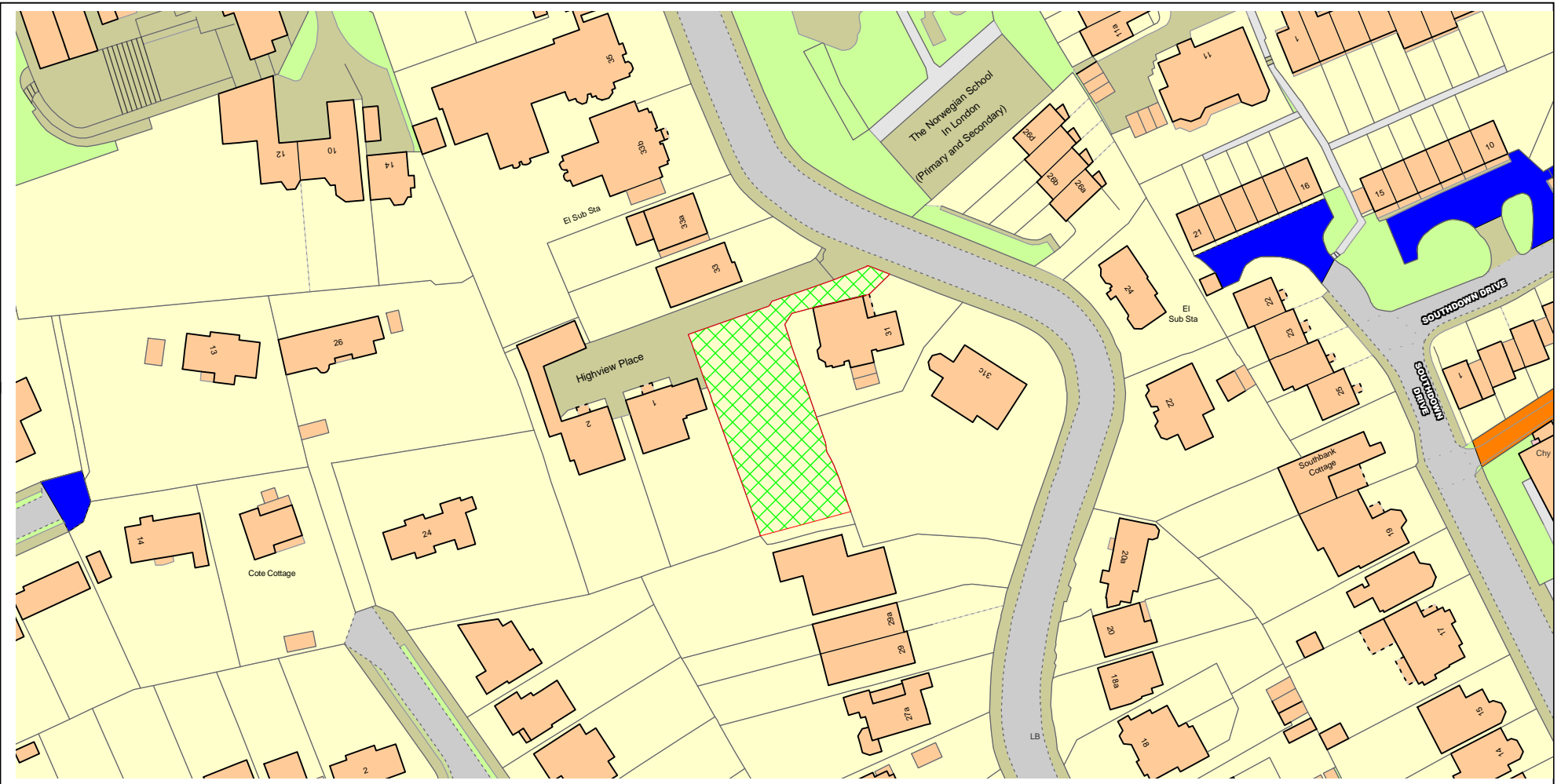
Planning Informative

1. *It is the responsibility of the developer to make proper provision for drainage to ground, watercourses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. 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).*



# NORTHGATE SE GIS Print Template

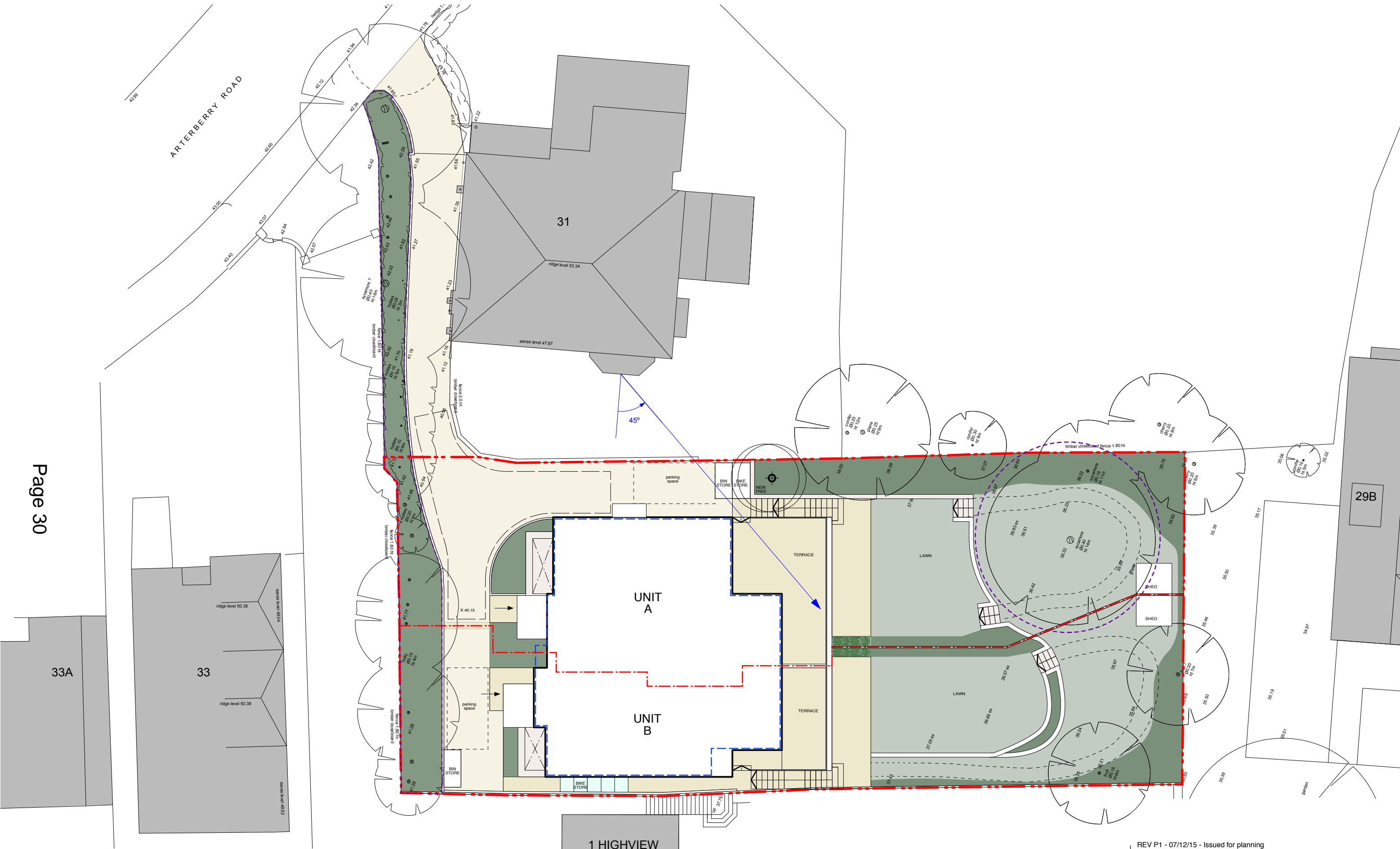
Page 29



Text Details 31B Arterberry Road

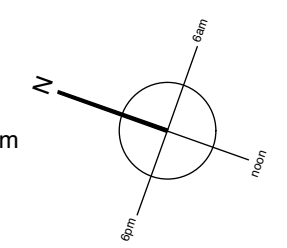
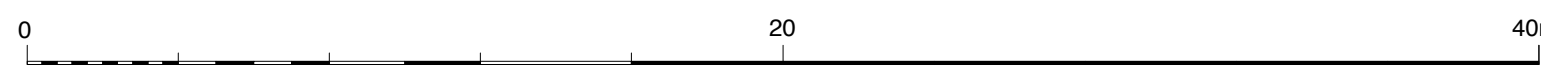
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ARTERBERRY ROAD

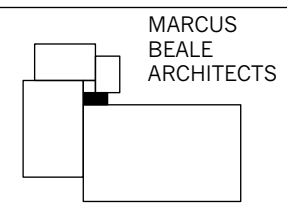


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ROOT PROTECTION AREA



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






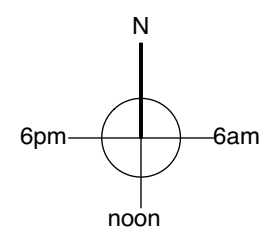
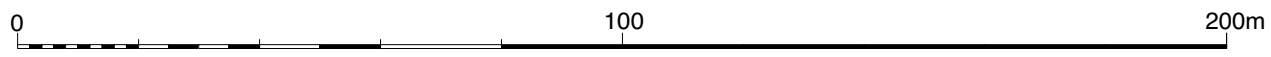
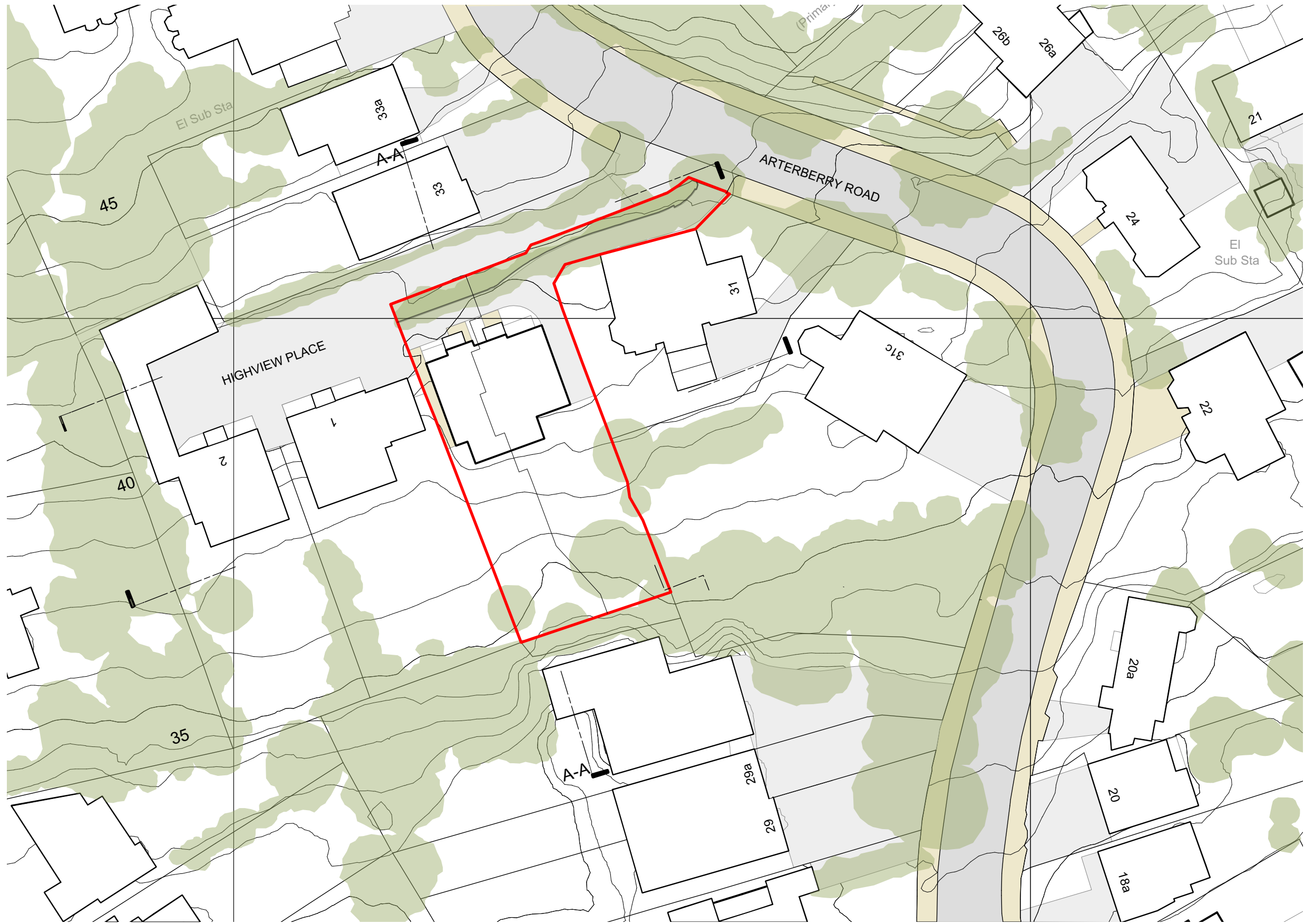
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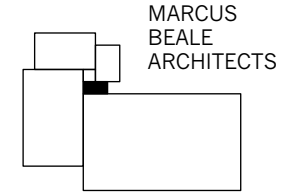
31B ARTERBERRY ROAD		<b>PROPOSED</b>
<b>SITE PLAN</b>		
Scale 1:200@A3	Drawn PM	<b>664/ 002 P1</b>
Date NOV 2015	Check AS	

**KEY**

-  Road
-  Shared pedestrian/ vehicular
-  Pedestrian
-  Private Garden
-  Trees



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31B ARTERBERRY ROAD		<b>664/ 306 P1</b>
<b>BLOCK PLAN</b>		
Scale 1:500@ A3	Drawn PM	
Date FEB 2016	Check AS	

33

31

29B

1 HIGHVIEW PLACE

POSITION AND DIMENSION OF THE OPENINGS OF 31 ARTERBERRY ROAD AND 1 HIGHVIEW PLACE ARE APPROXIMATE.

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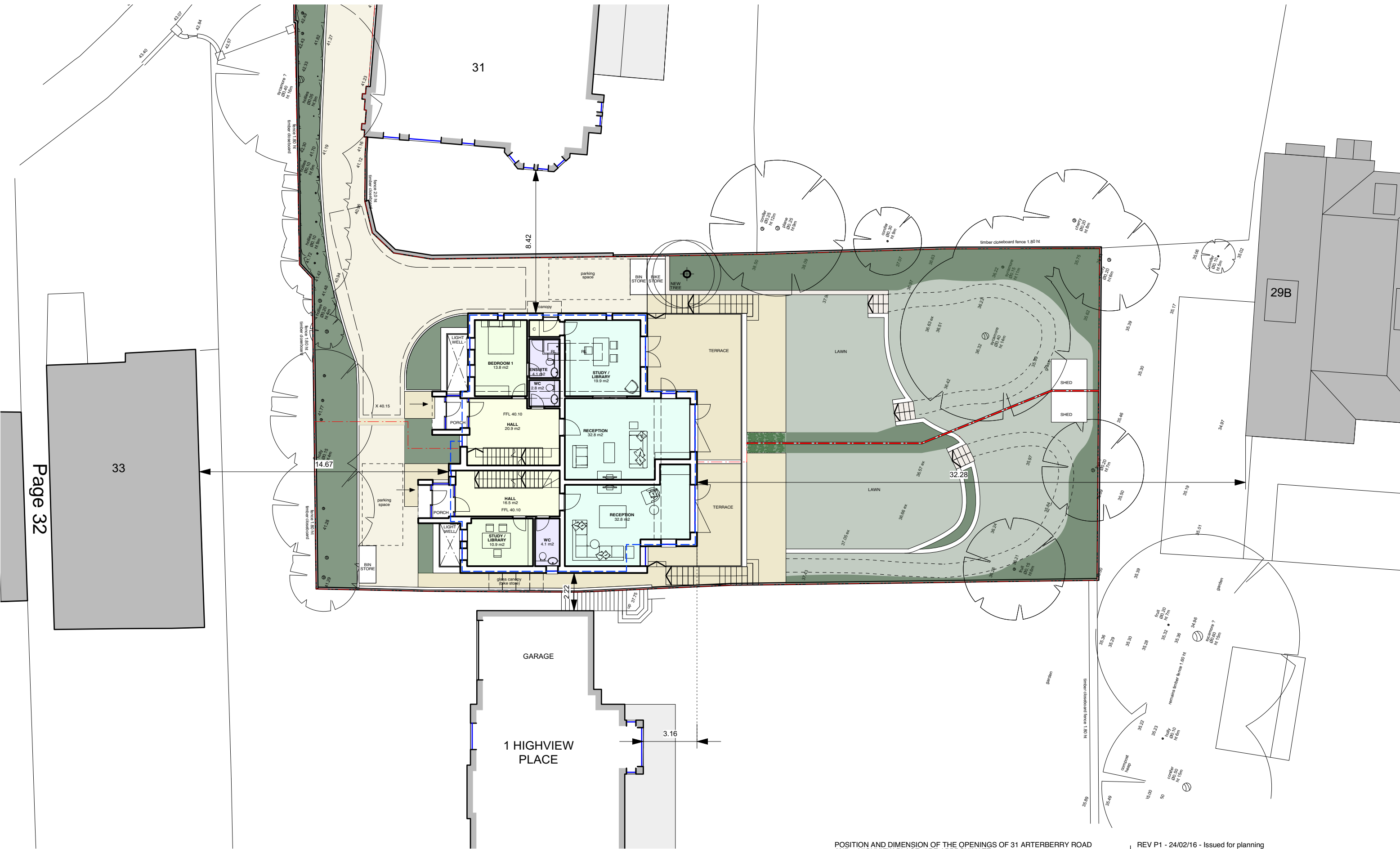
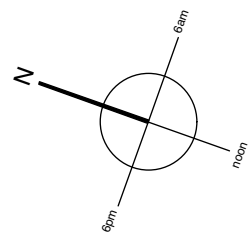
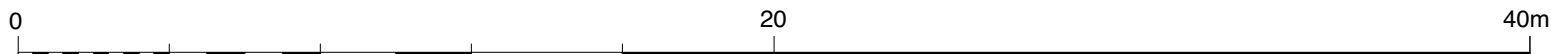
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**SITE PLAN GROUND FLOOR**  
PROPOSED

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Date  
FEB 2016

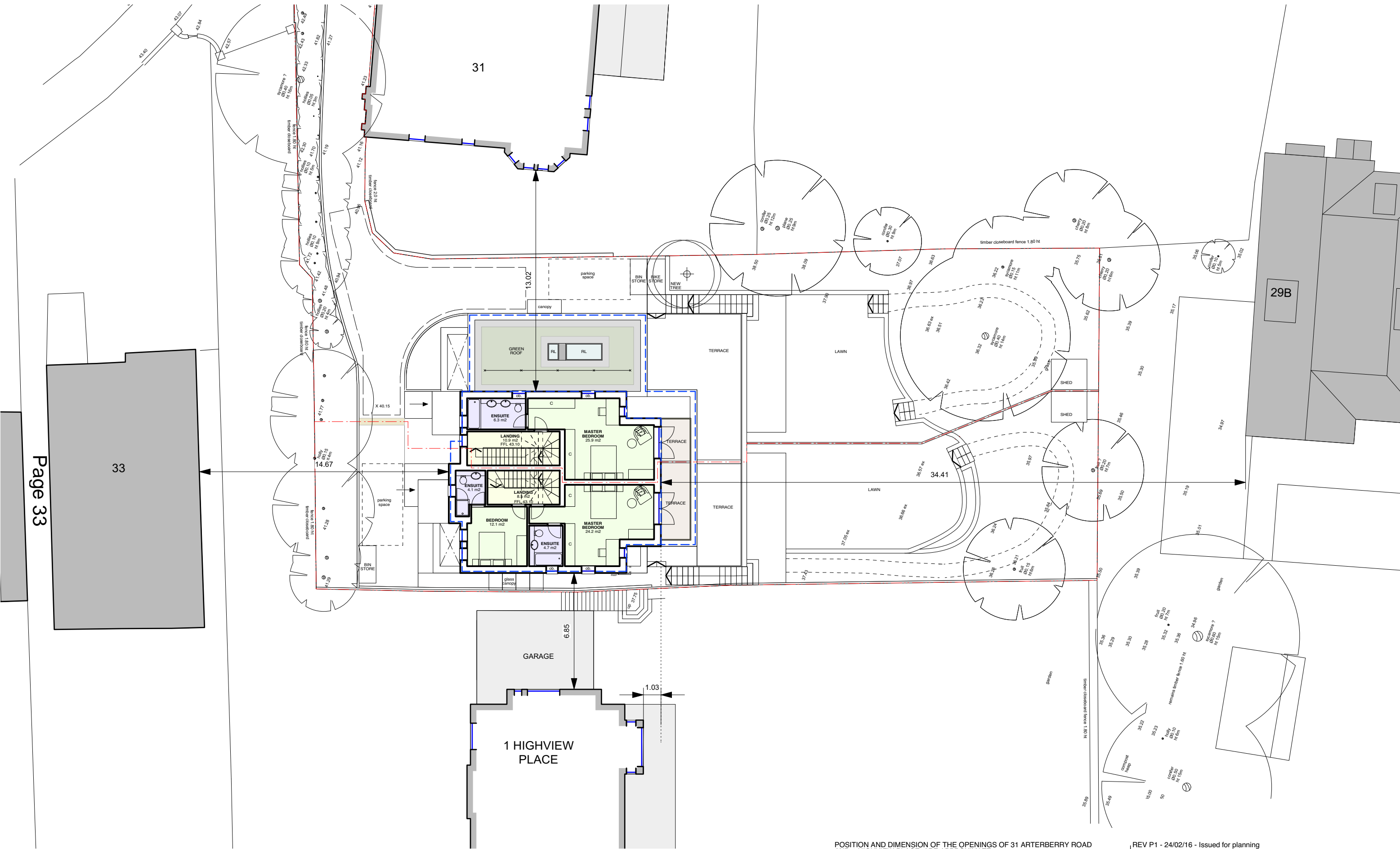
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PM  
Check  
AS

664/ 017 P1

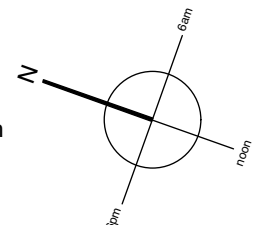
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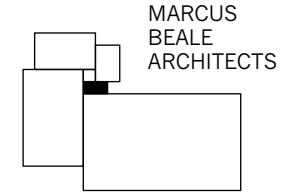


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POSITION AND DIMENSION OF THE OPENINGS OF 31 ARTERBERRY ROAD AND 1 HIGHVIEW PLACE ARE APPROXIMATE.

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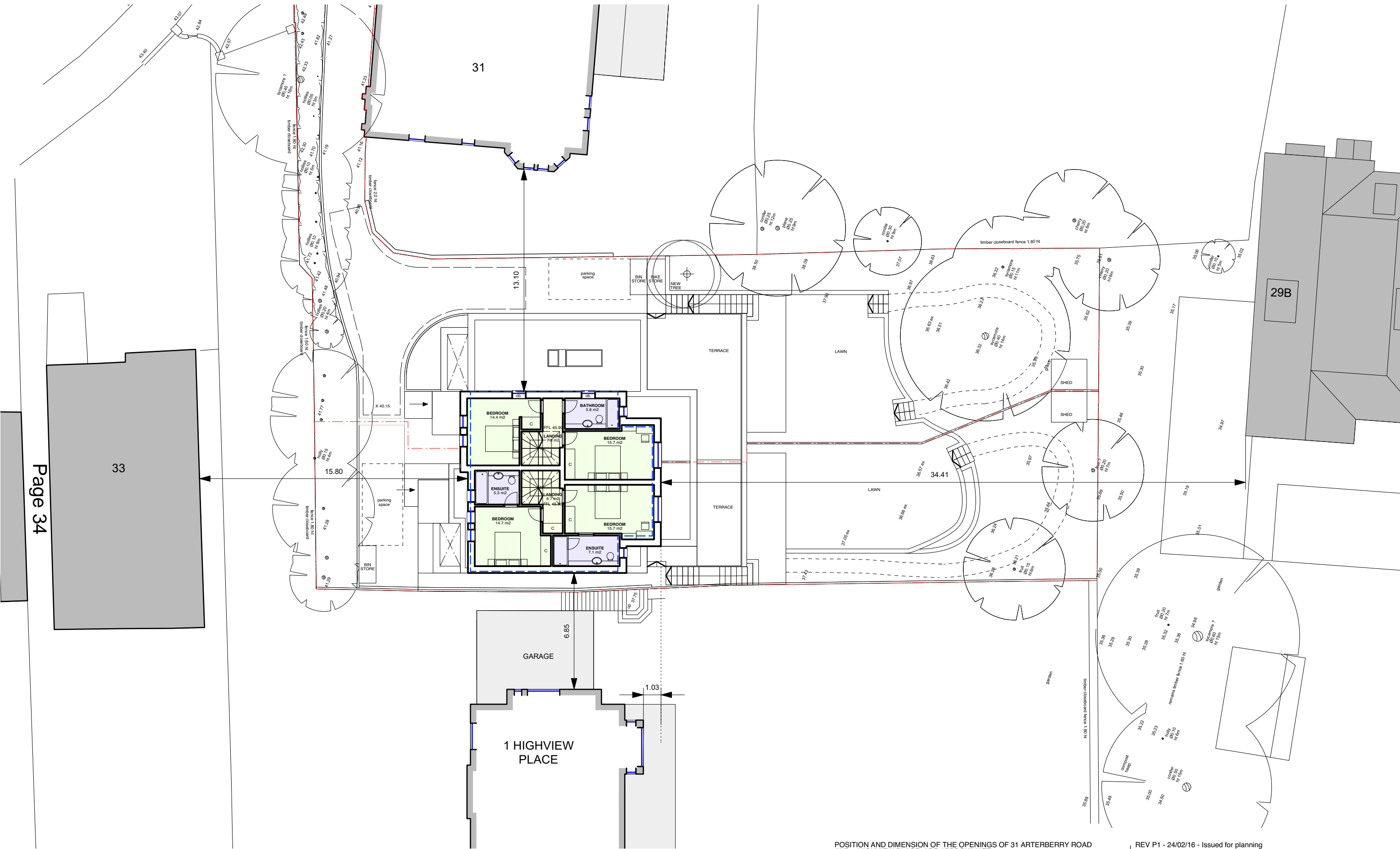


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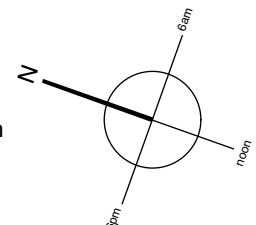
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31B ARTERBERRY ROAD  
**SITE PLAN - FIRST FLOOR**  
PROPOSED

Scale 1:200@A3	Drawn PM	664/ 018 P1
Date FEB 2016	Check AS	

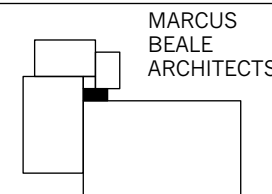


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POSITION AND DIMENSION OF THE OPENINGS OF 31 ARTERBERRY ROAD AND 1 HIGHVIEW PLACE ARE APPROXIMATE.

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31B ARTERBERRY ROAD  
**SITE PLAN - SECOND FLOOR**  
 PROPOSED

Scale 1:200@A3	Drawn PM	<b>664/ 019 P1</b>
Date FEB 2016	Check AS	

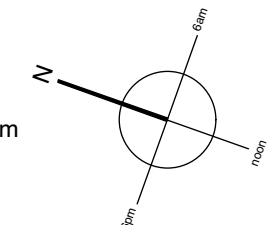
33

31

29B

1 HIGHVIEW PLACE

GARAGE



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POSITION AND DIMENSION OF THE OPENINGS OF 31 ARTERBERRY ROAD AND 1 HIGHVIEW PLACE ARE APPROXIMATE.

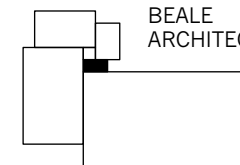
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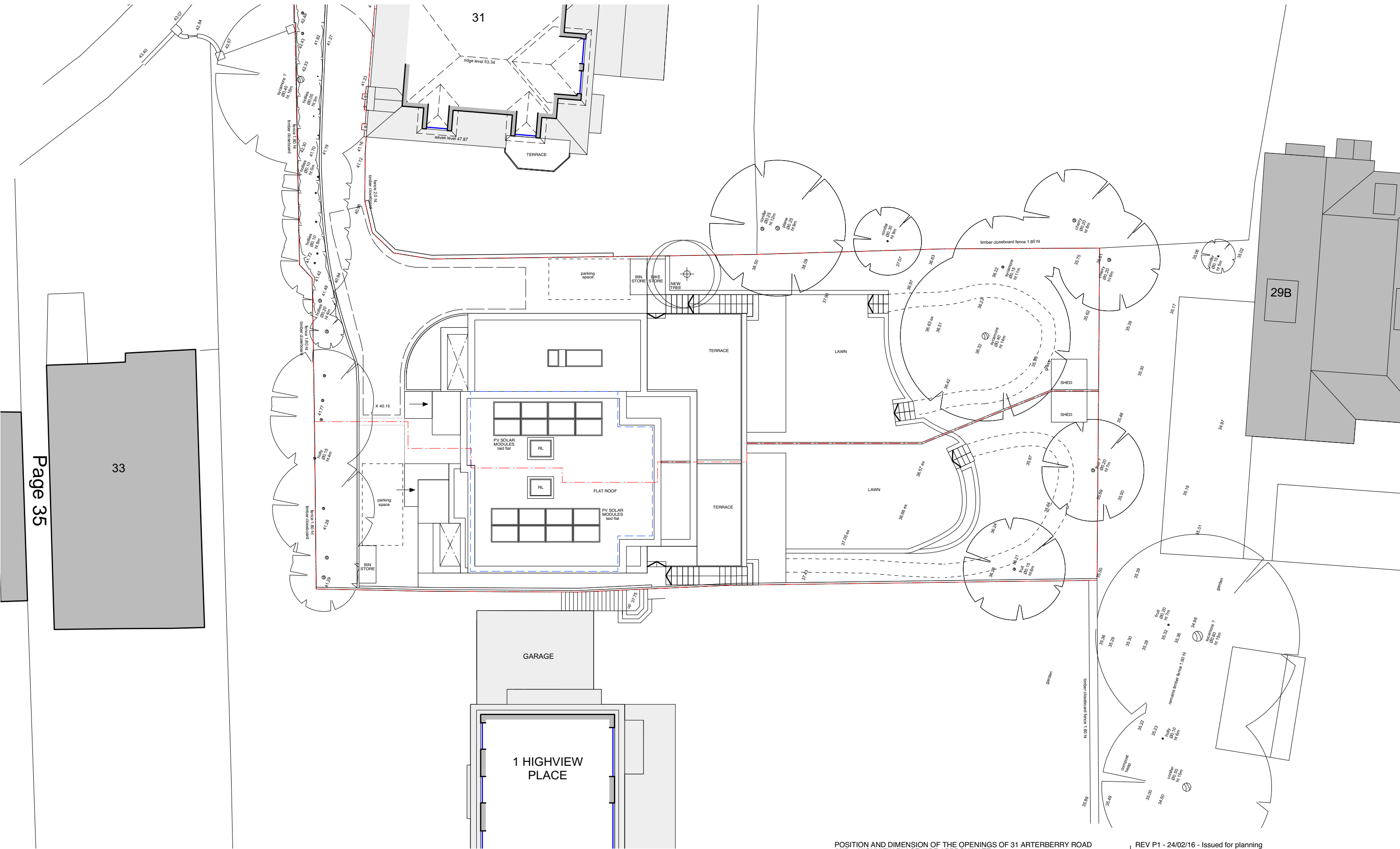
31B ARTERBERRY ROAD  
**SITE PLAN - ROOF**

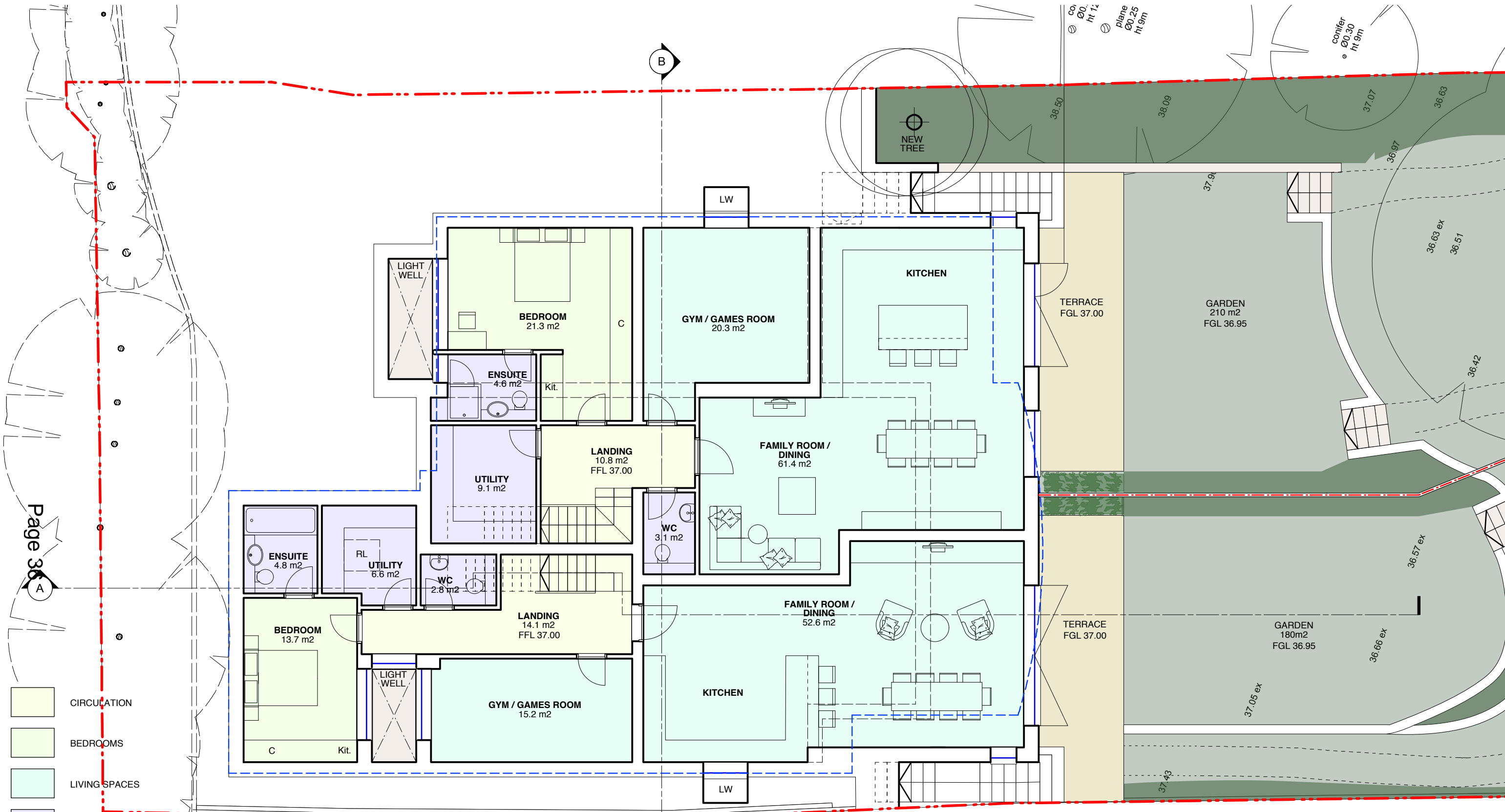
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Scale  
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Date  
FEB 2016

Drawn  
PM  
Check  
AS

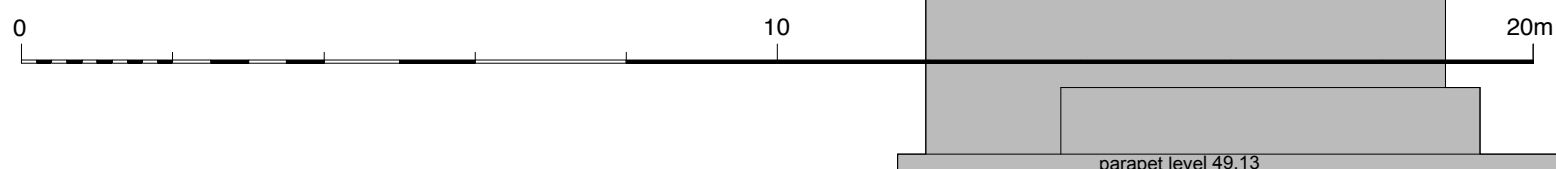
664/ 020 P1



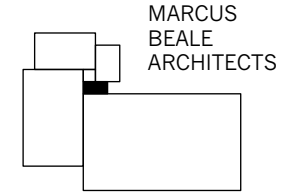


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- CIRCULATION
- BEDROOMS
- LIVING SPACES
- BATHROOMS AND WET AREAS
- KITCHENS AND HOT AREAS
- STORE
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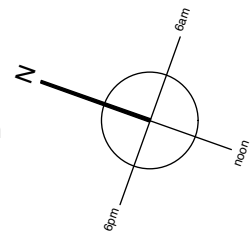
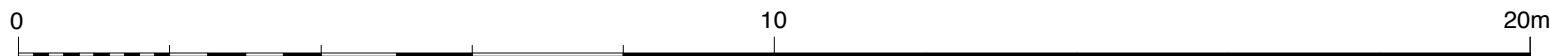
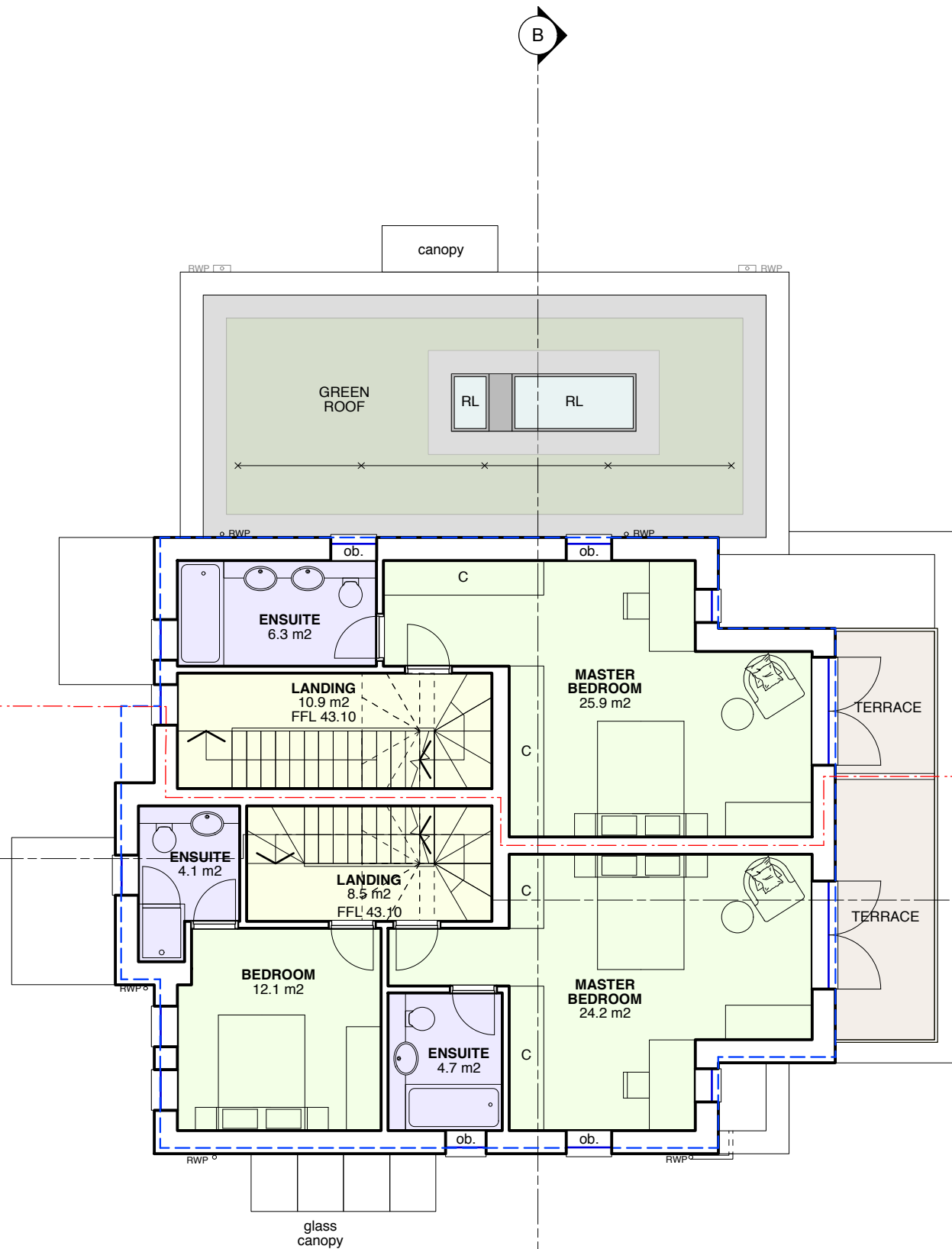
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31B ARTERBERRY ROAD		<b>LOWER GROUND FLOOR</b> PROPOSED
Scale 1:100@A3		
Date NOV 2015	Drawn PM	<b>664/ 003 P1</b>
	Check AS	

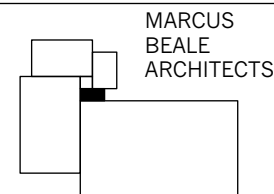




- CIRCULATION
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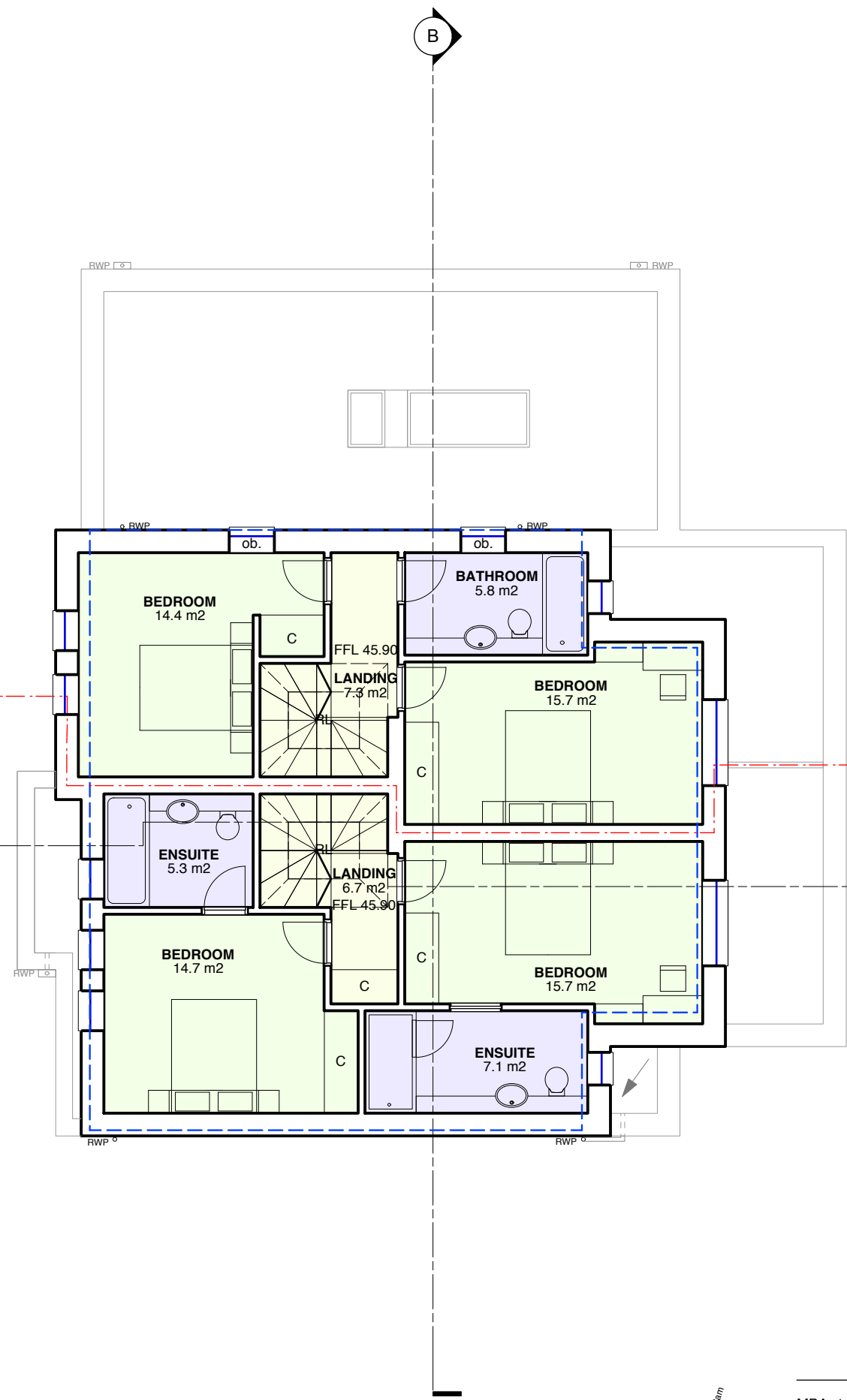
REV P1 - 07/12/15 - Issued for planning  
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31B ARTERBERRY ROAD  
**FIRST FLOOR**

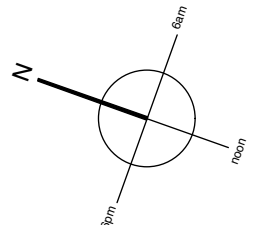
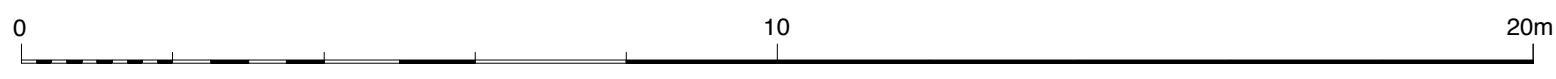
PROPOSED

Scale 1:100@A3	Drawn PM
Date NOV 2015	Check AS

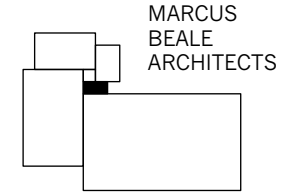
**664/ 005 P1**



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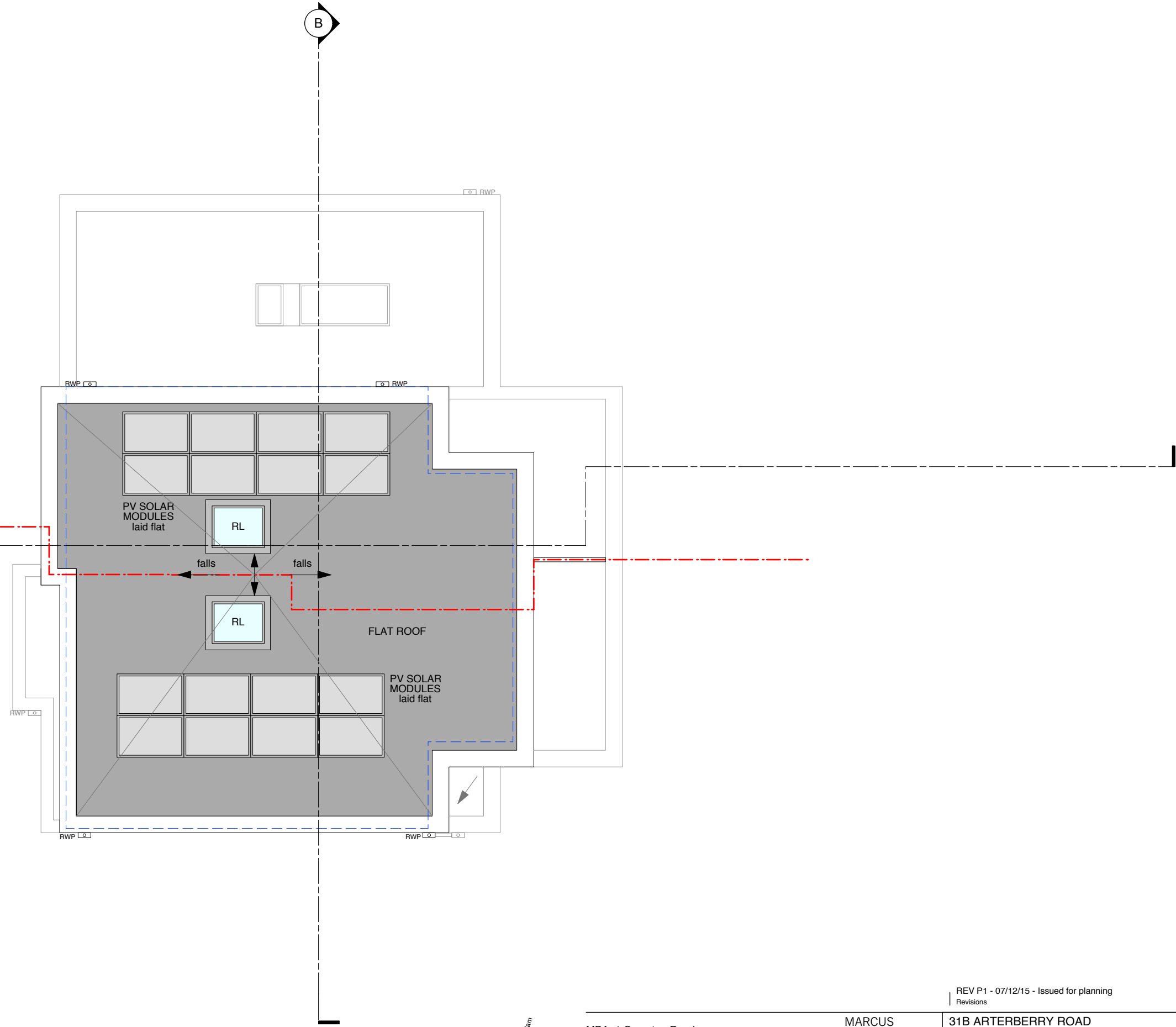


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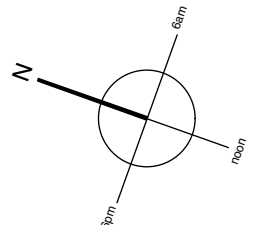
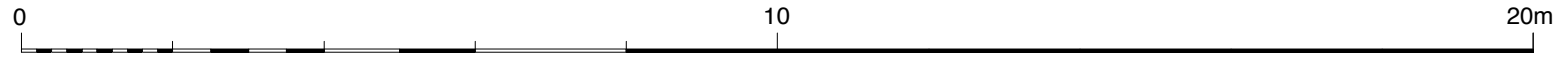


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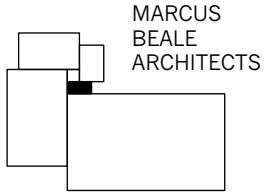
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<b>SECOND FLOOR</b>		
Scale 1:100@A3	Drawn PM	<b>664/ 006 P1</b>
Date NOV 2015	Check AS	



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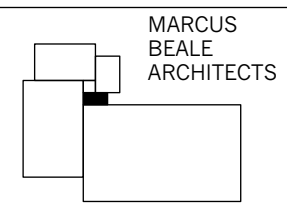
31B ARTERBERRY ROAD		<b>PROPOSED</b>
<b>ROOF PLAN</b>		
Scale 1:100@A3	Drawn PM	<b>664/ 015 P1</b>
Date NOV 2015	Check AS	



- CIRCULATION
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REV P2 - 24/02/16 - Reduced height of single storey east wing by 0.4m  
REV P1 - 07/12/15 - Issued for planning  
Revisions

31B ARTERBERRY ROAD		<b>PROPOSED</b>
<b>FRONT ELEVATION</b>		
Scale 1:100@A3	Drawn PM	<b>664/ 008 P2</b>
Date NOV 2015	Check AS	





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PARAPETS ALIGN  
49.13

49.13

45.90 SF

43.10 FF

40.10 GF

37.00 LGF

35.00 ref

Parapet height  
reduced by 0.4m

25°

Glass balustrade

NEW  
TREE

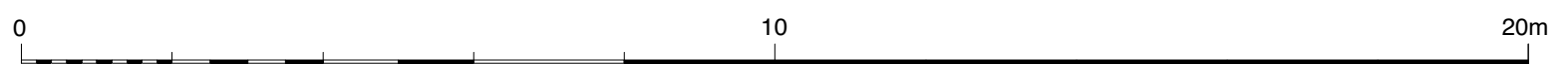
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1 HIGHVIEW PLACE

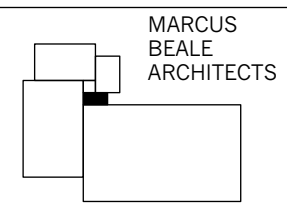
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NO. 31

APPROVED PLANNING APPLICATION 09/P1295 ENVELOPE



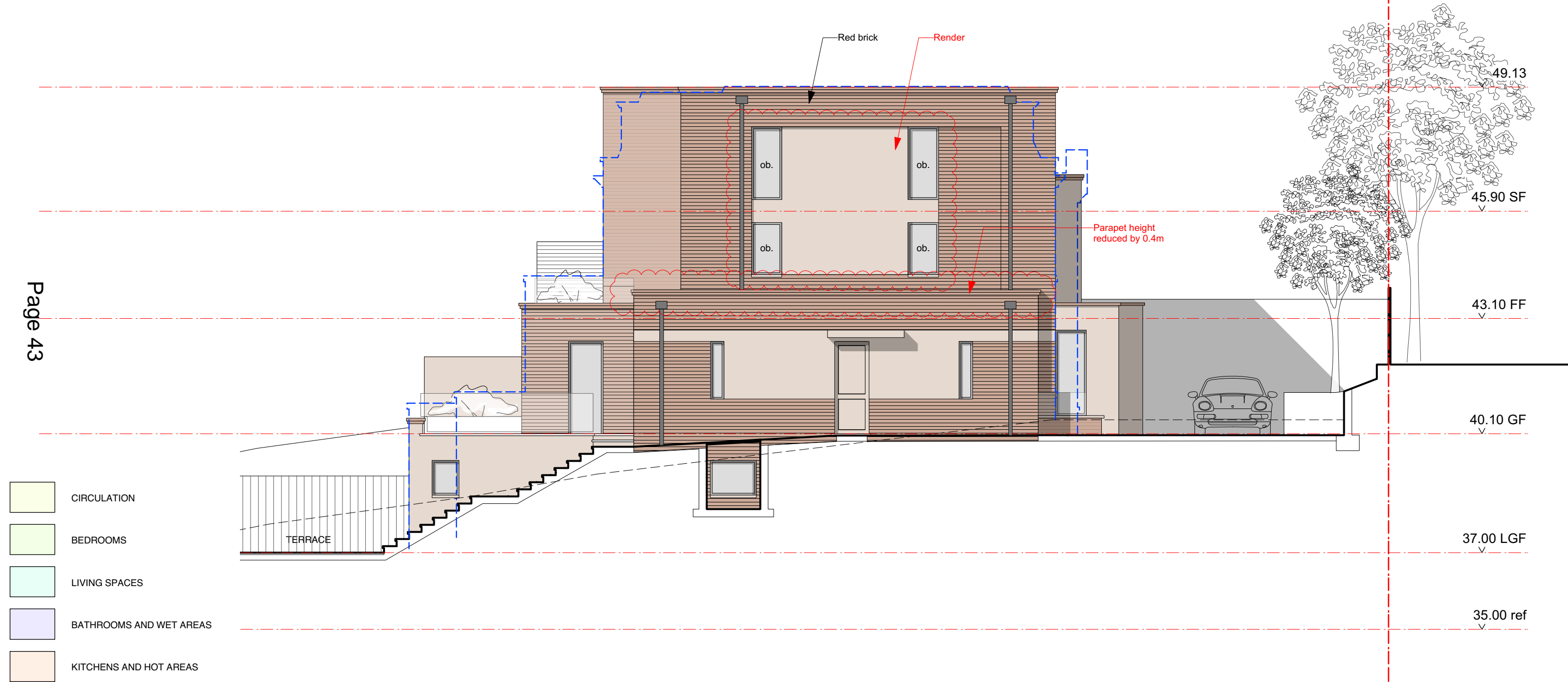
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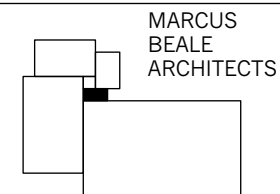
REV P1 - 07/12/15 - Issued for planning  
Revisions

31B ARTERBERRY ROAD		PROPOSED
<b>REAR ELEVATION</b>		
Scale 1:100@A3	Drawn PM	664/ 009 P1
Date NOV 2015	Check AS	



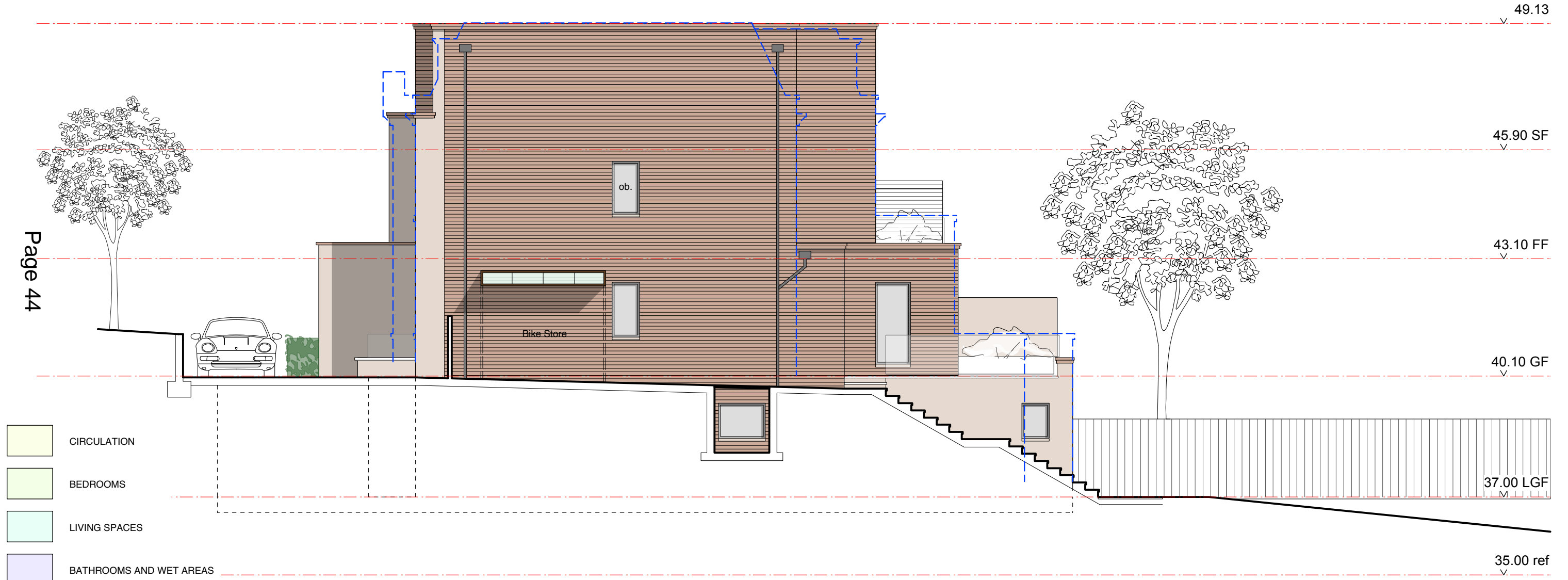
REV P2 - 24/02/16 - Render treatment between windows on upper levels.  
 Reduced height of single storey east wing by 0.4m  
 REV P1 - 07/12/15 - Issued for planning  
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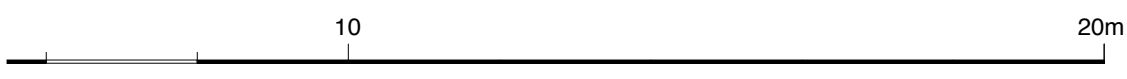


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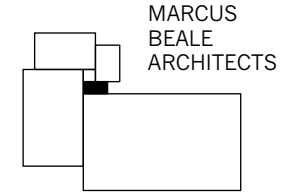
31B ARTERBERRY ROAD		<b>PROPOSED</b>
<b>EAST ELEVATION</b>		
Scale 1:100@A3	Drawn PM	<b>664/ 010 P2</b>
Date NOV 2015	Check AS	



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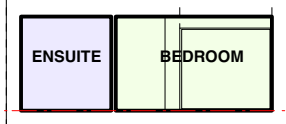
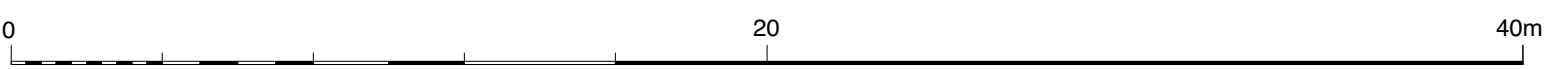
31B ARTERBERRY ROAD		<b>PROPOSED</b>
<b>WEST ELEVATION</b>		
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Date NOV 2015	Check AS	





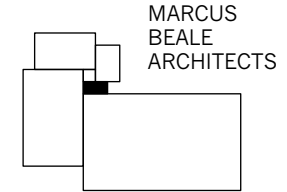
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- BATHROOMS AND WET AREAS
- KITCHENS AND HOT AREAS
- STORE

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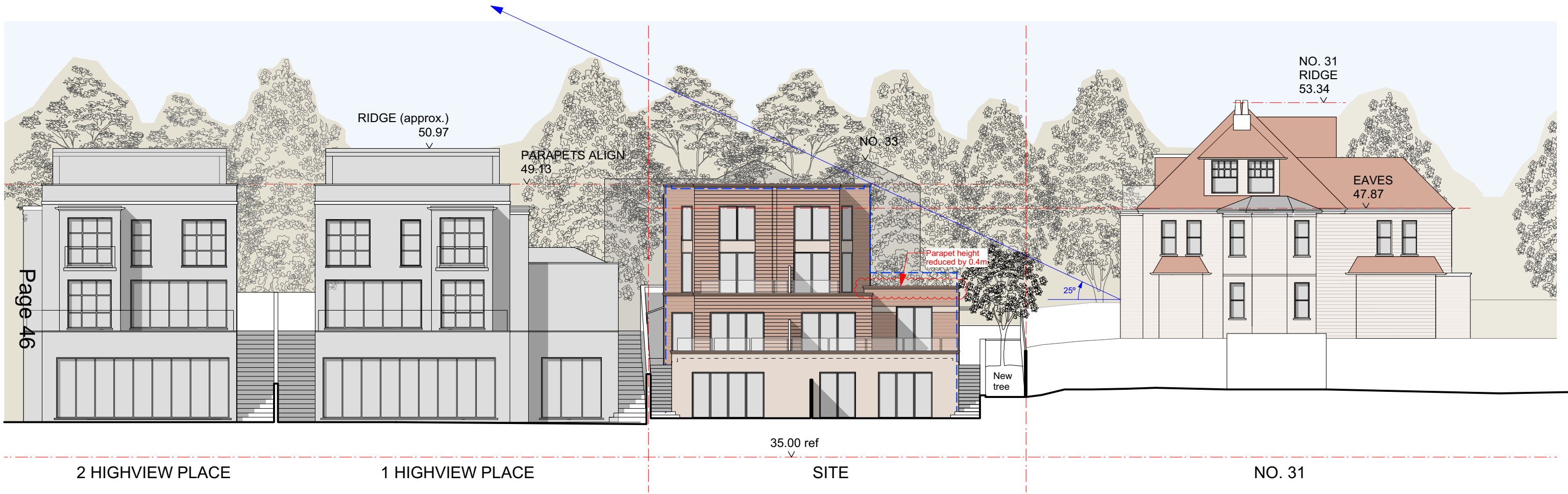


REV P2 - 24/02/16 - Reduced height of single storey east wing by 0.4m  
 REV P1 - 07/12/15 - Issued for planning  
 Revisions

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31B ARTERBERRY ROAD		<b>SITE ELEVATION NORTH</b>	PROPOSED
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Date NOV 2015	Check AS		



Page 46

2 HIGHVIEW PLACE

1 HIGHVIEW PLACE

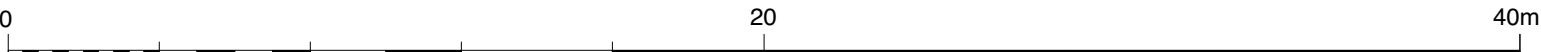
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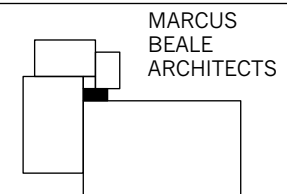
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REV P2 - 24/02/16 - Reduced height of single storey east wing by 0.4m  
 REV P1 - 07/12/15 - Issued for planning  
 Revisions

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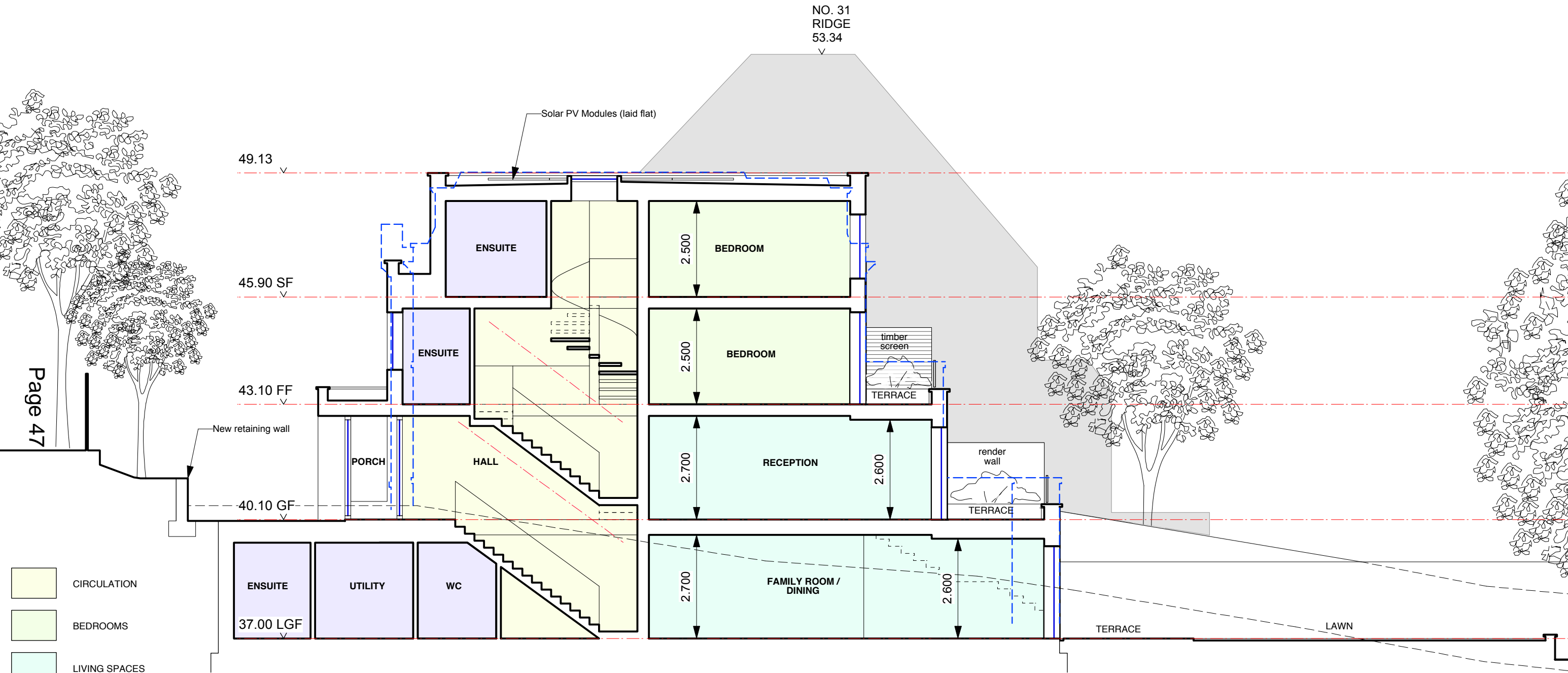


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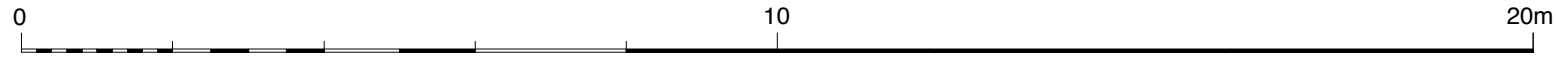


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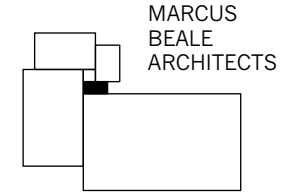
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<b>SOUTH</b>			
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- CIRCULATION
- BEDROOMS
- LIVING SPACES
- BATHROOMS AND WET AREAS
- KITCHENS AND HOT AREAS
- STORE
- APPROVED PLANNING APPLICATION 09/P1295 FOOTPRINT



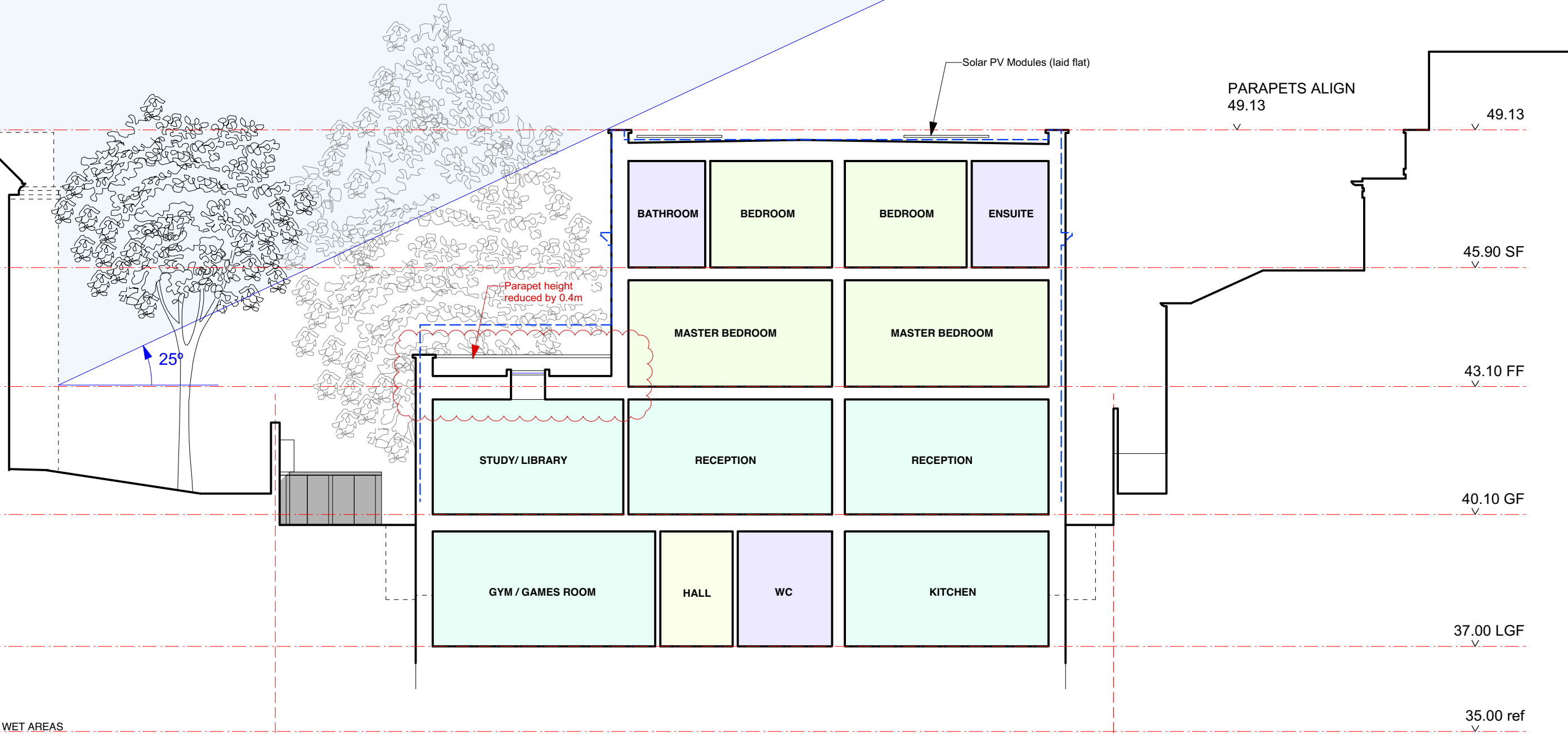
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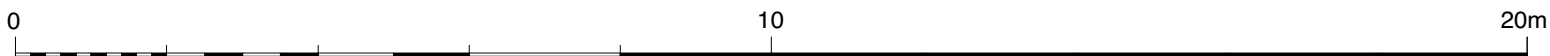
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REV P1 - 07/12/15 - Issued for planning  
Revisions

31B ARTERBERRY ROAD		<b>SECTION AA</b>	<b>PROPOSED</b>
664/ 007 P1			
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Date NOV 2015	Check AS		



- CIRCULATION
- BEDROOMS
- LIVING SPACES
- BATHROOMS AND WET AREAS
- KITCHENS AND HOT AREAS
- STORE
- APPROVED PLANNING APPLICATION 09/P1295 FOOTPRINT

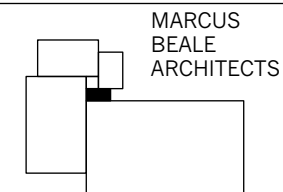


NO. 31

S I T E

1 HIGHVIEW PLACE

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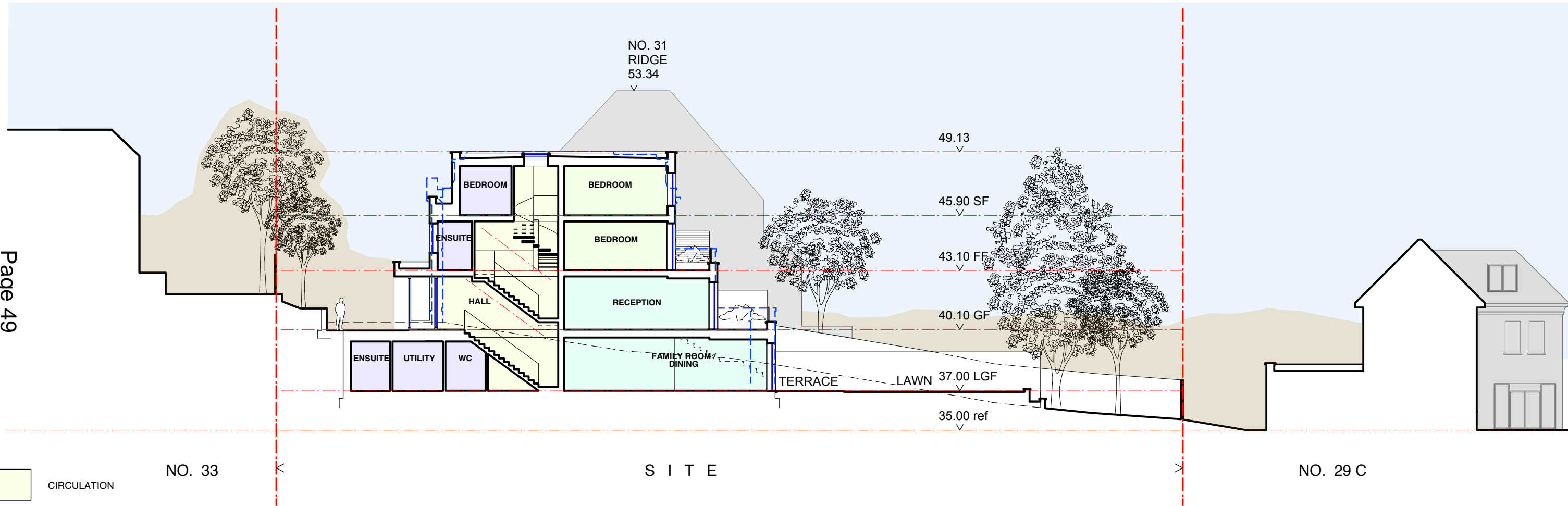


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REV P1 - 07/12/15 - Issued for planning  
Revisions

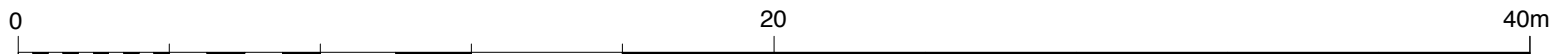
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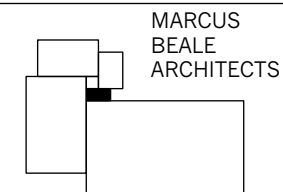


- CIRCULATION
- BEDROOMS
- LIVING SPACES
- BATHROOMS AND WET AREAS
- KITCHENS AND HOT AREAS
- STORE

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31B ARTERBERRY ROAD		<b>PROPOSED</b>
<b>SITE SECTION A</b>		
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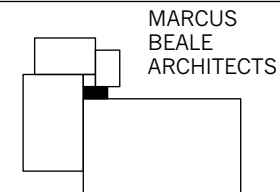
View of entrance from driveway.



Aerial view from South East.

REV P2 - 24/02/16 - Render treatment on east elevation.  
 Reduced height of single storey east wing by 0.4m  
 REV P1 - 07/12/15 - Issued for planning  
 Revisions

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31B ARTERBERRY ROAD		<b>PROPOSED</b>
<b>3D MODEL VIEWS</b>		
Scale	Drawn PM	<b>664/ 305 P2</b>
Date NOV 2015	Check AS	



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**PLANNING APPLICATIONS COMMITTEE**  
**17<sup>th</sup> March 2016**

**Item No:**

**UPRN**

**APPLICATION NO.**

**DATE VALID**

15/P1955

22/07/2015

**Address/Site:**

Land Adjacent to No.1 Bridge Villas, Ashcombe Road,  
Wimbledon, SW19 8JR

**(Ward)**

Wimbledon Park

**Proposal:**

Erection of two storey block with accommodation in the  
roofspace comprising four flats (2x 1 bed and 2x 2 bed)

**Drawing Nos:**

L1A (Site Location Plan), 2D(site plan as proposed), 3C  
(Ground floor Plan), 4D(first and second floor), 5B & 6C  
(elevations)

**Contact Officer:**

David Gardener (0208 545 3115)

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**RECOMMENDATION**

**GRANT Planning Permission Subject to a S106 Legal Agreement and  
Conditions**

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**CHECKLIST INFORMATION**

- Heads of agreement: Permit free, Affordable housing
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 13
- External consultations: None

**1. INTRODUCTION**

- 1.1 The applications have been brought before the Planning Applications Committee due to the number of objections received.

**2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises a separate parcel of land located between the side garden boundary of a two storey house, No.1 Bridge Villas, Ashcombe Road, to the north and the railway lines to the south. 1, Bridge Villas is the end house in a terrace of 3 two storey houses on the western side of Ashcombe Road.
- 2.2 The site has its own frontage with Ashcombe Road immediately north of the road bridge going over the railway lines. The land to the west and south forms part of the designated Green Corridor and Site Of Importance for Nature Conservation in the Council's adopted Sites and Policies Plan (July 2014) which follows the railway line.
- 2.3 The application site has a PTAL rating of 6a (excellent) and is not located in a conservation area. The site is also located in a controlled parking zone (Zone 3E).

### **3. CURRENT PROPOSAL**

- 3.1 The application is to erect a detached building containing four flats (1 x 2 bedroom (2 person) & 2 x 2 person (3 person)). The proposed flats would be arranged over three floors including roof space accommodation. The one bedroom flats would be located at ground floor level and the two bedroom flats at first and second floor levels.
- 3.2 The building would have a traditional design with two double height front bay windows with small gable roofs over to match the adjoining property and a double gable projecting from the main roof at the rear. It would comprise off-white smooth render to the external walls with cast stone mouldings, slate roof, and timber sash windows.
- 3.3 Private gardens would be provided at the rear of the building for each of the ground floor one bedroom flats. The two bedroom flats would have both first floor balconies as well as a communal garden for both upper flats to the side of the building. Cycle parking and bin storage are also provided.
- 3.4 The application has been amended since it was originally submitted with the first floor reduced in depth by 1.9m, the ground floor reduced in depth by 80cm, and the rear part of the building redesigned so that it now features a two twin pitch roofs with gable ends facing the rear gardens rather than a flat roof over the first floor. The ground floor flats would have a gross internal floor area (GIA) of approx. 52.8 sqm whilst the flats above would have a GIA of approx. 78sqm (floor area with a minimum of 2m internal floor height).

### **4. PLANNING HISTORY**

The following planning history is relevant:

- 4.1 MER873/81 – Erection of office and storage building. Refused - 14/01/1982

- 4.2 08/P2052 - Erection of 2 x three bedroom houses, (2 storeys in height with accommodation within roofspace. Refused - 18/09/2008, for the following reasons:

“ The proposed residential development, by reason of its design, scale, location and appearance, would not respond to the locally distinctive pattern of terraced development, would be detrimental to the appearance and character of the surrounding area and would be contrary to policies BE.16 and BE.22 of the Council's adopted Unitary Development Plan (October 2003).”

“ The proposed development would fail to provide a suitable standard of environment for future occupiers arising from the absence of suitable amenity/garden space to meet the needs of the two residential dwellings, and would be contrary to policies HS.1 of the Unitary Development Plan (October 2003).”

“ The proposed development, by reason of its position, would result in the loss of existing tree, being a prevailing natural feature that contributes to the character and appearance of the area and street scene, to the detriment of the character and appearance of Ashcombe Road contrary to policy NE.11 of the Adopted Merton Unitary Development Plan (October 2003).”

- 4.3 14/P0021 - Erection of 2 x 3 bedroom dwelling houses. Withdrawn - 17/02/2014.

## **5. POLICY CONTEXT**

- 5.1 Adopted Merton Sites and Policies Plan and Policies Maps (July 2014): DM D1 (Urban design and the public realm), DM D2 (Design considerations in all developments), DM EP2 (Reducing and mitigating noise), DM EP4 (Pollutants), DM T1 (Support for sustainable transport and active travel), DM T3 (Car parking and service standards)
- 5.2 Adopted Merton Core Strategy (July 2011) are: CS.8 (Housing Choice), CS.9 (Housing Provision), CS.14 (Design), CS.20 (Parking, Servicing and Delivery)
- 5.3 London Plan (March 2015) are: 3.3 (Increasing Housing Supply), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 5.3 (Sustainable Design and Construction), 6.13 (Parking), 7.15 (Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes)
- 5.4 The following Supplementary Planning Guidance (SPG) is also relevant: New Residential Development (September 1999)

## **6. CONSULTATION**

6.1 The application was publicised by means of a site notice and individual letters to occupiers of neighbouring properties. In response, seven letters of objection have been received, including an objection from the Wimbledon Society. The objections are on the following grounds:

- Gardens too small, overdevelopment of plot, out of character with surrounding area, houses more appropriate than flats
- Impact on parking
- Disturbance/safety implications during construction works
- Visually intrusive/overbearing, loss of daylight/sunlight, loss of privacy/noise from use of rear balconies

6.2 The Wimbledon Society

Object on grounds of loss of privacy/potential noise from first floor rear balconies.

6.3 Environmental Health

No objection subject to a condition for the submission of a scheme for protecting future occupiers of the flats from noise and vibration from the adjacent railway line.

## **7. PLANNING CONSIDERATIONS**

The main planning considerations are the impact that the proposal would have on visual and residential amenity, the standard of accommodation and impact on parking/highways.

### **7.1 Visual Amenity**

7.1.1 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings, whilst using appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.

7.1.2 It is considered that the proposed development, which would comprise a detached building with a traditional appearance, with double height front bay windows to mirror No.1 Bridge Villas, is acceptable in terms of its design and appearance. The application site is located at the southern end of Ashcombe Road and abuts a railway line, which means that the front and south facing side elevations of the development will be highly prominent when viewed from the street. It is considered that No.1 Bridge Villas, which features a flat roof over the first floor rear element and a large rear dormer which is not set in from the side or rear elevations has been unsympathetically extended in recent years and as such currently has a harmful impact on the Ashcombe Road street scene, when viewed from the south. The flats have been designed to have the appearance of a single property, with an eaves, lines, ridge line, choice of materials, windows and general detailing designed to sit comfortably with neighbouring buildings. It is considered that the proposed

building would improve these views with the rear element designed with two twin pitch gable roofs, which would fully integrate with the architectural style of the building.

- 7.1.3 Overall, it is considered that the current proposal would complement the character and appearance of the Ashcombe Road street scene and the wider area in general and as such accords with policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

## **7.2 Standard of Accommodation**

- 7.2.1 The London Plan was published in July 2011 and sets out a minimum gross internal area standard for new homes as part of policy 3.5. It provides the most up to date and appropriate minimum space standards for Merton.

- 7.2.2 In addition, adopted policy CS.14 of the Core Strategy and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) encourages well designed housing in the borough by ensuring that all residential development complies with the most appropriate minimum space standards and provides functional internal spaces that are fit for purpose. New residential development should safeguard the amenities of occupiers by providing appropriate levels of sunlight & daylight and privacy for occupiers of adjacent properties and for future occupiers of proposed dwellings. The living conditions of existing and future residents should not be diminished by increased noise or disturbance.

- 7.2.3 As the proposed flats would exceed the minimum space standards set out in the London Plan, with each habitable room providing good outlook, light and circulation, it is considered the proposal would provide a satisfactory standard of accommodation. In addition, the proposed ground floor flats would provide between 22.3sqm and 27.5sqm of private amenity space whilst the upper floor flats would each feature a rear balcony of 5sqm. Although a two bedroom (3 person) flat would be expected to include a minimum of 6sqm of private amenity space, the 2 upper flats also have access to a south facing communal garden of 62sqm shared between them , and therefore the level of amenity space provision is considered to be acceptable.

- 7.2.4 The application site abuts a rail line and as such the applicant has submitted a noise and vibration report assessing the impact that the rail line would have on future occupants of the development. The proposal would therefore comply with policy 3.5 of the London Plan (July 2011), CS.14 of the Core Planning Strategy (July 2011) and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

## **7.3 Residential Amenity**

- 7.3.1 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining

buildings and gardens. Development should also protect new and existing development from visual intrusion.

- 7.3.2 It is considered that the proposal would not be visually intrusive or overbearing when viewed from the adjoining property, No.1 Bridge Villas. The application has been amended since it was first submitted with the rear elevation at first floor level reduced in depth by 1.9m so that it aligns with the rear elevation of the first floor rear projection at No.1 Bridge Villas. This means that only the ground floor element would project 1.1m from the rear wall of No.1 Bridge Villas which is considered acceptable given there is also a gap of approx. 1m between the proposed building and this property.
- 7.3.3 With regards to privacy the proposed building would not directly face an existing residential property whilst the rear first floor balconies would feature 1.8m high privacy screens. The proposed balconies at 5sqm are also rather small and as such would be subject to limited activity. It should also be noted that Nos. 2 and 3 Bridge Villas feature second floor rear balconies and it is considered that the proposed balconies would not result in any significant increase in overlooking of the rear garden of No.1 Bridge Villas. The proposal also passes the Council's Aspect Value Test which means it would not have an unacceptable impact on daylight/sunlight levels at No.1 Bridge Villas. Overall, it is considered that given the above considerations that the proposal would accord with policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

#### **7.4 Parking and Traffic**

- 7.4.1 The application site has a PTAL rating of 6a, which means it has excellent access to public transport. The scheme proposes no off-street parking provision. Policy DM T3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that development should only provide the level of car parking required to serve the site taking into account its accessibility by public transport (PTAL) and local circumstances in accordance with London Plan standards unless a clear need can be demonstrated. Policy 6.13 Table 6.2 of the London Plan (March 2015) states that development of 1-2 bedrooms should provide less 1 space per unit. The level of parking provision is therefore in accordance with London Plan policy. Given the application site is located in a controlled parking zone (Zone 3E) and has excellent access to public transport it will be required that the development is permit free so that it does not create any additional parking stress in the area.
- 7.4.2 Policy DM T1 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that development must provide cycle parking in accordance set out in the London Plan. It states that residential cycle parking facilities should be provided in secure and conveniently sited positions with good access to the street. Policy 6.13 of the London Plan states that developments must meet with minimum cycle parking standards set out in Table 6.3 which in this instance requires 1 space per 1 bedroom unit and 2 spaces per 2 bedroom units. Given the proposal would provide 8 secure bicycle spaces in the side

garden it is considered the proposal would comply with local and regional planning policy.

## **7.5 Landscaping**

- 7.5.1 The proposed development includes front, rear and side gardens. LBM Ref: 08/P2052 was refused in part because the development would have resulted in the loss of a tree that was considered to make a positive contribution to the Ashcombe Road street scene. It should be noted that this tree has been removed since the determination of LBM Ref: 08/P2052, which means that it is no longer a planning consideration given that it was not protected (the site is not in a conservation area and the tree was not subject to a tree preservation order).

## **8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 8.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

## **9. LOCAL FINANCIAL CONSIDERATIONS**

- 9.1 The proposal would result in a net gain in gross floor space and as such will be liable to pay both the Mayoral and Merton Community Infrastructure Levies (CIL). The funds will be spent on the Crossrail project, with the remainder spent on strategic infrastructure and neighbourhood projects.

## **10. SECTION 106 LEGAL AGREEMENT**

### **10.1 Affordable Housing**

- 10.11 In terms of affordable housing, Policy CS.8 of the Core Planning Strategy (July 2011) requires developments of 1 – 9 units to make an off-site financial contribution for provision of affordable housing in the borough. The affordable housing contribution is calculated based on a formula using the median open market valuation of the completed development based on three independent valuations. The proposal would result in a net increase of four residential units in this instance. After applying the formula a figure of (£154,477) would be sought as a S106 planning obligation.

### **10.2 Permit Free**

- 10.21 The development is to be 'Permit Free' in line with policy CS.20 of the Core Planning Strategy, which seek to reduce reliance on private motor vehicles in locations with good access to public transport facilities.
- 10.22 Further information in respect of the above, including details of supplementary research carried out in justification of the S106 requirements, can be viewed here:

<http://www.merton.gov.uk/environment/planning/s106-agreements.htm>

## **11. CONCLUSION**

- 11.1 It is considered that the proposed development would be acceptable in terms of its size and design and would not have an unacceptable impact on the Ashcombe Road street scene. The development is also considered to have an acceptable impact on neighbour amenity, traffic and parking and would provide a satisfactory standard of accommodation. Overall it is considered that the proposal would comply with all relevant planning policies and as such planning permission should be granted.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

Subject to a S106 legal agreement with the following heads of terms:

1. That the residential units are 'Permit Free';
2. Financial contribution for affordable housing (£154,477)
3. The developer agreeing to meet the Council's costs of preparing, drafting and monitoring the Section 106 Obligations.

### **And the following conditions:**

1. A.1 (Commencement of Development)
2. A.7 (Approved Plans)
3. B.3 (External materials as specified)
4. B.4 (Details of Site/Surface Treatment)
5. B.5 (Details of Walls/Fences)
6. B.6 (Levels)
7. C.2 (No Permitted Development (Windows and Doors))
8. C.9 (Balcony/Terrace (Screening))
9. C.4 (Obscured Glazing (Opening Windows))
10. C.7 (Refuse & Recycling (Implementation))
11. C.10 (Hours of Construction)
12. F.1 (Landscaping/Planting Scheme)



13. F.2 (Landscaping (Implementation))
14. No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes level 4. Evidence requirements are detailed in the "Schedule of evidence Required for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide. Evidence to demonstrate a 25% reduction compared to 2010 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing.

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 2011 and policy CS15 of Merton's Core Planning Strategy 2011.

15. Prior to the commencement of the development details of the provision to accommodate all site operatives, visitors and construction vehicles and loading / unloading arrangements during the construction process shall be submitted and approved in writing with the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

Reason: To safeguard the amenities of the occupiers of neighbouring properties.

16. H.7 (Cycle Parking to be implemented)
17. No development shall commence until a scheme for protecting future occupiers of the flats from noise and vibration from the adjacent railway line is submitted and approved by the Local Planning Authority. The scheme is to include acoustic data for the glazing system, and details of the noise barrier and ventilation system. The development will be required to achieve the internal and external noise standards set out in BS8233:2014. The development shall not be occupied until the details have been approved and carried out in strict accordance with the approved details and those measures shall be thereafter be permanently retained.

Reason: To safeguard the amenities of future occupiers of the development and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policies DM D2, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

18. Informative – The application site is adjacent to Network railway infrastructure and as such it is advised that the applicant contacts [AssetProtectionsWessex@networkrail.co.uk](mailto:AssetProtectionsWessex@networkrail.co.uk) prior to any works commencing on site.



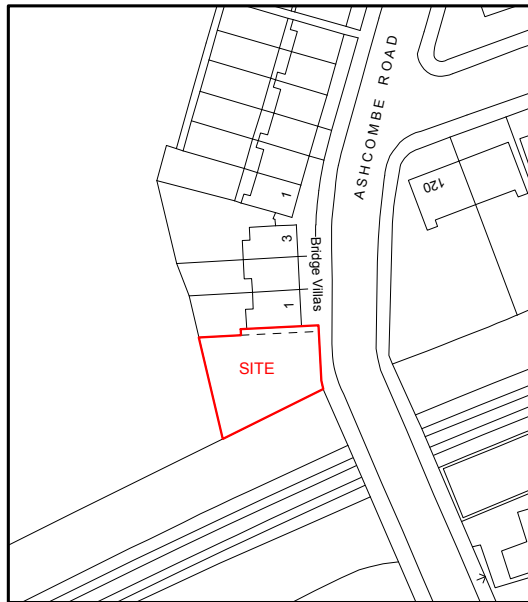
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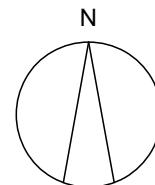


Text Details Bridge Villas, Ashcombe Rd

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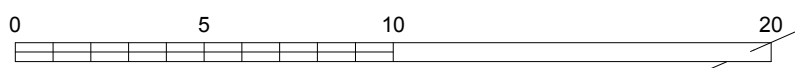
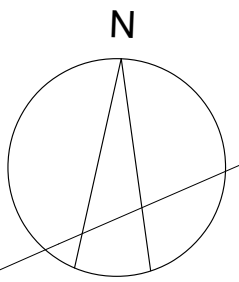
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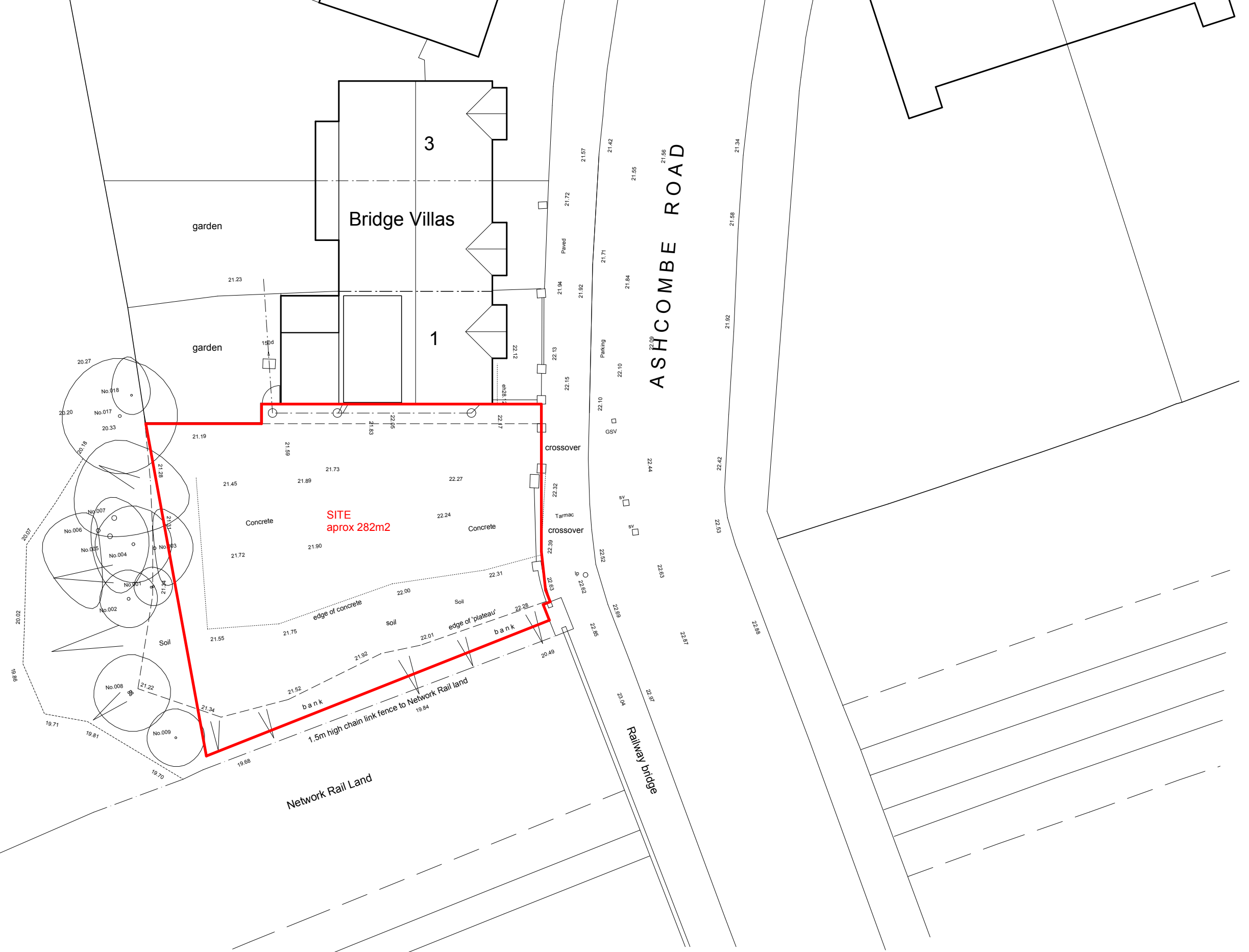
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<b>BRIAN SMITH R.I.B.A.</b> Chartered Architect  Suite 1, Barry House, 20-22 Worple Road, Wimbledon, London SW19 4DH Telephone: 020 8947 0088 Fax: 020 8947 6827	Client :	Scale : 1:1250 Date : Nov 2013 Drawn :	Drawing title : LOCATION PLAN
	Job title : Site Adjoining 1 Bridge Villas, Ashcombe Road, London SW19	<b>485 B      L 1 A</b>	



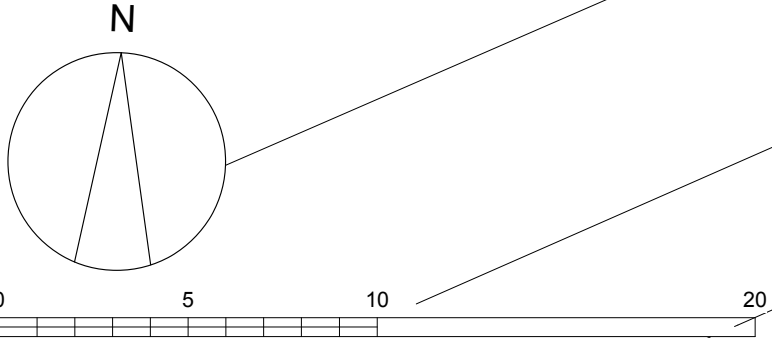
Site data based on survey by J Brotherton + Partners Jan 2012  
Area outside site based on Ordnance Survey data



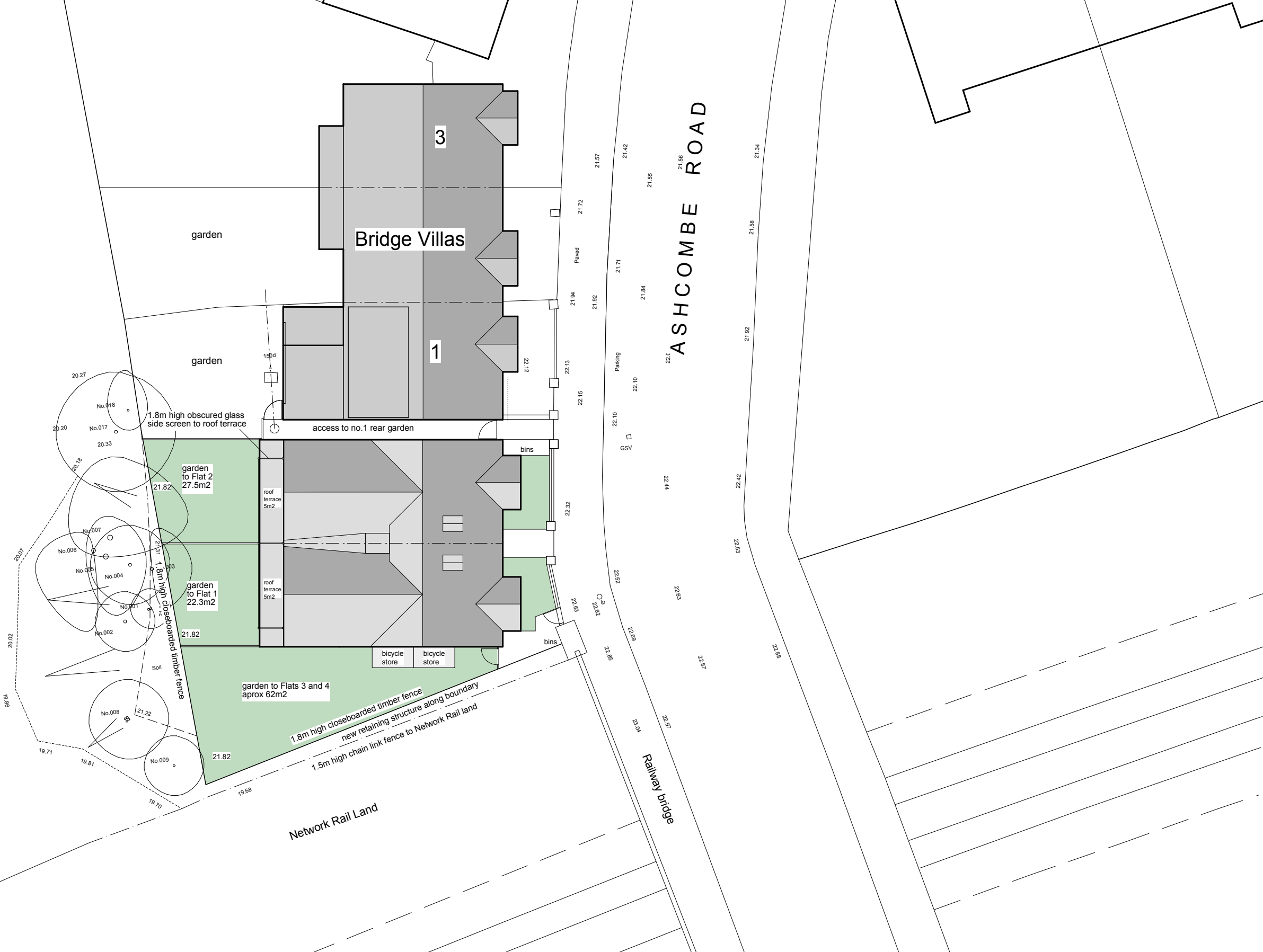
Revisions :

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	Job title : Site Adjoining 1 Bridge Villas, Ashcombe Road, London SW19	<b>485 C    1</b>



Site data based on survey by J Brotherton + Partners Jan 2012  
Area outside site based on Ordnance Survey data



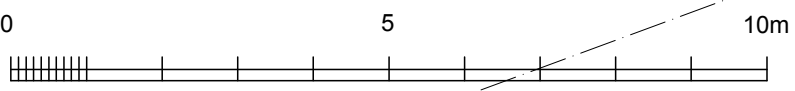
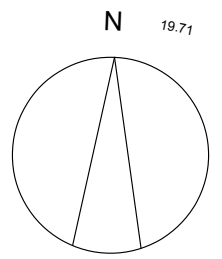
- Revisions :
- D - 26 Feb 2016 - roof over rear half amended
  - C - 23 Feb 2016 - depth of 1st floor reduced by further 1.2m to align with adjoining existing house
  - B - 4 Aug 2015 - depth of building reduced by 0.675m

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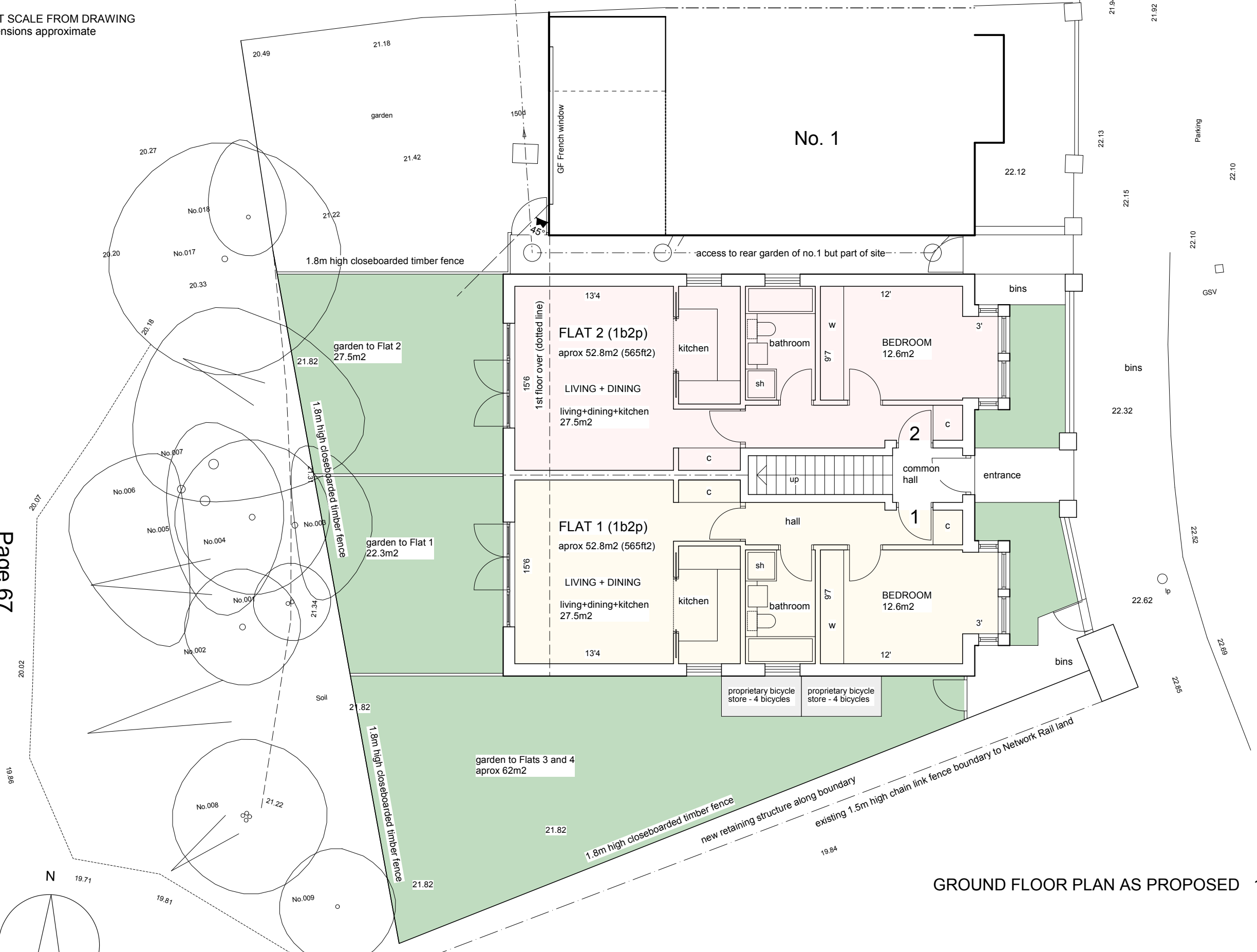
<b>BRIAN SMITH R.I.B.A.</b> Chartered Architect Suite 1, Barry House, 20-22 Worple Road, Wimbledon, London SW19 4DH Telephone: 020 8947 0088 Fax: 020 8947 6827	Client : Scale : 1:200@A3 Date : Feb 2015 Drawn :	Drawing title : SITE PLAN AS PROPOSED
	Job title : Site Adjoining 1 Bridge Villas, Ashcombe Road, London SW19	<div style="border: 2px solid black; padding: 5px; display: inline-block;"> <span style="font-size: 1.2em; font-weight: bold;">485 C</span>    <span style="font-size: 1.2em; font-weight: bold;">2 D</span> </div>

DO NOT SCALE FROM DRAWING  
All dimensions approximate

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Site data based on survey by J Brotherton + Partners Jan 2012

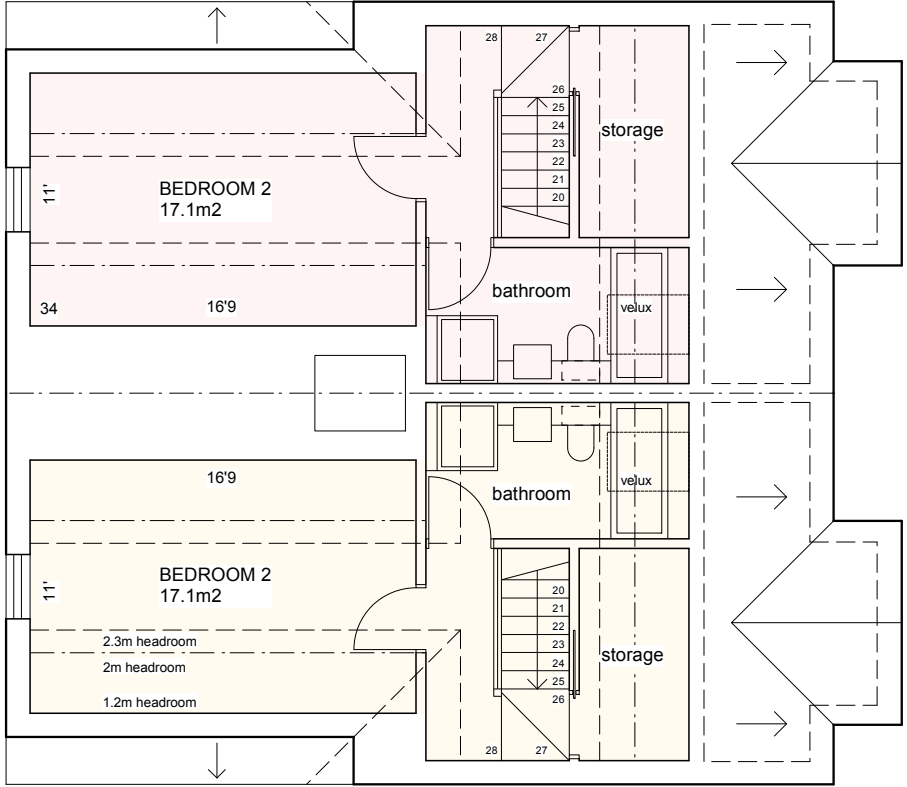


GROUND FLOOR PLAN AS PROPOSED 1:100

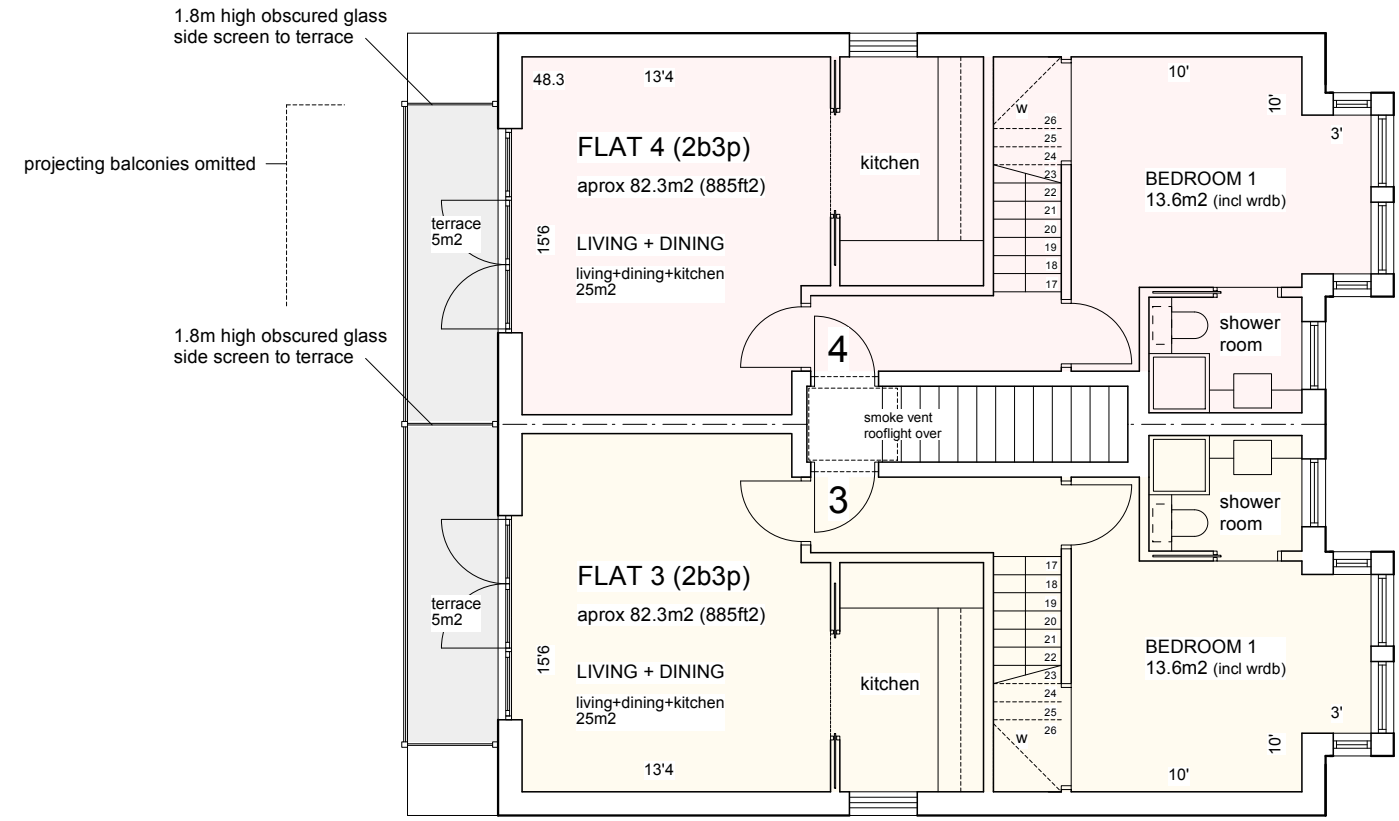
C - 23 Feb 2016 - rear projecting balconies removed  
Revisions : B - 4 Aug 2015 - depth of building reduced by 0.675m

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	Job title : Site Adjoining 1 Bridge Villas, Ashcombe Road, London SW19	<div style="border: 2px solid black; padding: 5px; display: inline-block;"> <span style="font-size: 1.2em;">485 C</span>    <span style="font-size: 1.2em;">3 C</span> </div>



SECOND FLOOR PLAN AS PROPOSED 1:100



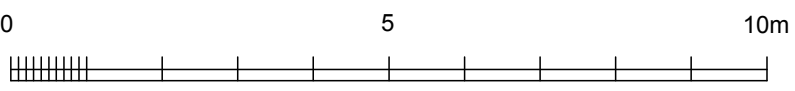
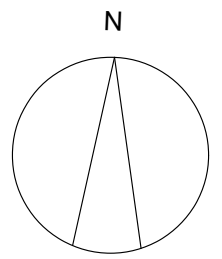
FIRST FLOOR PLAN AS PROPOSED 1:100

NOTE - All internal accommodation to be ventilated by forced mechanical ventilation system with heat recovery not requiring windows to be opened

D - 26 Feb 2016 - roof and 2nd floor layout amended  
C - 23 Feb 2016 - depth of 1st floor reduced by further 1.2m to align with adjoining existing house  
Revisions : B - 4 Aug 2015 - depth of building reduced by 0.675m

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Site data based on survey by J Brotherton + Partners Jan 2012

<b>BRIAN SMITH R.I.B.A.</b> Chartered Architect Suite 1, Barry House, 20-22 Worple Road, Wimbledon, London SW19 4DH Telephone: 020 8947 0088 Fax: 020 8947 6827	Client : Scale : 1:100@A3 Date : Feb 2015 Drawn :	Drawing title : 1st + 2nd FLOOR PLANS AS PROPOSED
	Job title : Site Adjoining 1 Bridge Villas, Ashcombe Road, London SW19	<b>485 C</b> <b>4 D</b>

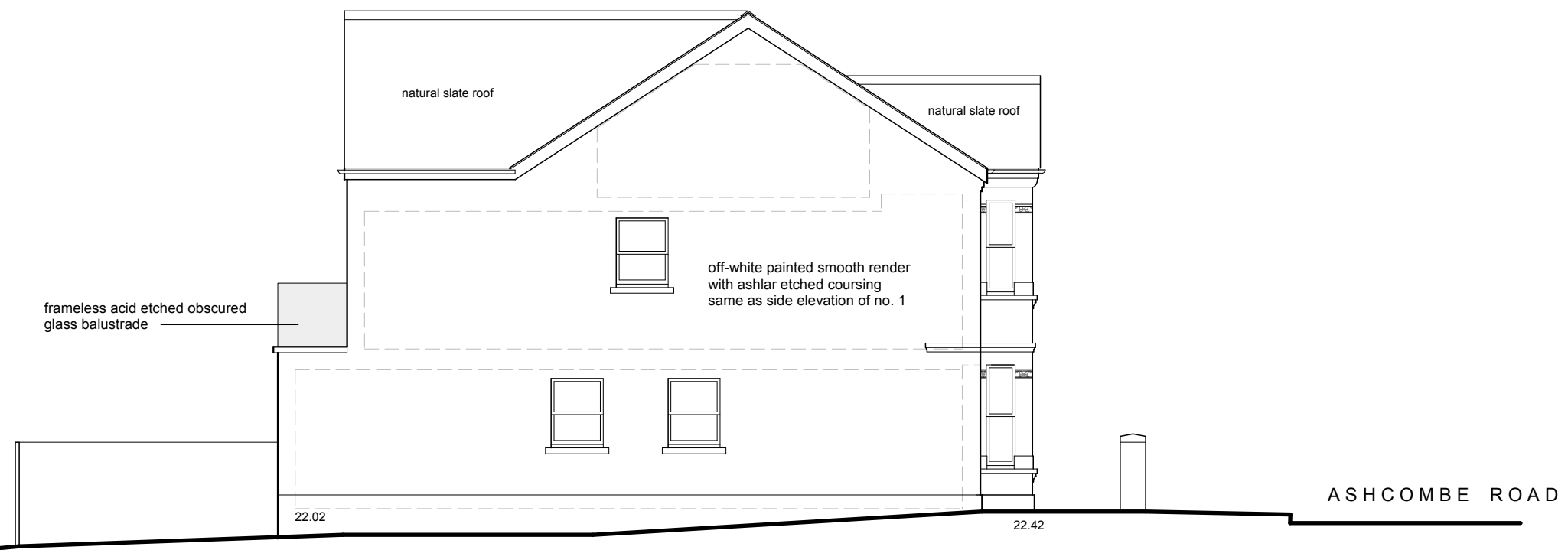




FRONT (EAST) ELEVATION AS PROPOSED 1:100

21m datum line

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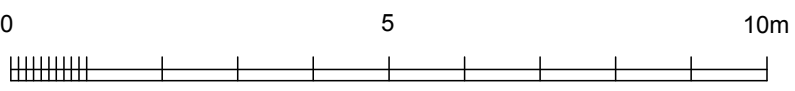


SIDE (SOUTH) ELEVATION AS PROPOSED 1:100

21m datum line

- C - 26 Feb 2016 - side roof amended
- B - 23 Feb 2016 - depth of 1st floor reduced by further 1.2m
- A - 4 Aug 2015 - depth of building reduced by 0.675m

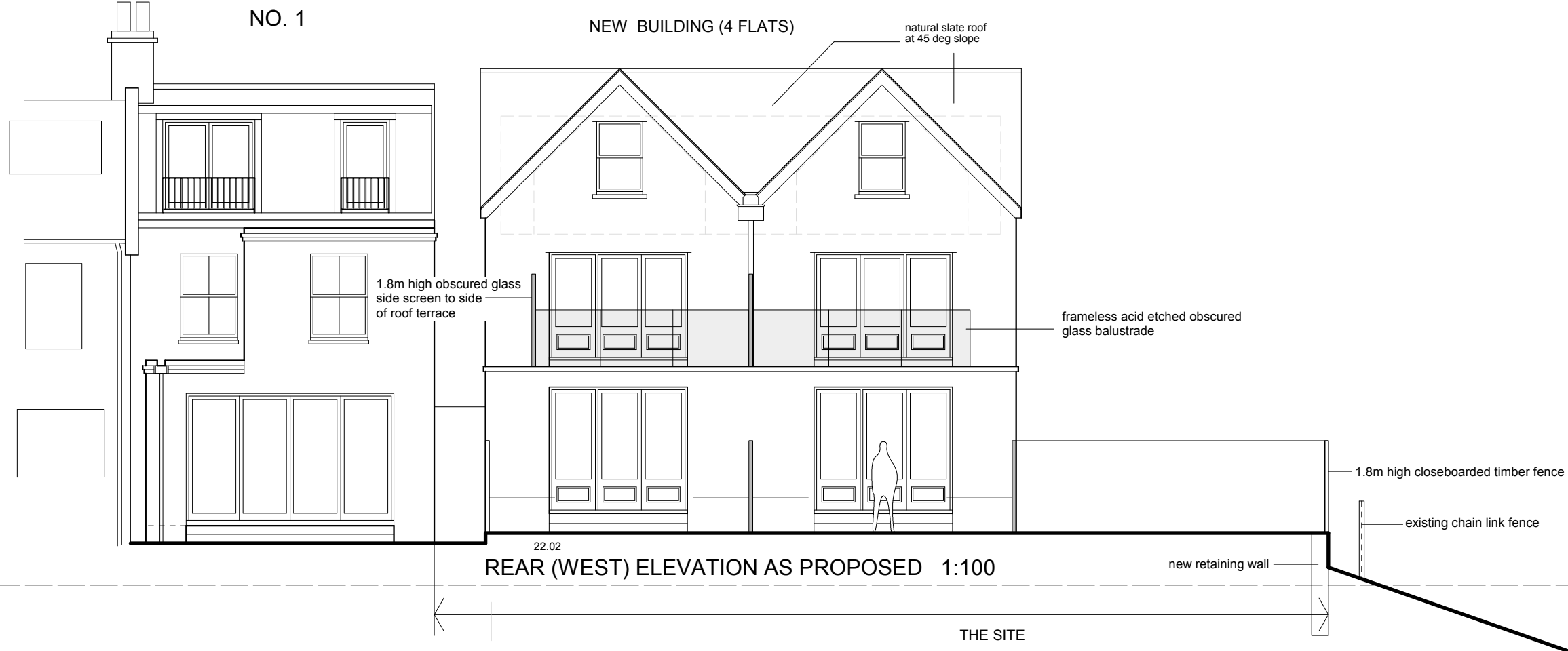
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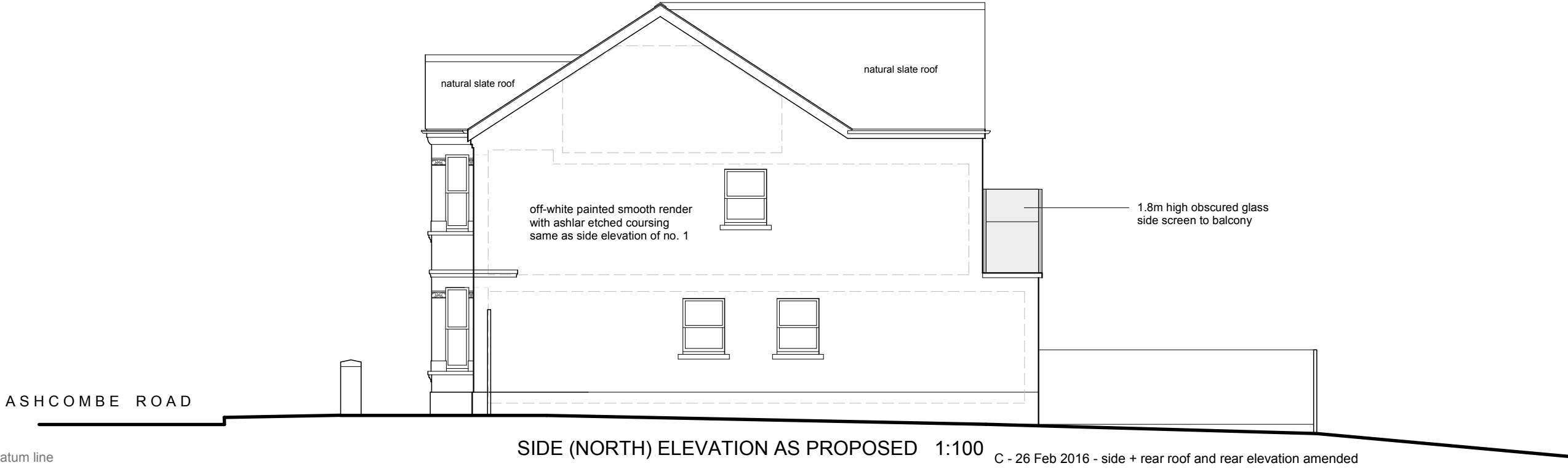
Site data based on survey by J Brotherton + Partners Jan 2012

<b>BRIAN SMITH R.I.B.A.</b> Chartered Architect  Suite 1, Barry House, 20-22 Worple Road, Wimbledon, London SW19 4DH Telephone: 020 8947 0088 Fax: 020 8947 6827	Client :	Scale : 1:100@A3	Drawing title :
		Date : Feb 2015	EAST + SOUTH ELEVATIONS AS PROPOSED
	Job title :	Drawn :	
	Site Adjoining 1 Bridge Villas, Ashcombe Road, London SW19		<div style="border: 2px solid black; display: inline-block; padding: 5px;">                 485 C      5 B             </div>

DO NOT SCALE FROM DRAWING  
All dimensions approximate

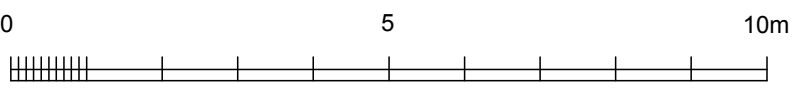


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Revisions : C - 26 Feb 2016 - side + rear roof and rear elevation amended  
B - 23 Feb 2016 - depth of 1st floor reduced by further 1.2m  
A - 4 Aug 2015 - depth of building reduced by 0.675m

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Site data based on survey by J Brotherton + Partners Jan 2012

<b>BRIAN SMITH R.I.B.A.</b> Chartered Architect  Suite 1, Barry House, 20-22 Worple Road, Wimbledon, London SW19 4DH Telephone: 020 8947 0088 Fax: 020 8947 6827	Client : Scale : 1:100@A3 Date : Mar 2015 Drawn :	Drawing title : WEST + NORTH ELEVATIONS AS PROPOSED
	Job title : Site Adjoining 1 Bridge Villas, Ashcombe Road, London SW19	<div style="border: 2px solid black; padding: 5px; display: inline-block;">           485 C      6 C         </div>

**PLANNING APPLICATIONS COMMITTEE**  
**17 March 2016**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P3653	06/11/2015
<b>Address/Site:</b>	27 Cannon Hill Lane Raynes Park SW20 9JY	
<b>Ward:</b>	Cannon Hill	
<b>Proposal:</b>	Conversion of dwelling into 5 flats, including two storey side extension with living space at roof level, excavation of basement, single storey rear extension, rear roof extension, roof lights to front roof slope, replacement of rear windows and parking for 4 cars and 9 cycles.	
<b>Drawing No.'s:</b>	001G, 002D, 003D, 004B, 'Block Plan', 'Site Location Plan', 'Design, Planning & Access Statement', 'Proposed basement at 27 Cannon Hill Lane Anticipated Ground Conditions and Outline Construction Method Statement' and 'Assessment of effects of basement construction on Groundwater and Hydrology & Construction Method Statement'.	
<b>Contact Officer:</b>	Jock Farrow (020 8545 3114)	

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**RECOMMENDATION**

**Grant planning permission subject to conditions.**

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**CHECKLIST INFORMATION**

- S106: N/A
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 20
- External consultations: 2
- Controlled Parking Zone: No
- Flood zone: No
- Conservation Area: No
- Listed building: No
- Protected Trees: 0
- Public Transport Access Level: 3

## **1. INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number and nature of objections received. It is further noted that this is a resubmission of a scheme that was previously refused by the Planning Applications Committee.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises an end-terrace dwelling situated at the junction of Cannon Hill Lane and Springfield Avenue, which is on the eastern side of Cannon Hill Lane. The site is characterised by a triangular plot with a generous garden to the side and rear. The site has an area of approximately 468sq.m.
- 2.2 The existing dwelling is characterised by a hipped end roof, a two storey bay window with a hipped roof, ground and first floor oriel windows to the front and a first floor oriel window on the flank elevation. The existing dwelling has 4 bedrooms.
- 2.3 The dwelling immediately to the south has an existing rear roof extension and a 2m deep single storey rear extension. The area is characterised by terrace rows of varying architectural styles.

## **3. CURRENT PROPOSAL**

- 3.1 This application seeks planning permission for the conversion of a 4 bed dwelling into 5 flats (1x1 bed, 2x2 bed & 2x3 bed), including a two storey side extension with living space at roof level, the excavation of a basement, a single storey rear extension, a rear roof extension, roof lights to the front roof slope, the replacement of the rear windows and parking provisions to the front.
- 3.2 The proposed two storey side extension would be integrated into the design of the existing dwelling; matching the height and form of the main roof slope and incorporating a hipped end, the front façade would be flush with the façade of the host dwelling and the main architectural features, including the two storey bay window and main entrance door, would be replicated. The proposed extension would be set back from the boundary by approximately 1m. The width of the side extension would be analogous to that of the host dwelling, albeit the flank elevation would be oblique, maintaining a consistent separation distance from the boundary. The single storey rear extension would have a flat roof with two lantern style roof lights. The rear roof extensions would be in the form of dormer rooms, set in from the edges of the roof slope. The proposed basement level would match the foot print of the two storey side extension and would include of 5 light wells, being spread around the west, north and east elevations.
- 3.3 The proposed extensions would have the following key dimensions:
- Two storey side extension: 7.6m wide, 8.9m maximum height, 5.7m high to the eaves and 8.6m deep (9.4m deep including the bay window).
  - Single storey rear extension: 4m deep, 2.65m high and 11.1m wide.
  - Dormer (roof) extensions: 3.26m deep, 2.2m high and 5.4m wide and 2.8m wide for the dormers to the south and north respectively.
  - Basement: excavated to a depth of 2.55m.
- 3.4 The site would be arranged to provide 4 on site vehicle parking spaces to the front of the property serviced by two vehicle crossings, 9 cycle storage spaces would be provided to the front along with 5 bin stores. The rear garden would be divided in to provide private amenity space for flats 1 and 4, with flats 2, 3 and 5 sharing communal amenity space. The proposed flats would be set out as follows:
- Flat 1 would be 5 person with 3 beds and would located on the basement and

ground floor levels.

- Flat 2 would be 2 person with 1 bed and would be located on the first floor level.
- Flat 3 would be 4 person with 2 beds and would be located within the roof space.
- Flat 4 would be 5 person with 3 beds and would be located on basement and ground floor levels.
- Flat 5 would be 3 person with 2 beds and would be located on first floor level.

- 3.5 This application is a resubmission of application 14/P2373. Application 14/P2373 was recommended for approval by officers; however, it was refused by the Planning Applications Committee due to poor stacking, as noise sensitive rooms of one flat were located next to/above/under noise generating rooms of another flat. In addition, the basement bedrooms in flats 1 and 4 were not separated by doors from internal circulation areas, failing to mitigate the transmission of noise. This resubmission has been designed to overcome the previous reasons for refusal by adding internal doors and revising the stacking. Furthermore, following discussions with council officer's, further amendments were received to improve the scheme which include increasing the size of the lightwells, thus increasing light to the basement, increasing the internal floor to ceiling heights at roof level to meet minimum standards and reducing the onsite vehicle parking arrangements from 5 spaces to 4, thus ensuring relevant transport and safety standards are satisfied. Stacking considerations are discussed further in the following sections of this report.

#### 4. PLANNING HISTORY

11/P3172: Planning permission refused for the ERECTION OF A TWO-STOREY END-OF-TERRACE 4-BED DWELLINGHOUSE ON LAND TO THE SIDE OF 27 CANNON HILL LANE INCORPORATING 1 OFF-STREET PARKING SPACE – Refused.

Reasons:

- 1) **The proposed single storey back addition to the new dwelling by reason of its design, size and siting would be visually intrusive and result in a loss of outlook to the detriment of the amenity of the occupiers of 27 Cannon Hill Lane and would be contrary to policy BE.15 of the Merton Unitary Development Plan (2003).**
- 2) **The proposed new dwelling, by reason of the proposed site layout plan, would fail to provide adequate private rear garden space to meet the likely needs of future occupiers to the detriment of their amenities and would be contrary to policy HS.1 of the Merton Unitary Development Plan (2003).**
- 3) **The proposed dwelling by reason of its design, siting, height, bulk and massing would fail to respond to, or reinforce the locally distinctive pattern of development, resulting in a new dwelling with a frontage that would significantly exceed that of adjoining properties; the proposed building projecting significantly forward of neighbouring terraces in Springfield Avenue and resulting in the loss of a visual gap on the Springfield Road boundary would have a detrimental impact on the visual amenities of the Cannon Hill Lane street scene; on local suburban character and on the local distinctiveness of the adjoining townscape. The proposals would therefore be contrary to policies BE 16, BE.18 & BE 22 of the Unitary Development Plan (2003) and Core Strategy Policy CS.14 (2011)**

12/P1430: ERECTION OF A TWO-STOREY END-OF-TERRACE 4-BED DWELLINGHOUSE ON LAND TO THE SIDE OF 27 CANNON HILL LANE INCORPORATING ALTERATIONS TO THE ROOF AT NO 27 & 1 OFF-STREET PARKING SPACE – Refused contrary to officer

recommendation by Planning Committee - allowed on appeal.

14/P2373: ERECTION OF PART SINGLE, PART DOUBLE STOREY END OF TERRACE BUILDING TO THE SIDE OF 27 CANNON HILL LANE WITH ACCOMMODATION IN THE ROOF SPACE AND BASEMENT WITH A SINGLE STOREY REAR EXTENSION AND REAR ROOF EXTENSION CONSTRUCTED TO THE EXISTING DWELLING HOUSE AND PROVISION WITHIN THE EXISTING AND PROPOSED FLOOR SPACE OF FIVE FLATS [A SINGLE THREE BEDROOM FLAT, A SINGLE ONE BEDROOM FLAT AND 3 TWO BEDROOM FLATS] WITH OFF STREET PARKING SPACES ACCESSED FROM CANNON HILL LANE – Refused.

**Reason: The proposals by reason of the design and layout of the units which places noise generating and noise sensitive rooms of different flats above and below one another and which fails to provide separation in the form of doors between the circulation areas to flats 1 and 4 and basement level bedrooms, would fail to achieve a satisfactory quality of environment for future occupiers in terms of limiting the transmission of noise, contrary to policy 3.5 of the London Plan (2011), policy CS.14(d) of the Merton LDF Core Planning Strategy (2011) and Annex 1 of the London Plan Housing Supplementary Planning Guidance (2012).**

## 5. CONSULTATION

5.1 Public consultation was undertaken by way of site notice and letters to xx neighbouring addresses. 7 representations were received, the summary of objections is as follows.

- Precedent [every planning application is assessed on its own merits]
- Increased demand on local services eg. Schooling [mitigated by community infrastructure levy]
- Sewer located within proximity of basement [to be discussed with Thames Water]
- Unlikely to meet requirements of building regulations [not a material planning consideration]
- Exhaust fumes may spill down into basement bedroom to front [Merton Council Environmental Health Officer advised any fumes would be negligible]
- Basement construction may affect other houses and water table
- Damage to other properties from construction
- Increased level of light
- Impact upon character and appearance of the area
- Excessive scale
- Overdevelopment
- Issues with parking and access
- Road safety.
- Telephone pole in close proximity to crossover
- Converting to flats deprives the area of family housing
- Poor access to rear gardens

5.2 LBM Transport Planning: No objection. Advised that 5 parking spaces along with the extended crossover would be excessive. Following the receipt of amended plans which removed one vehicle parking space and revised the crossover to two smaller crossovers, the Transport Planner has raised no objection from the perspective of highway safety or parking pressure.

5.3 LBM Structural Engineer: No objection. Advised that prior to the commencement of the works the following documents would need to be submitted to and approved by

Merton Council:

- Full Geotechnical Site Investigation Report
- Detailed Basement Method Statement
- Detailed design data, including but not limited to, soil parameters, ground water level, and dead and live loading used in the design of retaining walls (both temporary and permanent).
- Annotated construction method sequence drawings, including temporary works.

5.4 LBM Flood Risk Engineer: No objection. Concurred with the advice provided by the Structural Engineer. Advised that the Council would support the use of attenuation measures and permeable paving in accordance with London Plan policy 5.3 and Merton's Sites and Policies Plan DMF2. Confirmed there is a sewer in the immediate vicinity of the proposed works and Thames Water approval will be required.

5.5 LBM Waste Management: No objection.

5.6 Raynes Park & West Barnes Resident's Association: No objection.

5.7 Resident's Association of West Wimbledon: No objection.

## **6. POLICY CONTEXT**

6.1 NPPF - National Planning Policy Framework (2012):

- 6. Delivering a wide choice of quality homes.
- 7. Requiring good design.

6.2 London Plan (2015)

Relevant policies include:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.10 Urban greening
- 5.13 Sustainable drainage
- 5.17 Waste capacity
- 6.3 Assessing the effects of development on transport capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.11 Smoothing traffic flow and easing congestion
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An Inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

## 8.2 Planning obligations

### 6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 14 Design
- CS 15 Climate change
- CS 17 Waste management
- CS 18 Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

### 6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM D1 Urban Design
- DM D2 Design considerations
- DM EP2 Reducing and mitigating noise
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

### 6.5 Supplementary planning considerations

London Housing SPG – 2012

Merton Design SPG – 2004

## 7. **PLANNING CONSIDERATIONS**

### 7.1 Key planning considerations:

- Principle of development
- Density
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Basement construction method and flooding
- Transport and parking
- Refuse storage and collection
- Cycle storage
- Sustainability
- Developer contributions

### Principle of development

7.2 Policy 3.3 of the London Plan 2015 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities.

7.3 Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The proposed development includes the provision of a three bedroom family unit in accordance with Core Strategy policy CS14.

7.4 Given the property is currently in residential use and as this application seeks to



increase density, the principle of development is considered to be acceptable, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

#### Density

7.5 The area has a Public Transport Accessibility Level (PTAL) of 3 which is considered to be a moderate level of accessibility. It is considered that the site is located within an urban area.

7.6 The resultant density is calculated to be as follows:

Units per hectare:

$1/0.0468 \text{ ha (site area)} \times 5 \text{ (number of units)} = 106 \text{ units per hectare}$

Habitable rooms per hectare:

$1/0.0468 \text{ ha (site area)} \times 16 \text{ (habitable rooms)} = 342 \text{ habitable rooms per hectare}$

7.7 Table 3.2 of the London Plan 2015 provides that sites with a PTAL rating of 3 within an urban setting should provide for a density of between 55-145 units/ha and 200-450 habitable rooms/ha.

7.8 The figures above illustrate that the proposed development would provide for a density that is in accordance with the recommended density range provided in the London Plan, for both units and habitable rooms.

7.9 While density is a material consideration it is not the critical factor as to whether development is acceptable. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, amenity, including both neighbour and future occupier amenity, and the desirability of protecting and enhancing the character of the area along with the relationship with neighbouring sites, these matters are discussed below.

#### Design and impact upon the character and appearance of the area

7.10 London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policy DMD2 require well designed proposals that will respect the appearance, materials, scale, bulk, proportions and character of the original building and their surroundings.

7.11 The principle of the design and the impact upon the character and appearance of the area was deemed acceptable in the previous scheme, which was refused only on grounds of stacking and the omission of internal doors to bedrooms. The presence of an extant planning permission for a two storey four bedroom end of terrace property on the application site is also highlighted. The extensions proposed under this application is similar to the extant planning permission for a new house in terms of external appearance, building footprint, building width and notwithstanding the addition of a rear roof extension the overall building height.

7.12 The area surrounding the application site is residential in character with housing predominantly in the form of two storey terraced dwellings. The properties on the same side of Cannon Hill Lane as the application site generally have regular plot widths and well defined building lines with greater variety in building design on the opposite side of Cannon Hill Lane.

7.13 The design of the proposed building reflects the height, width, scale and design of properties in the adjoining terrace and maintains the building line along Cannon Hill

Lane. With regard to building on garden land, this land has not been safeguarded for any other use and the size of the plot is considered sufficient for the purposes of the proposal. Notwithstanding the tapered shape of the dwelling, the layout and alignment of the development is considered to make good use of the land on this site and is in keeping with the overall character of the surrounding area. It is noted that the proposed two storey side extension would maintain a set back from the boundary of approximately 1m; this set back in conjunction with the hipped roof would ensure the proposal is not overly dominant to the streetscene.

7.14 Given the scale of the host dwelling in conjunction with the two storey side extension, it is considered the roof extensions and single storey rear additions would be acceptable in scale and design, being sympathetic to the character and appearance of the area.

7.15 The proposal includes the provision of 4 vehicle parking spaces to the front of the property. The front garden is generous in size and can comfortably accommodate 4 vehicle parking spaces. In addition, onsite parking to the front of dwellings along Cannon Hill Lane is prevalent. It is considered the parking provisions are in keeping with the character of the area.

7.16 In conclusion, the design, scale, layout and appearance of the proposed Development is complementary to the local context and respects the local pattern of development.

#### Impact upon neighbouring amenity

7.17 SPP policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

7.18 All windows are directed towards the rear of the property, overlooking the rear garden of the application site, or toward the road. Given the above, it is not considered the proposal would result in any undue overlooking or loss of privacy for neighbouring properties. It is further noted that any overlooking would be analogous to the existing dwelling.

7.19 There is only one dwelling adjoining the application site, which is to the south, this dwelling has an existing 2m single storey rear extension. The building line at the upper levels would remain in alignment with the prevailing building line. However, at ground floor, the development would incorporate a 4m rear extension – extending 2m beyond the building line established by the dwelling to the south. Given the scale, positioning and orientation of the proposed development, it is not considered to result in any undue loss of sunlight or daylight or to appear overbearing to the neighbouring property.

7.20 Increased levels of light as a result of the development were raised as a concern in the objections. It is considered that any light spill from windows would be analogous to any other dwelling within the area. However, a planning condition is recommended to ensure that any external security lighting to the development is angled to prevent nuisance to adjacent occupiers.

#### Standard of accommodation

7.21 Policy 3.5 of the London Plan 2015 states that housing developments should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London Plan (table 3.3). Annex 4 of the London Plan

Housing SPG (Annex 4) provides a more comprehensive categorisation of minimum space standards for new development; therefore, any new development is expected to meet the standards outlined in Annex 4, which in turn would meet the standards of table 3.3. The table below provides a comparison between the standards of Annex 4 and the proposed development.

7.22 Table 1: GIA of proposed units compared to London Plan requirements

Unit No.	Persons	Beds	Levels	GIA Proposed	GIA Required	Compliant
1	5	3	2	96	96	Yes
2	2	1	1	66	50	Yes
3	4	2	1	70	70	Yes
4	5	3	2	100	96	Yes
5	3	2	1	72	61	Yes

7.23 As shown in table 1 above, all units meet the minimum floor area requirements as set out in the London Plan 2015.

7.24 All habitable rooms are serviced by windows which are considered to offer suitable outlook and natural light; in addition, all units are dual aspect. Bedroom 2 of Flat 3 (roof level) is serviced by roof lights as opposed to traditional windows; however, the roof lights are appropriately positioned, with the glazing ranging between heights of 1.4m – 2m above the internal floor level, thus offering optimum outlook potential. The basement level rooms are serviced by extensive lightwells which are considered to be sufficient – it is noted that the lightwells have been increased following the previous application. In addition, the units which have rooms at basement level (Flats 1 and 4) are appropriately supplemented by ground floor living space and private outdoor amenity space.

7.25 In accordance with London Plan Housing SPG standards, all floor to ceiling heights are a minimum of 2.5m.

7.26 In accordance with the London Housing SPG, the Council's Sites and Policies Plan states that there should be 5sq.m of external space provided for 1 and 2 bedroom flats with an extra square metre provided for each additional bed space. Flats 1 and 4 are provided with private outdoor amenity spaces of 40.6sq.m and 54.3sq.m respectively. Flats 2, 3 and 5 are provided with shared outdoor amenity space of 54.2sq.m; the shared area would be accessed via the street through a number coded gate. Therefore, all units are considered to be provided with adequate outdoor amenity space.

7.27 The previous application on this site was refused on grounds of stacking and the omission of internal doors to bedrooms. It is evident in the revised scheme that careful consideration has been given to the proposed stacking, thus addressing the previous reason for refusal. Bedrooms and living areas are stacked as to avoid noise sensitive rooms (bed rooms) being located above or below noise generating rooms (living rooms). There are two points which should be addressed in relation to the proposed stacking. Bedrooms 2 & 3 of flat 1 (to the rear at basement level) are below the ground floor living area of flat 1 – it is noted that this is a split level flat so the bedrooms and living room would belong to the same occupants. Bedroom 1 of flat 3

(to the rear at roof level) is above the living area of flat 2 – it is noted that flat 2 is a 1 bed flat which is unlikely to generate undue levels of noise. In addition, all rooms are enclosed by doors. Given the above, it is considered the previous reasons for refusal have been overcome.

- 7.28 Concerns were raised in an objection regarding the potential for exhaust fumes from cars to descend into the basement bedroom via the lightwell; this was discussed with Merton Council Environmental Health Officers who advised any impact from fumes would be negligible.
- 7.29 It is considered that all units would offer a high standard of living for any future occupants.

#### Basement construction method and flooding

- 7.30 Policy DM D2 of the adopted Sites and Policies Plan states that proposals for basements should be wholly confined within the curtilage of the application property and be designed to maintain and safeguard the structural stability of the application building and nearby buildings. Basements should not harm heritage assets and should not exceed 50% of either the front, rear or side garden of the property.
- 7.31 Policy DM D2 states that basements should not cause loss, damage or a long term threat to trees of townscape or amenity value. Proposals for basements should ensure that any externally visible elements such as light wells, and roof lights are sensitively designed and sited to avoid any harmful visual impact on neighbour or visual amenity. Proposals should make the fullest contribution to mitigating the impact of climate change by meeting the carbon reduction requirements of the London Plan.
- 7.32 The current proposal includes the construction of a basement under the proposed extension. It is highlighted that the basement does not extend under the existing building or any proposed garden area - it is no larger than the footprint of the proposed extension. The application site is not located in a conservation area, it is not on the local or national list of historically important buildings and the proposal will not harm any heritage assets.
- 7.33 There are no trees on the application site that will be affected by the proposed development and it is considered unlikely that the development will have any impact on the small existing street tree in Springfield Avenue. The proposed basement includes the excavation of light wells to the front, side and rear of the new building. These light wells due to their location at ground level and boundary fencing will have no impact on residential amenity. A planning condition is recommended to ensure that the development will meet the equivalent of the Code for Sustainable Homes Level 4 in terms of CO2 reductions and water efficiency.
- 7.34 In support of the planning application the applicant has provided a statement in relation to the potential impact of the basement on groundwater and hydrology and a construction method statement. The application site is not in an area at risk from flooding or a Groundwater Source Protection Zone as defined by the Environment Agency.
- 7.35 Merton Council engineers are comfortable in principle with the construction of a basement at this location and with the general construction method; however, a more detailed construction method statement would need to be submitted to, and approved by, Merton Council prior to the commencement of development; as such, a condition is recommended to this effect.

7.36 Subject to a satisfactory construction method statement being submitted to, and approved by, Merton Council, the basement is considered to be acceptable.

#### Transport and parking

7.37 Core Strategy policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, on street parking or traffic management.

7.38 The parking arrangements proposed provide for 4 off street parking spaces, this provides for 4 out of the 5 flats with a parking space which equates to 0.8 spaces per flat. This level of parking provision is considered to be acceptable and is in accordance with London Plan standards. The forecourt has ample space to allow easy and safe manoeuvrability for 4 parking spaces. In addition, the plans have been amended to provide 2 vehicle crossings as opposed to 1 extended crossing. Following the revision of the plans, Merton Council Transport Planner has advised they have no concerns with the proposal.

#### Refuse storage and collection

7.39 Appropriate refuse storage has been proposed to Cannon Hill Lane which is considered to be in accordance with policy 5.17 of the London Plan and policy CS 17 of the Core Strategy. Merton Council Waste Management has raised no objection to the proposal.

#### Cycle storage

7.40 Cycle storage is required for new development in accordance with London Plan policy 6.9 and table 6.3 and Core Strategy policy CS 18. Cycle storage should be secure, sheltered and adequately lit; for a development of the nature proposed, 9 cycle storage spaces would be required.

7.41 9 cycle storage spaces have been proposed to the front garden; it is considered that cycle storage at this location could reasonably meet the aforementioned criteria. However, to ensure the proposal relevant criteria is met, it is recommended to include a condition requiring details of cycle storage to be submitted to, and approved by, Merton Council prior to the commencement of development.

#### Sustainability

7.42 On 25 March 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 the Royal Assent on 26 March. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.

7.43 Until amendments to the Building Regulations come into effect the Government expects local planning authorities to not to set conditions with requirements above Code level 4 equivalent compliance. 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.

7.44 In light of the Government's statement and changes to the national planning framework it is recommended that conditions are not attached requiring full compliance with Code Level 4 but are attached so as to ensure that the dwelling is

designed and constructed to achieve CO2 reduction standards and water consumption standards equivalent to Code for Sustainable Homes Level 4.

Developer contributions

- 7.45 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).
- 7.46 Policy CS8 of the Core Strategy requires developments of 1 – 9 units to make an off-site financial contribution for provision of affordable housing in the borough, subject to viability. The affordable housing contribution is calculated based on a formula using the median open market valuation of the completed development based on 3 independent valuations.
- 7.47 The applicant has stated that a S106 for affordable housing contribution would make the development unviable. An independent appraisal has therefore been carried out which corroborated the applicants findings. On this basis, the scheme as proposed would be unable to deliver both the affordable housing contribution and a reasonable target profit margin. In this instance, the affordable housing contribution will need to be waived to offer the developer a profit margin even markedly below an acceptable margin.

**8. CONCLUSION**

- 8.1 It is considered that this resubmission has overcome the previous reasons for refusal. In addition, it is considered that the proposal is of a suitable layout, height, scale and design which would not harm the amenities of neighbouring residents or the character and appearance of the area. The development would provide good quality living accommodation for future occupants. The proposal would not have a detrimental impact on highway safety or parking pressure. The proposal would result in additional residential units and increased density in line with planning policy. The proposal would accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations, which would warrant a refusal of the application.

The application is therefore recommended for approval subject to appropriate conditions.

**RECOMMENDATION**

Grant planning permission  
subject to the following conditions:

- 1. A1: Commencement of Development (full application).
- 2. A7: The development hereby permitted shall be carried out in accordance with the following approved plans: 001G, 002D, 003D, 004B, 'Block Plan', 'Site Location Plan', 'Design, Planning & Access Statement', 'Proposed basement at 27 Cannon Hill Lane Anticipated Ground Conditions and Outline Construction Method Statement' and 'Assessment of effects of basement construction on Groundwater and Hydrology & Construction Method Statement'.

Reason: For the avoidance of doubt and in the interest of proper planning.

- 3. B2: Matching Materials.
- 4. B5: Details of Walls/Fences.

5. C07: Refuse & Recycling (Implementation).
6. C08: No Use of Flat Roof.
7. F09: Hardstandings.
8. D10: External Lighting.
9. H06: Cycle Parking – Details to be Submitted.
10. H03: Redundant Crossovers.
11. H04: Provision of Vehicle Parking.
12. H09: Construction Vehicles.
13. D11: Construction Times.
14. Non-Standard Condition: No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4.

Evidence requirements are detailed in the "Schedule of Evidence Required" for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide (2013). Evidence to demonstrate a 19% reduction compared to 2013 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing.

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.

15. H17: Drainage.
16. H18: Sustainable Drainage.
17. Non-Standard Condition: 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.

18. Non-Standard Condition: Prior to the commencement of development, the following shall be submitted to, and approved by, the Local Planning Authority:
  - Full geotechnical site investigation report

- Design data which includes, but is not limited to, soil parameters, groundwater levels dead and live loading used in the design of retaining walls (temporary and permanent)
- Detailed Construction Method Statement from the contractor and reviewed by a chartered structural engineer
- Any temporary work drawings including annotations
- Construction method sequence drawings including annotations

Reason: To safeguard the built and natural environment and local amenity and to comply with policy DM.D2 of the Sites and Policies Plan (2014).

**Informatives:**

- a) It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.
- b) You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.
- c) Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.
- d) In accordance with paragraphs 186 and 187 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:
  - i) Offering a pre-application advice and duty desk service.
  - ii) Where possible, suggesting solutions to secure a successful outcome.
  - iii) As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

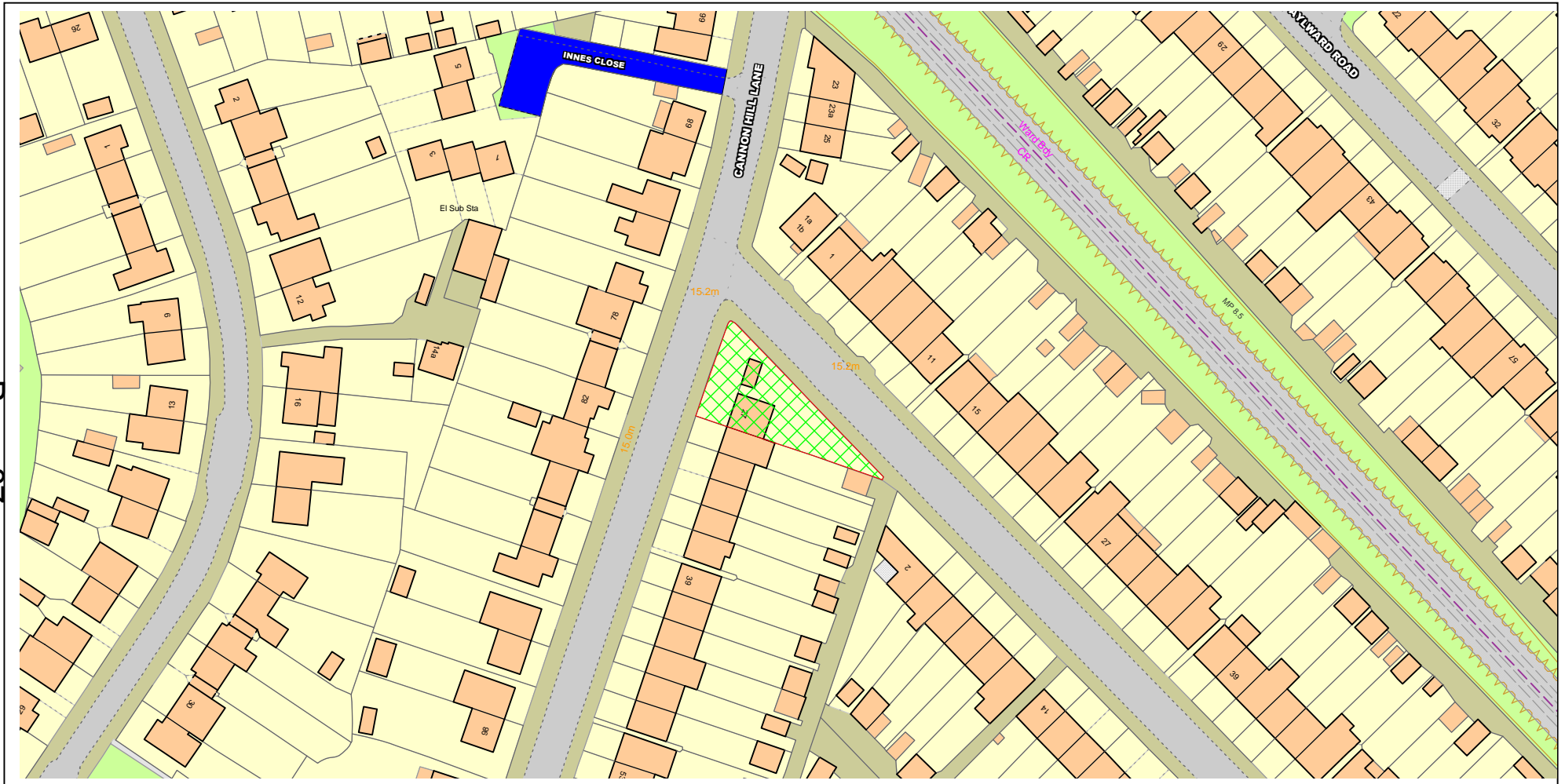
- i) The applicant was offered the opportunity to submit amended plans in order to make the proposal acceptable in planning terms.
- ii) The application was determined without delay.
- iii) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.





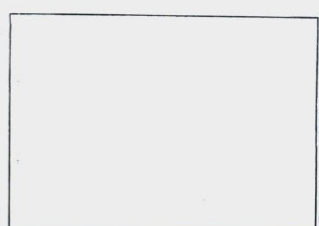
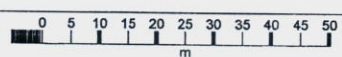
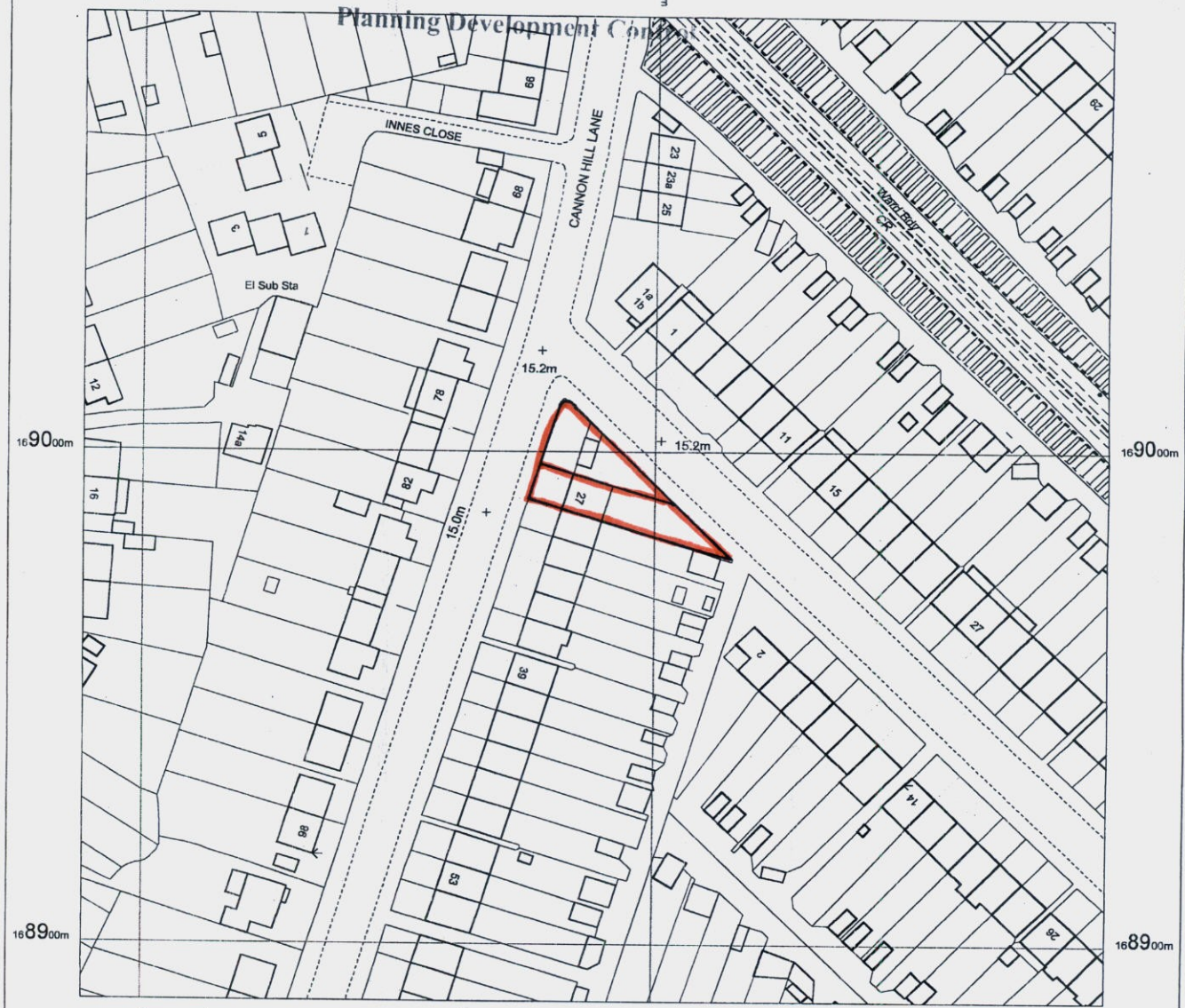
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# NORTHGATE SE GIS Print Template



Text Details 27 Cannon Hill Lane

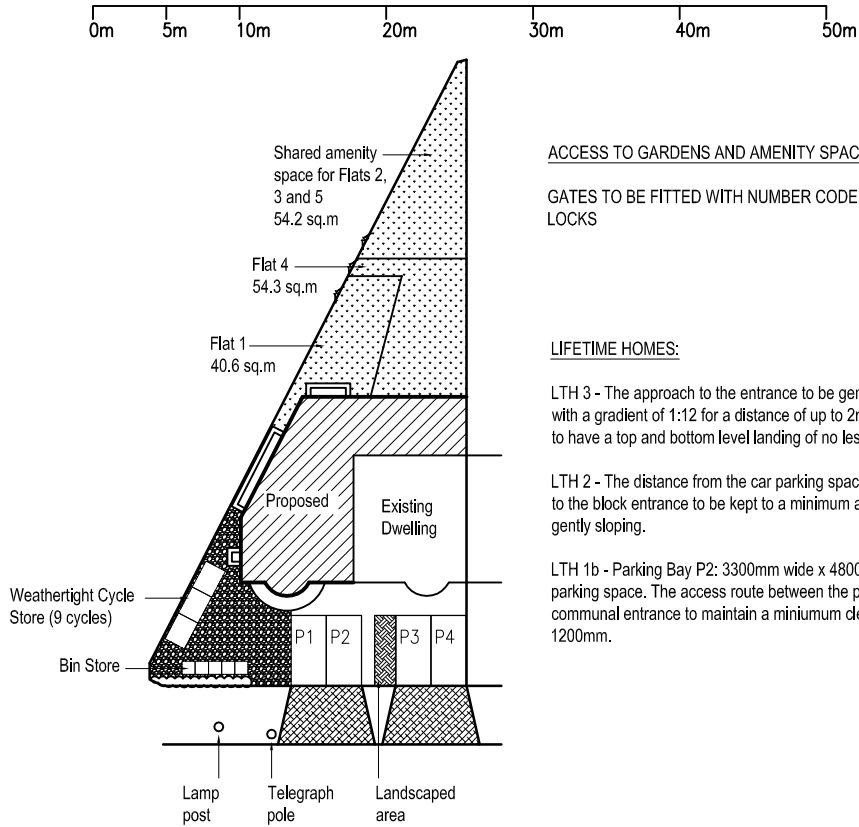
17 MAY 2012



OS Mastermap  
 01 November 2011, ID: BW1-00105983  
 maps.blackwell.co.uk  
 1:1250 scale print at A4, Centre: 524488 E, 168988 N  
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**BLACKWELL'S**  
 www.blackwellmapping.co.uk  
 TEL: 0113 245 2623  
 maps.leeds@blackwell.co.uk



**ACCESS TO GARDENS AND AMENITY SPACE:**

GATES TO BE FITTED WITH NUMBER CODE LOCKS






**LIFETIME HOMES:**

LTH 3 - The approach to the entrance to be gently sloping with a gradient of 1:12 for a distance of up to 2m. All slopes to have a top and bottom level landing of no less than 1.2m.

LTH 2 - The distance from the car parking space of Criterion 1 to the block entrance to be kept to a minimum and be level or gently sloping.

LTH 1b - Parking Bay P2: 3300mm wide x 4800mm deep parking space. The access route between the parking and the communal entrance to maintain a minimum clear width of 1200mm.

**KEY:**

-  Hedge
-  Gravel in Groundtrax Systems Ltd "Groundgridz" or similar permeable paving solution. 62.5 sq.m
-  Grass (Outdoor amenity areas). 149.1 sq.m
-  Proposed vehicle crossover
-  P4 Parking bay

**SITE PLAN**

(Scale 1:500)

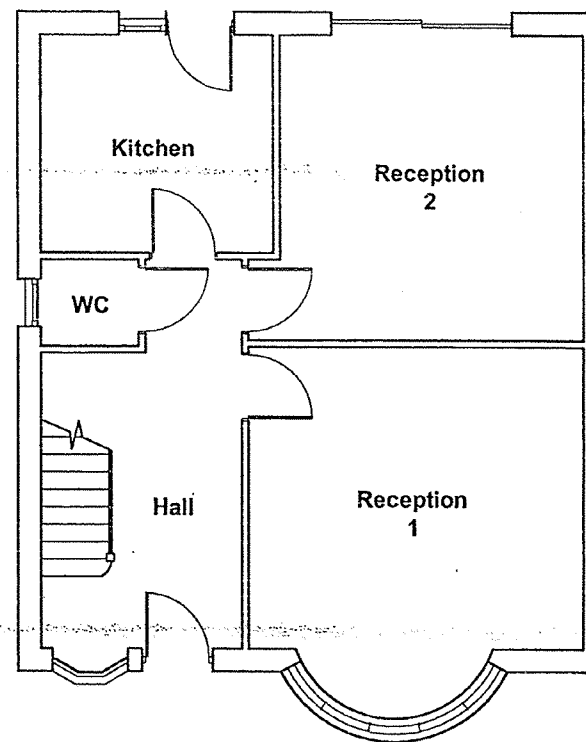
**HERBERT STUMPP**  
PROJECTS

Civil & Structural Engineers - Construction Health and Safety  
Land & Building Surveys - Architectural Services  
Project & Construction Management  
Party Wall Surveyors

07921 214399  
Email: info@herbertstumpp.co.uk

REVISION B: SIDE LIGHTWELL EXTENDED  
REVISION A: CYCLE STORE ADDED, BIN STORE RELOCATED

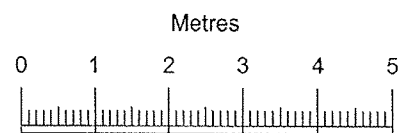
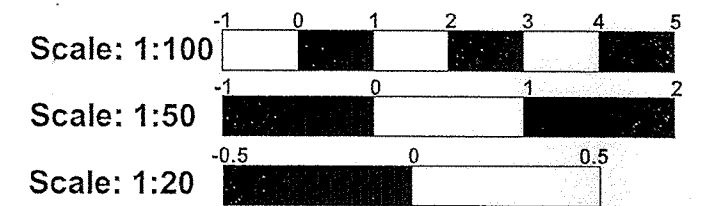
Project 27 CANNON HILL LANE LONDON SW20 9JY SITE PLAN		Drawing No  <b>004B</b>
Scale <b>Page 89</b>	Drawing Size A4	Date Oct 2015



London Borough of Merton

17 MAY 2012

Planning Development Control



All dimensions shown are approximate and are to be confirmed by working drawings.

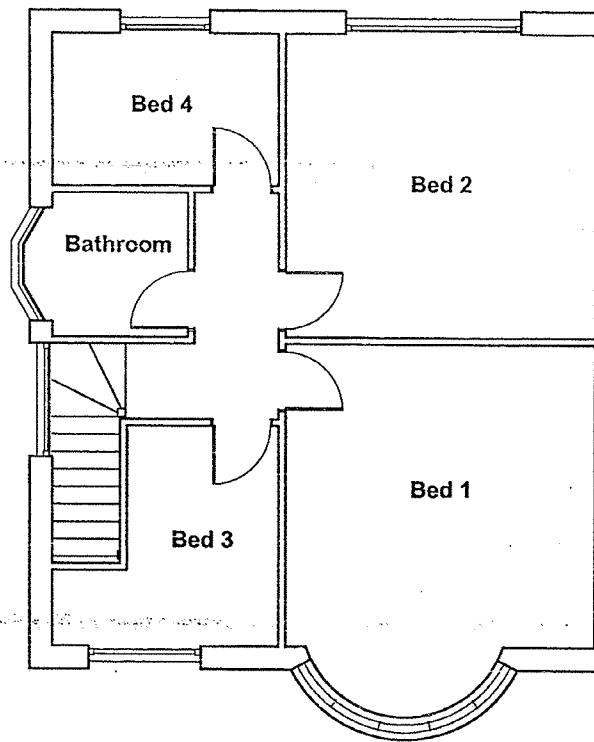
**Maple**



Manufacturers of fine Timber Frame Homes  
 Tamacre Hall Business Park, Tamacre Lane, St. Michaels, Preston PR3 0SZ Tel: 01995 679444

Client	Mr Gary Clark	©Maple Timber Systems Ltd. This drawing may not be reproduced in any material form or passed to a third party without the prior written permission of Maple Timber Systems Ltd. SupaWall System is covered by UK Patent no.'s 2415714 / 2436989.			
Drawing Title	Ground Floor Layout - Existing	Site			
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			Date	April 2012	

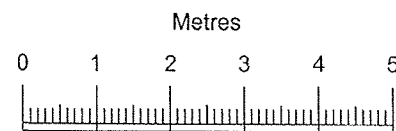
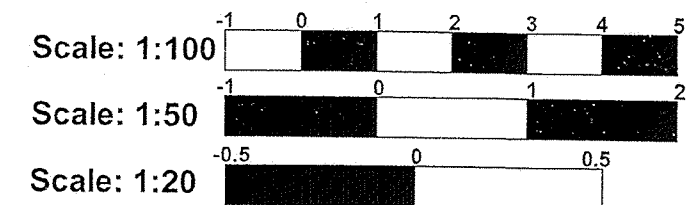




London Borough of Merton

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All dimensions shown are approximate and are to be confirmed by working drawings.

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Manufacturers of fine Timber Frame Homes  
Tarnacre Hall Business Park, Tarnacre Lane, St. Michaels, Preston PR3 0SZ. Tel: 01995 679444

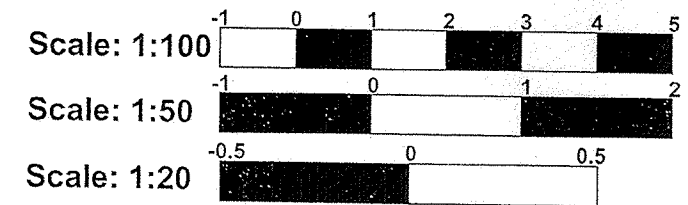
Client	Mr Gary Clark	©Maple Timber Systems Ltd. This drawing may not be reproduced in any material form or passed to a third party without the prior written permission of Maple Timber Systems Ltd. SupaWall System is covered by UK Patent no.'s 2415714 / 2436989.			
Drawing Title	First Floor Layout	Site			
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London Borough of Merton

17 MAY 2012

Planning Development Control

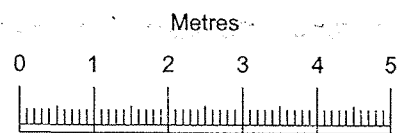


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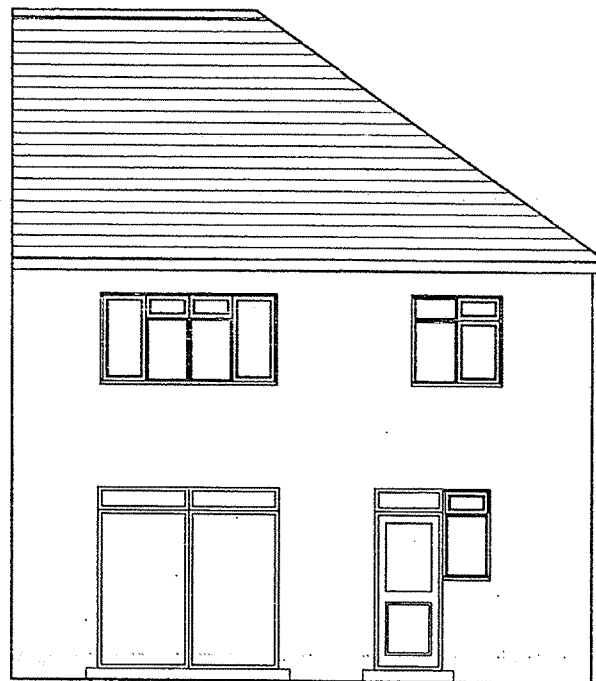
Tarnacre Hall Business Park, Tarnacre Lane, St. Michaels, Preston PR3 0SZ Tel: 01995 679444



All dimensions shown are approximate and are to be confirmed by working drawings.

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Drawing Title	Front Elevation - Existing	Site			
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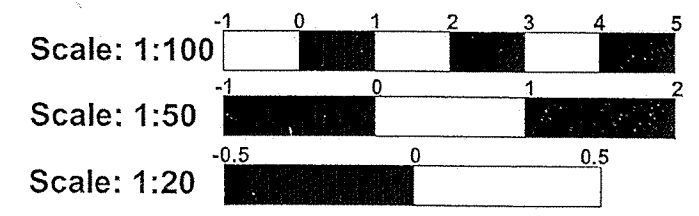




London Borough of Merton

17 MAY 2012

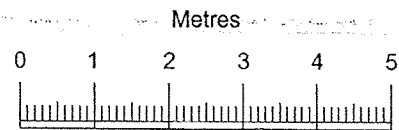
Planning Development Control



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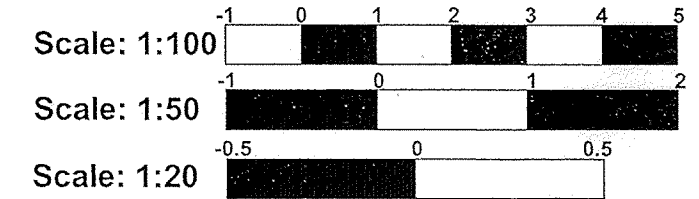
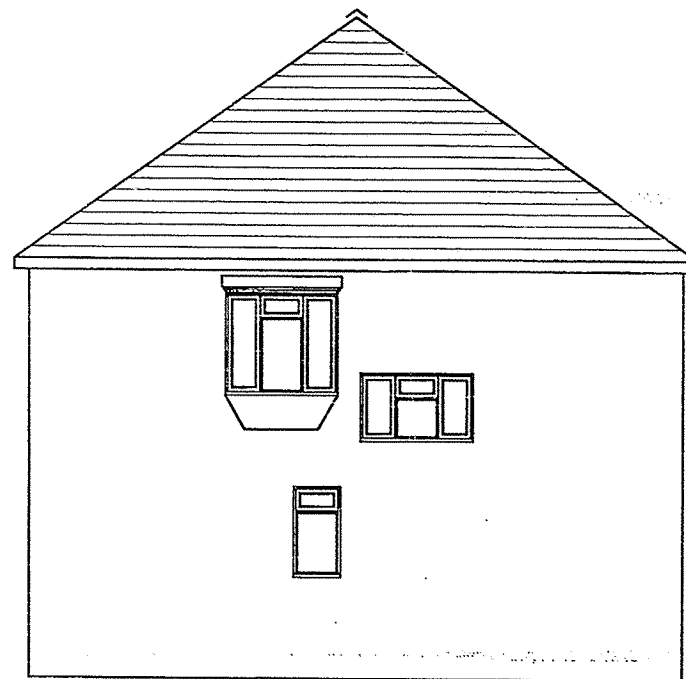


Manufacturers of fine Timber Frame Homes  
 Tamacre Hall Business Park, Tamacre Lane, St. Michaels, Preston PR3 0SZ Tel: 01995 679444



All dimensions shown are approximate and are to be confirmed by working drawings.

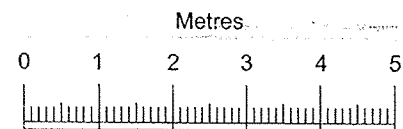
Client	Mr Gary Clark	©Maple Timber Systems Ltd. This drawing may not be reproduced in any material form or passed to a third party without the prior written permission of Maple Timber Systems Ltd. SuperWall System is covered by UK Patent no.'s 2415714 / 2436989.			
Drawing Title	Rear Elevation - Existing	Site			
Drawn	MB	Checked	Scale 1:100 @ A3	Drg. No. 7951/EX/07G	Date April 2012



London Borough of Merton

17 MAY 2012

Planning Development Control



All dimensions shown are approximate and are to be confirmed by working drawings.

**Maple**

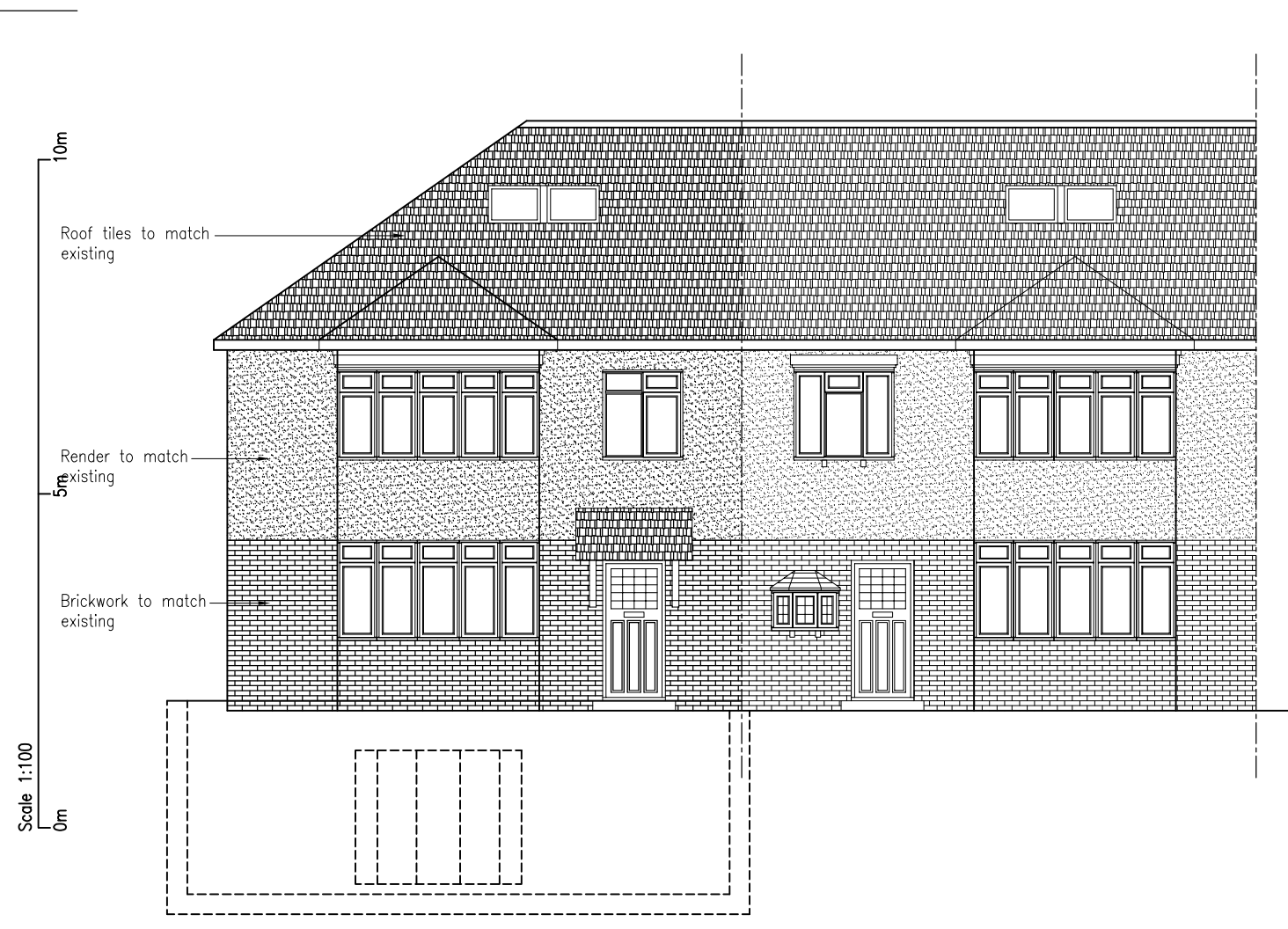


Manufacturers of fine Timber Frame Homes  
Tarnacre Hall Business Park, Tarnacre Lane, St. Michaels, Preston PR3 0SZ Tel: 01995 679444

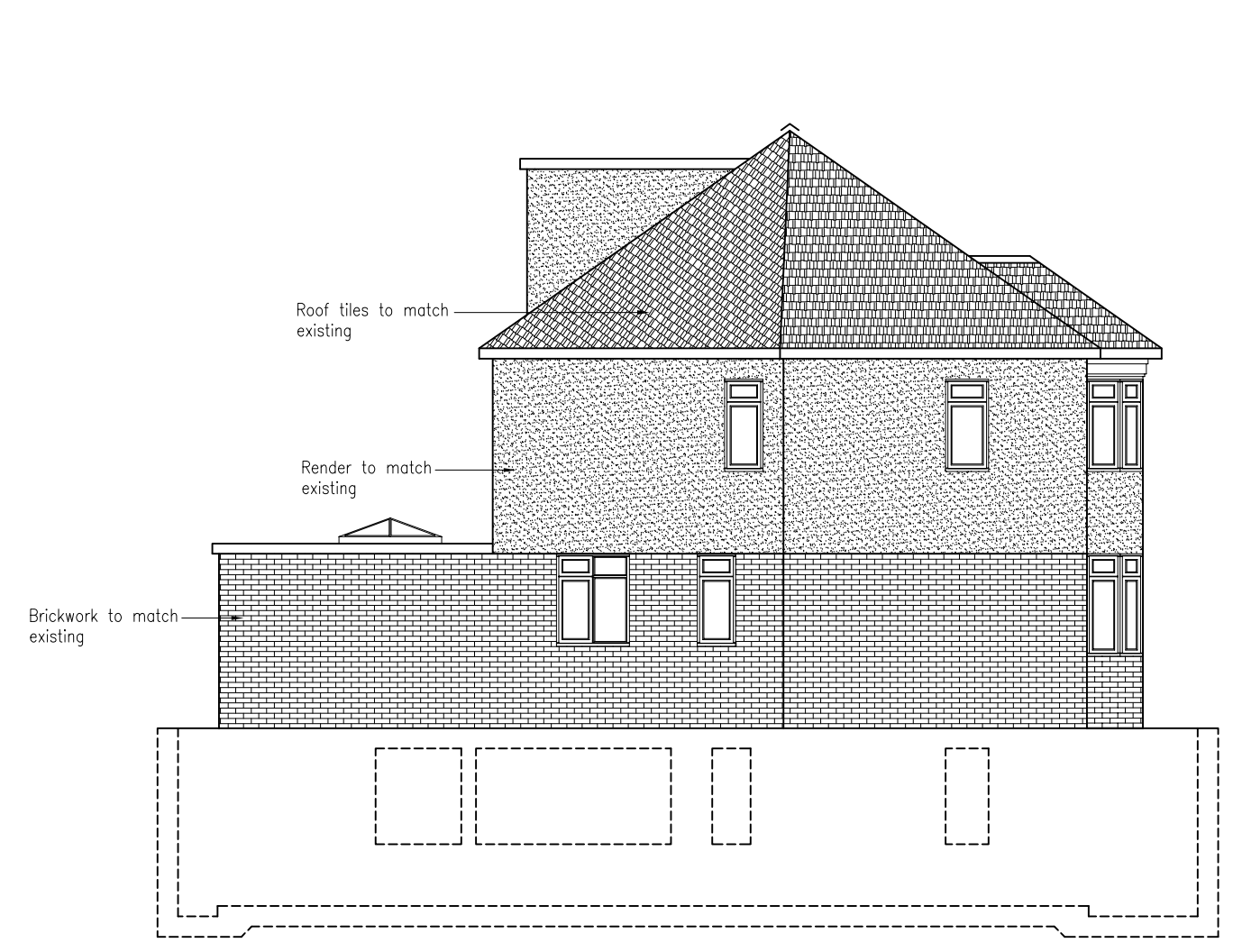
Client		Mr Gary Clark		©Maple Timber Systems Ltd. This drawing may not be reproduced in any material form or passed to a third party without the prior written permission of Maple Timber Systems Ltd. SuperWall System is covered by UK Patent no.'s 2415714 / 2436989.	
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Drawn	MB	Checked	Scale 1:100 @ A3	Drg. No.	7951/EX/08G Date April 2012

**NOTES**

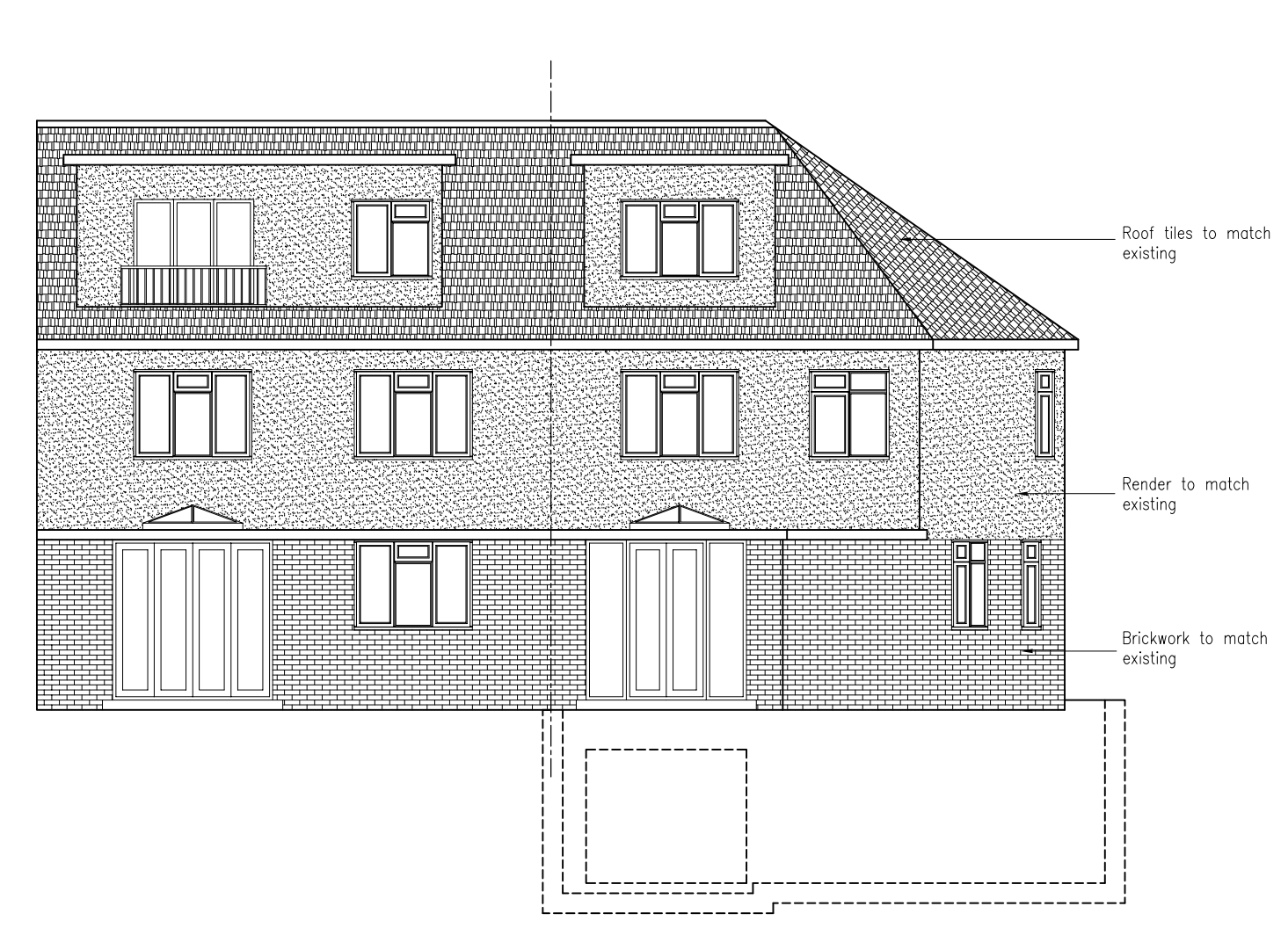
1. Do not scale from this drawing. Work to figured dimensions only.
2. This drawing is to be read in conjunction with all other relevant Architect's and Engineer's drawings.
3. The contractor attention is drawn to the drawing status as indicated beside the drawing number and is to note the following:  
 PLANNING: THE DRAWING IS FOR PLANNING ONLY  
 TENDER: THE DRAWING IS FOR PRICING PURPOSES ONLY  
 PRELIMINARY: THE DRAWING HAS NOT RECEIVED TECHNICAL APPROVAL FROM THE RELEVANT APPROVING AUTHORITY  
 CONSTRUCTION: THE DRAWING IS FOR CONSTRUCTION  
 THE CONTRACTOR MUST BE AWARE THAT ANY WORKS CARRIED OUT BASED UPON DRAWINGS MARKED TENDER OR PRELIMINARY ARE CARRIED OUT AT THE CONTRACTOR'S OWN RISK
4. The Contractor is to confirm all levels and dimensions on site prior to the commencement of any works and is to immediately report any discrepancies to the Engineer.
5. All brickwork to match existing.
6. All roof tiles to match existing.



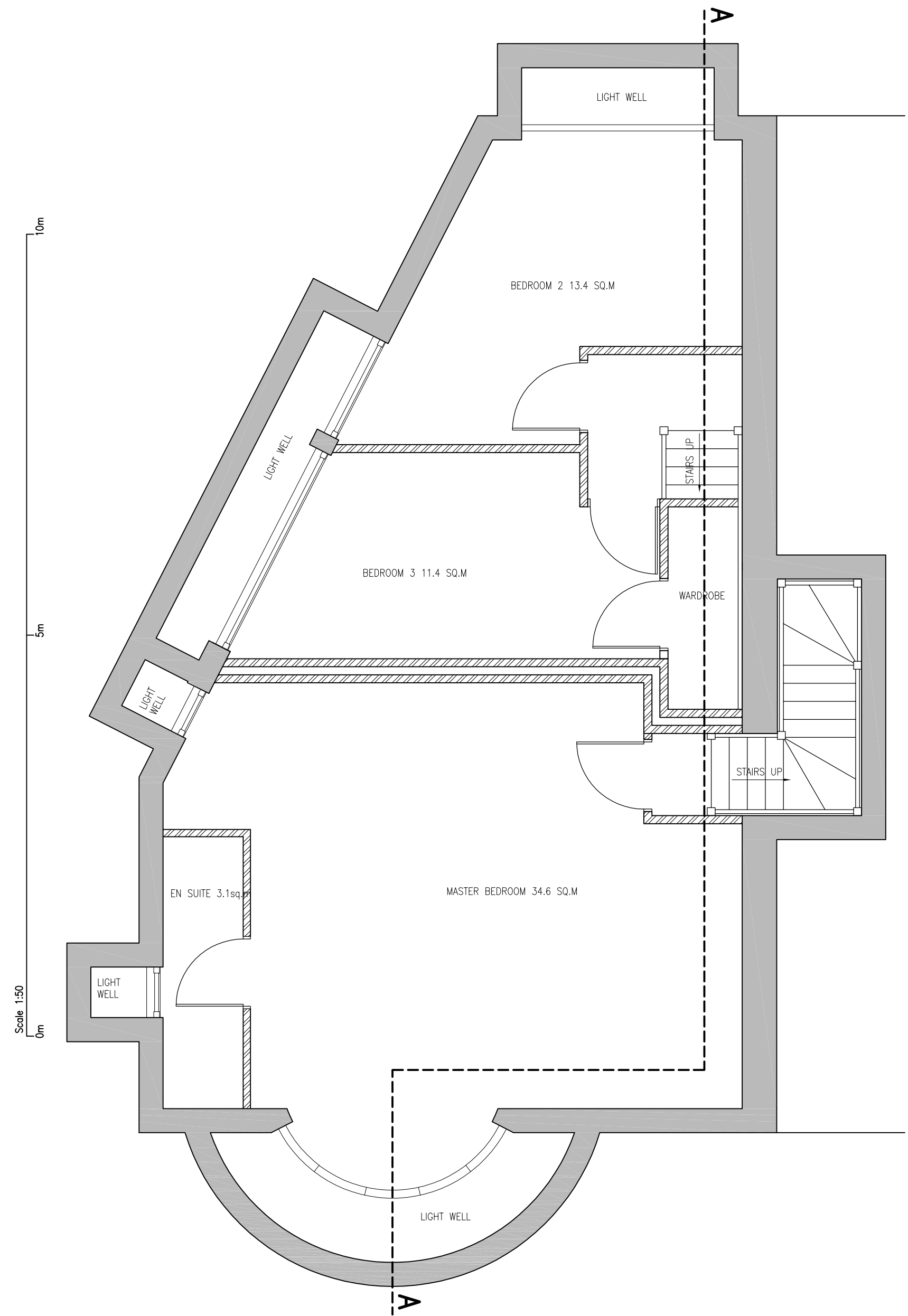
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Scale 1:100



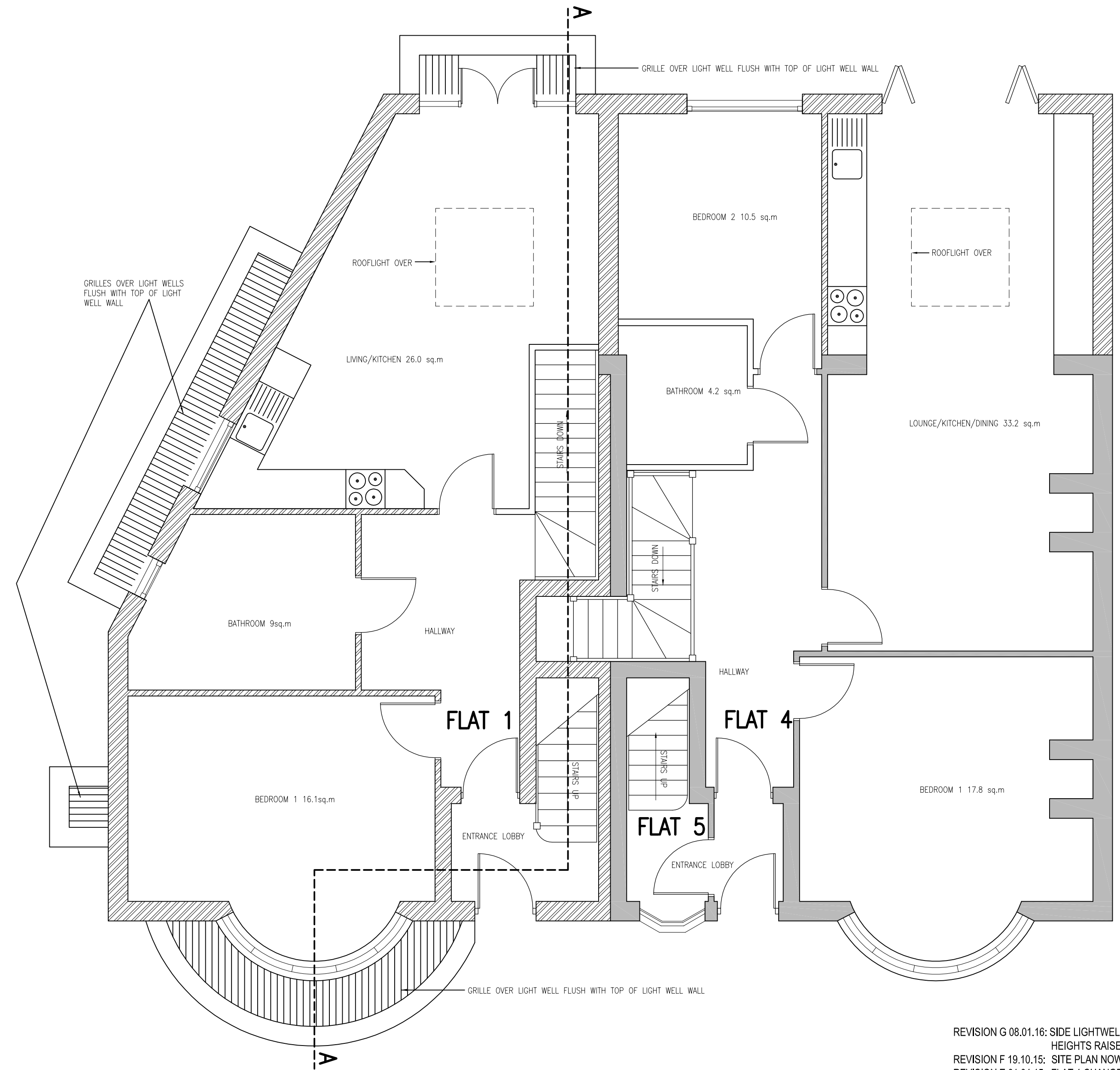
**SIDE ELEVATION**  
Scale 1:100



**REAR ELEVATION**  
Scale 1:100



**LOWER GROUND FLOOR**  
Scale 1:50



**GROUND FLOOR**  
Scale 1:50

- REVISION G 08.01.16: SIDE LIGHTWELL EXTENDED AND WINDOWS INTO LOWER GROUND FLOOR BEDROOMS INCREASED TO ALLOW MORE LIGHT INTO BEDROOMS. DORMER HEIGHTS RAISED 100mm TO INCREASE CEILING HEIGHT IN UPPER FLOOR TO 2.5m
- REVISION F 19.10.15: SITE PLAN NOW PROVIDED ON NEW DRAWING 004 AS REQUESTED BY PLANNERS
- REVISION E 01.04.15: FLAT 1 CHANGED TO 3 BEDROOM FLAT. REAR DORMERS REVISED. ACCESS TO GARDENS ANNOTATED
- REVISION D 05.02.15: SITE PLAN AMENDED TO PLANNING AUTHORITY COMMENTS
- REVISION C 18.12.14: DORMERS REVISED AND ROOM AREAS ADDED
- REVISION B 08.12.14: DORMERS REVISED
- REVISION A 18.07.14: POSITIONS OF LOWER GROUND FLOOR WINDOWS ADDED TO ELEVATIONS. GRILLES SHOWN OVER LIGHT WELLS. AMENITY AREAS CLARIFIED ON SITE PLAN

**HERBERT STUMPP**  
PROJECTS  
Civil & Structural Engineers - Construction Health and Safety  
Land & Building Surveys - Architectural Services  
Project & Construction Management  
Party Wall Surveyors  
07921 214399  
Email: info@herbertstump.co.uk

Project	27 CANNON HILL LANE, LONDON SW20 9JY	Drawn By	PP	Date	MAY 2014	Drawing No	001G
<b>PROPOSED LOWER GROUND FLOOR &amp; GROUND FLOOR PLANS; ELEVATIONS</b>		Scale	As Shown	Drawing Size	A1		
		Drawing Status	PRELIMINARY				

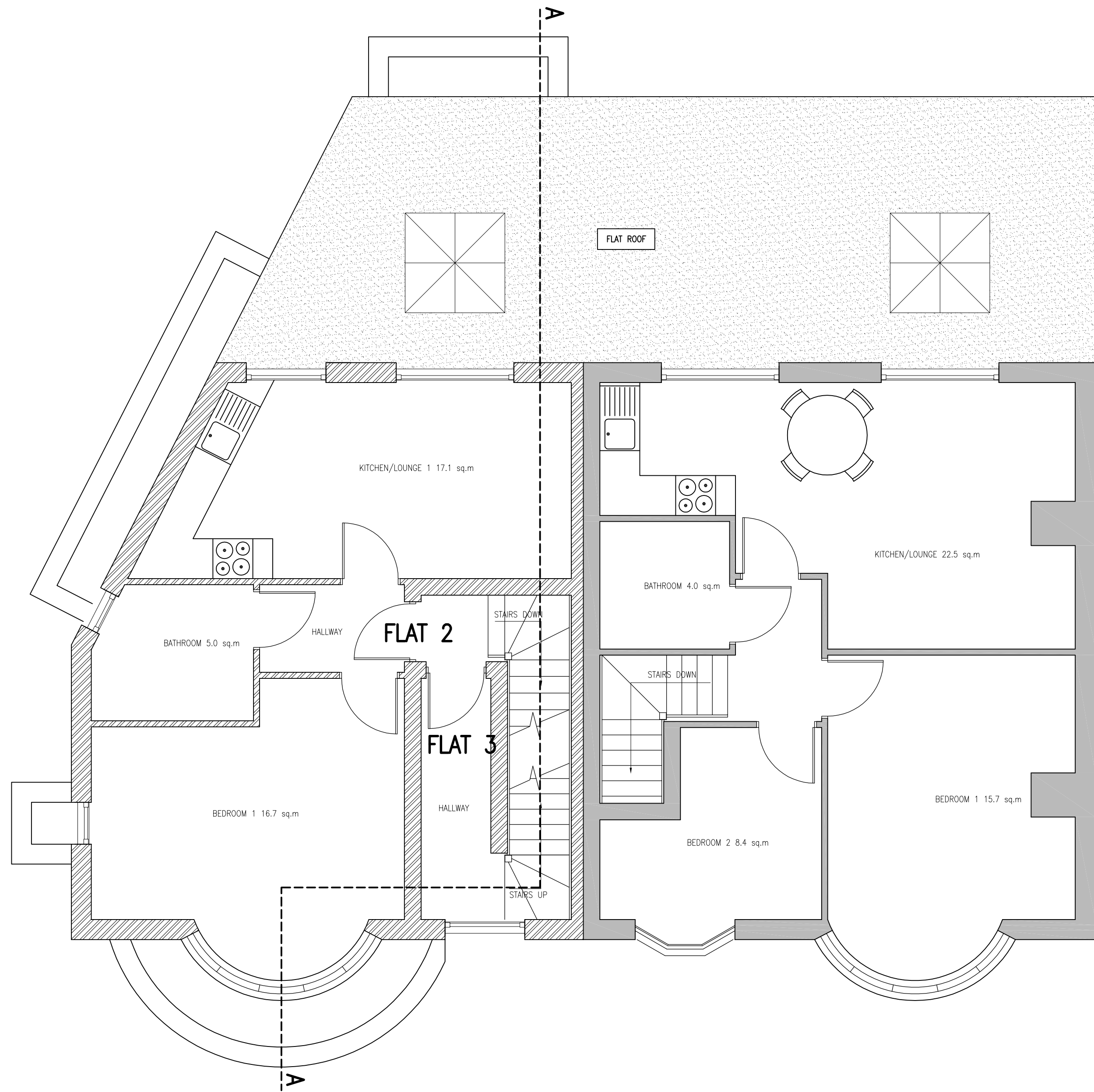
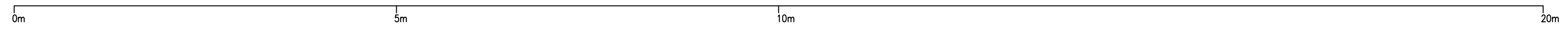
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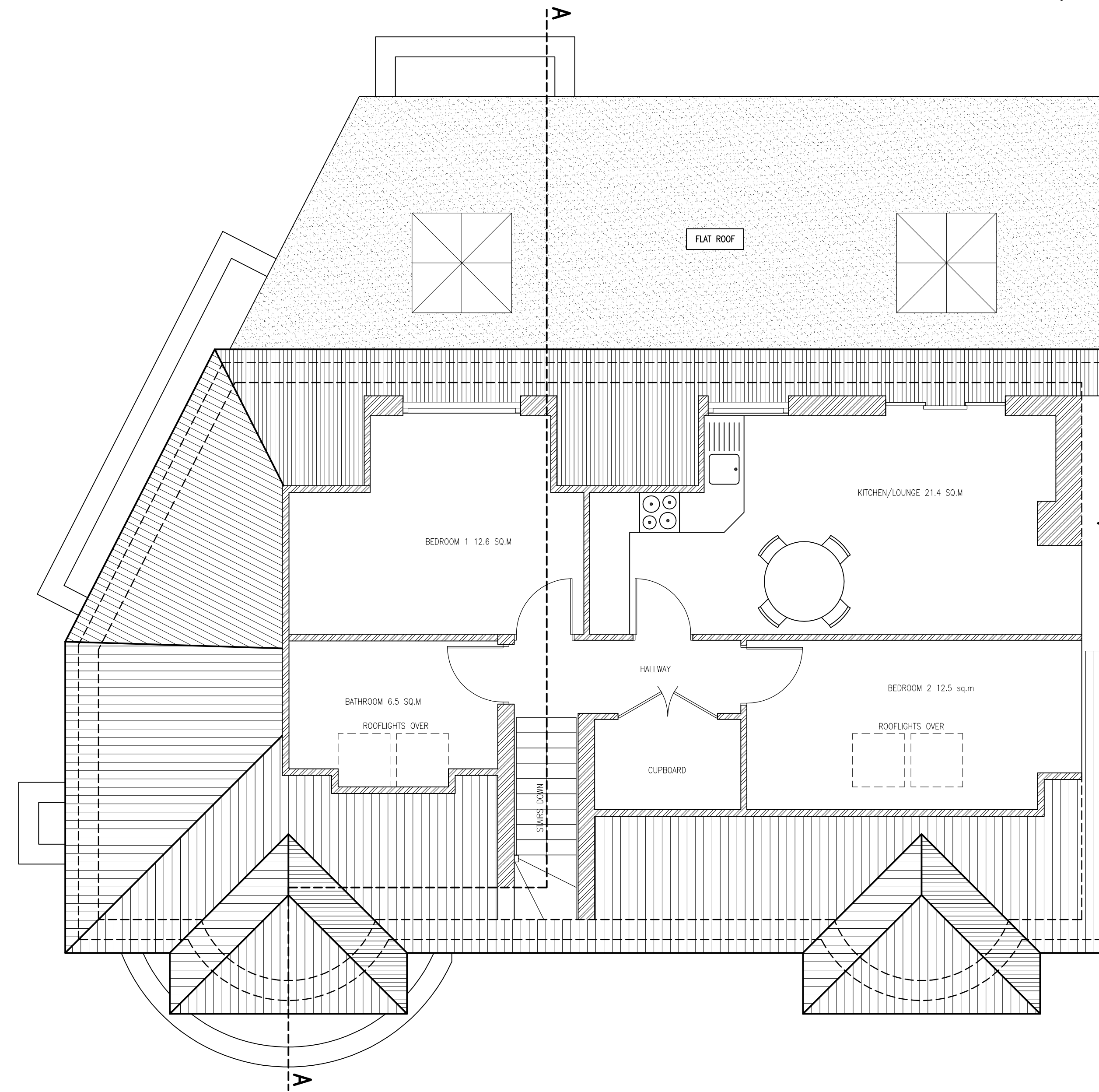
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  5. All brickwork to match existing.
  6. All roof tiles to match existing.



**FIRST FLOOR**  
Scale 1:50



**SECOND FLOOR**  
Scale 1:50

REVISION D 08.01.16: SIDE LIGHTWELL EXTENDED  
 REVISION C 01.04.15: FIRST AND SECOND FLOOR ROOMS RECONFIGURED. REAR DORMERS AMENDED  
 REVISION B 18.12.14: DORMERS REVISED AND ROOM AREAS ADDED  
 REVISION A 08.12.14: DORMERS REVISED

**HERBERT STUMPP**  
 PROJECTS  
 Civil & Structural Engineers - CDM Coordinators  
 Land & Building Surveys - Architectural Services  
 Project & Construction Management  
 Party Wall Surveyors  
 07921 214399  
 Email: info@herbertstump.co.uk

Project		Drawn By	Date	Drawing No
27 CANNON HILL LANE, LONDON SW20 9JY		PP	MAY 2014	002D
PROPOSED FIRST FLOOR & SECOND FLOOR PLANS		Scale	Drawing Size	
		1:50	A1	
		Drawing Status		
		PRELIMINARY		

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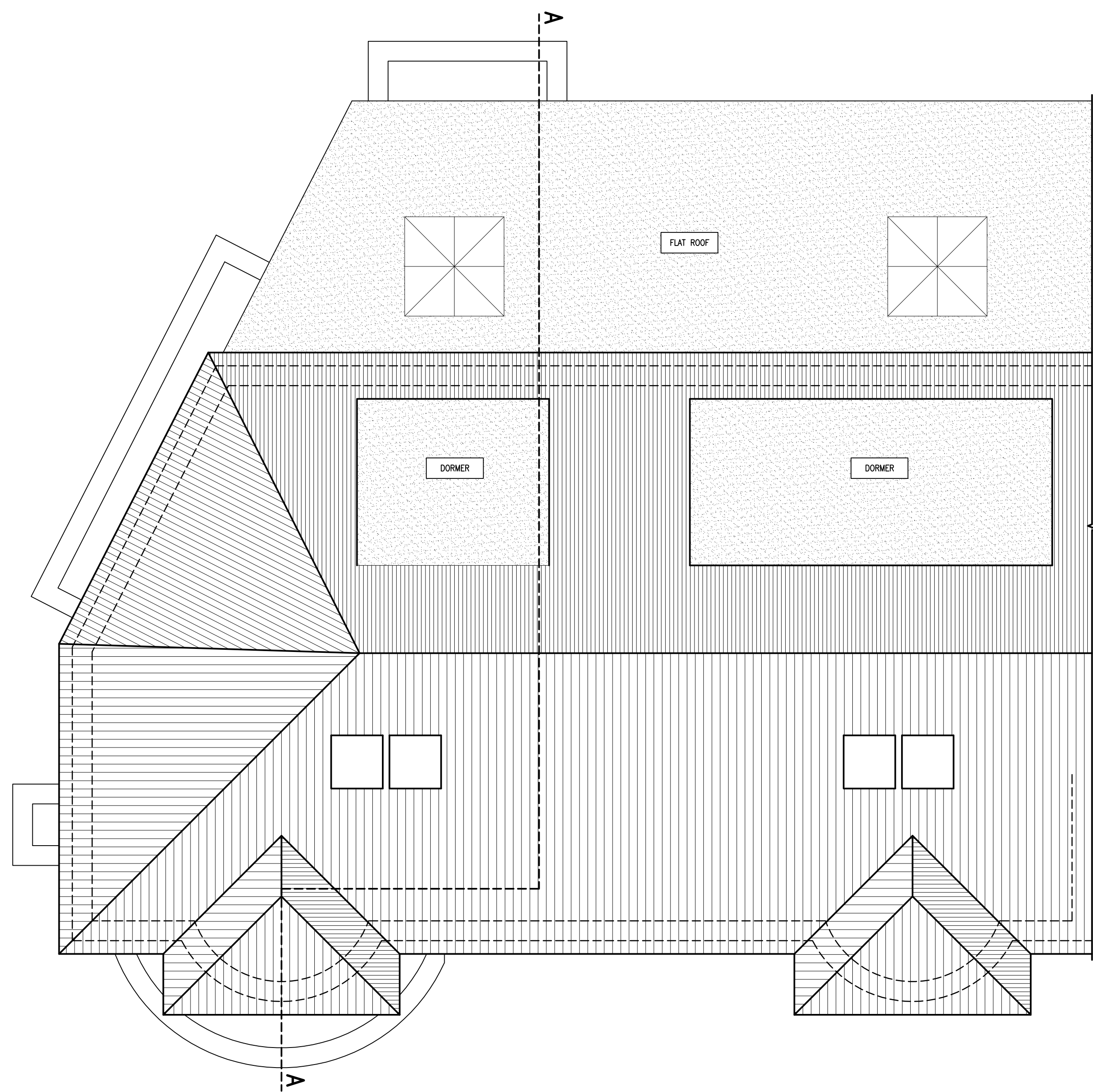


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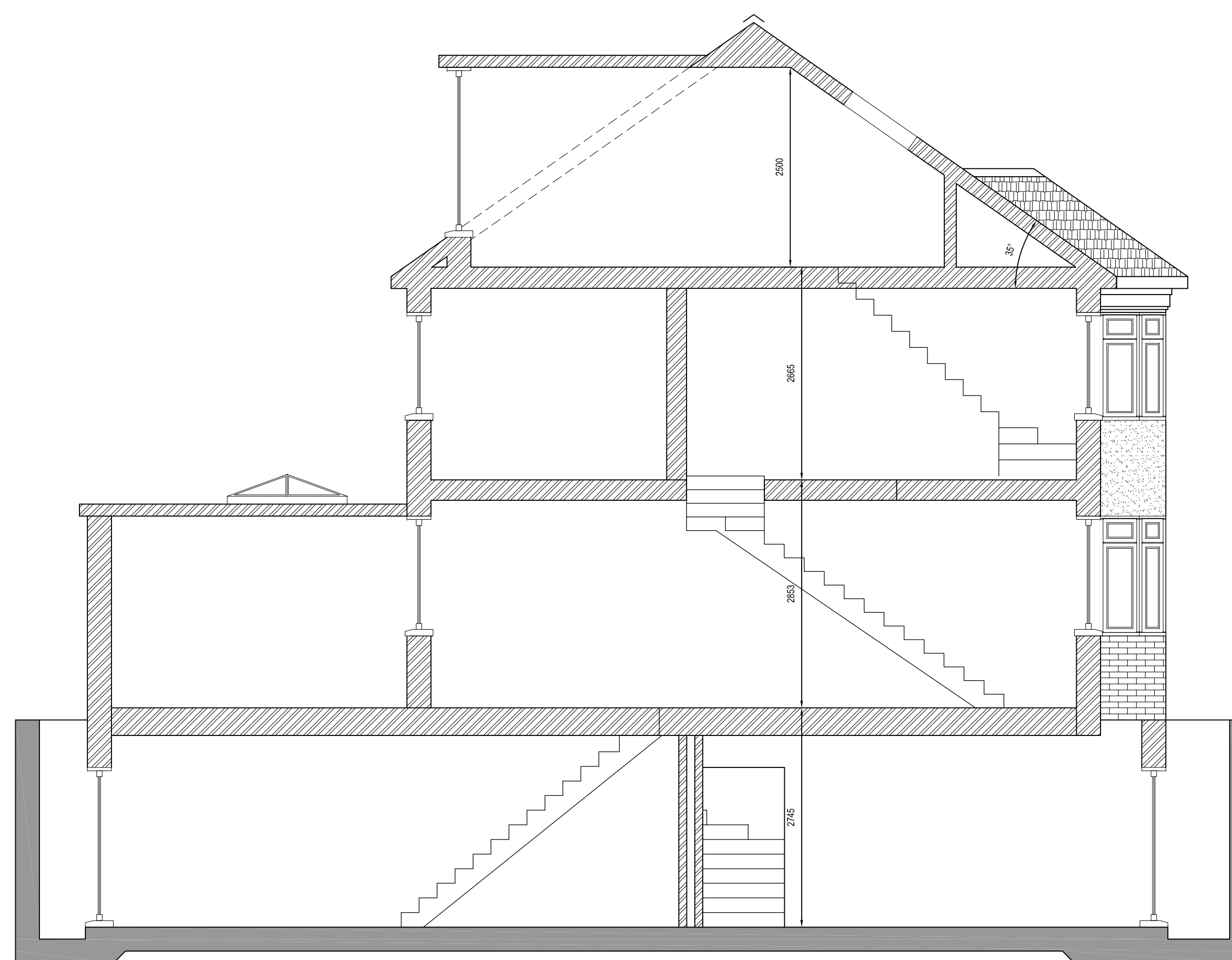
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  - All roof tiles to match existing.

0m 5m 10m 20m



ROOF PLAN

Scale 1:50



SECTION A - A

Scale 1:50

REVISION D 09.01.16: SIDE LIGHTWELL EXTENDED. CEILING HEIGHT AT SECOND FLOOR LEVEL INCREASED TO 2.5m. DORMERS RAISED 100mm  
 REVISION C 04.04.15: REAR DORMERS REVISED  
 REVISION B 18.12.14: DORMERS REVISED  
 REVISION A 08.12.14: DORMERS REVISED

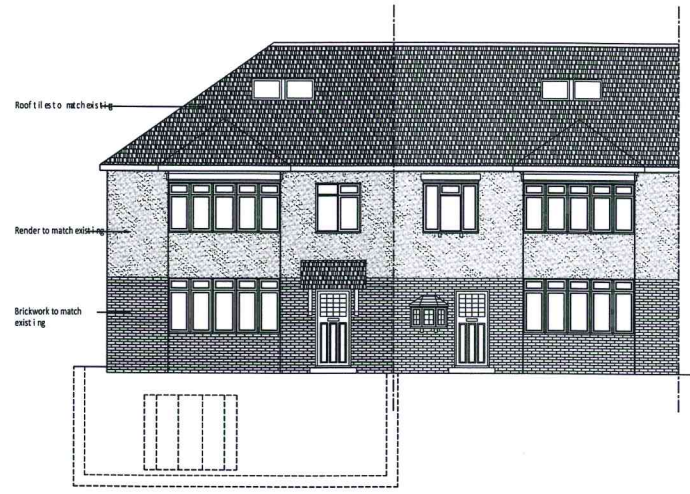
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Project	Drawn By	Date	Drawing No
27 CANNON HILL LANE, LONDON SW20 9JY PROPOSED ROOF PLAN & SECTION	PP	MAY 2014	003D
	Scale	Drawing Size	
	1:50	A1	
	Drawing Status		
	PRELIMINARY		

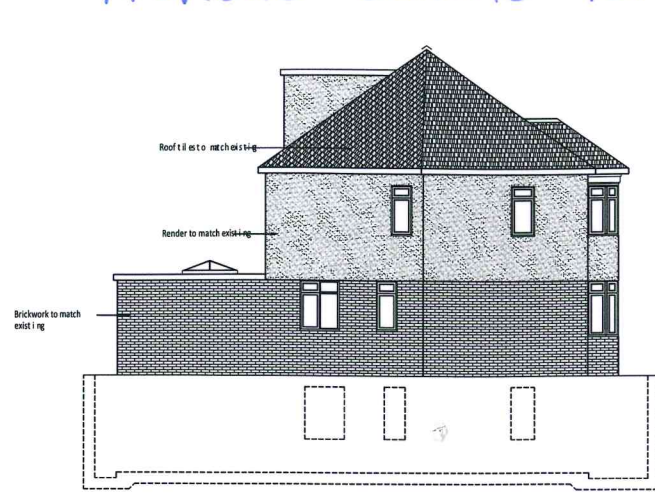
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Previous scheme for comparison



FRONT ELEVATION  
Scale 1:100



SIDE ELEVATION  
Scale 1:100

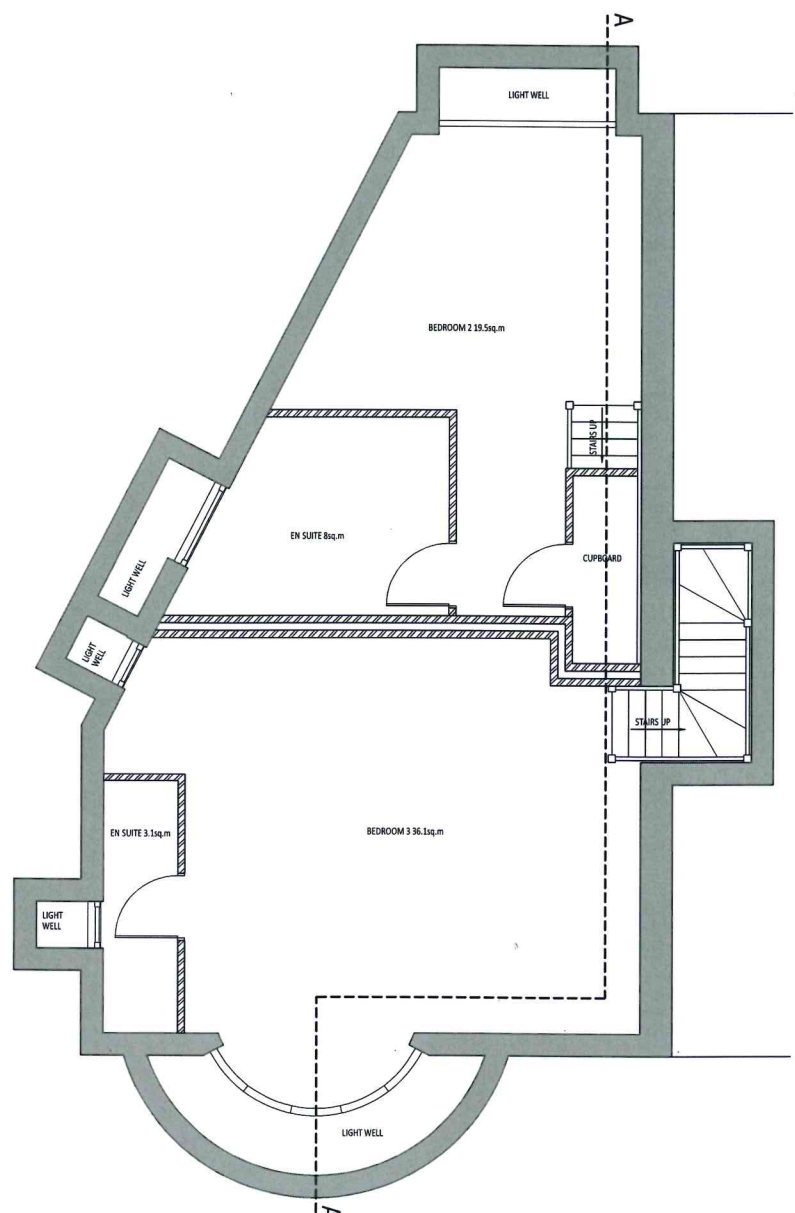


REAR ELEVATION  
Scale 1:100

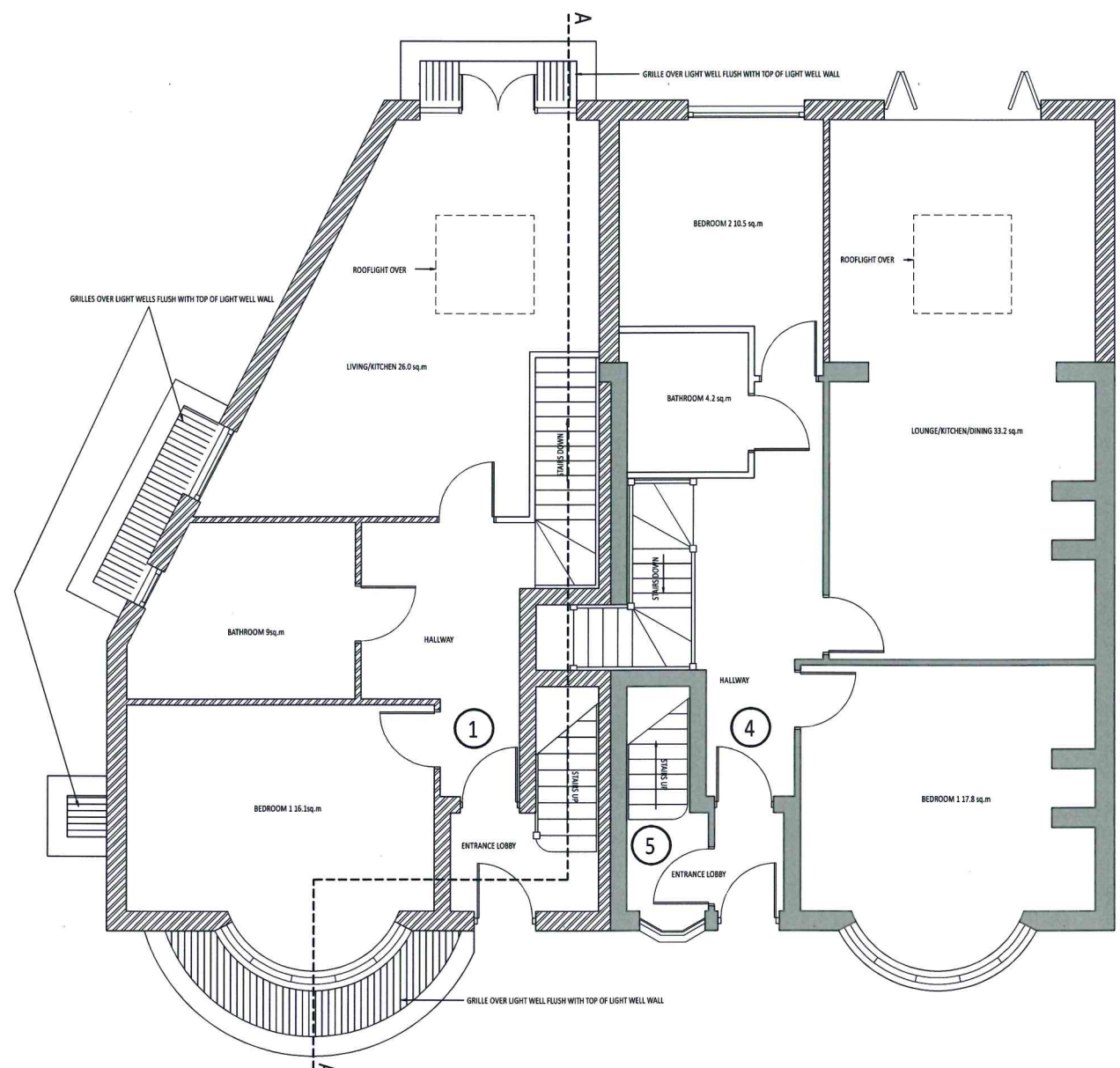
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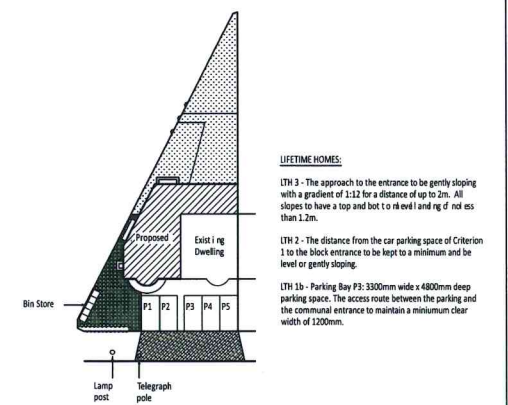
Page 101



LOWER GROUND FLOOR  
Scale 1:50



GROUND FLOOR  
Scale 1:50



LIFETIME HOMES:  
LTH 3 - The approach to the entrance to be gently sloping with a gradient of 1:12 for a distance of up to 2m. All slopes to have a top and bottom to level and of not less than 2.2m.  
LTH 2 - The distance from the car parking space of Criterion 1 to the block entrance to be kept to a minimum and be level or gently sloping.  
LTH 1b - Parking Bay P5: 3000mm wide x 4800mm deep parking space. The access route between the parking and the communal entrance to maintain a minimum clear width of 2000mm.

KEY:

- Hedge
- Gravel in Groundtrax Systems Ltd "Groundgrid" or similar permeable paving solution
- Grass (Outdoor amenity areas)
- Proposed vehicle crossover
- Parking bay

SITE PLAN  
Scale 1:500

REVISION C 18.12.14: DORMERS REVISED AND ROOM AREAS ADDED  
REVISION B 08.12.14: DORMERS REVISED  
REVISION A 18.07.14: POSITIONS OF LOWER GROUND FLOOR WINDOWS ADDED TO ELEVATIONS. GRILLES SHOWN OVER LIGHT WELLS. AMENITY AREAS CLARIFIED ON SITE PLAN

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Project  
27 CANNON HILL LANE, LONDON SW20 9JY  
PROPOSED LOWER GROUND FLOOR & GROUND FLOOR PLANS;  
ELEVATIONS; SITE PLAN

Drawn By PP	Date MAY 2014	Drawing No 001C
Scale As Shown	Drawing Size A1	
Drawing Status PRELIMINARY		



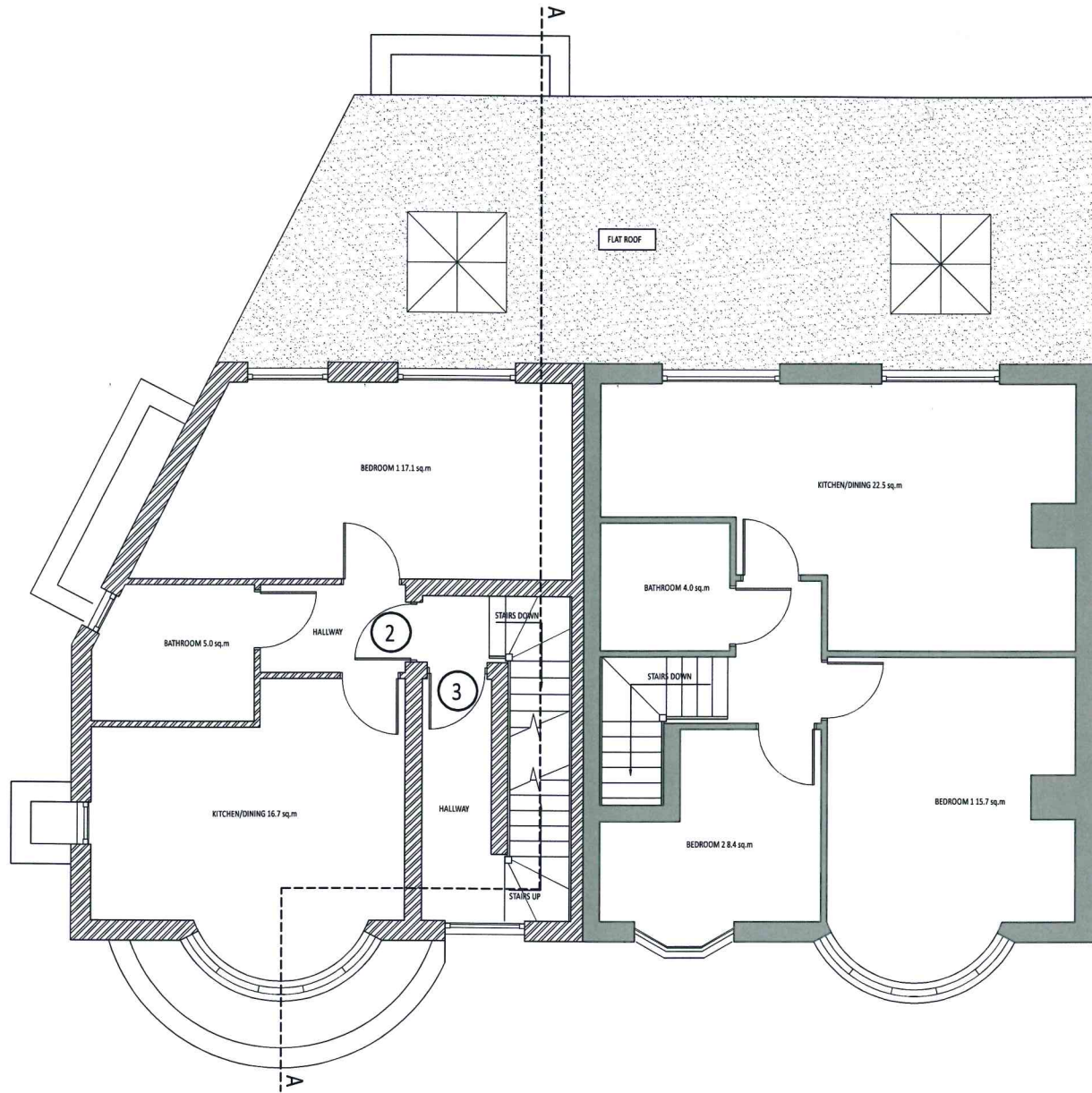
# Previous scheme for comparison

## NOTES

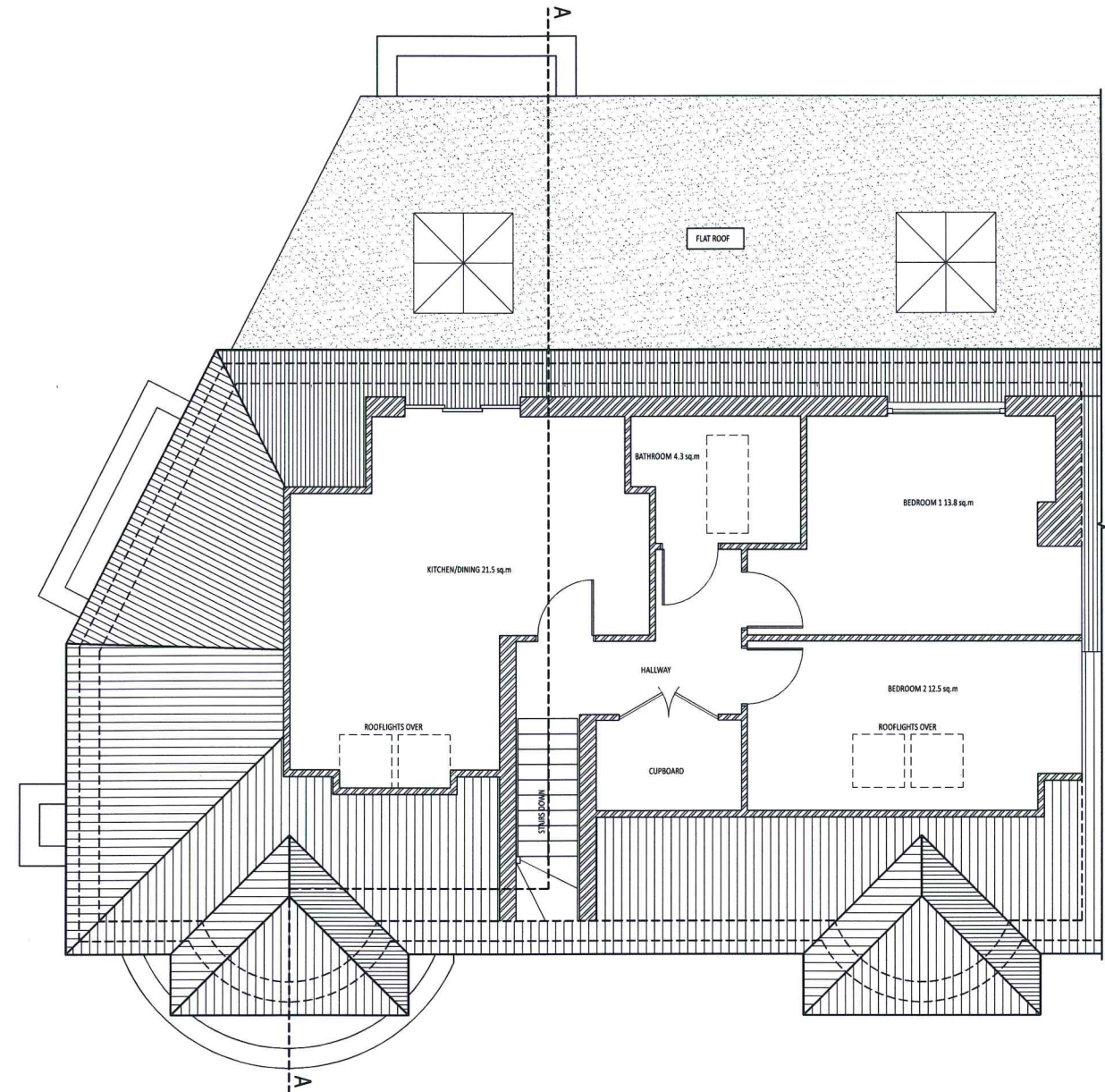
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Page 102



FIRST FLOOR  
Scale 1:50



SECOND FLOOR  
Scale 1:50

REVISION B 18.12.14: DORMERS REVISED AND ROOM AREAS ADDED  
REVISION A 08.12.14: DORMERS REVISED



Project  
27 CANNON HILL LANE, LONDON SW20 9JY  
PROPOSED FIRST FLOOR & SECOND FLOOR PLANS

Drawn By	Date	Drawing No
PP	MAY 2014	002B
Scale	Drawing Size	
1:50	A1	
Drawing Status		
PRELIMINARY		

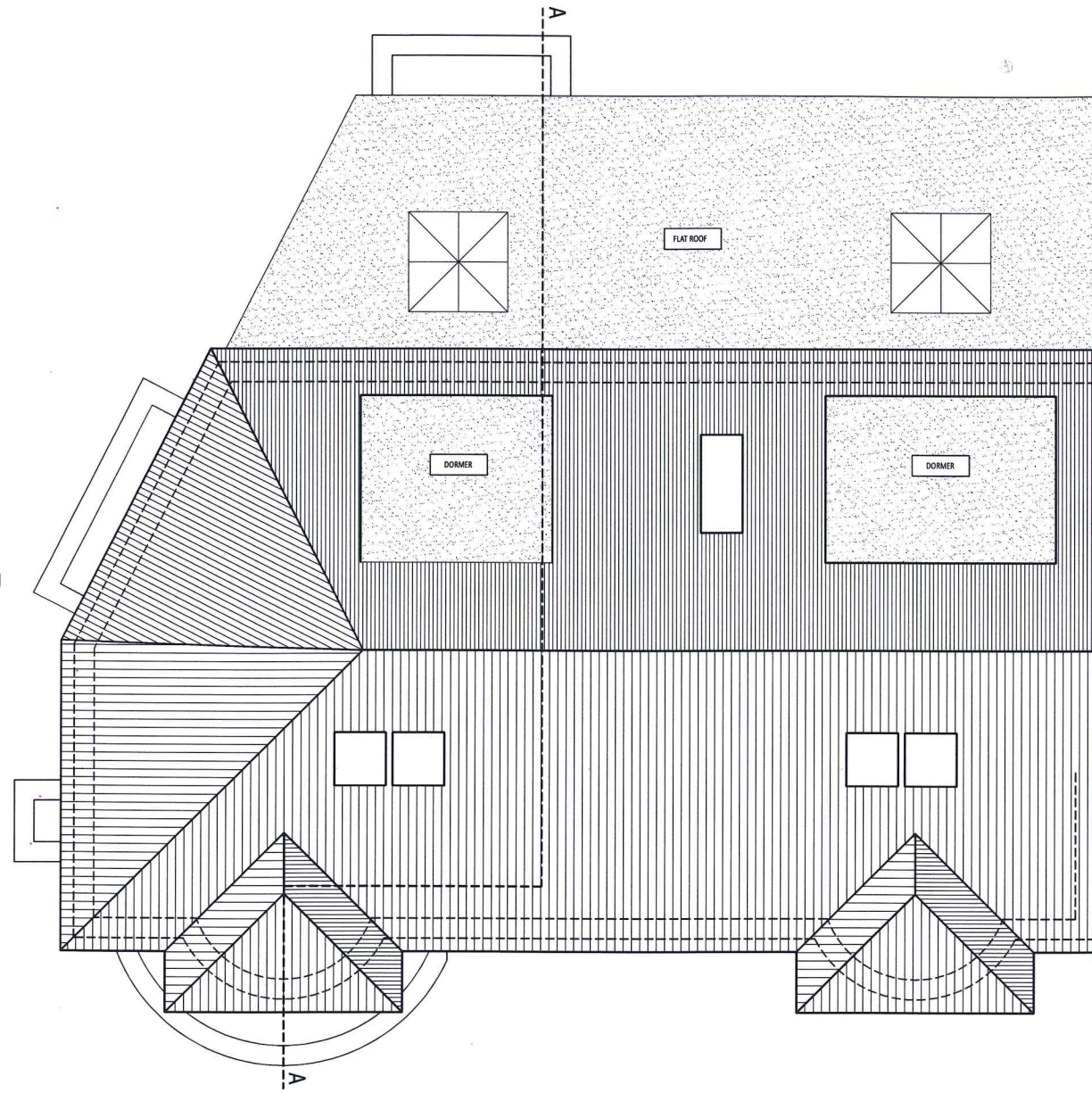


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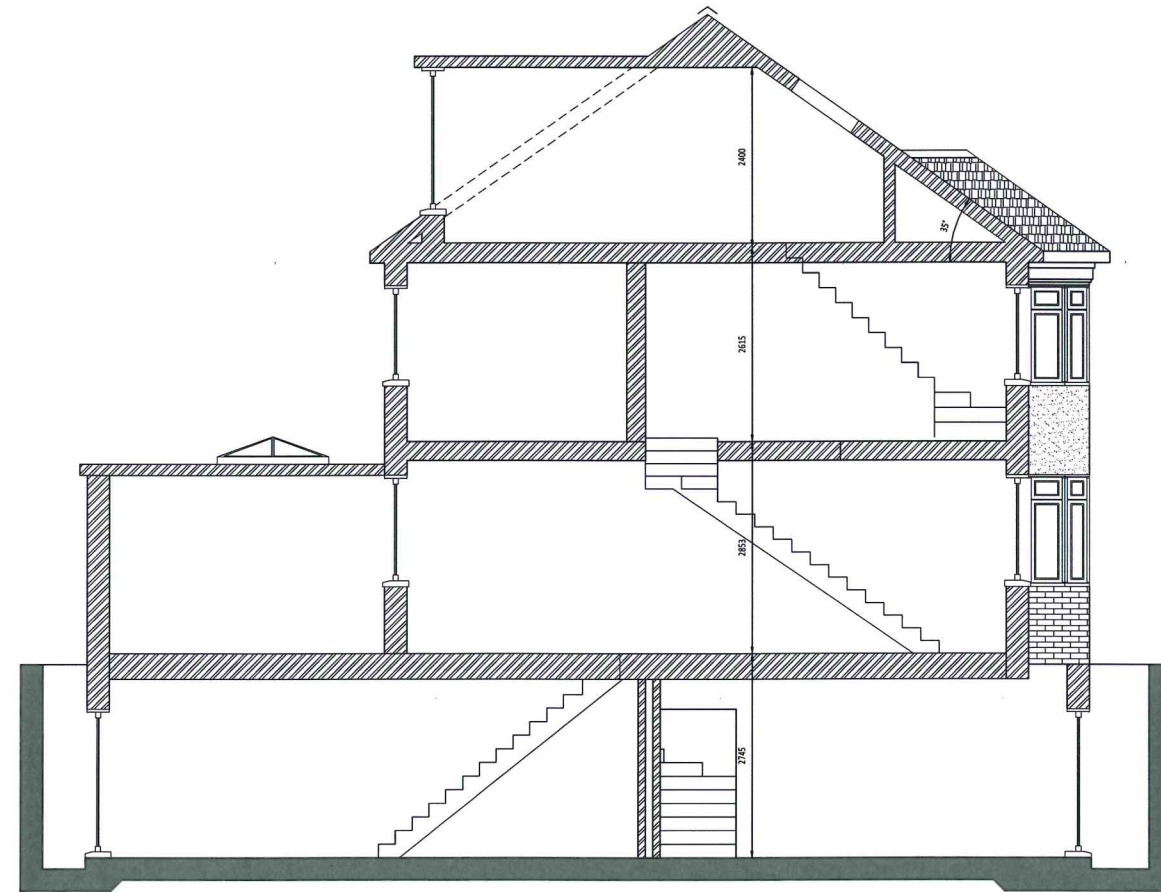
## NOTES

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Page 103



ROOF PLAN  
Scale 1:50



SECTION A - A  
Scale 1:50

REVISION B 18.12.14: DORMERS REVISED  
REVISION A 08.12.14: DORMERS REVISED

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Project  
27 CANNON HILL LANE, LONDON SW20 9JY  
PROPOSED ROOF PLAN & SECTION

Drawn By PP	Date MAY 2014	Drawing No 003B
Scale 1:50	Drawing Size A1	
Drawing Status PRELIMINARY		

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**PLANNING APPLICATIONS COMMITTEE**  
**17 March 2016**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P3969	22/10/2015

**Address/Site** 81 Dora Road, Wimbledon Park SW19 7JT

**(Ward)** Wimbledon Park

**Proposal:** Conversion of an integrated garage into habitable rooms, with alterations to front elevation including new timber front door and entrance canopy.

Replacement of ground floor conservatory and erection of part single, part two storey rear extension and the erection of rear roof extension. (Revised plans: revisions comprising of amendments to design and reduction in size of proposed dormers at second floor level, reduction in size of windows at first floor level)

**Drawing Nos** E01, P01 rev B, P05 rev D, P08 rev F, P07 rev F, P10 rev C, P11 rev C, P16 rev A, P18 rev B, P19, P21 rev A, P24 rev A

**Contact Officer:** Arome Agamah (8545 3116)

---

## **RECOMMENDATION**

**GRANT Planning Permission subject to conditions**

---

## **CHECKLIST INFORMATION**

- Heads of agreement: no
- Is a screening opinion required: No
- Is an Environmental impact statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- Yes
- Site notice-Yes
- Design Review Panel consulted-No

- Number neighbours consulted – 5
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: Yes

## 1. **INTRODUCTION**

- 1.1 This application has been brought to the Planning Applications Committee due to the number of objections received.

## 2. **SITE AND SURROUNDINGS**

The application site is a late 1980s two storey detached single dwelling property on the western side of Dora Road, which is in the Vineyard Hill Road conservation area. The surrounding area is predominantly residential, with a mix of detached and semi-detached properties. The area is designated as a Controlled Parking Zone (CPZ).

## 3. **CURRENT PROPOSAL**

- 3.1 The current application is for the following works:

- Conversion of an integrated garage into habitable rooms, with alterations to front elevation including new timber front door and entrance canopy.
- Removal of existing ground floor conservatory and erection of part single, part two storey rear extension and the erection of rear roof extension.

- 3.2.1 The proposed single rear storey extension has a depth of 5.3 metres and width of 6.72 metres to match that of the existing building. The first floor element comprises a 1.5 m deep extension. At the second floor the dormers would be set 0.75m further forward than the existing ones.

- 3.2.2 As originally proposed the depth of the addition at both first and second floor levels was to be 1.5 metres with two zinc clad flat roof dormers at roof level, each with a height of 2.7 metres and width of 2.5 metres. Much larger first floor windows than existing were proposed in the rear elevation of the extended first floor. Amendments were made in response to neighbours' concerns about the size of the windows at first and second floor and about impact of the proposal on privacy. The depth of the extension at second floor/loft level has been reduced to 0.75 metres and the size of the dormers now matches that of the existing rather than being much larger and of a bolder contemporary design and the existing roof will be extended over the first floor addition, retaining its current form and slope. The first floor rear windows will be the same size as existing.

## 4. **RELEVANT PLANNING HISTORY**

- 4.1 87/P1378 – Erection of a four bedroom three storey detached house with integral garage. Granted 17/12/87.
- 4.2 87/P1333 – Renewal of outline planning permission for the erection of a detached house with two garages at rear. Granted 26/11/87.
- 4.3 MER863/84 – Outline application for erection of a detached house and two garages. Granted 08/11/1984.
- 4.4 MER332/66 – Erection of 2 prefab asbestos clad garages in rear garden with access onto Dora Road. Granted 03/11/66.
- 4.5 Various approved tree works.

## 5. **CONSULTATION**

- 5.1 The proposal has been publicised by means of Conservation site and press notice procedure and individual letters of notification to adjoining properties.

Five objections have been received from neighbours on the following grounds:

- Visual intrusion and overlooking of properties at rear of application site due to increased footprint and reduced distance to rear boundary.
- Negative impact on privacy resulting from larger windows.
- Development that is inappropriate and out of keeping with local character of area
- Overdevelopment and over dominating due to bulk, scale and height
- Overshadowing and reduction of sunlight/daylight due to massing of proposal
- Negative impact on overall character of area due to reduced size of rear garden

- 5.2 Transport and Highways officers were consulted and passed comments on the impact on street parking provision due to proposals for the garage, with respect to the CPZ designation of the area.

## 6. **POLICY CONTEXT**

- 6.2 Adopted Merton Core Strategy (July 2011)

CS14 (Design), and CS20 (Parking)

- 6.3 Sites and Policies Plan (July 2014)

DM D2 (Design Considerations in all Developments), DM T3 (Car Parking and servicing standards), DM T5 (Access to the Road Network)

## 7. **PLANNING CONSIDERATIONS**

- 7.1 The principal planning considerations related to this application are the acceptability of the design, the impact on neighbouring amenity and the impact on parking provision.

## 7.2 Design

The architectural style of the extensions is of a more contemporary character than that of the existing property on the front elevation and the ground floor rear. However it is considered that the use of matching brickwork is in keeping with the character and the contrast that comes from the use of aluminium fittings is acceptable and appropriate for its setting. It is also considered that the proposed additions are subordinate to the existing building in terms of scale and proportion.

There is a small overall increase in footprint, by a depth of 0.83 metres at ground floor level. However this does not significantly decrease the curtilage at the rear. The increase in bulk brought about by the extension (0.75 metres at first and second floor levels) is proportionate with the scale of the existing building.

## 7.3 Impact on Residential Amenity

The orientation of the site is such that the only property that may have overshadowing effects is located at number 83. Given the massing of the proposed extensions, it is considered that there would not be any overshadowing that will be significantly greater than with the existing building.

The single storey extension replaces an existing conservatory. It will be set into the sloping garden at the rear and is set away from the rear boundary. It will also be largely screened by the existing side boundary treatment.

In relation to the first and second floor extensions, it is considered that they are very modest in scale. In response to the neighbour concerns about perception of overlooking and loss of privacy from the very large windows proposed for the first and second floors, the applicant has reduced them to the same scale as the existing.

The separation distance between the second floor extension and the ground floor of the property directly to the rear of the application site is 34 metres and is in accordance with the Council's Supplementary Planning Guidance for Residential Extensions, Alterations and Conversions (November 2001) which recommends a minimum distance of 20m for first floor windows and 25m for roof level. The objectors have referred to the requirement for greater separation where there are significant differences in levels in the New Residential Development SPG. In this instance, it is the properties at the rear that are at a relatively higher level rather than the application property and the proposed separation distance is considered to be more than adequate. The upper floor windows are only between 0.75m-1.5m closer to the rear boundary than the existing situation.

## 7.4 Impact on parking provision

The original planning permission for the house (87/P1378) was conditioned that the internal garage be kept available for parking. However, the property has a front driveway that is of a sufficient size to accommodate a single



parking space, and the conversion of the garage to a habitable room is therefore considered to be acceptable.

## **8.0 SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

## **9. CONCLUSION**

9.1 The proposal is considered to be acceptable in terms of neighbour amenity, given the siting, massing and the separation distances involved. The applicant has reduced the size of the proposed upper floor windows in response to neighbours' concerns in relation to overlooking and privacy. The design of the proposed changes to the existing house are considered to be acceptable in relation to its impact on the appearance of the Conservation Area and the street scene. Accordingly, it is recommended that planning permission be granted.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

and subject to the following conditions:-

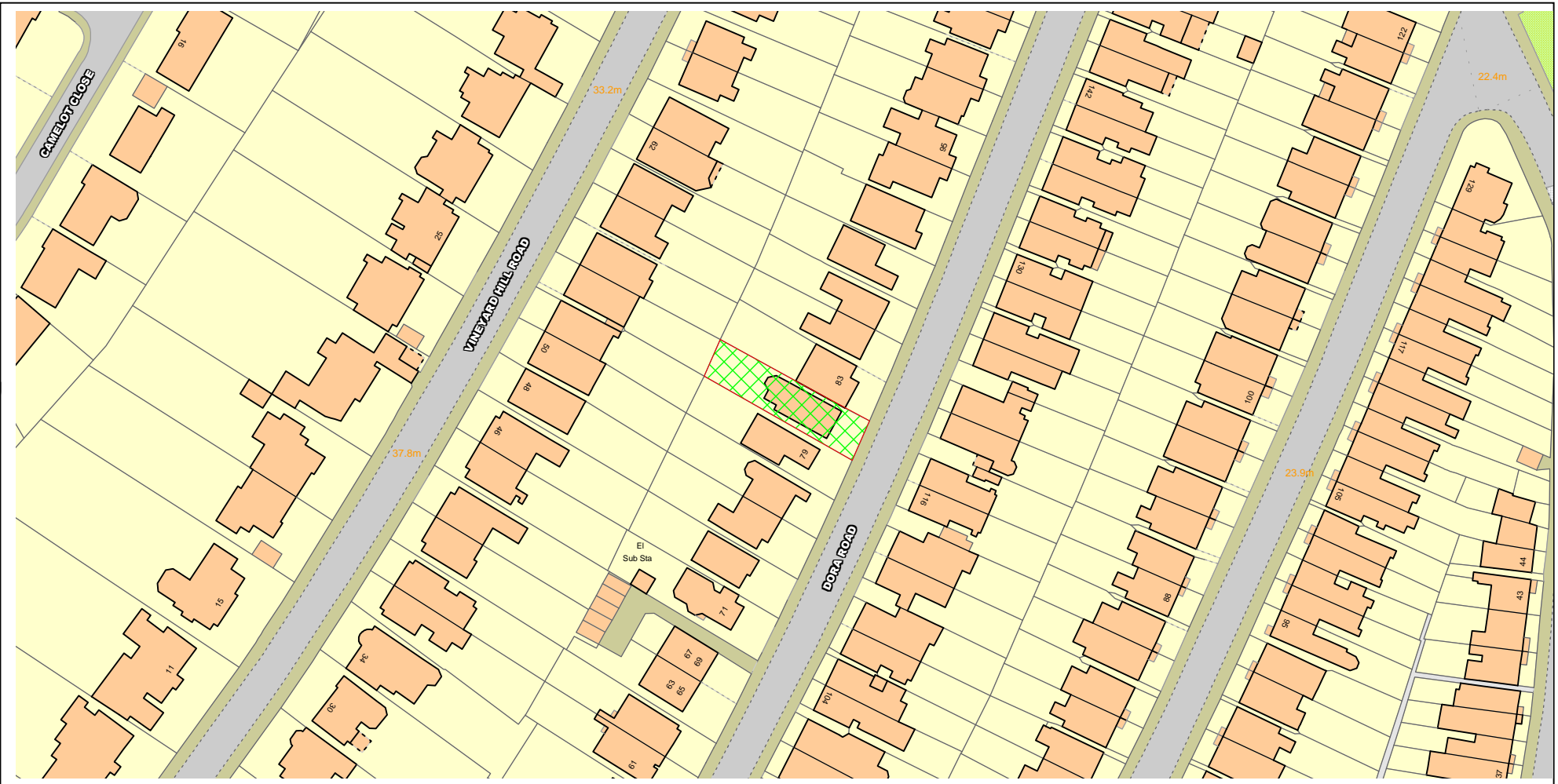
1. A.1 Commencement of Development
3. A.7 Approved Plans
2. B.1 (Approval of Facing Materials)
3. B.3 (External Materials as Specified)
4. C.2 (No Permitted Development Doors/Windows)

Note to Applicant

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# NORTHGATE SE GIS Print Template

Page 111



81 Effra Road

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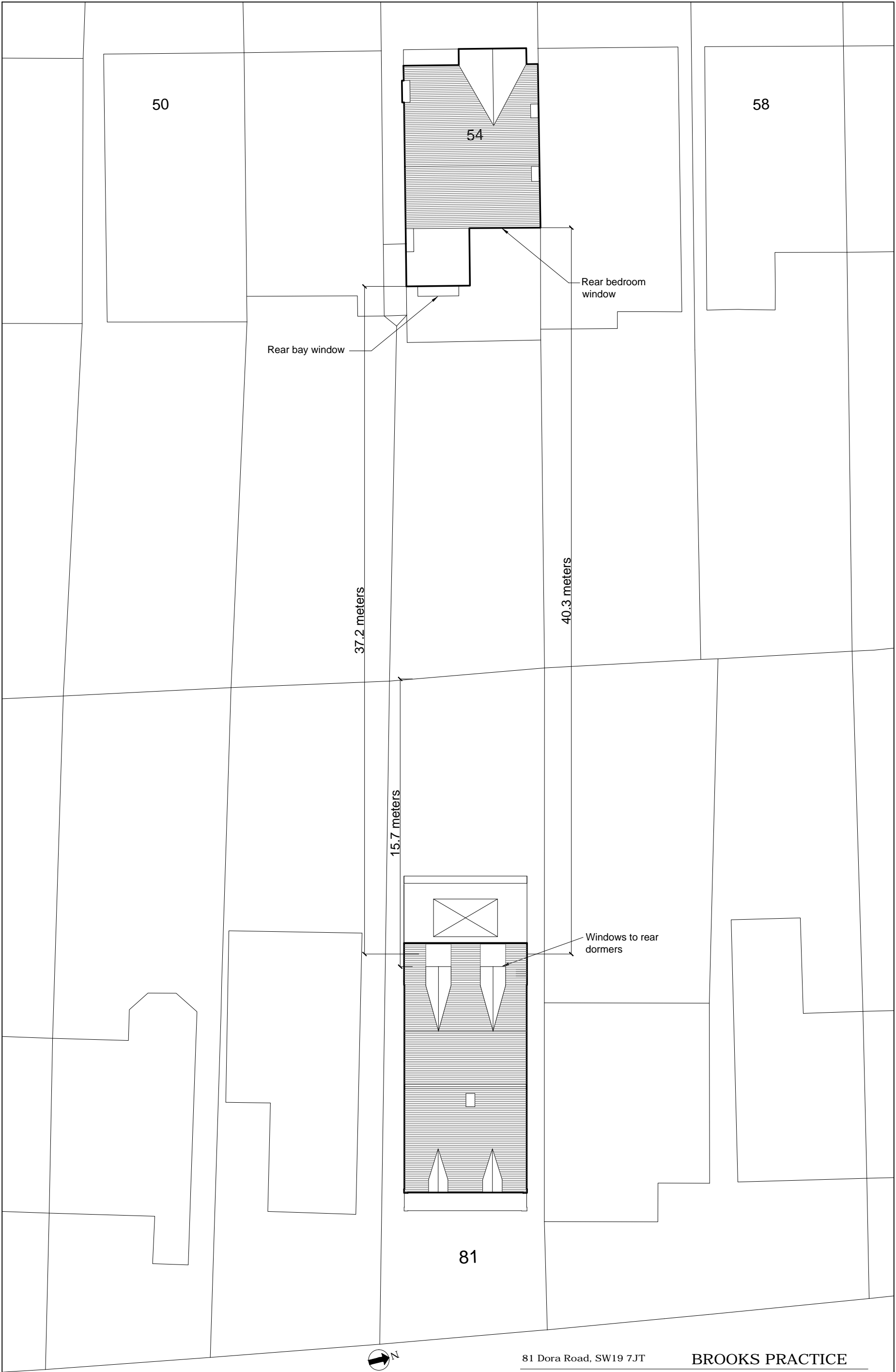
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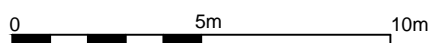
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Proposed Block Plan



81 Dora Road, SW19 7JT

Dwg. No: P21 REV A

Scale: 1:200 @A3

Date: August 2015

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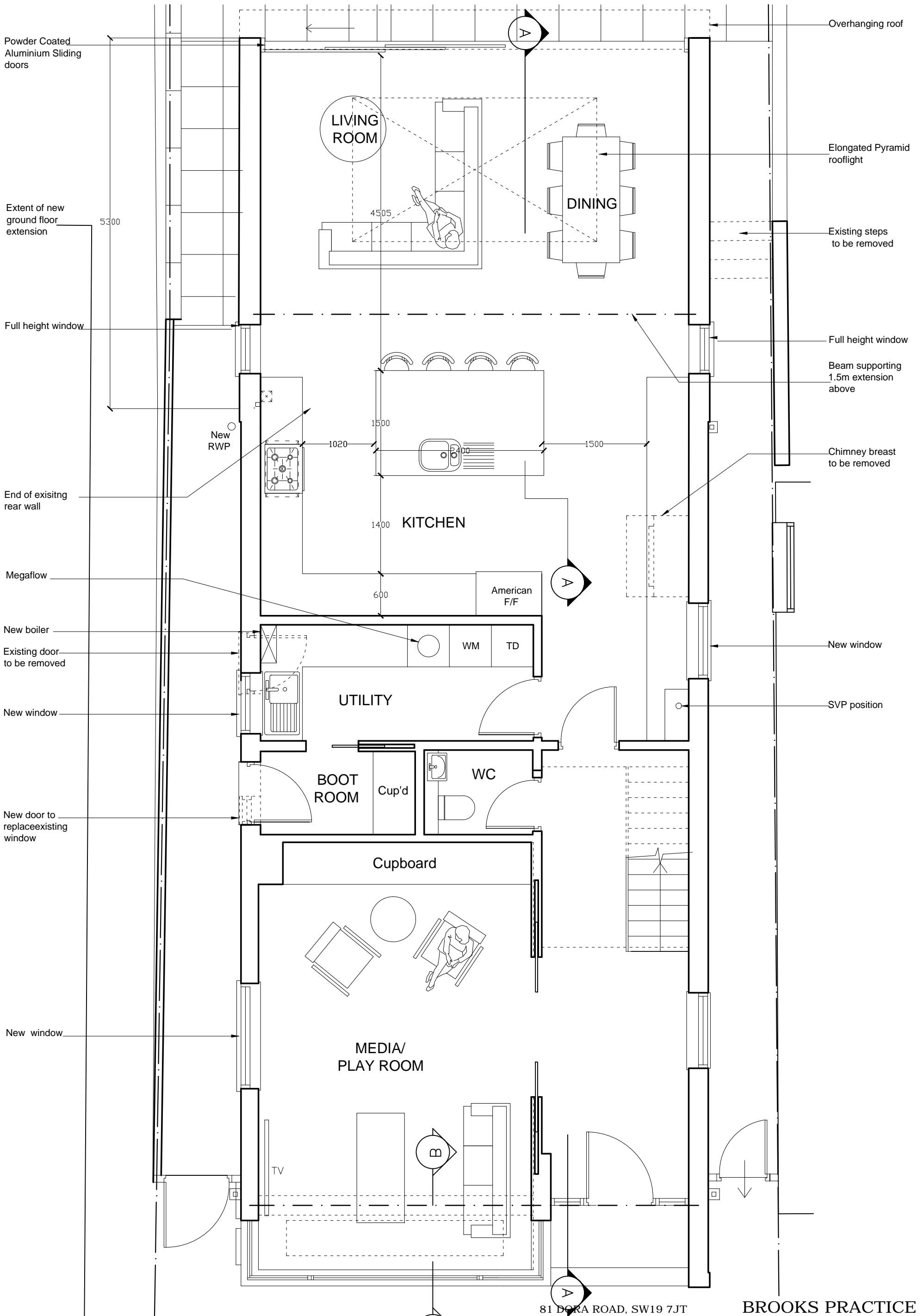
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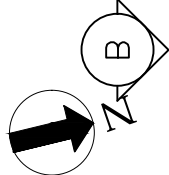
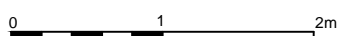
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Proposed Ground Floor Plan



81 DORA ROAD, SW19 7JT

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Drawing: Proposed Ground Floor Plan

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94 Amity Grove London SW20 0LJ

Scale: 1:50 @A3

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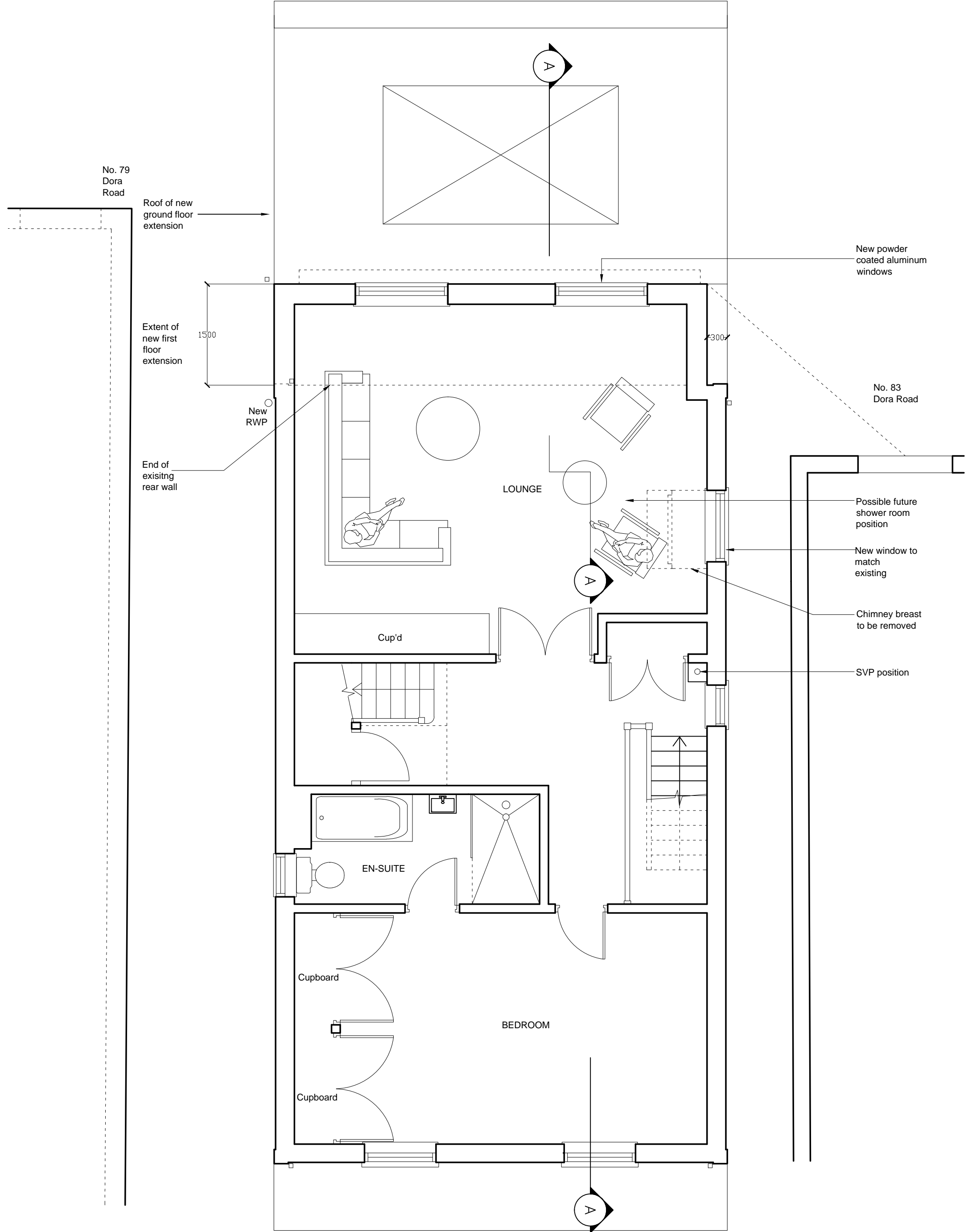
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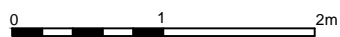
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Proposed First Floor Plan



81 DORA ROAD, SW19 7JT

Drawing: Proposed First Floor Plan

Dwg. No: P05 REV D

Scale: 1:50 @A3

Date: August 2014

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No. 79  
Dora  
Road

Extent  
of new  
extension  
750  
New  
RWP

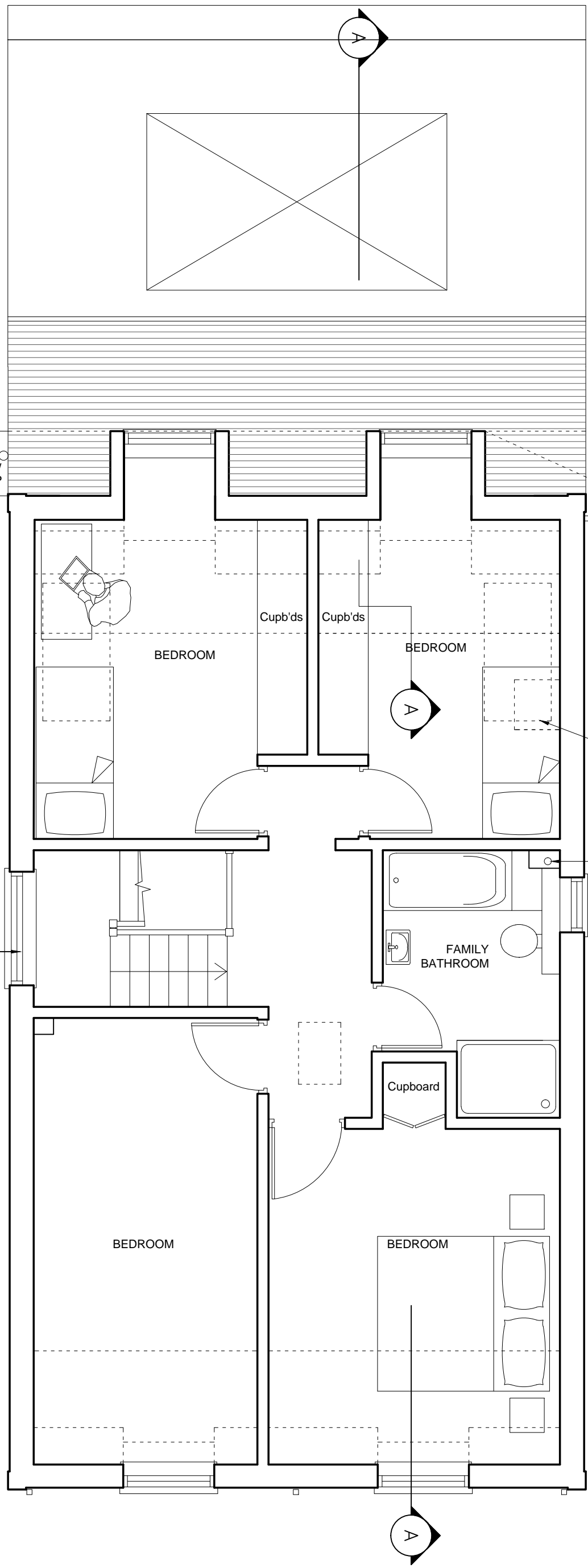
No. 83  
Dora Road

24°

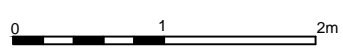
Chimney breast  
to be removed

SVP position

Existing window  
opening enlarged  
to double height  
window



Proposed Loft Plan



81 DORA ROAD, SW19 7JT

Drawing: Proposed Loft Plan

Dwg. No: P07 REV F

Scale: 1:50 @A3

Date: August 2014

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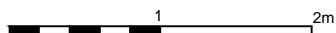
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Proposed Front Elevation



81 DORA ROAD, SW19 7JT

Drawing: Proposed Front Elevation

Dwg. No: P16 REV A

Scale: 1:50 @A3

Date: May 2015

**BROOKS PRACTICE**

ARCHITECTS - SPACE PLANNERS - DESIGNERS

94 Amity Grove London SW20 0LJ

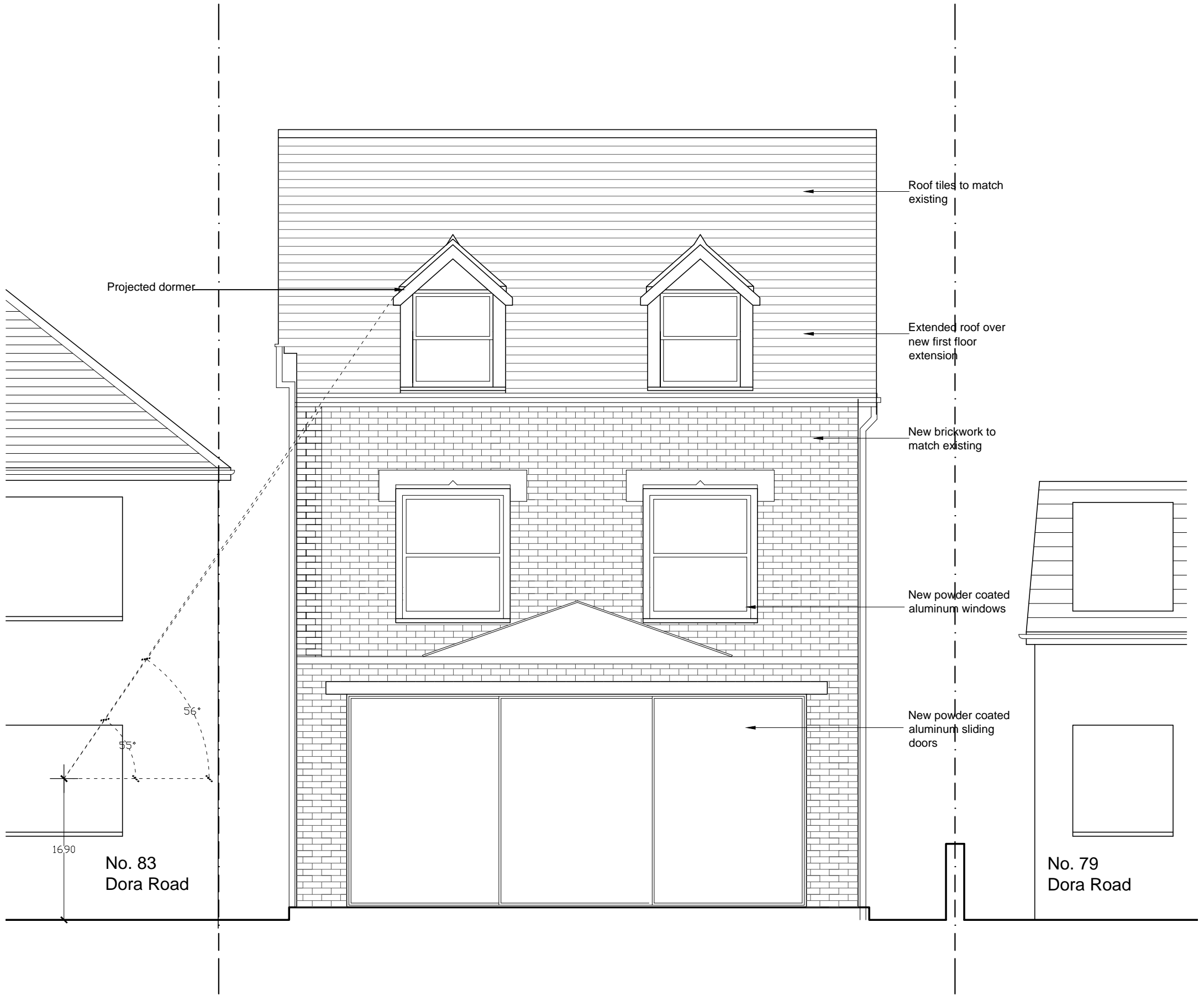
Tel: +44 (0)208 9713298

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81 DORA ROAD, SW19 7JT

**BROOKS PRACTICE**

Drawing: Proposed Rear Elevation

ARCHITECTS - SPACE PLANNERS - DESIGNERS

Dwg. No: P08 REV F

94 Amity Grove London SW20 0LJ

Scale: 1:50 @A3

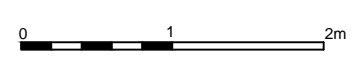
Tel: +44 (0)208 9713298

Date: August 2014

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Proposed Rear Elevation



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New Fixed staircase window

New pyramid rooflight

New brickwork to match existing

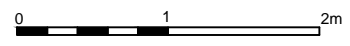
New full height window

All new windows and door to be powder coated aluminium

New casement window

New tilt and turn window

Proposed South Side Elevation



81 DORA ROAD, SW19 7JT

**BROOKS PRACTICE**

Drawing: Proposed South Side Elevation

ARCHITECTS - SPACE PLANNERS - DESIGNERS

Dwg. No: P10 REV C

94 Amity Grove London SW20 0LJ

Scale: 1:50 @A3

Tel: +44 (0)208 9713298

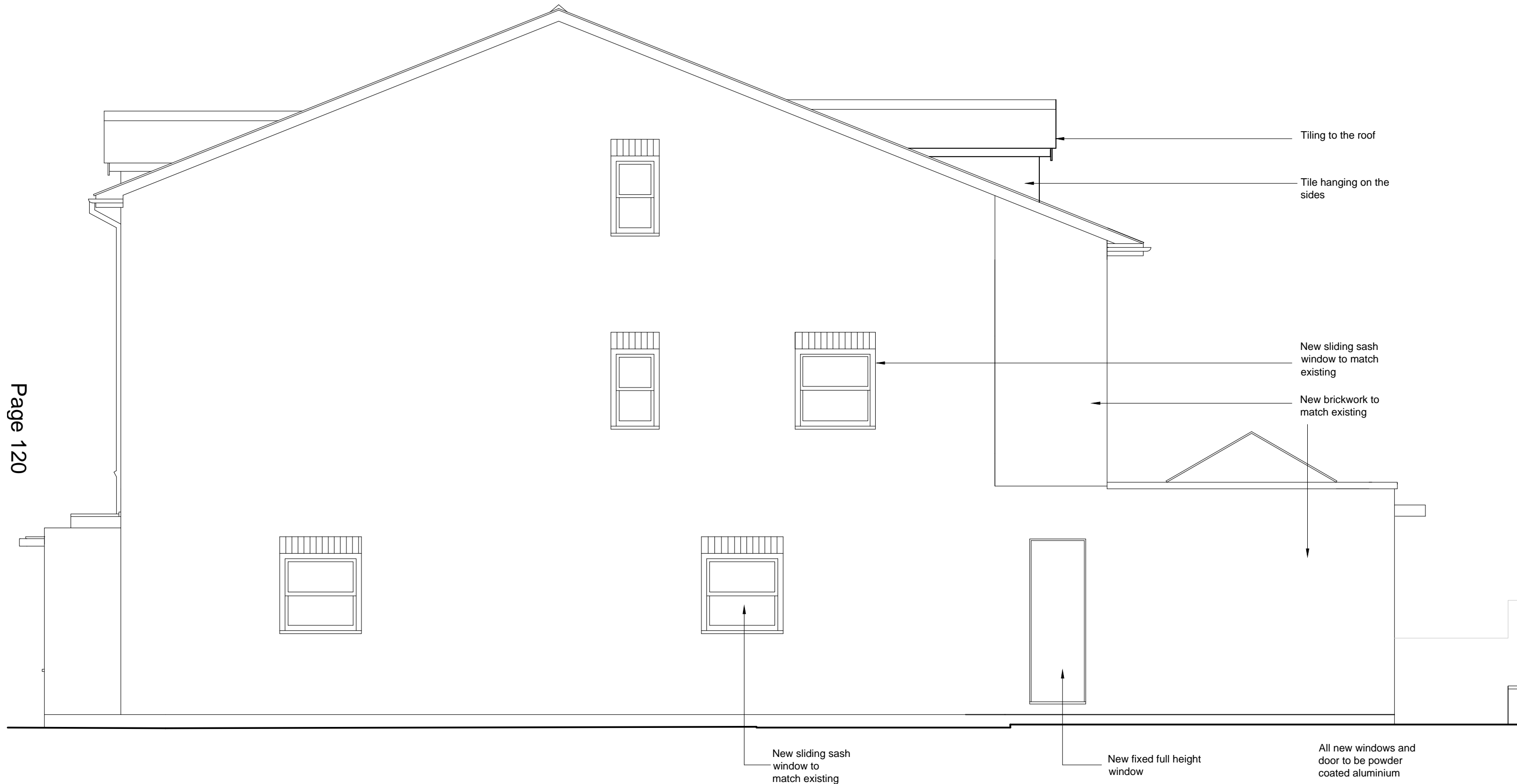
Date: August 2015

kbrooksarchitect @ AOL . com

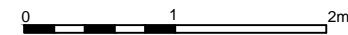
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NOTE: All dimensions are in millimetres. Do not scale off the drawings and report



Proposed North Side Elevation



81 DORA ROAD, SW19 7JT

Drawing: Proposed North Side Elevation

Dwg. No: P11 REV C

Scale: 1:50 @A3

Date: August 2015

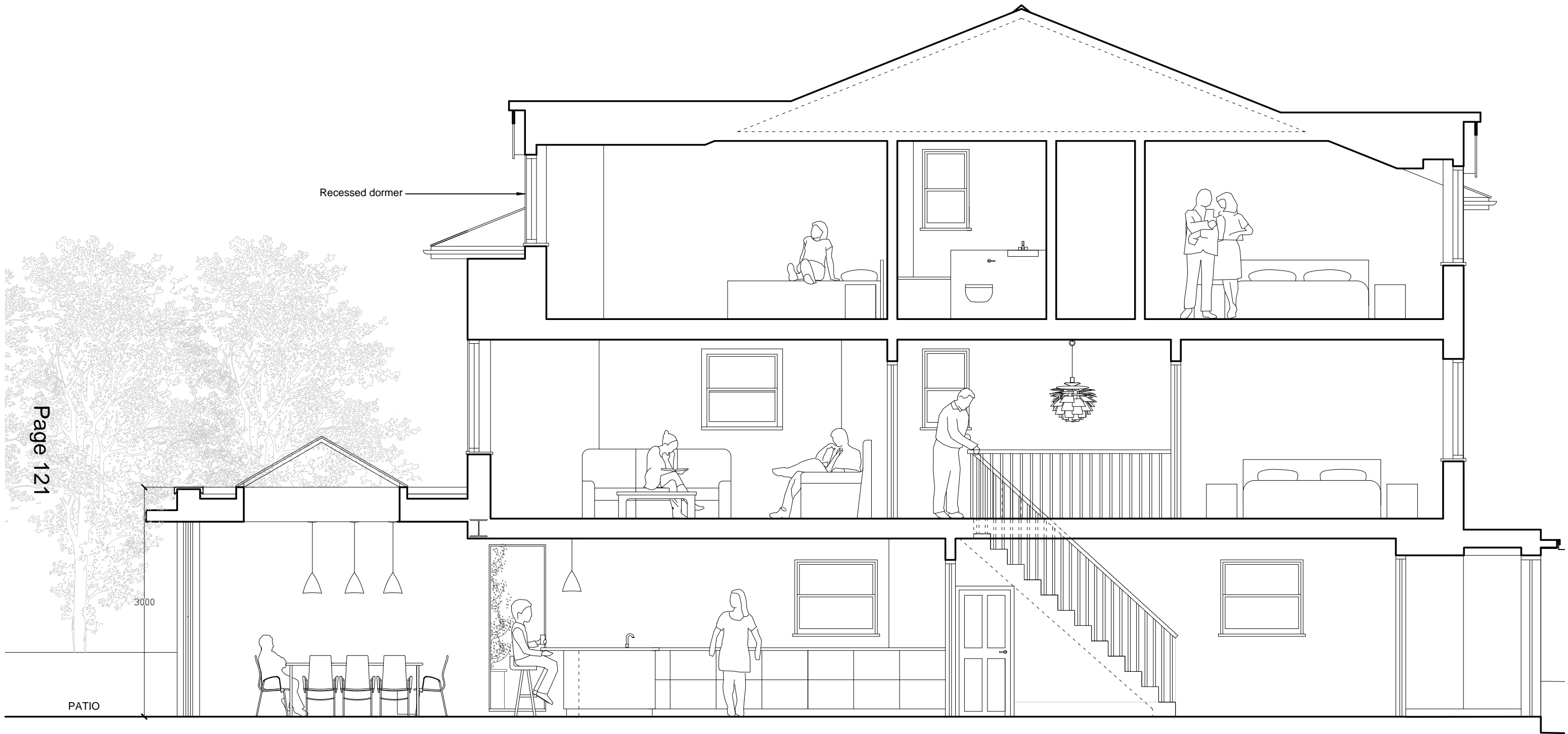
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ARCHITECTS - SPACE PLANNERS - DESIGNERS

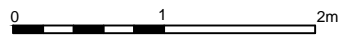
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Proposed Section A-A



81 DORA ROAD, SW19 7JT

Drawing: Proposed Section A-A

Dwg. No: P18 REV B

Scale: 1:50 @A3

Date: August 2015

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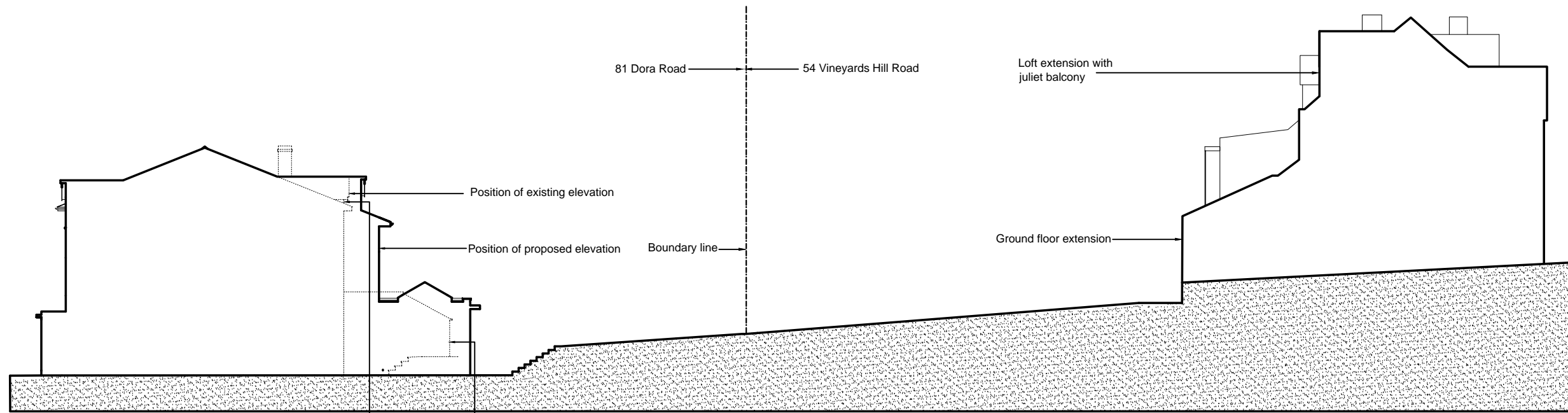
Tel: +44 (0)208 9713298

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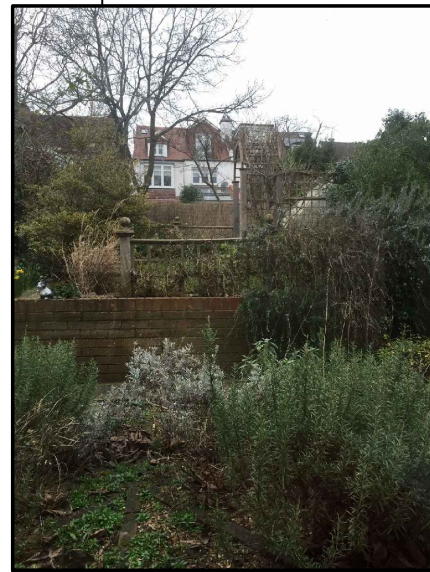
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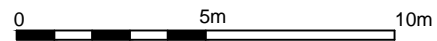


View from the second floor



View from the conservatory

### Diagrammatic Site Section



81 Dora Road, SW19 7JT

**BROOKS PRACTICE**

Drawing: Diagrammatic Site Section

ARCHITECTS - SPACE PLANNERS - DESIGNERS

Dwg. No: P24 REV A

94 Amity Grove London SW20 0LJ

Scale: 1:200 @A3

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Date: August 2015

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## DESIGN AND ACCESS STATEMENT

81 Dora Road, Wimbledon SW19 7JT

**Addendum** 12.02.16

### 1. Introduction

Following the public consultation period the scheme submitted under ref. no. 15/P3585 was recommended for approval by the planning officer. Subsequently further contextual drawings were requested by the planning department to establish the distances and levels between Dora Road and houses at the rear on Vineyard Hill Road. These drawings show that distances between houses exceed guidelines and the level difference between the two roads minimizes the impact of the extensions to neighbours at the rear of 81 Dora Road because the house is significantly lower than the other street.

The only concern received from the Team Leader was with regards to the impact on neighbouring properties of the increased size of the second floor dormer windows. The owners of 81 Dora Road have sought consultation with Merton Planning Department from the pre-application stage and want to be responsive to all comments and adhere to planning regulations and guidelines; they have responded to the concerns and comments following the public consultation stage by revising their proposals as follows.

THE BROOKS PRACTICE

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Website [www.brookspractice.com](http://www.brookspractice.com)

## **2. Drawing Revisions**

After discussions with the planning department design revisions were made in response to the public consultation as follows:-

- The design of the second floor dormer windows has been retained as existing although repositioned to align correctly in the new extended pitched roof over the first floor extension.
- The design of the first floor windows has been amended in response to the retention of the dormer design; the openings are smaller and have traditional proportions to match the windows on the second floor.

## **7 Conclusion**

The owners of 81 Dora Road have responded to comments about the scheme by submitting both additional and amended drawings; the concerns raised over distances at the rear of 81 Dora Road with Vineyard Hill Road have been answered by the contextual information presented and the design comments received from Merton Planning Department have been addressed by the re-design of the rear elevation.

Krystyna Brooks BA(hons)dipArchRIBA  
The Brooks Practice



## PLANNING APPLICATIONS COMMITTEE 17<sup>th</sup> March 2016

### Item No:

### UPRN

### APPLICATION NO.

### DATE VALID

15/P3751

30/09/2015

### **Address/Site:**

17 Ernle Road, West Wimbledon, London, SW20 0HH

### **(Ward)**

Village

### **Proposal:**

Excavation of basement with front and rear lightwells

### **Drawing Nos:**

2607, 2608, block plan, site location plan & Energy Statement from SHA Environmental dated 3<sup>rd</sup> March 2016

### **Contact Officer:**

David Gardener (0208 545 3115)

---

## RECOMMENDATION

### **GRANT Planning Permission Subject to Conditions**

---

## CHECKLIST INFORMATION

- Heads of agreement: Permit free, Affordable housing
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 4
- External consultations: None

## **1. INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee due to the number of objections received.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site, which is located on the southern side of Ernle Road, comprises a detached dwellinghouse which was constructed during the inter war period (between 1925 and 1939). The site is located within the Merton (Wool Road) Conservation Area.

- 2.2 The surrounding area comprises large detached dwellinghouses, which were also erected between 1925 and 1939, when 'The Barnes Field Estate', was divided up into building plots and sold off for the construction of houses. In recent years a number of properties along Ernle Road have been enlarged. The application property itself has recently been extended through the erection of a two - storey side and single storey rear extension, new roof with increased ridge height, and two dormers on the rear roof slope.
- 2.3 Ernle Road, and the wider Merton (Wool Road) Conservation Area features properties with low front boundary edges and mature trees, which creates an open and semi-rural character to the area.

### **3. CURRENT PROPOSAL**

- 3.1 The current application is to excavate a basement, with three lightwells to the front and four lightwells to the rear of the house.
- 3.2 The proposed lightwells at the front of the house would feature either a grille or glass blocks cover whilst the lightwells to the rear would feature a grille or glass cover.

### **4. PLANNING HISTORY**

The following planning history is relevant:

- 4.1 09/P2524 - Demolition of existing 5 bed dwelling & garage and construction of replacement 5 bed detached dwelling with associated landscaping and parking area for 2 vehicles. Refused, 13/04/2010
- 4.2 09/P2530 - Application for Conservation Area Consent for the demolition of existing 5 bed dwelling & garage and construction of replacement 5 bed detached dwelling with associated landscaping and parking area for 2 vehicles. Refused, 13/04/2010
- 4.3 10/P2821 - Demolition of parts of the existing dwelling and its associated garage and undertaking alterations and extensions including a new roof structure with dormers and roof lights on rear roof slope, two storey side extension and single storey rear extension to provide a five bedroom dwelling with landscaped front garden, two parking spaces and decoratively fenced area. Granted - 03/12/2010

### **5. POLICY CONTEXT**

- 5.1 Adopted Merton Sites and Policies Plan and Policies Maps (July 2014): DM D2 (Design considerations in all developments), DM D3 (Alterations and extensions to existing buildings), DM D4 (Managing Heritage Assets), DM F2 (Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure)

- 5.2 Adopted Merton Core Strategy (July 2011) are:  
CS.14 (Design)
- 5.3 The following Supplementary Planning Guidance (SPG) is also relevant:  
Residential Extensions, Alterations and Conversions.

## **6. CONSULTATION**

6.1 The application was publicised by means of a site notice and individual letters to occupiers of neighbouring properties. In response, eight letters of objection have been received, including an objection from the North West Wimbledon Residents' Association (NWWRA). The objections are on the following grounds:

- Undesirable precedent for basements on south side of Ernle Road
- Disruption caused by construction works/Impact on safety for pedestrians and cyclists/Noise
- Impact on ground water flows/stability of adjoining houses
- Not in keeping with character of Ernle Road and wider conservation area
- The application does not include an arboricultural report assessing the impact on greenery including hedge at No.15
- The application has not been accompanied by a report setting out how the proposal will meet the London Plan carbon emission reduction targets
- One of the borehole locations (BH2) is incorrectly shown on the adjoining property

6.2 North West Wimbledon Residents' Association  
Have raised concerns regarding the impact on ground water flows and this issue has not been properly addressed in the current application. In addition, the building of lightwells on the south side of the street would be out of keeping within Ernle Road part of the Conservation Area.

6.3 Future Merton  
The Flood and structural engineers have assessed the proposal and are satisfied with the details submitted so far. They have requested further conditions area attached with any approval.

## **7. PLANNING CONSIDERATIONS**

Given the nature of the proposal it is considered that the proposal would not have an unacceptable impact on residential amenity in respect of daylight, sunlight, visual amenity or privacy. The main planning considerations are therefore the impact that the proposed basement would have on the visual appearance and character of the Wool Road Conservation Area as well as the impact on ground stability and surface water/groundwater issues.

### **7.1 Design and Impact on Conservation Area**

- 7.1.1 Policy DM D4 states that proposal affecting a heritage asset or its setting should conserve and enhance the significance of the asset as well as its surroundings.
- 7.1.2 It is considered that the proposed basement extension and lightwells are acceptable in terms of design and impact on the Ernle Road street scene. The basement itself, apart from the lightwells, is located entirely under the current footprint of the house. The 3 lightwells at the front (as well as the ones at the rear) are very modest in size. They are no greater than 0.75m in depth. The rectangular lightwell in front of the study sits no further forward than the front main wall of the house and will be covered in glass blocks. The rectangular lightwell next to the open porch will not extend beyond the porch pillars, and is also covered in glass blocks. The one in front of the bay will be covered by a metal grille and would be screened from view by the adjacent planting.
- 7.1.3 It is therefore considered that the visual impact of the development when viewed from the street would be extremely limited, preserving the appearance of the house, the Ernle Road street scene and the conservation area in general.

## 7.2 **Basement Construction and Impact on Ground and Surface Water Flow**

- 7.2.1 A Subterranean Structural Statement has been provided as part of the application containing information on construction, geology, groundwater flows and hydrology. The document has been reviewed by the Council's Structural and Flood Engineers. The applicant has provided a basement construction method statement including construction sequence, which the structural engineer considers to be acceptable. A condition will be attached requiring a final construction method statement prior to commencement of works from the commissioned contractor confirming they will either follow the submitted statement and sequence or alternatively confirm another method of construction.
- 7.2.2 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) requires that a proposal for a basement to demonstrate that it will achieve the London Plan emissions reduction targets expressed as a minimum improvement over the Target Emissions Rate outlined in national Buildings Regulations. In this instance a 25% improvement on Part L (2010) or a 19% improvement on Part L (2013) will be required for carbon savings. The applicant has provided an updated Design and Access Statement with an energy statement also submitted demonstrating compliance with the Council's sustainability policies.
- 7.2.3 The basement construction method statement states that a ground investigation has been undertaken and no groundwater strikes occurred during the investigation. The design parameters used are conservative and would take into consideration the water table up to ground surface level and therefore allow for any burst water mains or local surface water flooding. An additional plan has also been submitted since the application was first submitted showing permeable paving for the driveway and hardstandings

around the basement to assist surface water infiltration. Overall, it is considered that the proposal would accord with policy DM F2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014). The Council's Flood engineer has raised no objections to the proposals subject to suitable conditions being attached.

## **8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 8.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

## **9. LOCAL FINANCIAL CONSIDERATIONS**

- 9.1 The proposal would result in a net gain of 163sqm of floor space and as such will be liable to pay both the Mayoral and Merton Community Infrastructure Levies (CIL). The funds will be spent on the Crossrail project, with the remainder spent on strategic infrastructure and neighbourhood projects.

## **10. CONCLUSION**

- 10.1 It is considered that the proposed basement with associated lightwells would be acceptable in terms of its size and appearance and would not have an unacceptable impact on the Ernie Road street scene or the wider Merton (Wimbledon West) conservation area. It is also considered that the proposal would not have an unacceptable impact on the stability of the current house or surrounding properties or ground and surface water flows. The proposal would therefore accord with the relevant policies set out in the Adopted Merton Core Planning Strategy (July 2011) and Sites and Policies Plan and Policies Maps (July 2014).

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION subject to the following conditions:**

1. A.1 (Commencement of Development)
2. A.7 (Approved Plans)
3. B.4 (Details of Site/Surface Treatment)
4. C.10 (Hours of Construction)
5. F.9 (Hardstandings and SUDS)
6. Prior to the commencement of the development details of the provision to accommodate all site operatives, visitors and construction vehicles and loading / unloading arrangements during the construction process shall be submitted and approved in writing with the Local Planning Authority. The

approved details must be implemented and complied with for the duration of the construction process.

Reason: To safeguard the amenities of the occupiers of neighbouring properties.

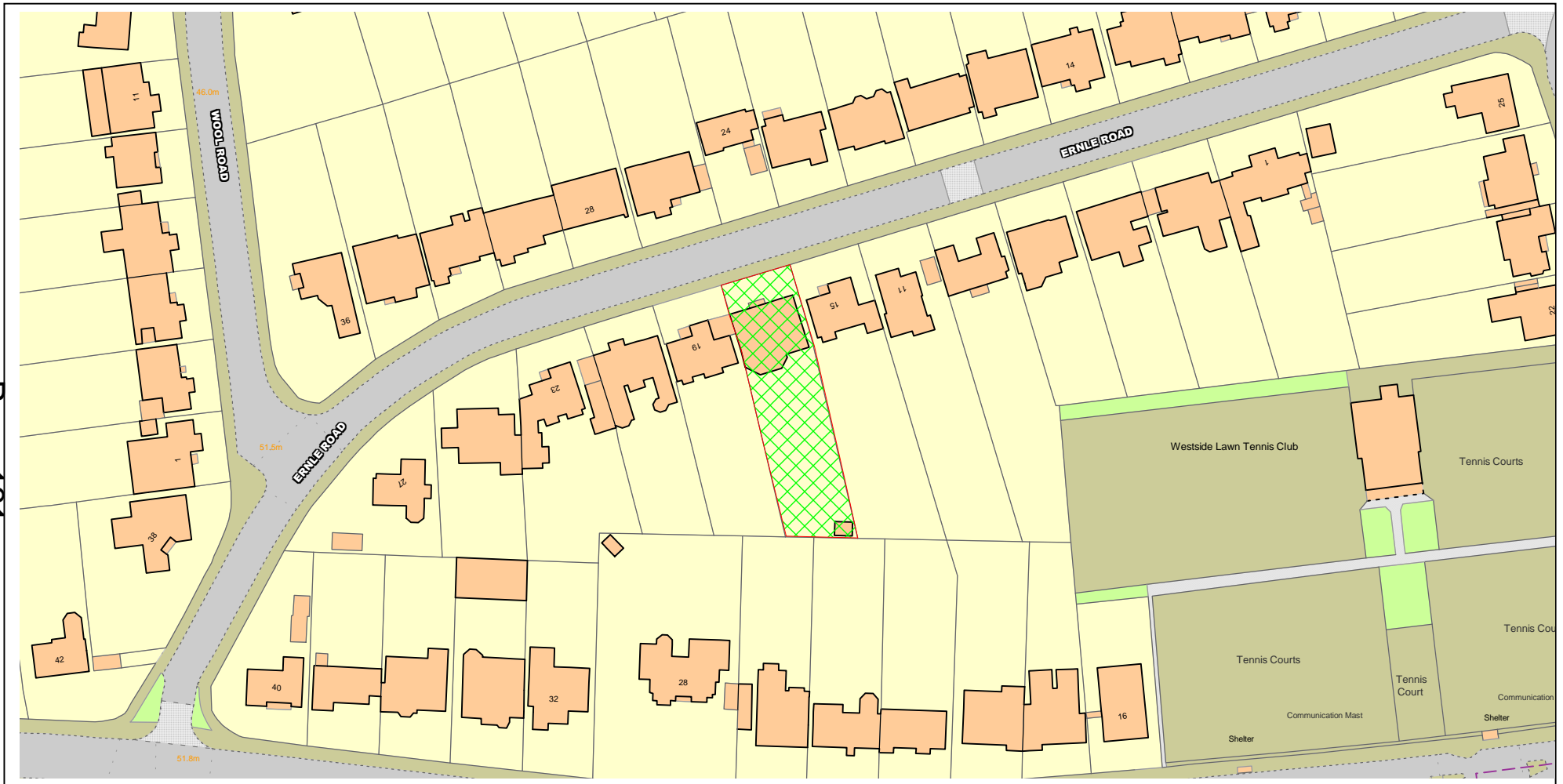
7. No development approved by this permission shall be commenced until a detailed method statement has been produced and submitted by the contractor and reviewed/agreed by a chartered engineer. The method statement shall include construction working drawings, temporary support details and confirmation of construction sequence.

Reason: To ensure that structural stability of both the house and adjoining houses is safeguarded and neighbour amenity is not harmed and to comply with policy DM D2 of Merton's Sites and Polices Plan 2014.

8. Sustainability (energy efficiency)

# NORTHGATE SE GIS Print Template

Page 131



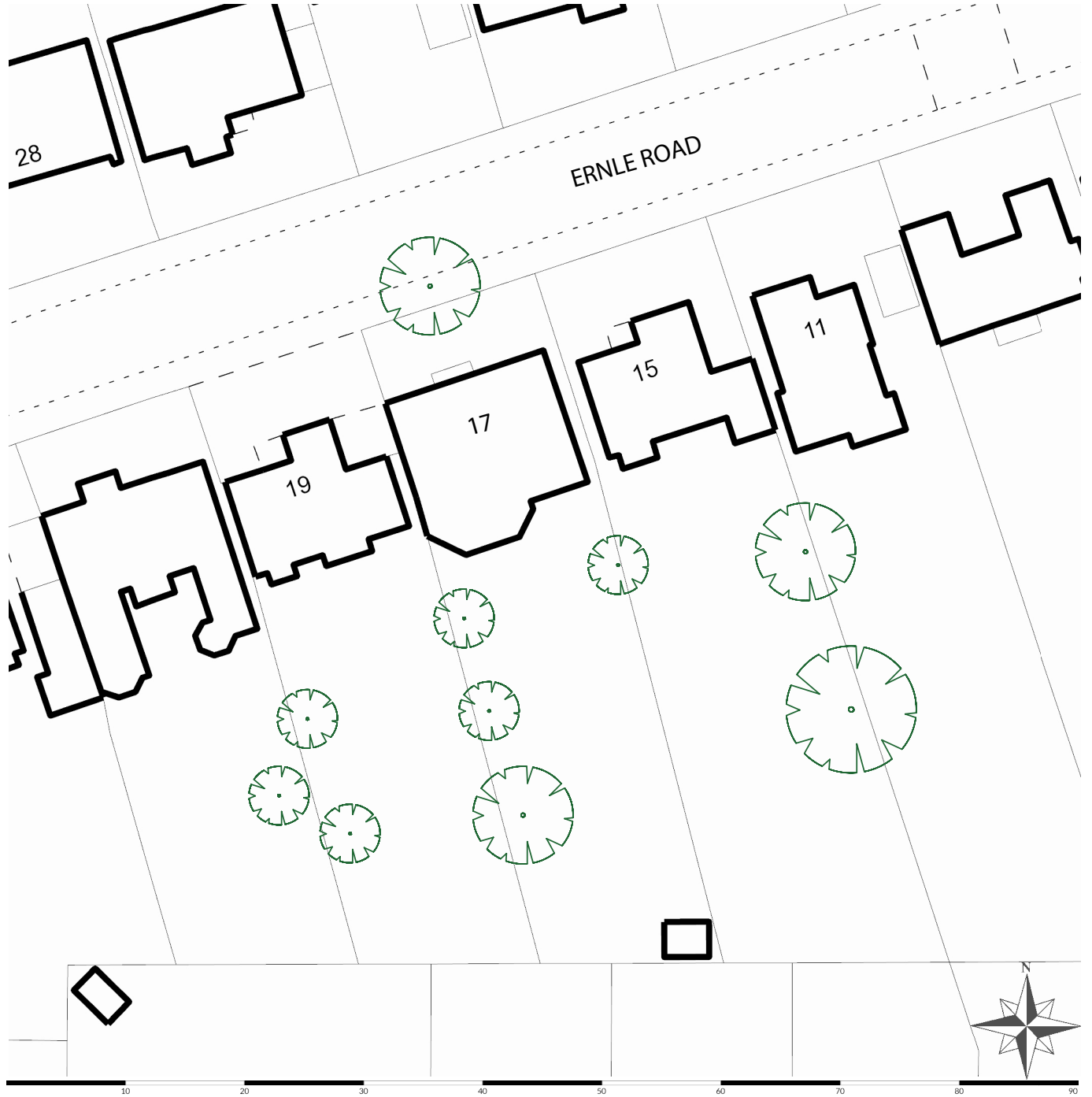
Text Details 17 Ernle Road

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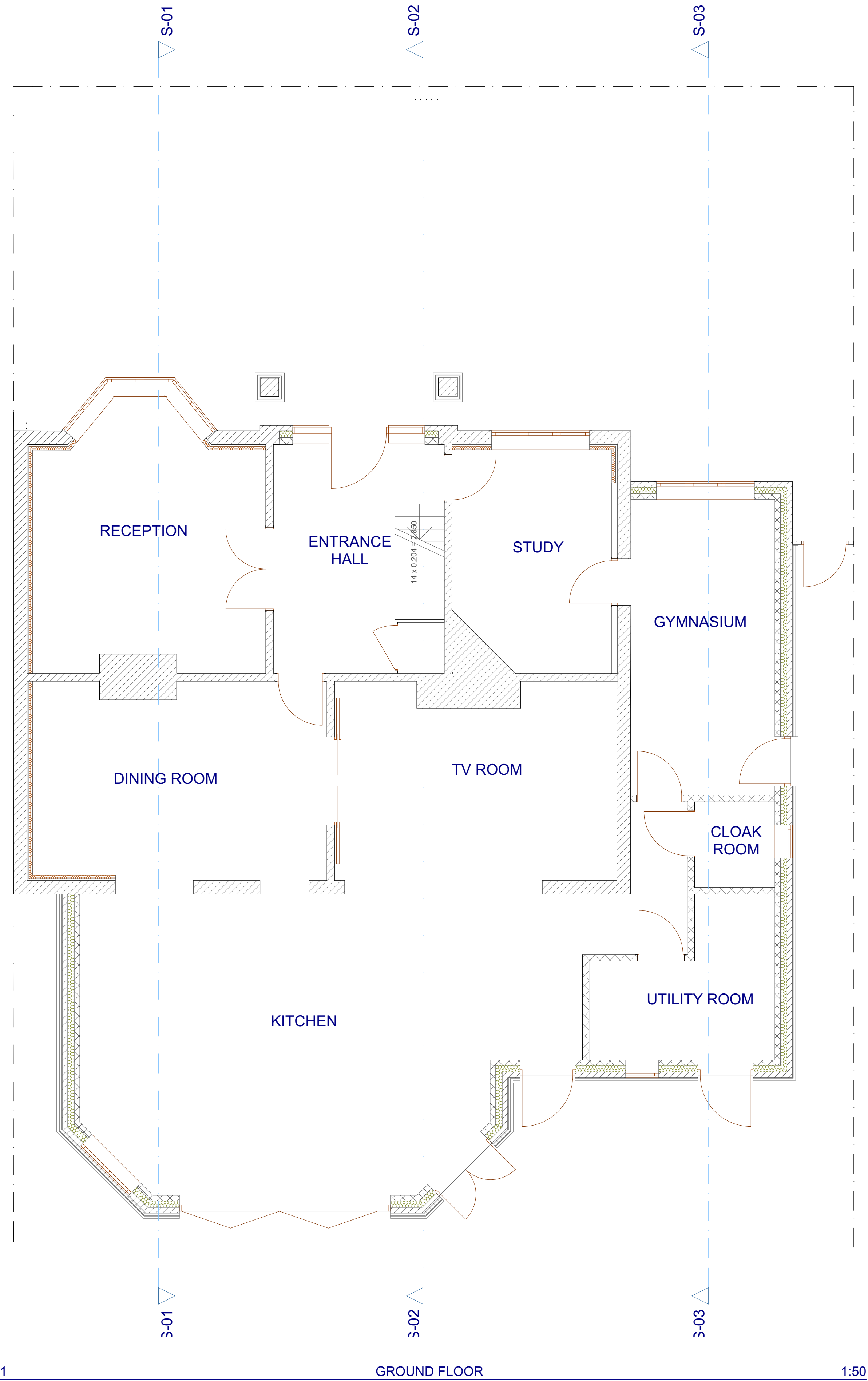


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EXISTING DRAWINGS



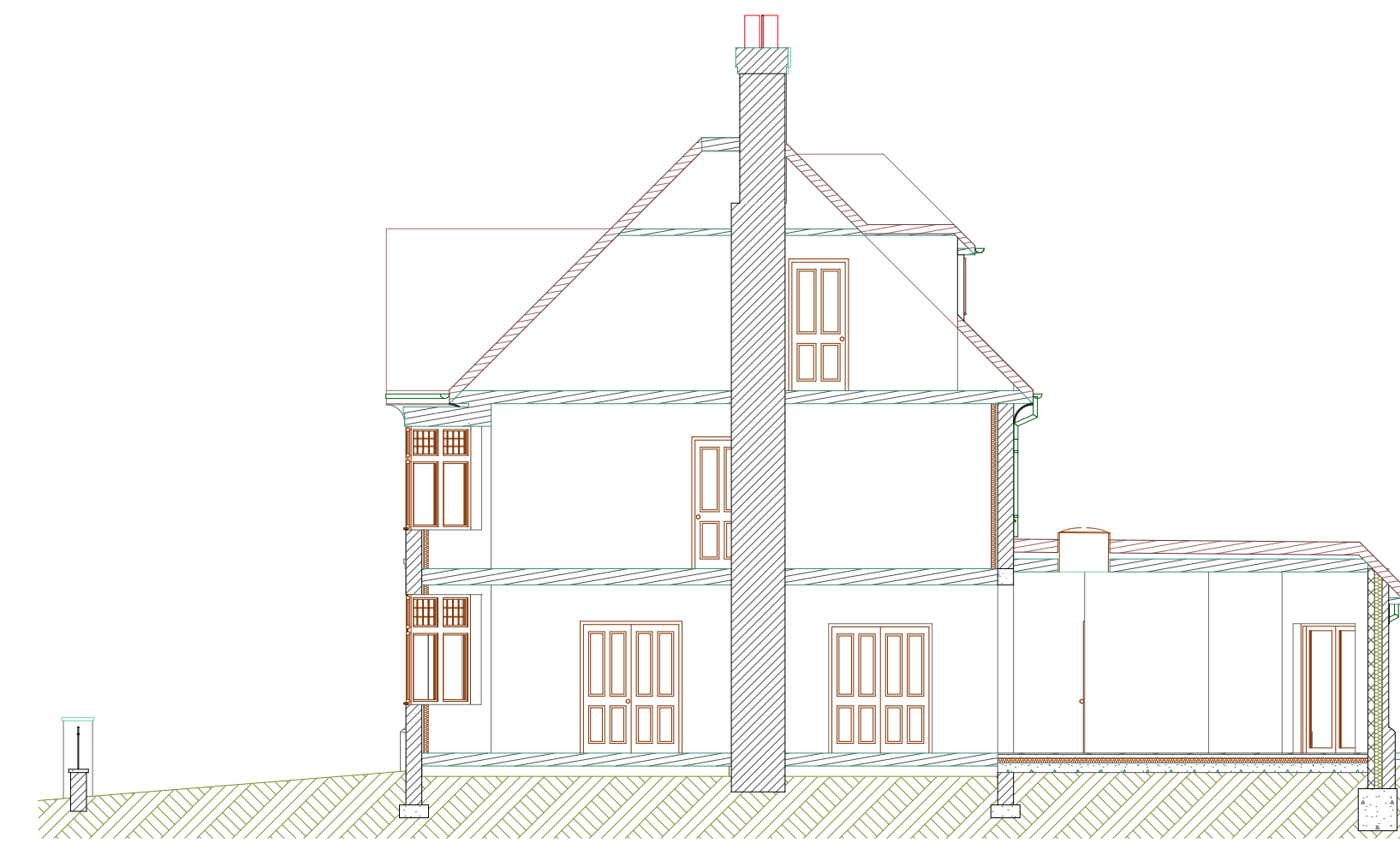
Page 134



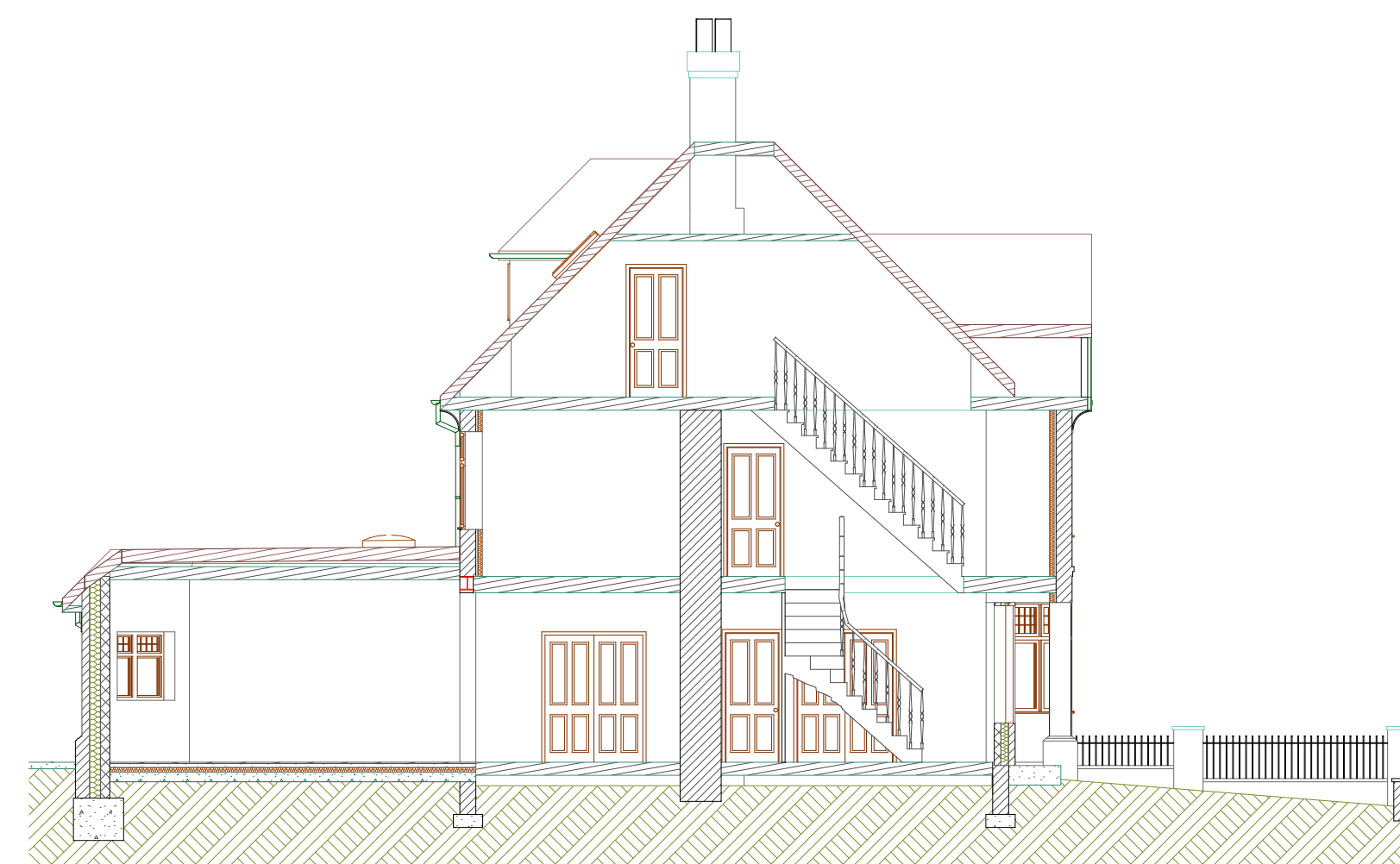
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06 REAR ELEVATION 1:100



02 SECTION 01 1:100



03 SECTION 02 1:100

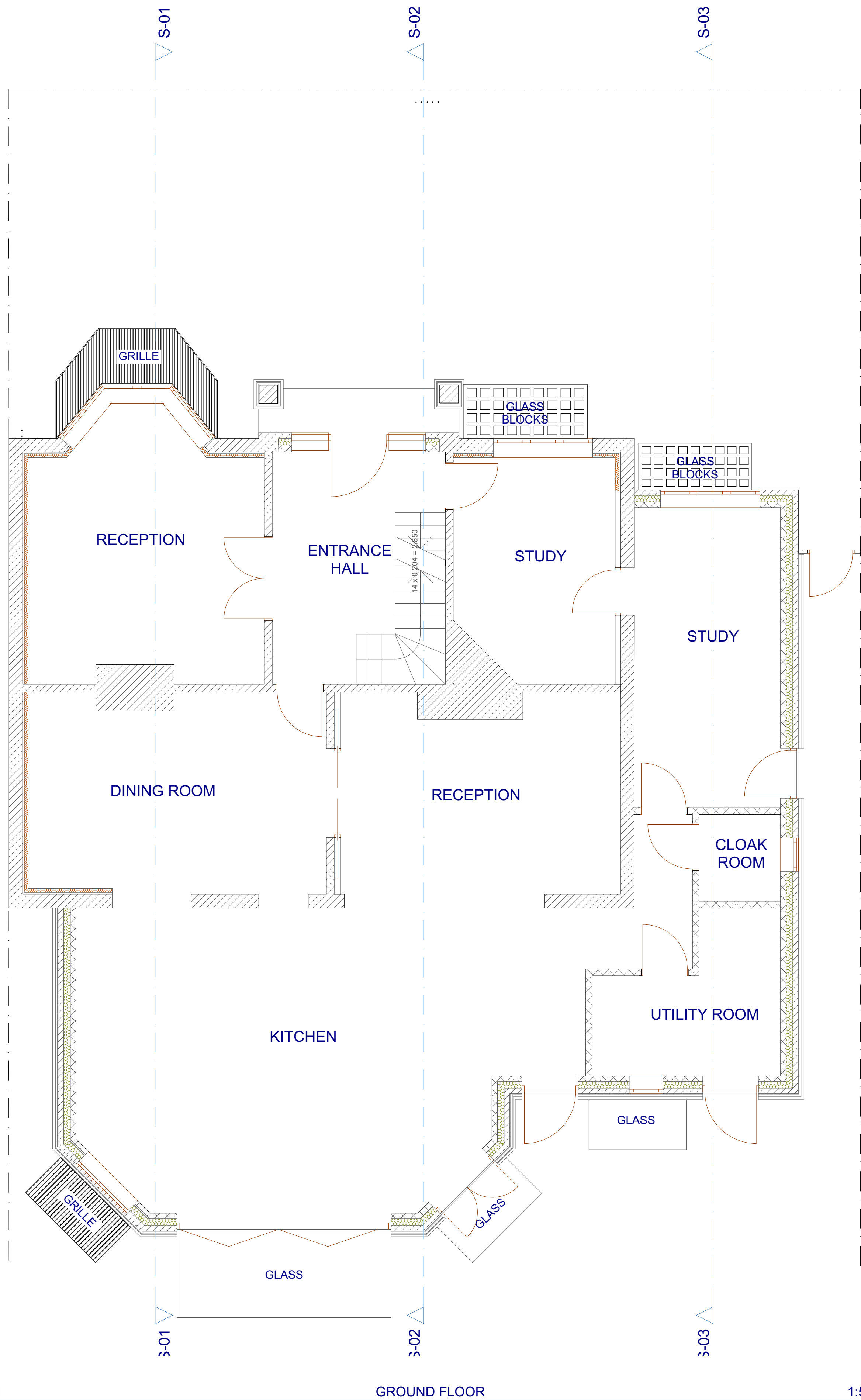


04 SECTION 03 1:100

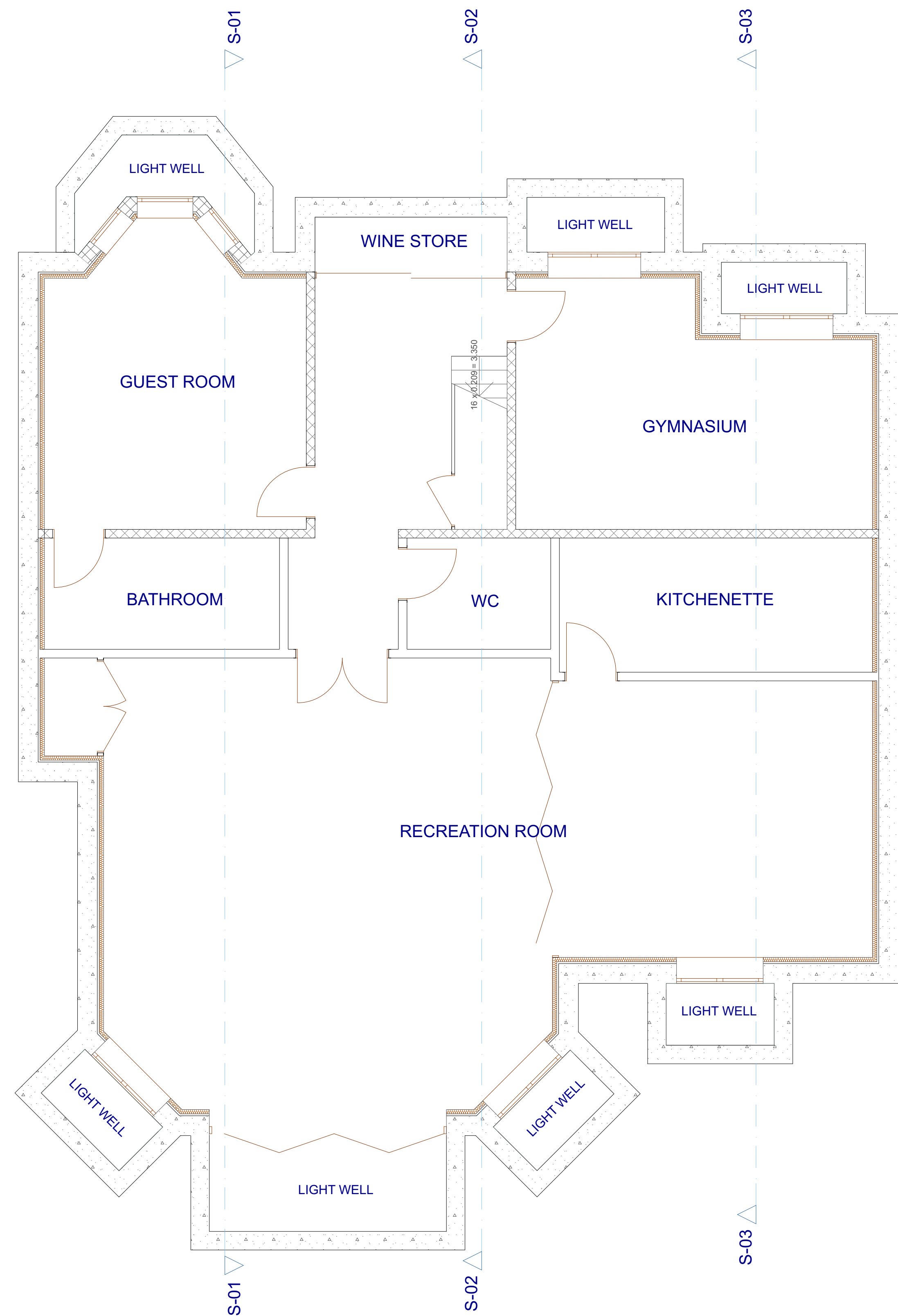


<p><b>advantage basement &amp; cellar company limited</b>  <small>95 EAST HILL WANDSWORTH LONDON SW18 2QD          TEL: 020 8871 3055 FAX: 020 8871 0460          info@advantagebasements.co.uk</small></p>	DATE: 26/08/2015	REF: MR 7 MRS WARBEY
	SITE: 17 ERNLE ROAD LONDON SW20 0HH	
	DRAWING No. 2606	REVISION No. 0
	SCALE: 1-50 + 1-100 @ A1	






01 GROUND FLOOR 1:50



00 BASEMENT 1:50



 <p><b>advantage Basement &amp; Cellar Company limited</b>  <small>95 EAST HILL WANDSWORTH LONDON SW18 2QD          TEL: 020 8871 3055 FAX: 020 8871 0460          info@advantagebasements.co.uk</small></p>	DATE: 28/08/2015	REF: MR & MRS WARBEY
	SITE: 17 ERNLE ROAD LONDON SW20 0HH	
	DRAWING No. 2607	REVISION No. 0
	SCALE: 1-50 @ A1	

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PROPOSED DRAWINGS



05 FRONT ELEVATION 1:100



06 REAR ELEVATION 1:100



02 SECTION 01 1:100




03 SECTION 02 (1) 1:100



04 SECTION 03 1:100



 <p><b>advantage basement &amp; cellar company limited</b>  <small>95 EAST HILL WANDSWORTH LONDON SW18 2QD          TEL: 020 8871 3055 FAX: 020 8871 0460          info@advantagebasements.co.uk</small></p>	DATE: 29/08/2015	REF: MR & MRS WARBEY
	SITE: 17 ERNLE ROAD LONDON SW20 0HH	
	DRAWING No. 2608	REVISION No. 0
	SCALE: 1-100 @ A1	

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**PLANNING APPLICATIONS COMMITTEE**  
**17<sup>th</sup> March 2016**

**Item No:**

**UPRN**

**APPLICATION NO.**

**DATE VALID**

15/P3909

020/10/2015

**Address/Site:**

14 Grosvenor Hill, Wimbledon, SW19 4SA

**(Ward)**

Village

**Proposal:**

Demolition of existing house and erection of a five bedroom detached house with basement accommodation.

**Drawing Nos:**

EX\_01, P\_01A, P\_02A, P\_03A, P\_04A, P\_05A, P\_06A, P\_07A, P\_08A, 8969/01, Tree Survey (Ref: AP/8969/WDC), Amended Construction Method Statement received 8<sup>th</sup> March 2016.

**Contact Officer:**

David Gardener (0208 545 3115)

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**RECOMMENDATION**

**GRANT Planning Permission Subject to Conditions**

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**CHECKLIST INFORMATION**

- Heads of agreement: None
- 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: 50
- External consultations: None

**1. INTRODUCTION**

- 1.1 The applications have been brought before the Planning Applications Committee due to the number of representations received as a result of public consultation.

## **2. SITE AND SURROUNDINGS**

- 2.1 Grosvenor Hill is a small cul-de-sac comprising an eclectic mixture of property styles and types with traditional and more contemporary houses and flats ranging from two to four storeys in height.
- 2.2 The current house forms part of a group of one detached house and two semi-detached two-storey houses built in 1920-21 and located on the south side of the road. Nos.11 and 12 are located immediately to the west and form the remainder of the group, whilst Mulberry Cottage, a detached two storey house built in the 1950s, which is set well back from the street, is located to the east. To the east of Mulberry Cottage is Clare Court, a five-storey block of 19 flats built in 1963. Oldfield Road is located to the south of the site.
- 2.2 The application site is located in the Wimbledon West Conservation Area (Sub-Area 16 (Grosvenor Hill)) and has a PTAL rating of 6a, which means it has excellent access to public transport. The site is also located in a controlled parking zone (Zone VC) and an Archaeological Priority Zone.

## **3. CURRENT PROPOSAL**

- 3.1 The current application is for full planning permission to demolish the existing house and erect a five bedroom detached house.
- 3.2 The proposed house would be arranged over four floors, with accommodation at basement, ground, first floor and roof levels. It would have a traditional design, featuring a barn hip roof which addresses the street and double height front bay window. Ground floor elements featuring flat roofs would be located to the rear and side of the house. The principal materials would be facing brickwork and handmade clay tiles. Dormers would be located on the front, rear and west facing roof slope. Off-street parking for 1 to 2 cars is provided at the front of the house.
- 3.3 The house would have an eaves height of 6.1m and a maximum height of 10m when measured from the front. The application as originally submitted proposed ground floor rear and side elements with a height of 3.5m when measured from the ground floor height, which is approx. 70cm above the rear garden height due to the slope of the land (although this varies given the land also slopes downwards from west to east). The application has since been amended as follows:
- The basement and ground floor levels at the rear of the house have been lowered by approx. 70cm
  - The single storey rear and side elements have been reduced in height by approx. 70cm
  - The west facing flank wall of the house has been moved approx. 15cm further away from No.12 with the rear part of the west facing flank wall stepped in a further 80cm

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

- 4.1 MER1081/71 – Single storey rear extension. Granted - 06/01/1972
- 4.2 Pre –application advice for the demolition of the existing house and erection of a new five bedroom detached house was sought in July 2015 (Ref: 15/P2123/NEW)

#### **5. POLICY CONTEXT**

- 5.1 Adopted Merton Sites and Policies Plan and Policies Maps (July 2014): DM D2 (Design considerations in all developments), DM D3 (Alterations and extensions to existing buildings), DM D4 (Managing Heritage Assets), DM F2 (Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure), DM O2 (Nature conservation, trees, hedges and landscape features)
- 5.2 Adopted Merton Core Planning Strategy (July 2011): CS.8 (Housing Choice), CS.9 (Housing Provision), CS.14 (Design), CS.20 (Parking, Servicing and Delivery)
- 5.3 London Plan (July 2011): 3.3 (Increasing Housing Supply), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 5.3 (Sustainable Design and Construction)
- 5.4.1 Merton Supplementary Planning Guidance (SPG) : New Residential Development (September 1999)
- 5.5 Wimbledon West Conservation Area Character Appraisal (Sub Area 16: Grosvenor Hill)

#### **6. CONSULTATION**

- 6.1 The application was publicised by means of Conservation Area press and site notice procedure and individual letters to occupiers of neighbouring properties. In response, 8 letters of objection have been received including an objection letter from the Wimbledon Society. The letters of objection are on the following grounds:
- Congestion/disruption caused during construction works
  - Potential damage to pair of trees at front of application site
  - Loss of daylight/sunlight and privacy
  - Concerns regarding subsidence and flooding resulting from the construction of a basement
  - Inaccuracies in proposed drawings
  - Loss of gap with No.12, which is part of the character of the conservation area

- The proposed house would be visually intrusive, overbearing and create a sense of closure due to its excessive height, depth, scale and siting when viewed from No.15 Grosvenor Hill
- Fails to respond to the local topography and the scale/height of adjacent single dwellings/overdevelopment of plot and visually incongruous

#### 6.2 Wimbledon Society

The site is in an Archaeological Priority Zone and as such an Archaeological Evaluation Report should be required with any planning permission. There are also concerns regarding the potential for overlooking of houses at the rear on Oldfield Road. The flat roof at the rear should also be conditioned so that it cannot be used as a roof terrace.

#### 6.3 Future Merton

The Flood and structural engineers have assessed the proposal and are satisfied with the details submitted so far. They have requested further conditions area attached with any approval.

#### 6.4 Tree Officer

Has requested that the secant piling is extended to protect the roots of the Lime tree at the front of the application site and that the proposed front wall shown on the proposed ground floor plan is removed because it would result in the removal of the Lime tree.

### 7. **PLANNING CONSIDERATIONS**

The main planning considerations in this instance concern the demolition of the existing house, the impact that the proposed house would have on visual and residential amenity, the standard of accommodation to be provided and any impact on parking/highways and trees.

#### 7.2 **Demolition of existing house**

7.21 Policy DM D4 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals that will lead to substantial harm to the significance of, or the total loss of heritage assets will only be granted in exceptional circumstances. The loss of a building that makes a positive contribution to a conservation area should also be treated as substantial harm to a heritage asset.

7.22 Grosvenor Hill is a wide straight road with a mixture of large late nineteenth century houses alternating with modern terraced houses and blocks of flats, mainly behind high walls and tree screens. Of the 20 or so properties in Sub Areas 16A and 16B, six make a positive contribution to the character of the Conservation Area, nine are neutral and five have been identified as making a negative impact. The current house forms part of a group of one detached house and two semi-detached houses built in 1920-21, which have been identified in the Wimbledon West Conservation Area Character Appraisal (Sub Area 16) as making a negative contribution to the conservation area. The house itself is considered to have little architectural merit, with large modern

windows and lacking the rich detailing common to other properties in the conservation area.

- 7.23 There is therefore no in principle objection to demolition relative to Policy DM D4. Nevertheless, demolition would not be supported unless, a suitable replacement scheme that preserved or enhanced the character of the conservation area was proposed.

### **7.3 Design and Impact on Conservation Area**

- 7.31 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings, whilst using appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.

- 7.32 In relation to the street and surrounding properties, it is not considered that the proposed house will be excessive in terms of its height, bulk or massing. The proposed house would be comparable in height to Nos. 11 and 12 with the eaves height lower than the eaves heights of these houses and the ridge height only slightly higher. The proposed house would also be significantly lower than Clare Court, which is a five storey block of flats, whilst Mulberry Cottage, which is located between the application site and Clare Court, is set well back from the street.

- 7.33 The proposed house is considered to be a high quality design that would enhance the character and appearance of the conservation area. Although there is no dominant style on Grosvenor Hill, it is considered that the new house will be compatible with the character of the buildings found throughout the wider Wimbledon West Conservation Area. The proposed house will feature a barn hip roof, which addresses the street and double height front bay. Facing materials will comprise facing brickwork and handmade clay tiles and the windows will be painted timber. The proposed dormers are not too bulky, as they are set well back from the roof eaves and in from the flank walls.

### **7.3 Standard of Accommodation**

- 7.31 The London Plan was published in July 2011 and sets out a minimum gross internal area standard for new homes as part of policy 3.5. It provides the most up to date and appropriate minimum space standards for Merton.

- 7.32 In addition, adopted policy CS.14 of the Core Strategy and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) encourages well designed housing in the borough by ensuring that all residential development complies with the most appropriate minimum space standards and provides functional internal spaces that are fit for purpose. New residential development should safeguard the amenities of occupiers by providing appropriate levels of sunlight & daylight and privacy for occupiers of

adjacent properties and for future occupiers of proposed dwellings. The living conditions of existing and future residents should not be diminished by increased noise or disturbance.

- 7.33 As the proposed house would comfortably exceed the minimum space standards set out in the London Plan, with each habitable room providing good outlook, light and circulation, it is considered the proposal would provide a satisfactory standard of accommodation. In addition, the proposed house would provide more than 150sqm of private amenity space, which is well in excess of the minimum of 50sqm required in policy DM D2. The proposed house would therefore comply with policy 3.5 of the London Plan (July 2011), CS.14 of the Core Planning Strategy (July 2011) and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

#### **7.4 Residential Amenity**

- 7.41 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.
- 7.42 The proposed house would project only 85cm beyond the rear wall of No.12 at first floor level whilst the ground floor rear element projects only 3.1m from the rear wall of this property. The ground level of the application site slopes downwards from north to south and from west to east, which means the single storey rear and side elements would be more prominent when viewed from the rear of No.12. On the advice of Council Planning Officers, the single storey rear and side elements have been reduced in height by 70cm so that they would have a height of approx. 3.5m when measured from the rear garden ground level. It is considered that this reduction in height combined with the stepping in of the rear part of the west facing flank wall of the house by a further 80cm, so that it is a minimum of 1m from the side boundary with No.12, means that the house would not be unacceptably visually intrusive or overbearing when viewed from the rear garden of No.12.
- 7.43 In terms of the proposal's impact on privacy at No.12 a condition will be attached requiring the windows in the west facing side elevation at first and second floor levels to be obscure glazed and fixed shut, whilst a condition will also be attached preventing the use of the roofs of the single storey elements as balconies or terraces. The proposal also passes the Council's Aspect Value Test to this property, which means it would not have result in an unacceptable impact on daylight/sunlight levels to this property.
- 7.44 No.15 (Mulberry Cottage) is set well back from the street frontage which means any impact from the proposed house would only be noticed from the front of this house and not from the rear garden or rear facing windows, which have a southerly aspect. It is considered that the proposed house would not be visually intrusive or result in an unacceptable loss of outlook when viewed

from the front of this house. It is noted that the proposed house is wider than the existing house and as such the flank wall of house at first floor level and above would be closer to the side boundary with No.15 than existing. However, it is considered that the proposed house has been designed to minimise this impact with for example part of the front elevation stepped back by 2.7m and the closest part of the house to the side boundary with No.15 only single storey in height. It should be noted that No.15 features a cat slide roof at its northern end which means the proposed house would only be visible from the single ground floor window in its front elevation or the front driveway. However, it should be noted that the front elevation of No.15 is orientated to the northeast, which means it does not directly face the proposed house, but instead the flank wall of the five storey Clare House, which can be argued has a far greater impact than the proposal.

- 7.45 It is also considered that the proposal has an acceptable impact on the amenity of occupiers of properties along Oldfield Road, which abuts the rear of the site. The rear dormer would be located approx. 19m from the rear elevation of No. 13 Oldfield Road., which is less than the minimum 25m separation distance suggested in the Council's supplementary guidance and consequently a condition would be required, requiring the rear dormer window to be obscure glazed up to 1.7m above finished floor level.

## **7.5 Basement Construction**

- 7.51 The applicant has provided a Basement Construction Method Statement, demonstrating how the stability of ground conditions will be maintained in relation to adjoining properties. The applicant has also provided a ground investigation report which includes details of the results from two boreholes. Due to the proximity of adjacent dwellings and the potential for a localised rise in groundwater levels around the proposed structure, it will be recommended that passive drainage measures are implemented to reduce the risk of rising ground water around the basement.
- 7.52 The council's structural and flood engineers have assessed the proposal and are satisfied with the details submitted subject to the imposition of suitable conditions on any planning approval requiring a detailed scheme for the provision of surface water drainage and a detailed construction method statement to be submitted and approved by the LPA prior to commencement of development. It is therefore considered that the proposal would accord with policies DM D2 and DM F2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014)

## **7.6 Parking and Traffic**

- 7.61 The proposal will provide approx. two off-street car parking spaces, which is the same as the current house and as such is considered to be acceptable. Although the site is located in a controlled parking zone and has excellent public transport access (PTAL rating of 6a) it is considered that because the development would not result in a net increase in residential units that a S106 agreement for permit free parking would not be necessary in this instance



given it is unlikely that the development would have an adverse impact on parking in the surrounding road network.

- 7.62 The proposal does not show any cycle parking provision. Policy DM T1 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that development must provide cycle parking in accordance set out in the London Plan. It states that residential cycle parking facilities should be provided in secure, covered and conveniently sited positions with good access to the street. Policy 6.13 of the London Plan states that developments must meet with minimum cycle parking standards set out in Table 6.3 which in this instance requires 2 spaces. A condition will therefore be attached requiring details of secure cycle storage are submitted prior to commencement of development.

## **7.7 Trees and Landscaping**

- 7.71 There is a prominent Lime tree located on the front boundary of the application site. It should also be noted that a similar sized Lime tree is located on the front boundary of Clare Court close to the application site. It is considered that these trees offer significant amenity value and as such any proposal must demonstrate how they will be protected.

- 7.72 The applicant has submitted an arboricultural report including a tree survey and tree constraints plan which provides sufficient information to determine the likely impact of the proposal on the Lime trees (listed as T1 and T2), which have a category 'B' rating. The application as originally submitted proposed a front wall which would have impacted one of the Lime trees (T1) and this has now been removed from the scheme. The applicant has also updated the submitted construction method statement following advice from the Council's Tree Officer with the secant pile retaining wall now extended across the whole of the buildings front (two-storey element) to further aid in the protection of the tree's roots. The Council does not raise any objections to the removal of a category 'U' Oak tree which is located in the rear garden as it is considered to be a poor quality specimen.

## **8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 8.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

## **9. LOCAL FINANCIAL CONSIDERATIONS**

- 9.1 The proposal would result in a net gain in gross floor space and as such will be liable to pay both Mayoral and Merton Community Infrastructure Levy (CIL). The funds will be spent on the Crossrail project, and strategic infrastructure and neighbourhood projects.

## **10. CONCLUSION**

- 10.1 It is considered that the proposed house would be acceptable in terms of its size and design and would not have an unacceptable impact on the Grosvenor Hill streetscene or the wider Merton (Wimbledon West) conservation area. The house is also considered to have an acceptable impact on neighbouring properties, traffic/parking and trees. Overall it is considered that the proposal would comply with all relevant planning policies and as such planning permission should be granted.

## **RECOMMENDATION**

### **(1) GRANT PLANNING PERMISSION subject to the following conditions:**

1. A.1 (Commencement of Development)
2. B.1 (External Materials to be Approved)
3. B.4 (Details of Site/Surface Treatment)
4. B.6 (Levels)
5. C.1 (No Permitted Development (Extensions))
6. C.2 (No Permitted Development (Windows and Doors))
7. C.4 (Obscured Glazing (Opening Windows))
8. C.8 (No Use of Flat Roof)
9. C.10 (Hours of Construction)
10. F.1 (Landscaping/Planting Scheme)
11. F.2 (Landscaping (Implementation))
12. F.5 (Tree Protection)
13. F.8 (Site Supervision)
14. F.9 (Hardstandings)
15. No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes level 4. Evidence requirements are detailed in the "Schedule of evidence Required for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide. Evidence to demonstrate a 25% reduction compared to 2010 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing.

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 2011 and policy CS15 of Merton's Core Planning Strategy 2011.

16. Prior to the commencement of the development details of the provision to accommodate all site operatives, visitors and construction vehicles and loading / unloading arrangements during the construction process shall be submitted and approved in writing with the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

Reason: To safeguard the amenities of the occupiers of neighbouring properties.

17. No development approved by this permission shall be commenced until a scheme for the provision of groundwater and surface water drainage has been submitted to and approved in writing by the local planning authority. The drainage scheme shall dispose of water by means of a sustainable drainage system (SuDs) to ground, watercourse or sewer in accordance with the drainage hierarchy contained in the London Plan (Policies 5.12 and 5.13) and the advice contained within the National SuDs Standards.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Polices Plan 2014.

18. No development approved by this permission shall be commenced until a detailed method statement has been submitted produced by the contractor and reviewed/agreed by a chartered structural engineer. Construction working drawings including sequence of construction and temporary support drawings shall be submitted.

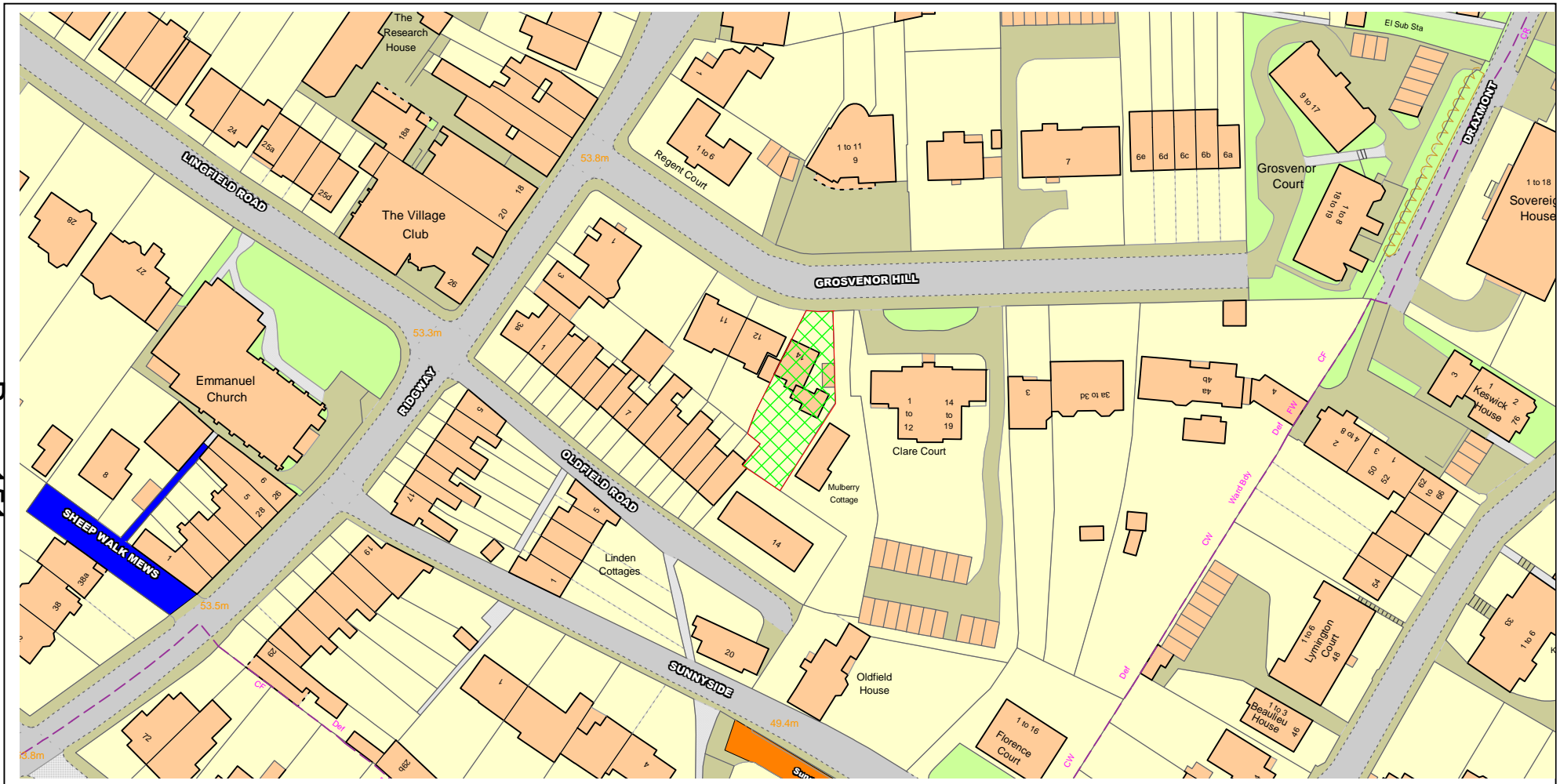
Reason: To ensure that structural stability of adjoining houses is safeguarded and neighbour amenity is not harmed and to comply with policy DM D2 of Merton's Sites and Polices Plan 2014.

19. C.4 (Obscure glazing up to 1.7m above FFL – rear dormer)
20. Cycle storage provision



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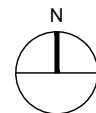
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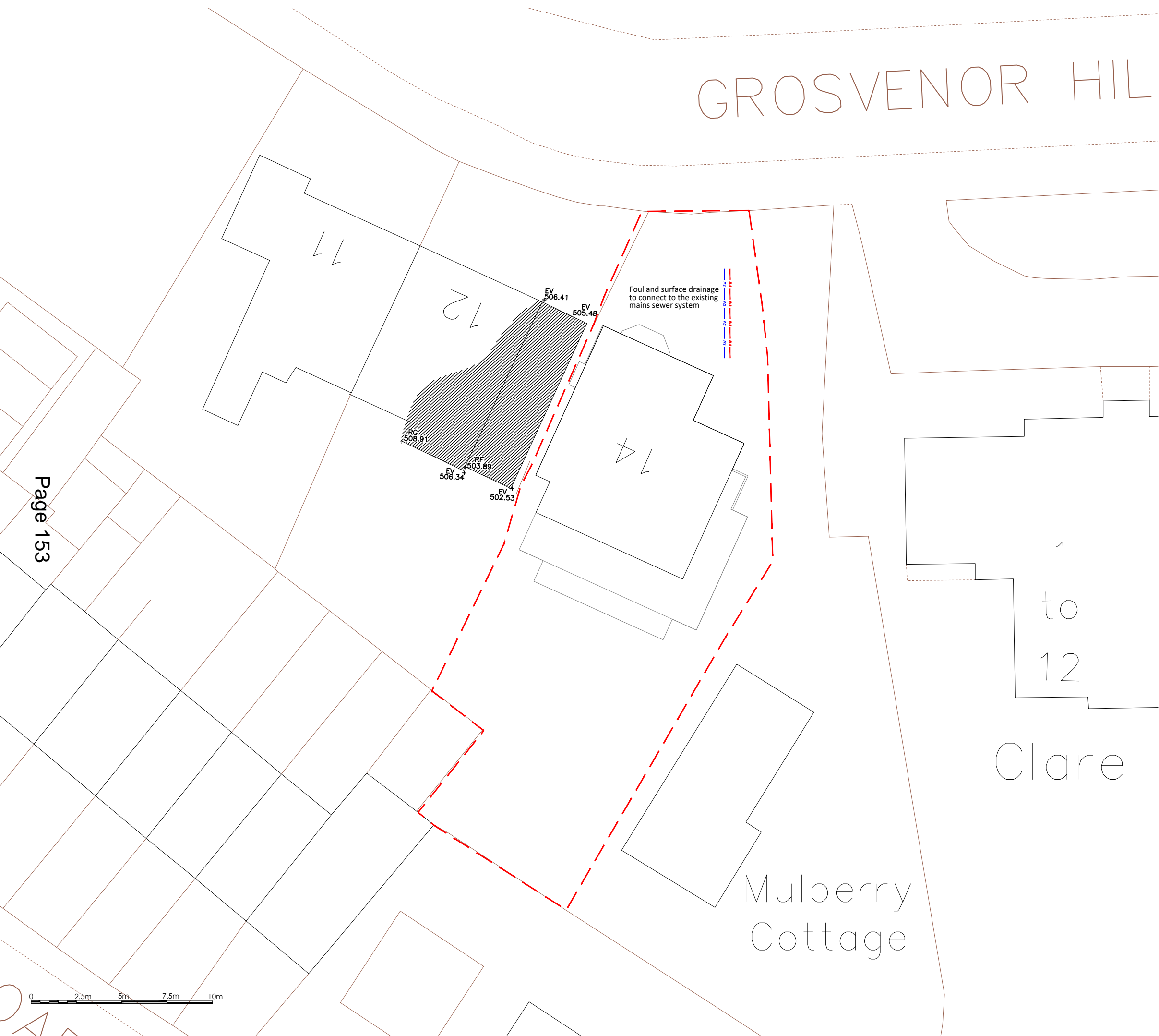
Text Details 14 Grosvenor Hill







# GROSVENOR HILL



Page 153

1  
to  
12  
  
Clare

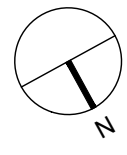
Mulberry  
Cottage

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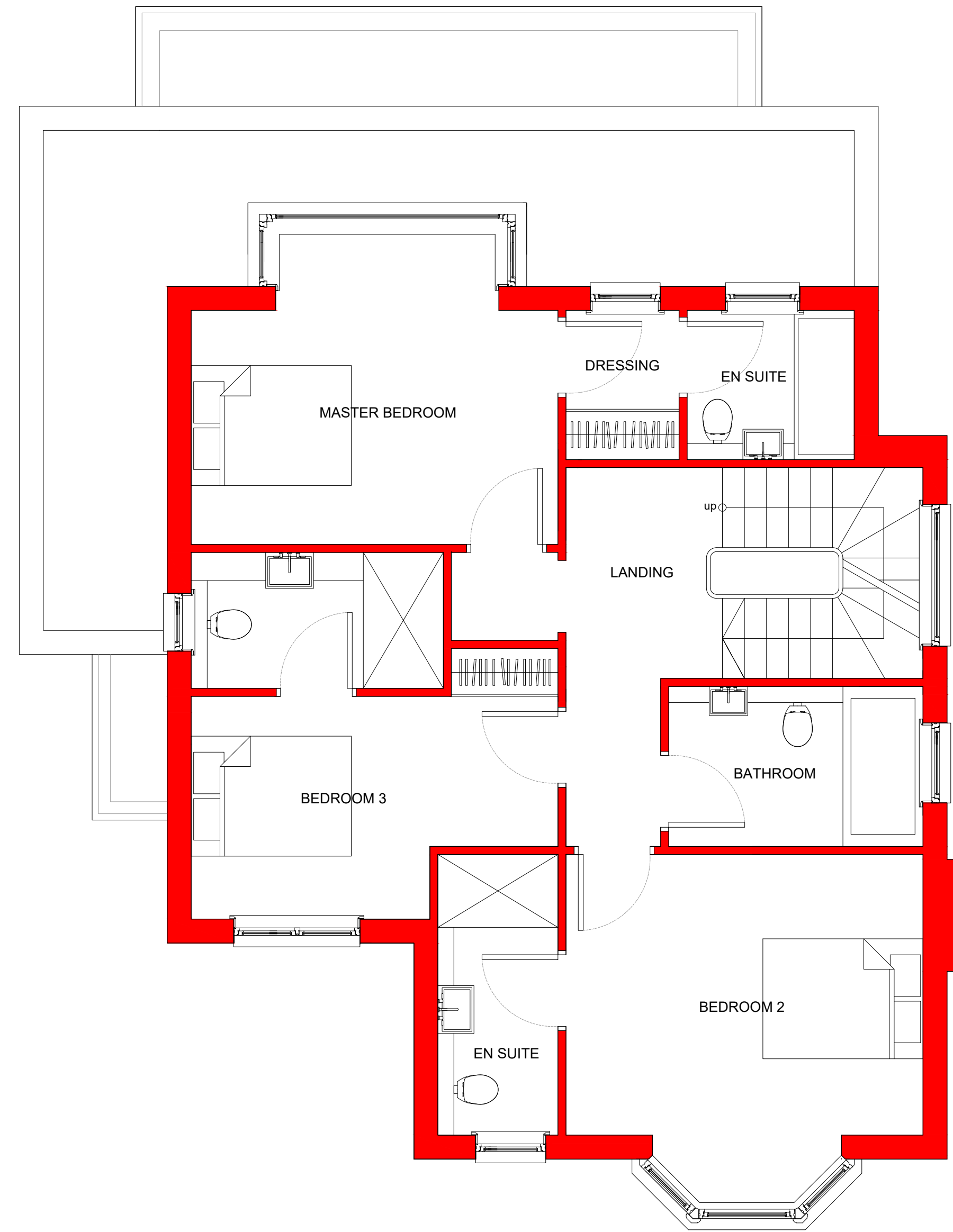
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w: andrew@andrewharperarchitects.co.uk

job: 14, Grosvenor Hill, SW19	job no: 148	date: 22/05/15
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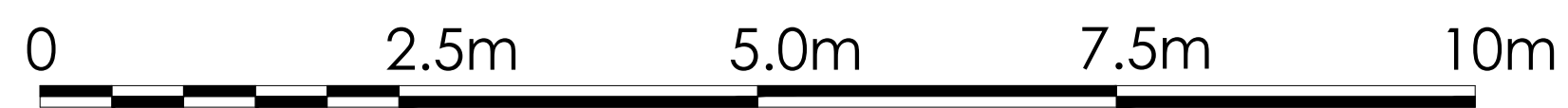
PLANNING



BASEMENT PLAN



FIRST FLOOR PLAN



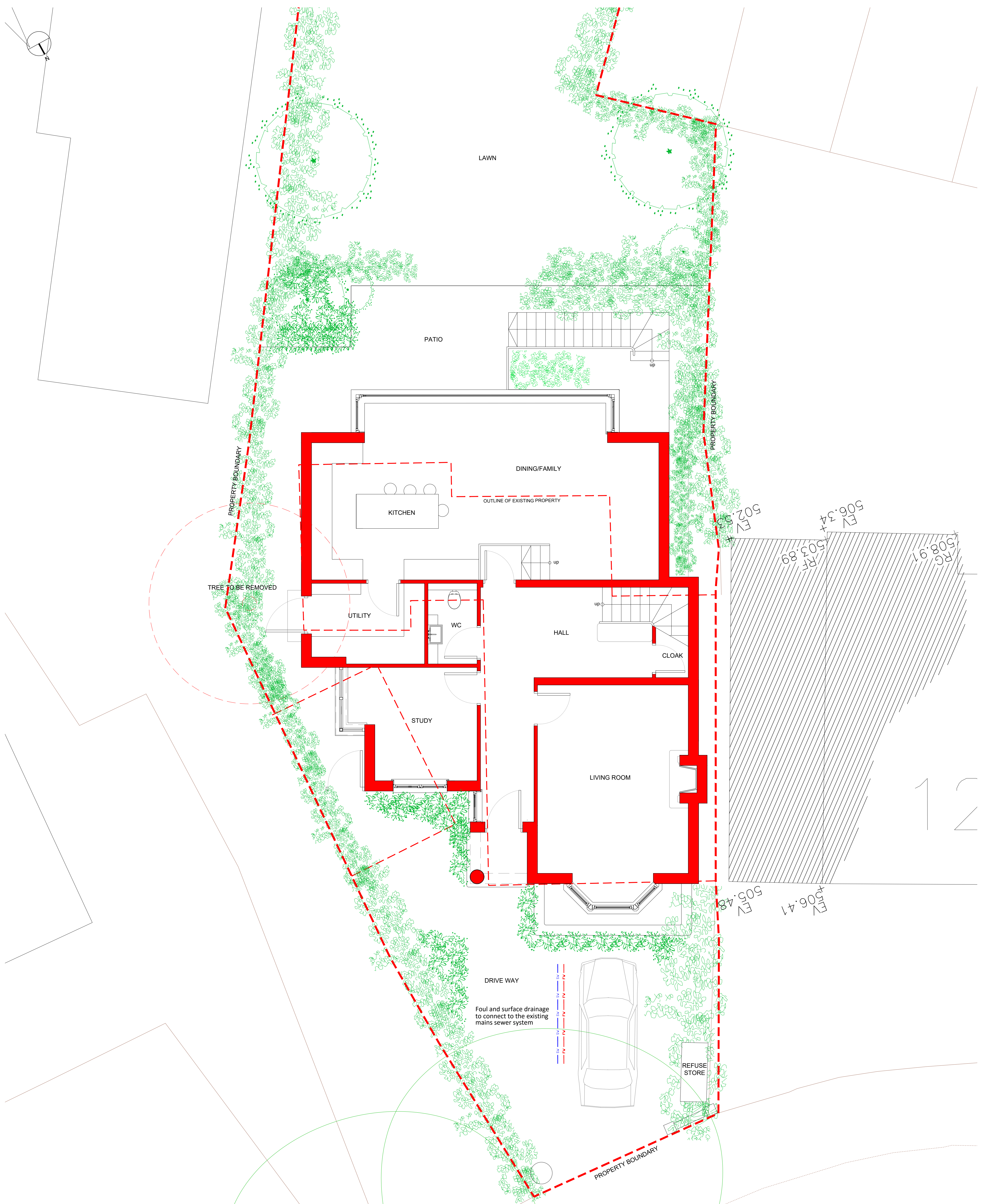
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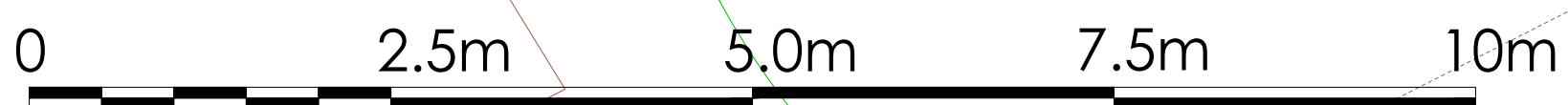
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notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P_03	rev. A

PLANNING





**PROPOSED GROUND FLOOR PLAN**

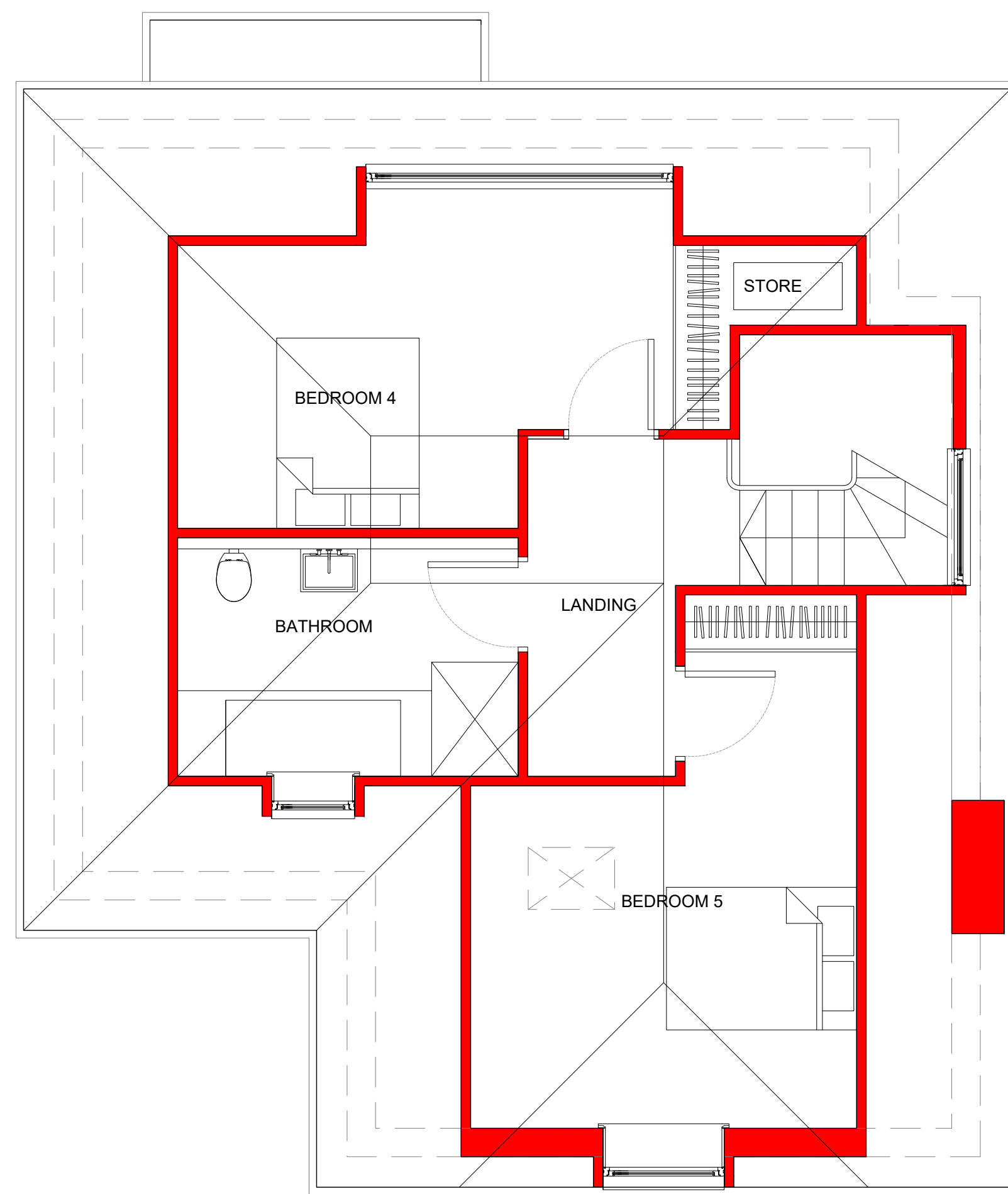
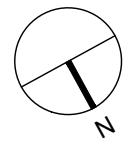


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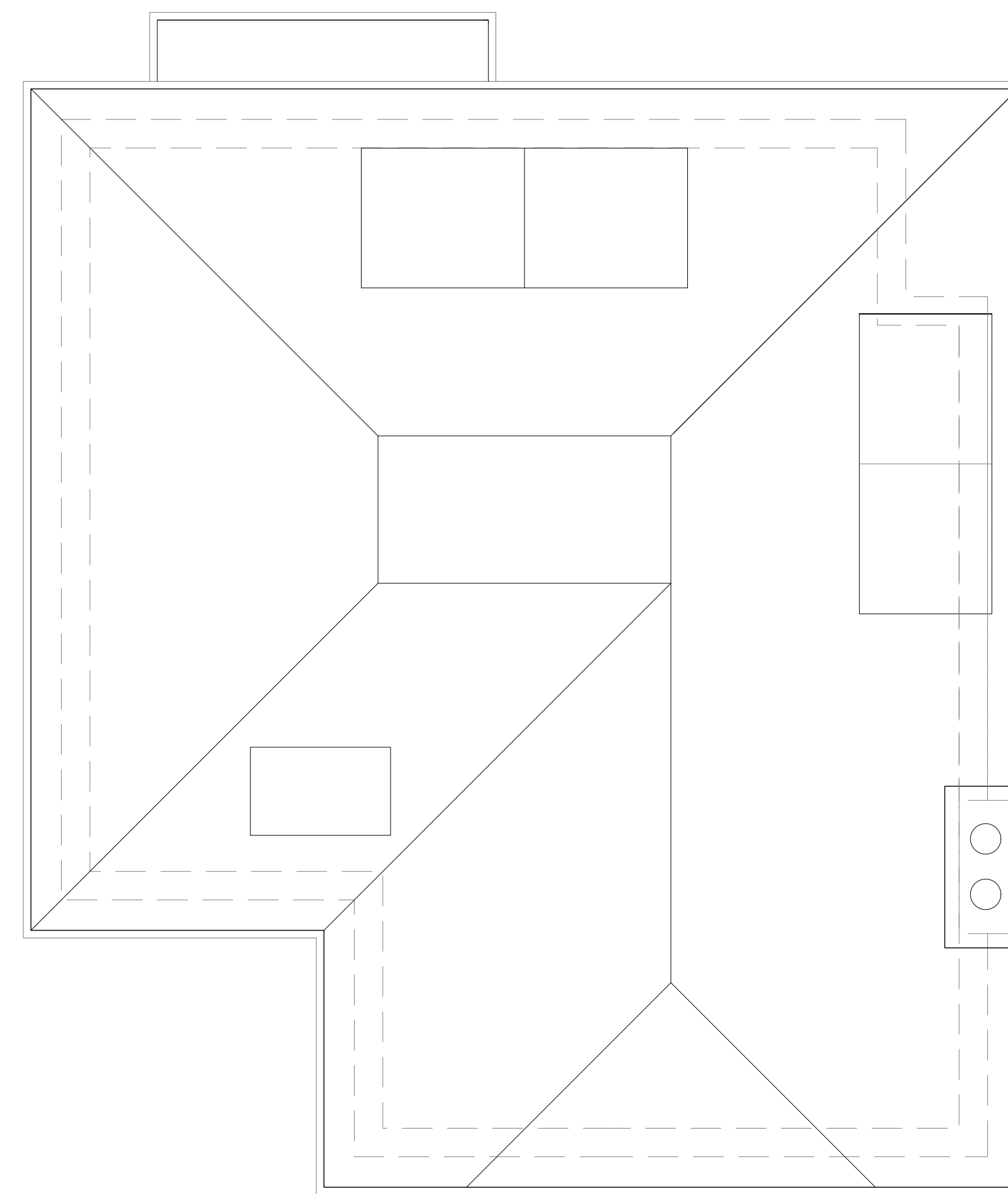
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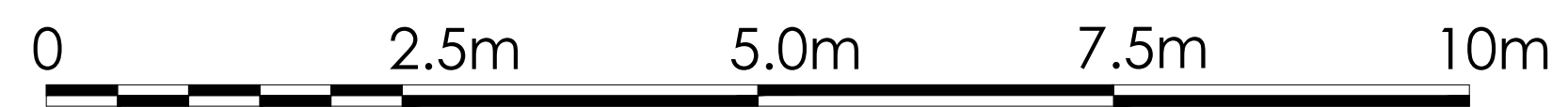




SECOND FLOOR PLAN



ROOF FLOOR PLAN



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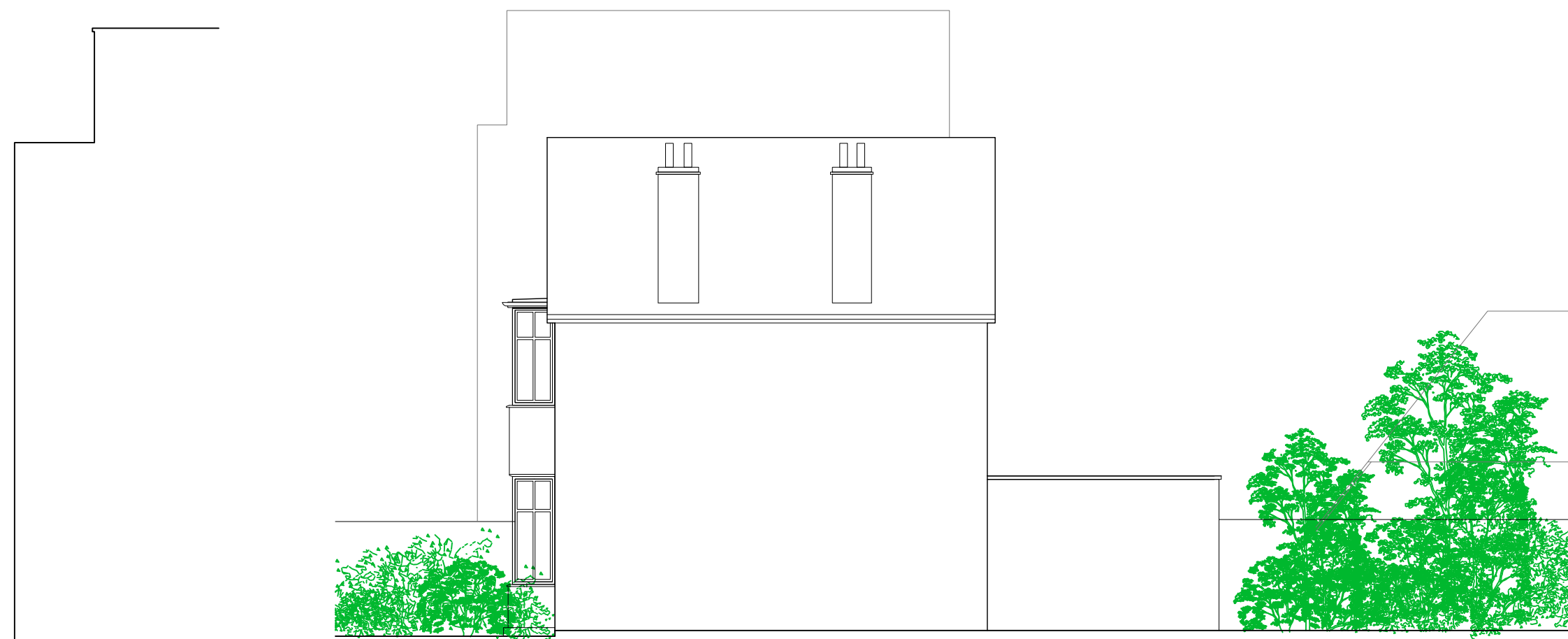
PLANNING



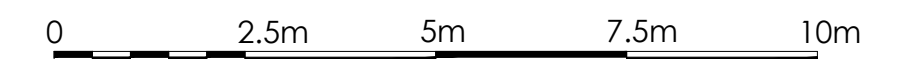
EXISTING SIDE ELEVATION



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION



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job: 14, Grosvenor Hill, SW19	job no: scale: A3 @ 1:200	date: 30/09/15 drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. EX_03	rev. A

PLANNING

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P.B  
PROPERTY BOUNDARY

P.B  
PROPERTY BOUNDARY



PROPOSED FRONT ELEVATION

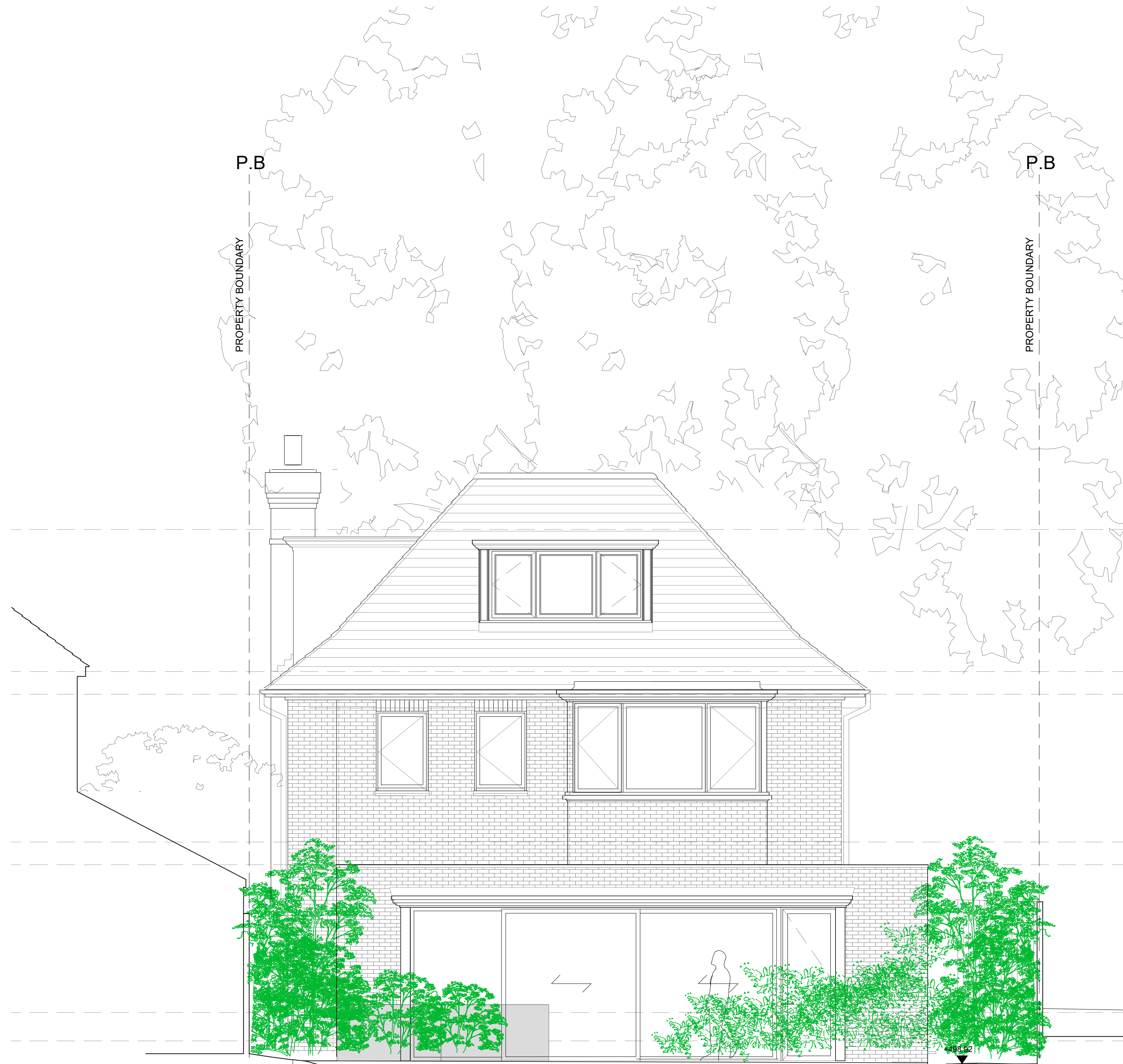
P.B

OUTLINE OF BASEMENT

P.B

P.B  
PROPERTY BOUNDARY

P.B  
PROPERTY BOUNDARY



PROPOSED REAR ELEVATION

P.B

OUTLINE OF BASEMENT

P.B

0 2.5m 5.0m 7.5m 10m

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job: 14, Grosvenor Hill, SW19	job no: A3 @ 1:100 A1 @ 1:50	date: 22/05/15
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notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P_06	rev. A

PLANNING

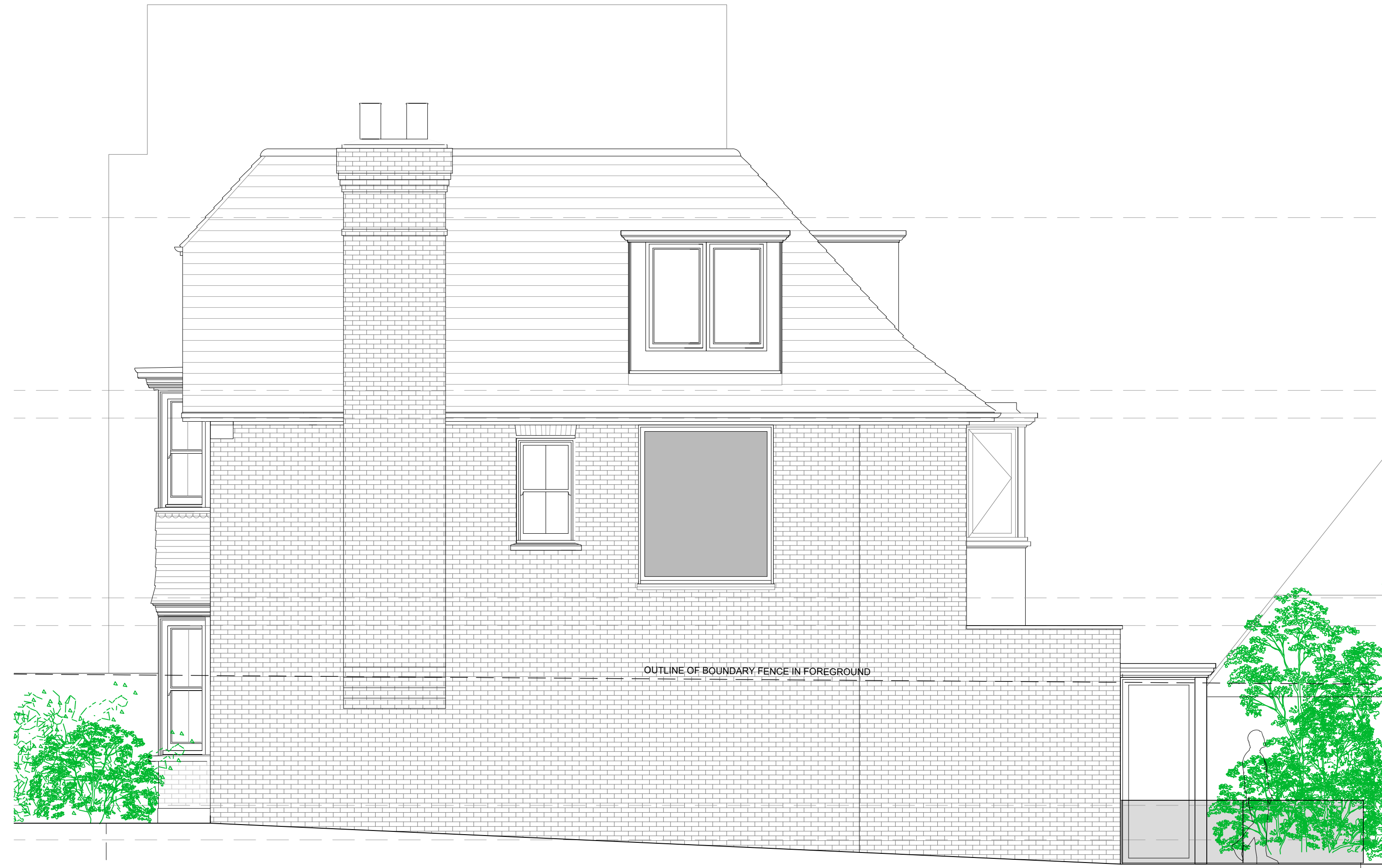


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PROPOSED SIDE ELEVATION

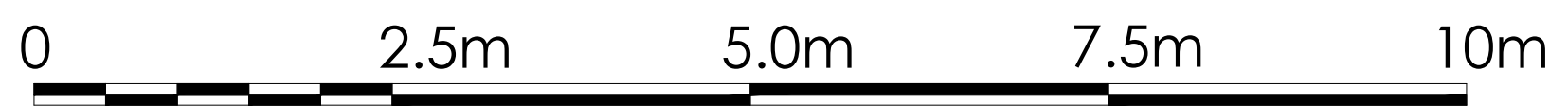
OUTLINE OF BASEMENT



PROPOSED SIDE ELEVATION

OUTLINE OF BASEMENT

OUTLINE OF BOUNDARY FENCE IN FOREGROUND



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job: 14, Grosvenor Hill, SW19	job no: A3 @ 1:100 A1 @ 1:50	date: 22/05/15
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PLANNING

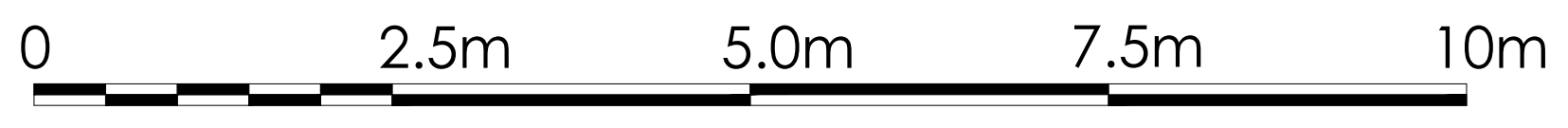




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**PROPOSED STREET ELEVATION**

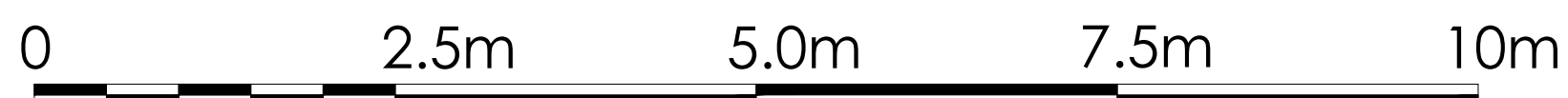
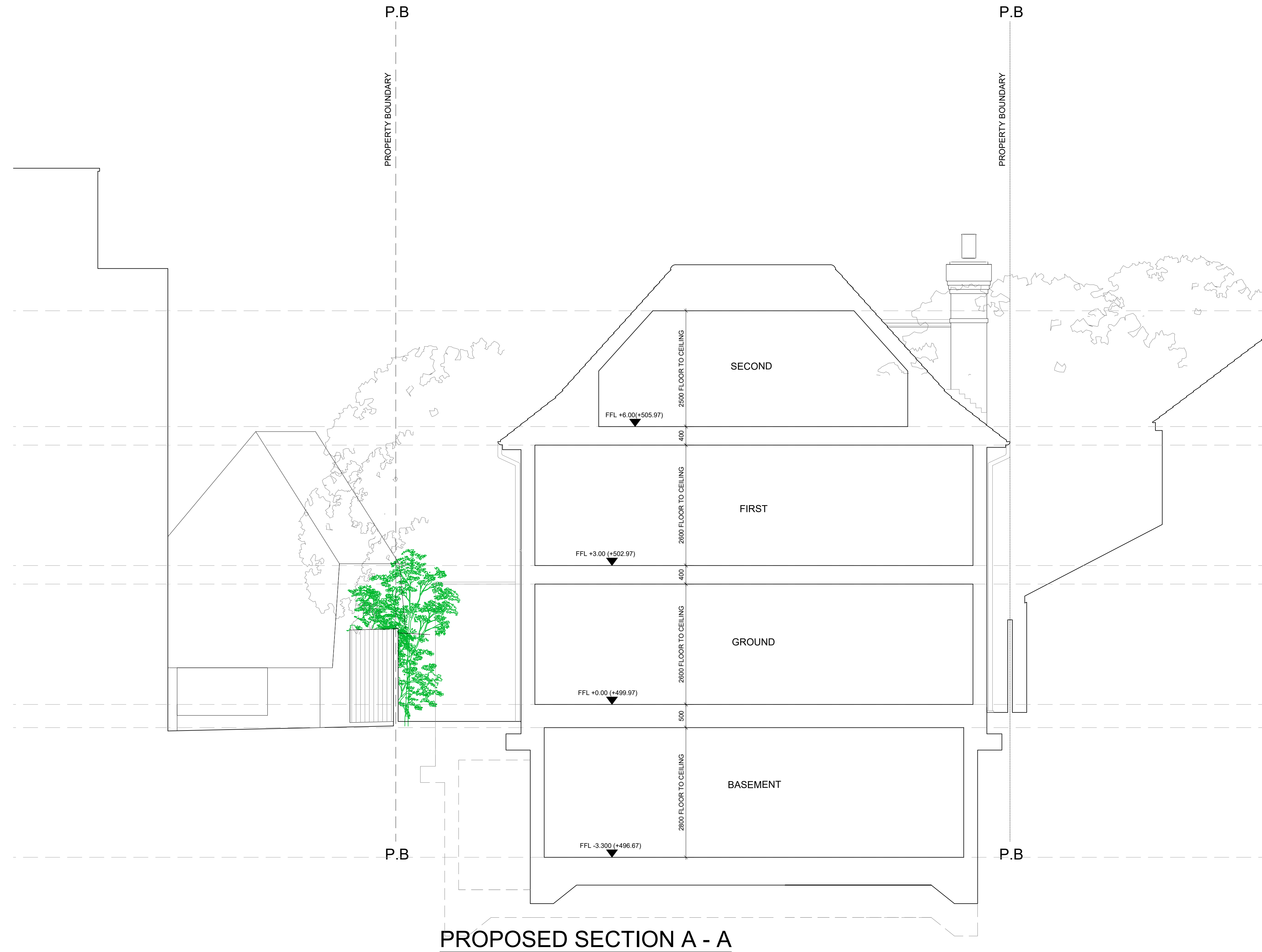
OUTLINE OF BASEMENT



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job: 14, Grosvenor Hill, SW19	job no: A3 @ 1:100 A1 @ 1:50	date: 22/05/15
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notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P_05	rev. A



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**PLANNING APPLICATIONS COMMITTEE  
17 MARCH 2016**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P4595	11/01/2016
<b>Address/Site</b>	94 – 96 Haydons Road and 1 – 3 Quicks Road, South Wimbledon, SW19 1HJ	
<b>(Ward)</b>	Abbey	
<b>Proposal:</b>	Variation of Condition 2 of Planning Permission 15/P2070 for the redevelopment of site to provide 9 x residential units (comprising 1 x 1 bed, 6 x 2 bed and 2 x 3 bed flats) and 177.5 square metres of commercial space on ground floor.	
<b>Drawing Nos</b>	QK-100 Rev B, QK-101 Rev B, QK-102 Rev B, QK-103 Rev B, QK-104, QK-200, QK-201, QK-202, QK-203, QK-301, QK-400, QK-401 Rev A, QK-402 Rev A, QK-403 Rev A and covering letter dated 1 December 2015.	
<b>Contact Officer:</b>	Tim Lipscomb (0208 545 3496)	

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**RECOMMENDATION**

**Grant Variation of Condition 2 of Planning Permission 15/P2070 subject to conditions and deed of variation to S106 agreement.**

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**CHECKLIST INFORMATION**

- Heads of Agreement: The development being parking permit-free
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes



- Design Review Panel consulted: No
- Number of neighbours consulted: 44
- External consultations: No
- Controlled Parking Zone: Yes (S2 and 3F)

## 1. **INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections received.

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises 94-96 Haydons Road, a three-storey building in commercial use (Launderette) at ground floor and residential use above (1 x 4+ bedroom unit) and 1-3 Quicks Road, a two storey building in formerly in B1 (office), and separate single-1 ½ storey buildings to the rear of the site formerly in use as a vehicle repair garage.
- 2.2 Aside from a front area of ancillary parking for the garage, a small area adjoining the side boundary of 4 Quicks Road and a small enclosed courtyard to the rear of no.94, the site is completely built upon.
- 2.3 The Launderette and vehicle garage are still in use, however, the applicant has stated that the B1 unit is vacant.
- 2.4 The site is bounded to the side and rear by the side/rear curtilages of adjoining residential properties at Quicks Road and Trafalgar Road. Opposite the site, on Haydons Road, are residential dwellings and Haydons Road is a predominantly residential road with some commercial uses. Quicks Road is predominantly residential with some commercial uses also.
- 2.5 Opposite the site at Quicks Road is Haydons Road recreation ground.
- 2.6 The site is a (scattered) employment site. The site is not located within a Conservation Area and there are no Tree Preservation Orders on the site.

## 3. **CURRENT PROPOSAL**

- 3.1 The planning application proposes a variation of condition 2 attached to planning permission 15/P2070, granted on 16 July 2015. This planning permission allowed the redevelopment of the site to provide 177.5sqm of commercial floorspace at ground floor level and nine residential units to the rear and above.

- 3.2 Condition 2 states:

“The development hereby permitted shall be carried out in accordance with the following approved plans: 884/201, 884/03 A, 884/04 C, 884/05 C, 884/06 E, 884/07 C, 884/08 C, 884/09 C, 884/10 B, 884/11 B, 884/12 B, 884/13 B, 884/14 A, 884/15 A, 884/16 A, 884/17 A, 885/19A and Drainage Strategy (Rev B).”

- 3.3 The proposal comprises the demolition of the existing buildings and the erection of a 3-4 storey building with commercial (A1/A2/B1) use within part of the ground floor and the remainder of the ground floor and floors above providing nine residential units (1 x 1 bed, 6 x 2 bed, and 2 x 3 bed and 3 bed).
- 3.4 The residential units would be accessed from Quicks Road and each would include their own private amenity space in the form of a balcony or terrace.
- 3.5 The rear of the site, accessed off Quick’s Road as existing, would comprise off-street parking (five spaces including one parking space for disabled users) and covered refuse and cycle storage.
- 3.6 There would be an element of soft-landscaping around the edges of the parking area and this car parking area would be accessed through proposed 2.1m steel gates for security. 2.1m high brick walling is proposed along the side and rear boundaries with the properties at Quicks Road and Haydons Road.
- 3.7 Materials proposed are double glazed, aluminium doors and windows and a variety of types of facing brickwork.
- 3.8 A sedum roof is proposed for part of the roof and also photovoltaic cells.
- 3.7 The applicants advise that the units would be built to Lifetime Homes standards.
- 3.8 The key differences between the approved application (15/P2070) and the current application are as follows:

External:

- The external facing materials would now be a variety of facing brickwork, as opposed to a mixture of stone rainscreen cladding panels, stone coping, rubblestone walls and render.
- Changes to fenestration throughout to line up with the alterations to the internal layout.
- (The overall height, bulk, massing and number of units would

remain similar to that originally approved. However, there would be a very slight increase in the external dimensions with the wall of Unit 1 moving 500mm further to the south).

#### Ground floor:

- The ground floor footprint of the building would extend 500mm further to the south (into the car park area).
- The residential entrance to the development, previously located on Haydons Road has been relocated to Quicks Road.
- A new corridor to serve the residential units would be provided between the commercial floorspace and the residential unit on the ground floor.
- The external entrance to the terrace of Unit 1 has been removed and access to the terrace would be from within Unit 1 only.
- Unit 1 has reduced in size from 99.3sqm to 91.7sqm (to make space for the new corridor serving the proposed residential units).
- The external amenity space for Unit 1 has been reduced from 19.9sqm to 14.8sqm.
- The layout of cycle storage on the ground floor has altered slightly but 13 spaces would still be provided overall.

#### First floor:

- Units 3 and 4 would be reduced from 2b/4p dwellings to 2b/3p units.
- Three rooflights have been added to the roof of the single storey element of the proposed development (located adjacent to the rear part of No.92 Haydons Road).
- The balcony to Unit 2 has been amended to be more inset from the external wall.

#### Second floor:

- Unit 7 has been reduced from a 2b/4p unit to a 2b/3p unit.
- The roof has been further set back above the external amenity space of Unit 1.

#### Third floor:

- The terrace of Unit 9 has been slightly reduced in size from 9.7sqm to 6.9sqm.

## 4. **PLANNING HISTORY**

- 4.1 15/P2070 – REDEVELOPMENT OF SITE TO PROVIDE 9 X RESIDENTIAL UNITS (COMPRISING 1 X 1 BED, 6 X 2 BED AND 2 X 3

BED FLATS) AND 177.5 SQUARE METRES OF COMMERCIAL SPACE ON GROUND FLOOR. Permission granted subject to conditions and s.106 agreement on 16/07/2015.

4.2 14/P4221 - PROPOSED DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF THREE - FOUR STOREY BUILDING WITH 84.7 SQM OF COMMERCIAL SPACE (A1, A2 AND B1 USE) AT GROUND FLOOR AND 7 X 3 BED AND 3 X 3 BED RESIDENTIAL UNITS AT GROUND FLOOR AND ABOVE, WITH ASSOCIATED PARKING AND LANDSCAPING. Refused on the following grounds:

1. The proposed development by virtue of its bulk, scale, massing, siting and height would result in an excessively large and over bearing development, out of character with the surrounding area, and an over development of the plot. As such, the proposed development is contrary to policy CS 14 of the London Borough of Merton Core Strategy - 2011, policies DM D1 and DM D2 of the London Borough of Merton Sites and Policies Plan 2014, and the Council's New Residential Development SPG.
2. The proposed development by virtue of its bulk, scale, massing, siting and height would result in an excessively large and over bearing development, to the detriment of the outlook of the adjoining properties, particularly 90 and 92 Haydons Road. As such, the proposed development is contrary to policy CS 14 of the London Borough of Merton Core Strategy - 2011, policy DM D2 of the London Borough of Merton Sites and Policies Plan 2014, and the Council's New Residential Development SPG.
3. The proposed development would result in a loss of employment land, and within a defined scattered employment site, with no justification and contrary to policy CS12 of the London Borough of Merton Core Strategy and policy DME3 of the London Borough of Merton Sites and Policies Plan - 2014.

4.3 14/P1652/NEW - PRE-APPLICATION ADVICE FOR THE REDEVELOPMENT OF SITE TO PROVIDE 195.5 SQUARE METRES OF COMMERCIAL SPACE ON GROUND FLOOR AND 10 x RESIDENTIAL UNITS ABOVE.

4.4 11/P2403/NEW - PRE APPLICATION ADVICE - REDEVELOPMENT OF SITE TO PROVIDE RETAIL & RESIDENTIAL UNITS

## 5. CONSULTATION

5.1 The application has been advertised by site notice and letters of notification to the occupiers of neighbouring properties. 8 representations have been received (6 objections and 2 expressing support). The objections raised are as follows:

- The change from a balcony to a recessed terrace would exacerbate the overlooking issue to 48 Trafalgar Road and would create noise disturbance by virtue of being enclosed, thereby concentrating noise.
- Suggestion that the rear wall of 48 Trafalgar Road be replaced at the existing height of 3.6m as part of the development to protect the amenities of neighbouring occupiers.
- Overlooking to 88 Haydons Road.
- Concerns over impact on drainage and sewerage due to increase in dwellings.
- Concerns regarding increase in pedestrian traffic.
- Concerns regarding access and traffic throughout construction phase.
- Concerns regarding vehicular access to the site and the impact of the width restriction and junction at Haydons Road.
- Query whether Party Wall Agreement is required.
- Council must ensure that any asbestos is disposed of in the statutory manner.
- Noise disturbance from use of refuse and recycling stores.
- There is an increase in bulk and mass of the proposed development.
- Object to the use of materials.
- Suggestion that more textured bricks could be used.
- Suggest a reduction in the extent of glazing for the commercial unit.
- Development would be out of character with the buildings on Haydons and Quicks Road – it is big and blocky.
- There would be a detrimental impact on the security of the area.
- Cannot see site notice at the site.

The reasons for expressing support are as follows:

- The current scheme is a welcome improvement to the previous scheme.
- The design is attractive and striking.
- Choice of bricks will be important.
- The use of brick infilled recessed window openings would reduce the visual impact of the commercial space and maintain the residential character of Quicks Road.

5.2 No consultation comments have been sought in relation to this application.

6. **POLICY CONTEXT**

6.1 The relevant policies within the Adopted Sites and Policies Plan (July 2014) are:

DM D1 (Urban Design and the Public Realm)  
DM D2 (Design Considerations in all Developments)  
DM F2 (Sustainable Urban Drainage Systems and; Waste Water and Water Infrastructure)  
DM E3 (Protection of Scattered Employment Sites)  
DM EP2 (Reducing and Mitigating Noise)  
DM H2 (Housing Mix)  
DM H3 (Support for Affordable Housing)  
DM O2 (Nature Conservation, Trees, Hedges and Landscape Features)  
DM T2 (Transport Impacts of Development)  
DM T3 (Car Parking and Servicing Standards)

6.2 The relevant policies within the Adopted Merton Core Strategy (July 2011) are:

CS 8 (Housing Choice)  
CS 9 (Housing Provision)  
CS 12 (Economic Development)  
CS13 (Open Space, Nature Conservation, Leisure and Culture)  
CS 14 (Design)  
CS 15 (Climate Change)  
CS 16 (Flood Risk Management)  
CS 18 (Active Transport)  
CS 20 (Parking, Servicing, and Delivery)

6.3 Merton's Supplementary Planning Guidance/Documents:

New Residential Development – SPG 1999  
Design – SPG 2004  
Planning Obligations – SPD 2006

6.4 The relevant policies in the London Plan (2015) are:

3.3 (Increasing housing supply)  
3.4 (Optimising housing potential)  
3.5 (Quality and design of housing developments)  
3.8 (Housing choice)  
3.9 (Mixed and balanced communities)



- 3.10 (Definition of affordable housing)
  - 3.11 (Affordable housing thresholds)
  - 3.12 (Negotiating affordable housing on individual private residential and mixed use schemes)
  - 3.13 (Affordable housing thresholds)
  - 4.1 (Developing London's economy)
  - 5.2 (Minimising carbon dioxide emissions)
  - 5.3 (Sustainable design and construction)
  - 5.7 (Renewable energy)
  - 5.11 (Green roofs and development site environs)
  - 5.12 (Sustainable drainage)
  - 6.9 (Cycling)
  - 6.10 (Walking)
  - 6.13 (Parking)
  - 7.1 (Lifetime neighbourhoods)
  - 7.2 (An inclusive environment)
  - 7.3 (Designing out crime)
  - 7.4 (Local character)
  - 7.6 (Architecture)
  - 8.2 (Planning obligations).
- 6.5 London Plan Housing SPG
- 6.6 National Planning Policy Framework (2012)
7. **PLANNING CONSIDERATIONS**
- 7.1 The principle of development was established by the granting of planning permission 15/P2070. Whilst the applicant is applying for a variation of Condition 2 of that permission, under Section 73 of the Town and Country Planning Act 1990 (as amended), the proposal is, in effect, a fresh application for the entire development, albeit with a variation to that original condition. In considering the current application officers have been mindful of any material changes in planning circumstances since the granting of that original permission. Officers also note that there has been a material change in planning circumstances since that application in that it has been confirmed that the Local Planning Authority can seek affordable housing contributions for schemes resulting in less than 10 new dwellings. In addition, a recent appeal decision (ref. APP/T5720/W/15/3132477 – 314 Haydons Road – appeal allowed 4 February 2016) has made it clear that in light of a Written Ministerial Statement dated March 2015 and the relevant paragraphs on Housing Standards in Planning Practice Guidance, that a condition to ensure that the units are built to Lifetime Homes Standards should not be applied. The Inspector stated the following when considering whether a condition relating to Lifetime Homes should be applied:

- “Policy CS 8 of CPS and Policy 3.8 of the LP requires all new housing to be built to Lifetime Homes Standards. Policy DM D2 of Part of Merton’s Local Plan Sites and Policies Plan and Policies Maps 2014 further supports such a requirement. However, both the WMS and PPG indicate that such a standard cannot be applied because it has been replaced by the new system of BR and standards. As previously indicated, the WMS and PPG are clear and up-to-date statements of government policy. For this reason, they outweigh the requirements of development plan policies”.
- 7.2 The Inspector took the view that on this basis, the condition should not be applied. Therefore, this is a change in planning circumstances which indicates that a condition relating to the Lifetime Homes Standard should not be applied (condition 28 of 15/P2070).
- 7.3 At the time of the granting of the previous planning permission (16/07/2015) the Council was obliged to take into account the Written Ministerial Statement (delivered on 28 November 2014) by Planning Minister Brandon Lewis, which included introducing into national policy a threshold of ten units beneath which affordable housing contributions should not be sought. However, following a High Court decision on 31 July 2015, the Government rescinded its national planning policy guidance published on 28 November 2014, which stated that builders of between 1 to 10 dwellings would be exempt from having to meet affordable housing requirements. Therefore, meeting the Councils policy CS8 (Housing Choice), including financial contributions for proposals involving less than 10 dwellings, is a requirement for all development seeking planning permission that the policy wording states it applies to. Therefore, the current proposal is subject to the requirements of Policy CS8 in relation to affordable housing.
- 7.4 There have been no other significant changes in policy circumstances since the previous decision which would alter the decision-making process. There have been no significant changes to site circumstances that would alter the decision-making process.
- 7.5 Notwithstanding the change in circumstances relating to affordable housing thresholds, it is a highly material planning consideration that there is an existing permission which could be implemented on site. Members are advised that it would be inappropriate and unreasonable to revisit the principle of the entire development.
- 7.6 The principal planning considerations concern the principle of the demolition of the existing commercial and residential uses within the site, which have been established by the granting of the previous planning permission, the design and appearance of the proposed development, its

- impact on the character and appearance of the surrounding area, and the impact of the development upon neighbour amenity, and parking.
- 7.7 Principle of the Demolition of the Existing Commercial and Residential Buildings
- 7.8 The loss of the existing commercial floorspace was assessed and found acceptable under the previous planning permission 15/P2070. Therefore, the principle of the loss of existing commercial floorspace has been established by the grant of the previous planning permission 15/P2070 and as such no objection is raised on this basis.
- 7.9 Design and Residential Amenity
- 7.10 Policies DM D1, DM D2, CS 14, and the Council's New Residential Development SPG seek to ensure that any new development is of a high standard of design and which respects or compliments its surroundings.
- 7.11 Policies CS 14 and DM D2 and the relevant Supplementary Planning Guidance (SPGs) seek to ensure that there would not be a detrimental impact on the residential amenities of the occupiers of the adjoining properties as a result of a proposed development.
- 7.12 The previously granted scheme was considered acceptable in design terms. However, the differences between the previous scheme and the current scheme must be assessed.
- 7.13 The bulk and massing of the proposed development remains similar to that previously proposed and it is considered that the overall bulk and massing of the current proposal would be acceptable in terms of visual amenity.
- 7.14 The main changes to the exterior of the building relate to the use of materials. Whilst the choice of materials would be significantly different to the materials previously proposed, it is considered that a mixture of types of facing brickwork would not appear out of keeping in the context of the site and would be acceptable in terms of visual amenity.
- 7.15 The building line of the proposed building would be positioned 500mm closer to the rear boundary of the rear garden of Nos.48-50 Trafalgar Road. However, due to the recessed nature of the proposed balcony to Unit 2 the separation distance of the balcony from the rear boundary would be greater than in the previously approved application. The resultant separation distance would be 11.5m, whereas the permitted scheme shows a separation distance of 11m. Therefore, there is a slight improvement in terms of the impact on neighbouring properties.

- 7.16 The limited changes to the internal layout have largely been necessary in order to comply with Building Regulations and whilst there would be a slight reduction in size to some of the units and a slight reduction in external amenity space, the proposals would still comply with the relevant Local and London Plan policies in terms of the standard of accommodation.
- 7.17 As was the case in the previous application, there would be windows within the main building facing the rear of site however these would be high level windows and so are not considered would result in a detrimental loss of privacy to the occupiers of the properties at Haydons Road.
- 7.18 There are concerns regarding the roof terrace of the penthouse flat in terms of privacy, however, a condition could be imposed on any approval to include obscure glazed screening to the rear elevation of at least 1.8m, as was the case for the previous planning permission 15/P2070.
- 7.19 Concerns have been raised by residents regarding an increase in noise pollution from the rear car park however it is not unusual for residential properties to be located adjoining car parking areas, for example along most standard residential roads. There are only five car parking spaces and so activity to the car park is not considered would be at a high level and a condition can be imposed on any approval requiring any lighting to be positioned in such a way to avoid undue glare to neighboring properties. This is consistent with the conclusions of the previous application.
- 7.20 The inclusion of a security gate to the car park is welcomed.
- 7.21 The changes to the layout and use of materials of the proposed development are considered to be acceptable in terms of visual and residential amenity.
- 7.22 Standard of Accommodation
- 7.23 Table 3.3 of the London Plan 2015 requires a minimum gross internal area (GIA) of 50sqm for 1 bedroom/2 person units, 61sqm for a 2 bedroom/3 person unit, 70sqm for 2 bedroom/4 person units and 74sqm for 3 bedroom/4 person units. This standard would be met for all of the proposed flats. It is of note that the plans for the previous planning permission 15/P2070 showed double rooms in Units 3, 4, 6 and 7, which did not meet the minimum internal floor area for a double room and, as such, the proposal has been revised to show these double rooms as single rooms and accordingly the units are now shown as 3 person units as opposed to 4 person units.

- 7.24 Policy DM D2 and the London Plan 2015 require a minimum of 5sqm of private outdoor space be provided for 1-2 person dwellings and an extra 1sqm for each additional occupant.
- 7.25 The ground floor unit would be provided with a rear private amenity space in excess of this minimum requirement and the balconies provided for the remaining units would comply with, or marginally exceed, this standard.
- 7.26 Refuse and recycling, and cycle storage would comprise covered stores within the rear car park and would only be accessible to the residents of the flats. This is acceptable in principle and conditions can be imposed on any approval requiring the proposed cycle and refuse storage areas be implemented prior to occupation of the development.
- 7.27 If approved, the dwellings would be required to be built to Lifetime Homes standards.
- 7.28 The changes to the external amenity space and internal layout of residential units would comply with the relevant minimum standards and are considered to be acceptable in planning terms.
- 7.29 Highways
- 7.30 The Council's Transport Officer raised no objection on highways grounds to the previous planning application 15/P2070, subject to conditions in respect of the vehicle access to be provided, provision of vehicle parking, cycle parking to be implemented, construction vehicles, and a Delivery and Servicing Plan be submitted. Informatives in respect of the construction of accesses, and works affecting the public highway were also requested be added to any approval. The parking layout and access arrangements have not materially changed since the previous proposal and it is considered that the principle of development has been established in relation to highway issues.
- 7.31 The proposal includes five off-street parking spaces (including one disabled parking space) however to protect existing residents' parking, the new units would be required to be 'permit free' by a S106 legal agreement.

## **8 SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 8.1 The proposal is for minor residential development and an Environmental Impact Assessment is not required in this instance.

- 8.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms an EIA submission.

## **9 MAYORAL COMMUNITY INFRASTRUCTURE LEVY**

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy, the funds for which will be applied by the Mayor towards the Crossrail project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to agree to pay CIL.

## **10 MERTON'S COMMUNITY INFRASTRUCTURE LEVY**

- 10.1 Merton's Community Infrastructure Levy was implemented on 1 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 except for affordable housing.

## **11 S106 LEGAL AGREEMENT**

- 11.1 Policy CS8 seeks affordable housing contributions on schemes involving the provision of 1-9 units. The policy states that "in seeking affordable housing provision we will have regard to site characteristics such as the site size, site suitability and economics of provision such as financial viability issues and other planning contributions". Officers are also mindful of the advice within the NPPF in relation to planning obligations, which states: "Pursuing sustainable development requires careful attention to viability and costs in plan-making and decision-taking. Plans should be deliverable. Therefore, the sites and the scale of development identified in the plan should not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable".
- 11.2 The maximum affordable housing payment liable for this scheme, determined using Merton's online affordable housing calculator, is £440,793.



- 11.3 The applicant has submitted a detailed financial viability argument which concludes that it would not be financially viable to make any contribution towards affordable housing. This argument has been scrutinized by independent financial viability experts, appointed by the Council. The independent financial viability expert has concluded that the values assumed by the developer are generally accurate and in line with what can be expected within the current market. In addition, the independent financial viability expert has found that the assumptions made by the developer for their income and costings are generally in line with the 2015 GLA toolkit (Three Dragons) benchmark values, and when variances do occur it is down to the small nature of the development which increases values. Therefore, the independent financial viability expert recommends that the council seeks no financial contribution from this development, in relation to affordable housing.
- 11.3 Alongside Merton's CIL, planning obligations for site specific infrastructure may still be required to make a development acceptable in planning terms.
- 11.4 The proposed development would result in a net gain of 8 new units and since the site is located within Controlled Parking Zones, the dwellings would be required to be 'permit free' by a S106 legal agreement. To ensure the development is 'car free' in line with policy on sustainable transport, future occupants of the development would not be eligible for parking permits.

## **12 CONCLUSION**

- 12.1 In conclusion, it is considered that the principle of the development is acceptable in policy terms.
- 12.2 The design, siting, size, height and materials of the proposed building are in keeping with the varied character of the surroundings.
- 12.3 The residential amenities of the occupiers of the adjoining residential properties would not be sufficiently affected to warrant a refusal and the development provides an acceptable quality of accommodation for future occupiers.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

Grant Variation of Condition 2 of Planning Permission 15/P2070 subject to conditions and deed of variation to S106 agreement, covering the following heads of terms:

1. Designation of the development as car-free and that on-street parking permits would not be issued for future residents of the proposed development.
2. The developer agreeing to meet the Council's costs of preparing, drafting, or checking the agreement.
3. The developer agreeing to meet the Council's costs of monitoring the agreement.

Vary Condition 2 of Planning Permission 15/P2070 as follows:

2. The development hereby permitted shall be carried out in accordance with the following approved plans: QK-100 Rev B, QK-101 Rev B, QK-102 Rev B, QK-103 Rev B, QK-104, QK-200, QK-201, QK-202, QK-203, QK-301, QK-400, QK-401 Rev A, QK-402 Rev A, QK-403 Rev A and covering letter dated 1 December 2015.

Reason: For the avoidance of doubt and in the interests of proper planning

Add additional condition 46:

46. No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes level 4. Evidence requirements are detailed in the "Schedule of evidence Required for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide". Evidence to demonstrate a 25% reduction compared to 2010 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and approved in writing by the Local Planning Authority, unless otherwise agreed in writing.

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.

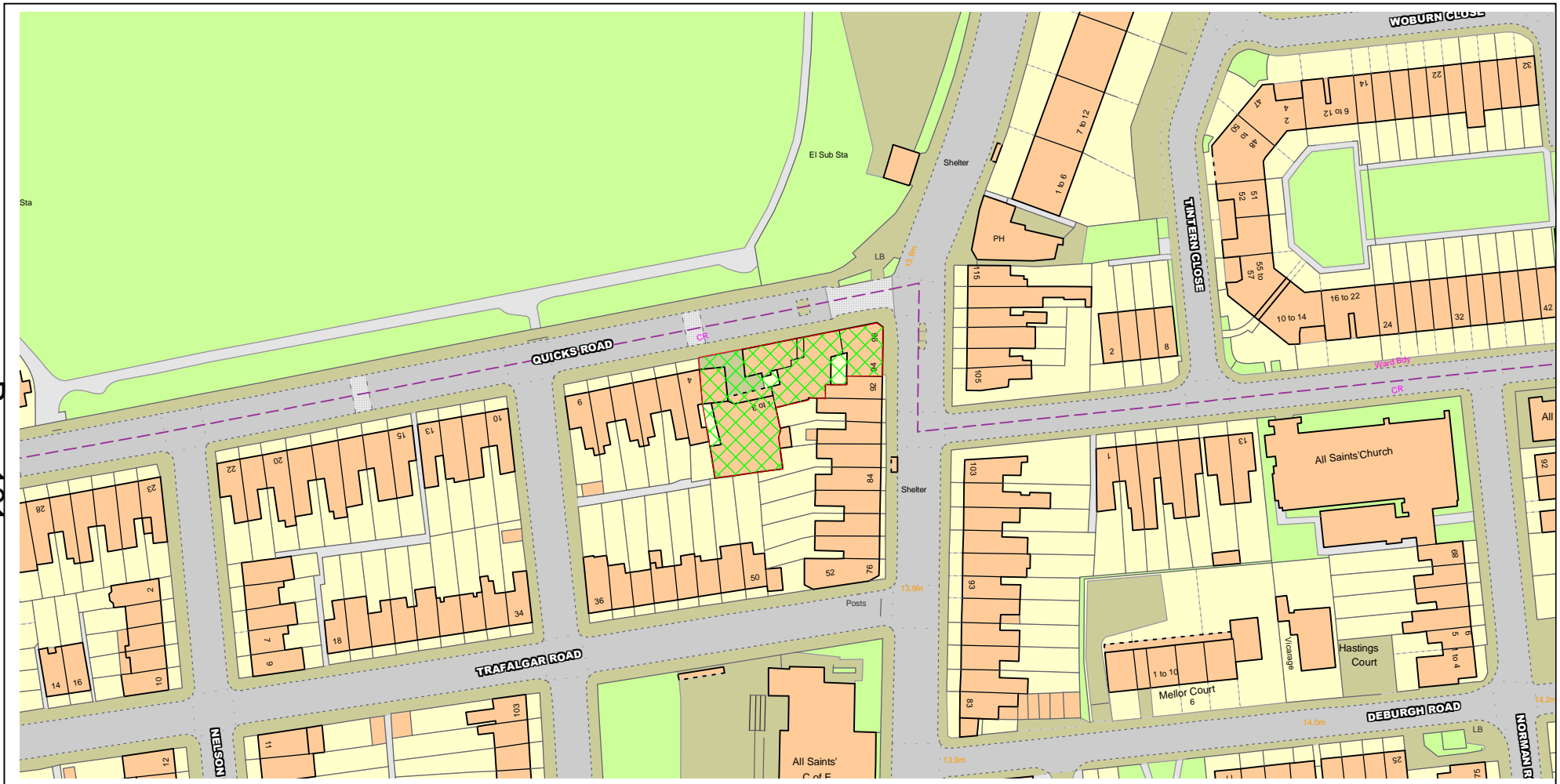
Remove condition 28 (Lifetime Homes).

And additional informative 6

Inf 6: INFORMATIVE: The applicant is made aware that the conditions

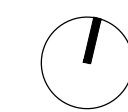
and informatives imposed on the original planning permission 15/P2070 still continue to apply.

# NORTHGATE SE GIS Print Template



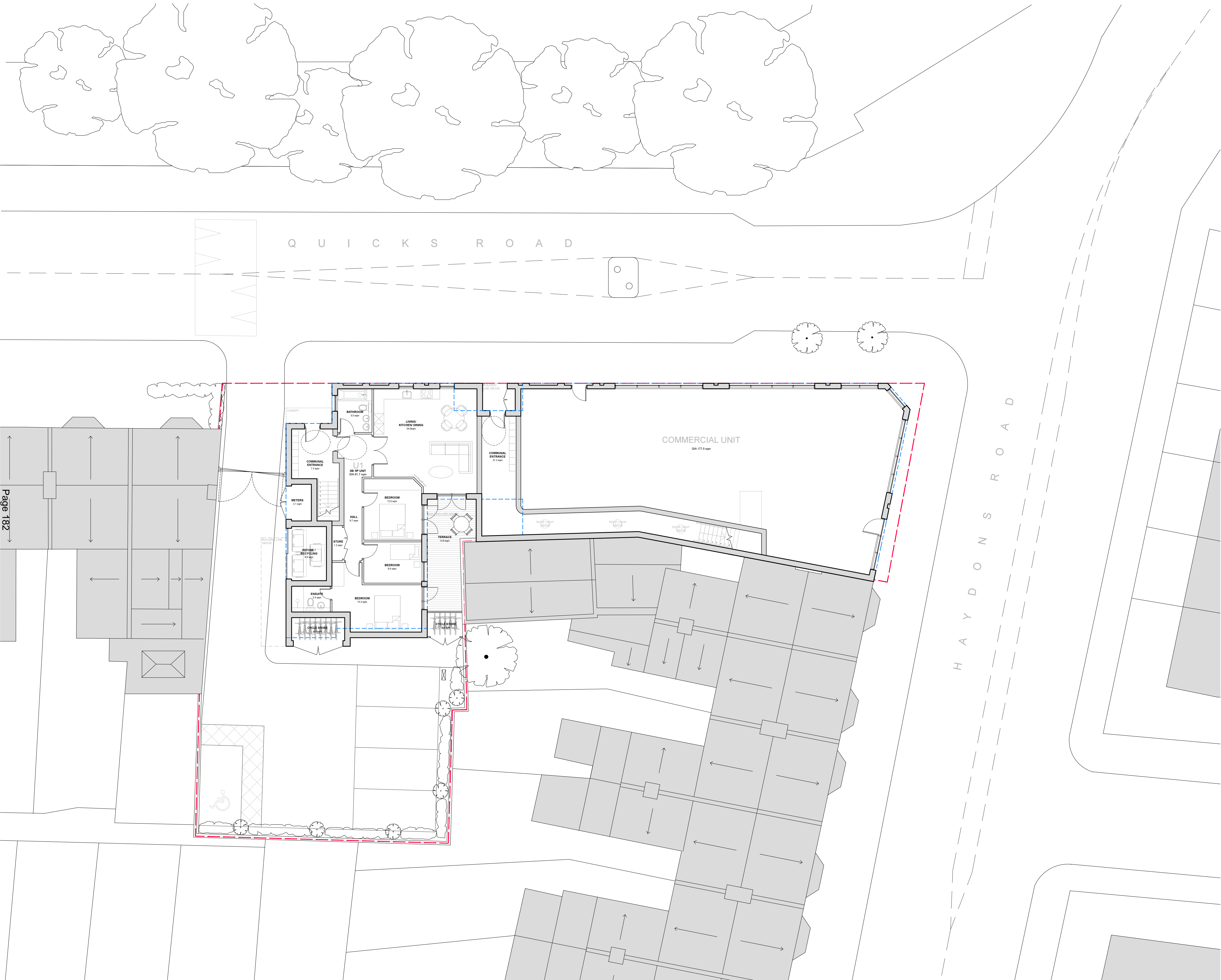
Text Details 94-96 Haydons Road

1:100 @ A1  
1:200 @ A3



**KEY**

- APPLICATION BOUNDARY
- LINE OF APPROVED SCHEME  
REF: 15 / P2070



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REVISION	DATE/DRAWN
B	PLANNING ISSUE 26/11/15 TR
A	PRELIMINARY ISSUE 19/11/15 TR
-	DRAFT ISSUE 16/10/15 TR



PROJECT 94-96 HAYDONS ROAD /  
1-3 QUICKS ROAD  
DRAWING TITLE PROPOSED SITE &  
GROUND FLOOR PLAN

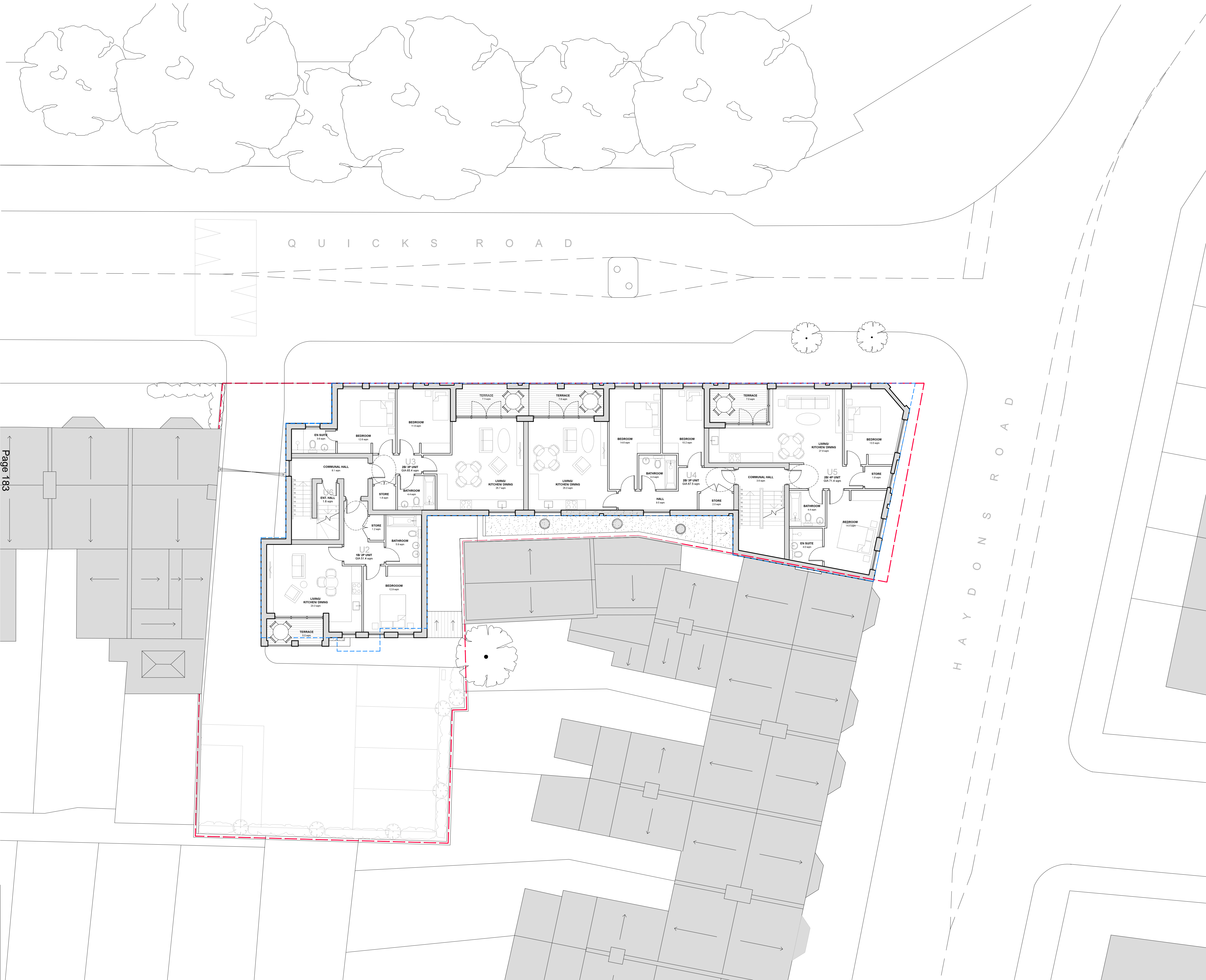
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DRAWN TR CHECK LM  
STATUS PLANNING  
JOB NUMBER AI-2232  
DRAWING NUMBER QK-100 REV B





**KEY**

- APPLICATION BOUNDARY
- LINE OF APPROVED SCHEME REF: 15 / P2070

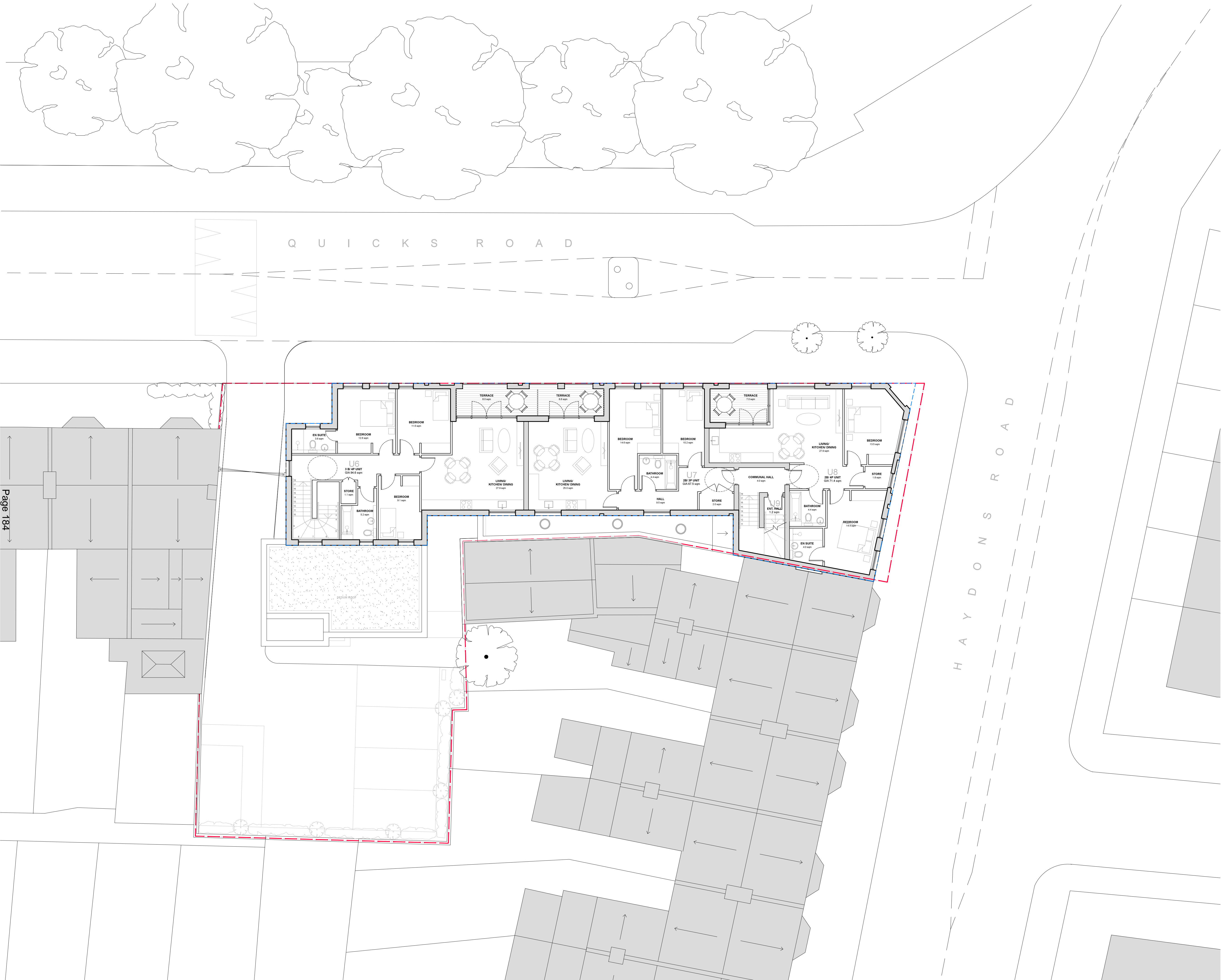


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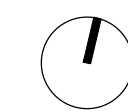
REVISION	DATE/DRAWN
B	PLANNING ISSUE 27/11/15 TR
A	PRELIMINARY ISSUE 19/11/15 TR
-	DRAFT ISSUE 16/10/15 TR



PROJECT	94-96 HAYDONS ROAD / 1-3 QUICKS ROAD
DRAWING TITLE	PROPOSED FIRST FLOOR PLAN
DATE	NOV 2015 SCALE 1:100 @ A1
DRAWN	TR CHECK LM
STATUS	PLANNING
JOB NUMBER	AI-2232
DRAWING NUMBER	QK-101 REV B



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**KEY**

- - - - APPLICATION BOUNDARY
- - - - LINE OF APPROVED SCHEME REF: 15 / P2070

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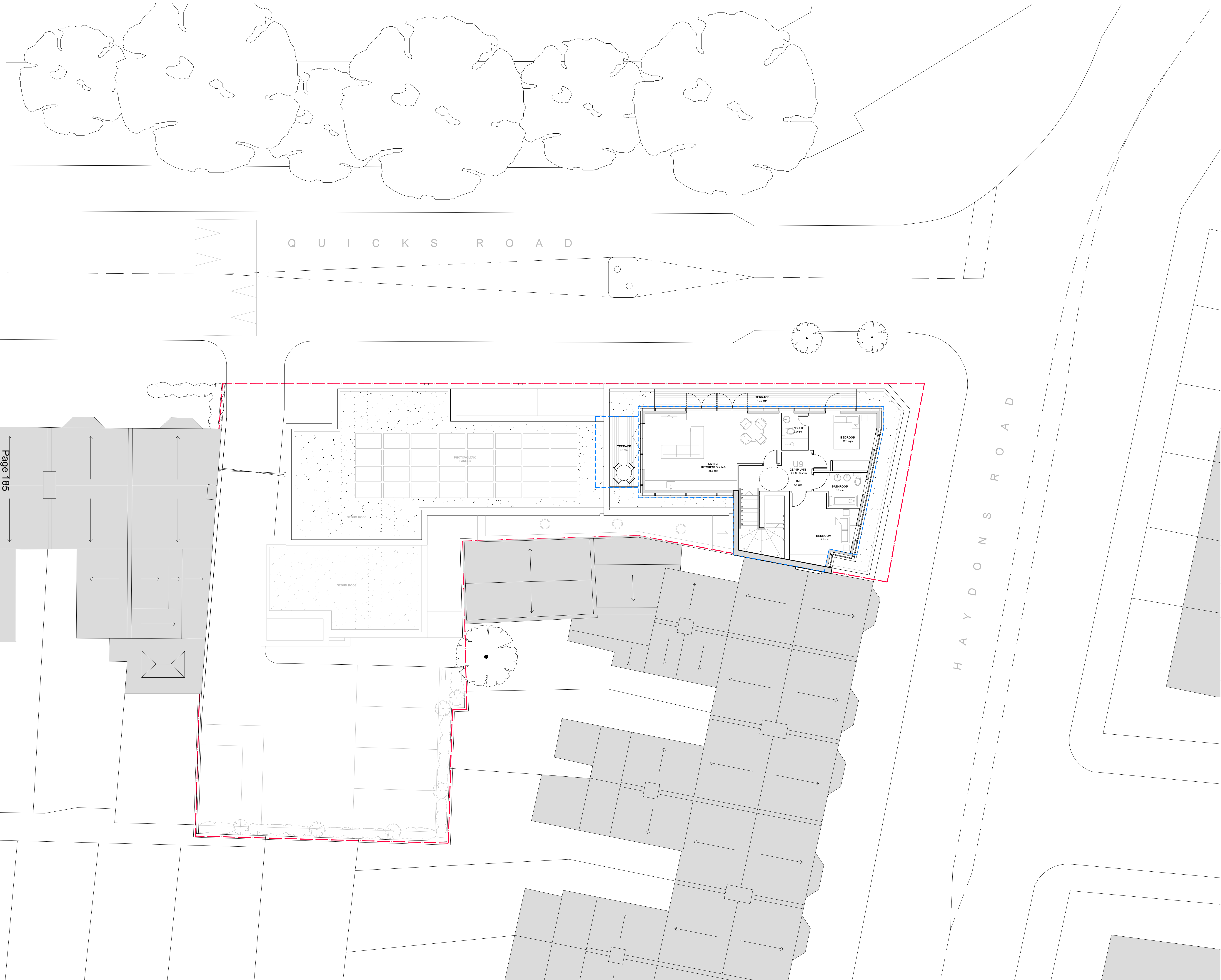
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A	PRELIMINARY ISSUE 19/11/15 TR
-	DRAFT ISSUE 16/10/15 TR



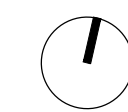
PROJECT 94-96 HAYDONS ROAD /  
1-3 QUICKS ROAD  
DRAWING TITLE PROPOSED  
SECOND FLOOR PLAN

DATE NOV 2015 SCALE 1:100 @ A1  
DRAWN TR CHECK LM  
STATUS PLANNING  
JOB NUMBER AI-2232  
DRAWING NUMBER QK-102 REV B





1:100 @ A1  
1:200 @ A3



**KEY**

- - - - APPLICATION BOUNDARY
- - - - LINE OF APPROVED SCHEME REF: 15 / P2070

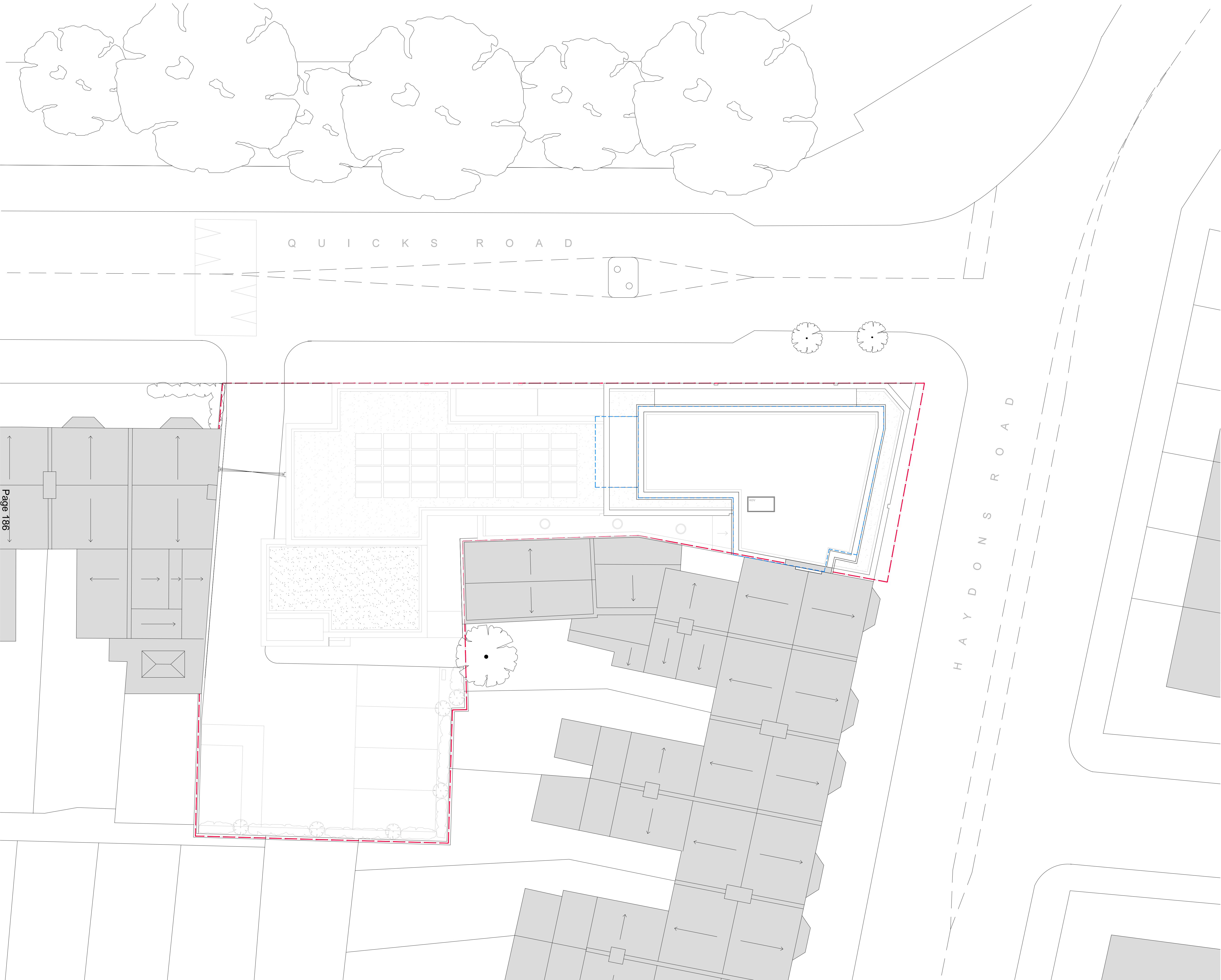
Page 185

REVISION	DATE/DRAWN
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A	PRELIMINARY ISSUE 19/11/15 TR
-	DRAFT ISSUE 16/10/15 TR

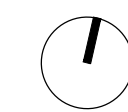


PROJECT 94-96 HAYDONS ROAD /  
1-3 QUICKS ROAD  
DRAWING TITLE PROPOSED  
THIRD FLOOR PLAN

DATE NOV 2015 SCALE 1:100 @ A1  
DRAWN TR CHECK LM  
STATUS PLANNING  
JOB NUMBER AI-2232  
DRAWING NUMBER QK-103 REV B



1:100 @ A1  
1:200 @ A3



**KEY**

- - - - APPLICATION BOUNDARY
- - - - LINE OF APPROVED SCHEME  
REF: 15 / P2070

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PLANNING ISSUE	27/11/15	TR
REVISION	DATE/DRAWN	



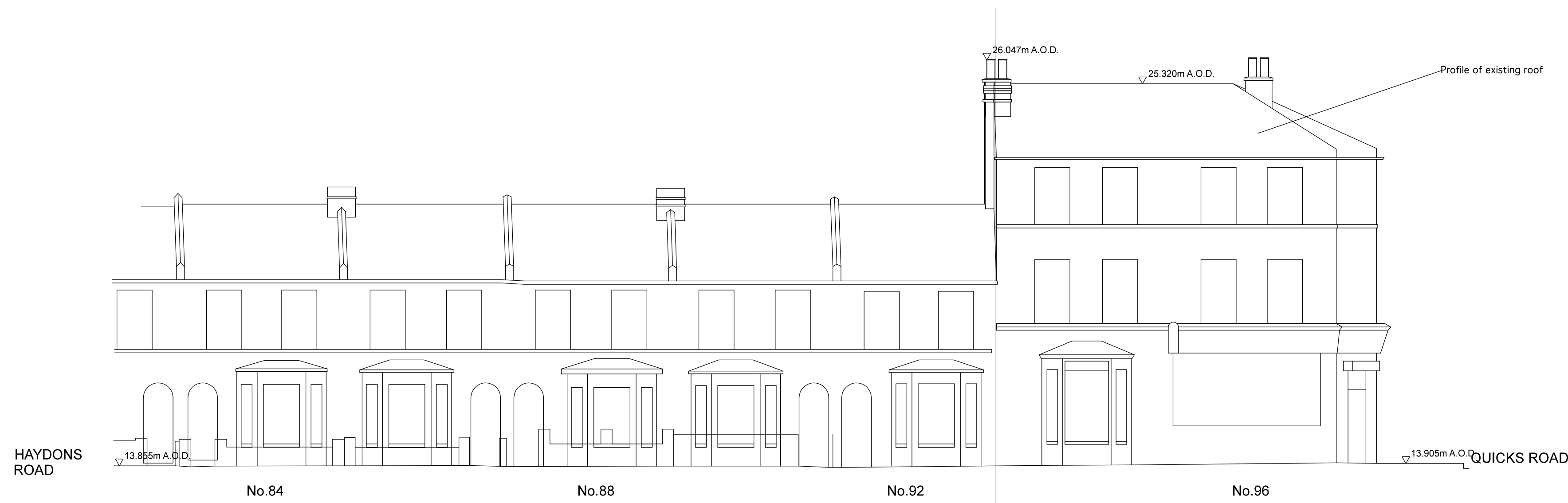
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1-3 QUICKS ROAD  
DRAWING TITLE PROPOSED  
ROOF PLAN

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STATUS PLANNING  
JOB NUMBER AI-2232  
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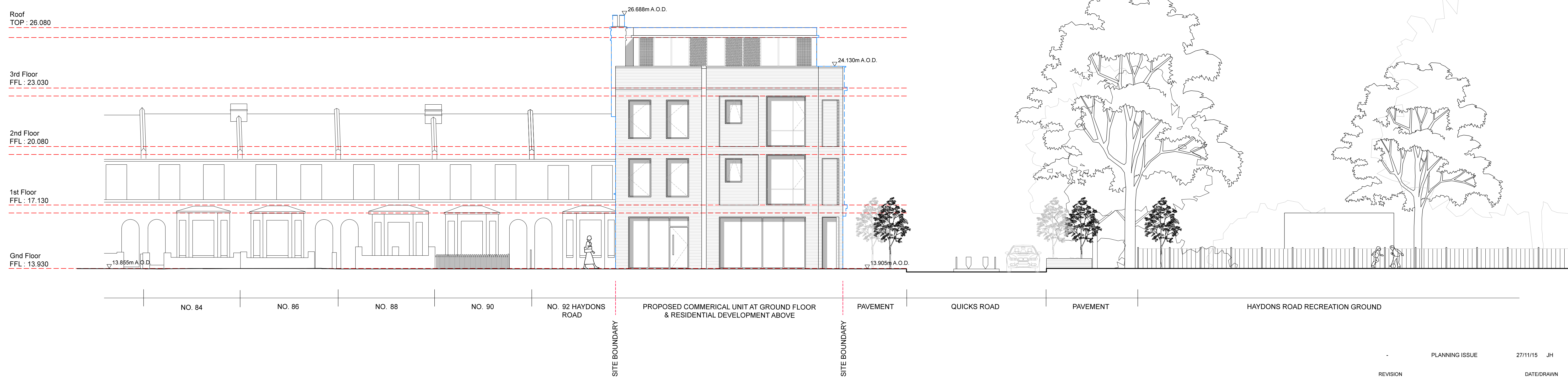


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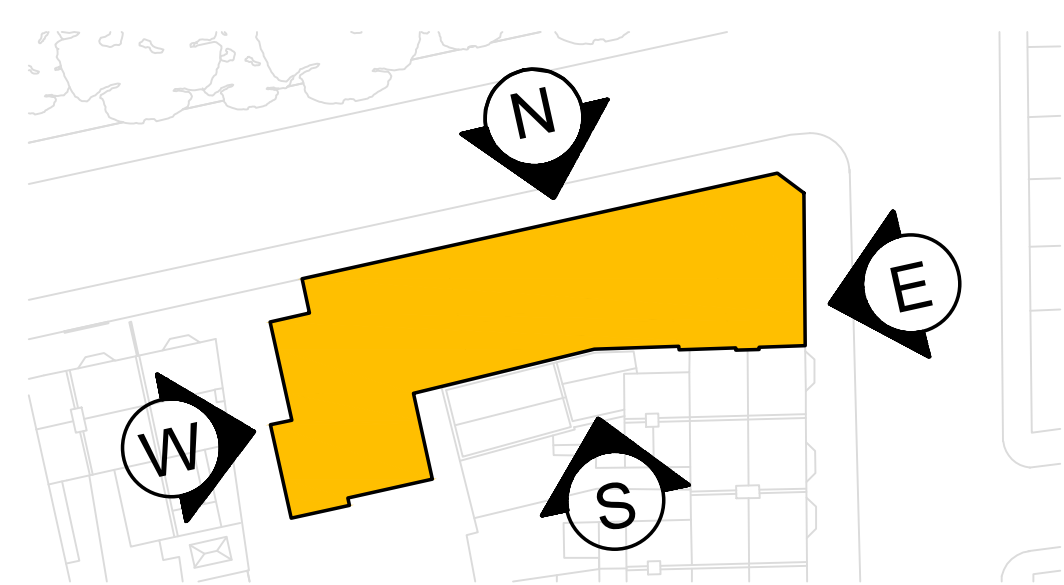
- Outline of Approved Scheme Ref: 15/P2070
- Proposed Facing Brickwork
- Proposed Obscured Glazing



Existing East Elevation (Haydons Road)



Proposed East Elevation (Haydons Road)



Key Plan 1:500 @A1

REVISION	PLANNING ISSUE	27/11/15	JH
	DATE/DRAWN		



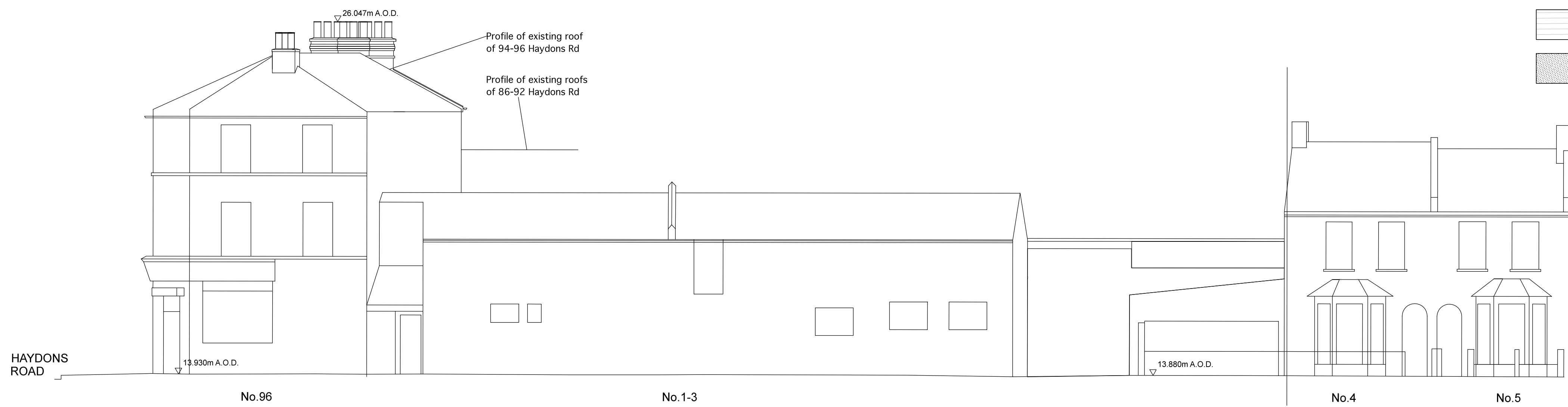
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1-3 QUICKS ROAD  
DRAWING TITLE EXISTING & PROPOSED  
EAST ELEVATION

DATE NOV 2015 SCALE 1:100 @A1  
DRAWN JH CHECK TR  
STATUS PLANNING  
JOB NUMBER AI-2232  
DRAWING NUMBER QK-201 REV -

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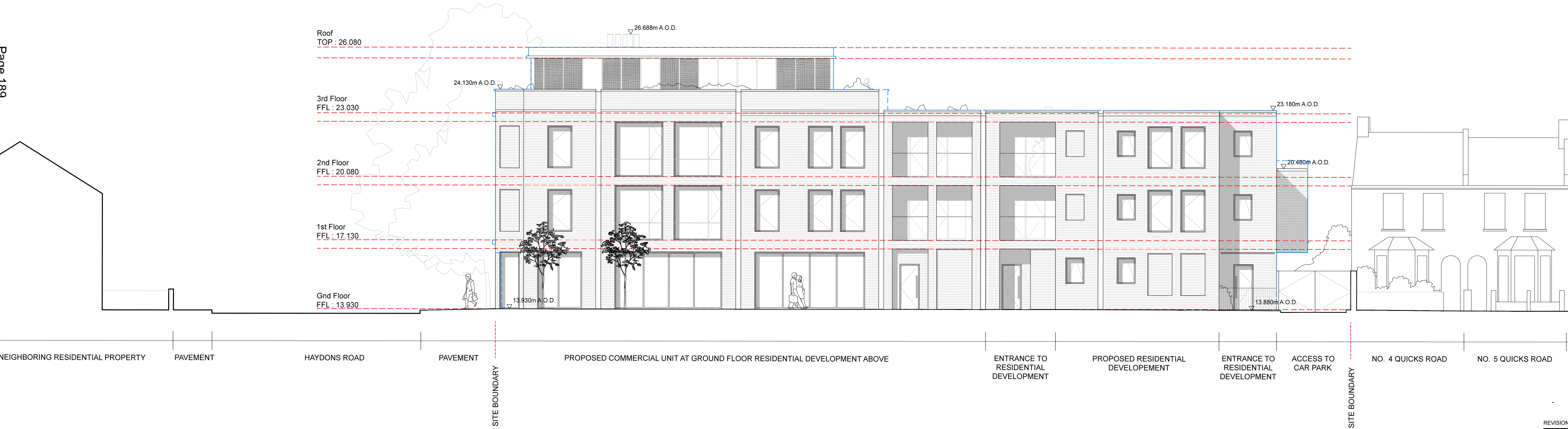
**KEY**

- Outline of Approved Scheme Ref: 15/P2070
- Proposed Facing Brickwork
- Proposed Obscured Glazing

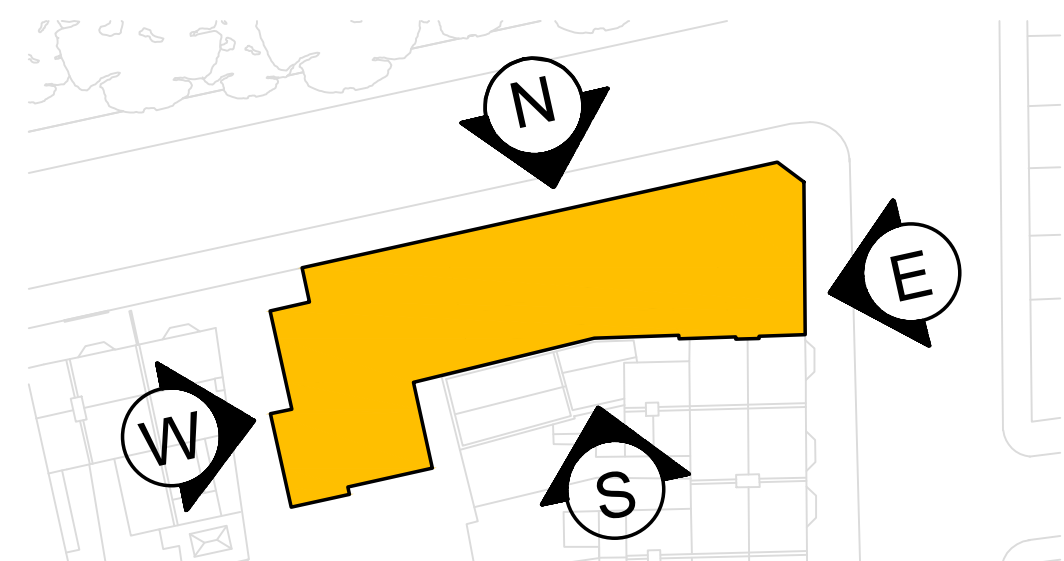


Existing North Elevation (Quicks Road)

Page 189



Proposed North Elevation (Quicks Road)



Key Plan 1:500 @A1

PLANNING ISSUE	27/11/15	JH
REVISION		DATE/DRAWN

**architecture initiative**  
3-5 Barrett St, London W1U 1AY  
architectureinitiative.com  
@ARCHITECTUREINITIATIVE

PROJECT 94-96 HAYDONS ROAD  
1-3 QUICKS ROAD

DRAWING TITLE EXISTING & PROPOSED  
NORTH ELEVATION

DATE NOV 2015 SCALE 1:100 @A1

DRAWN JH CHECK TR

STATUS PLANNING

JOB NUMBER AI-2232

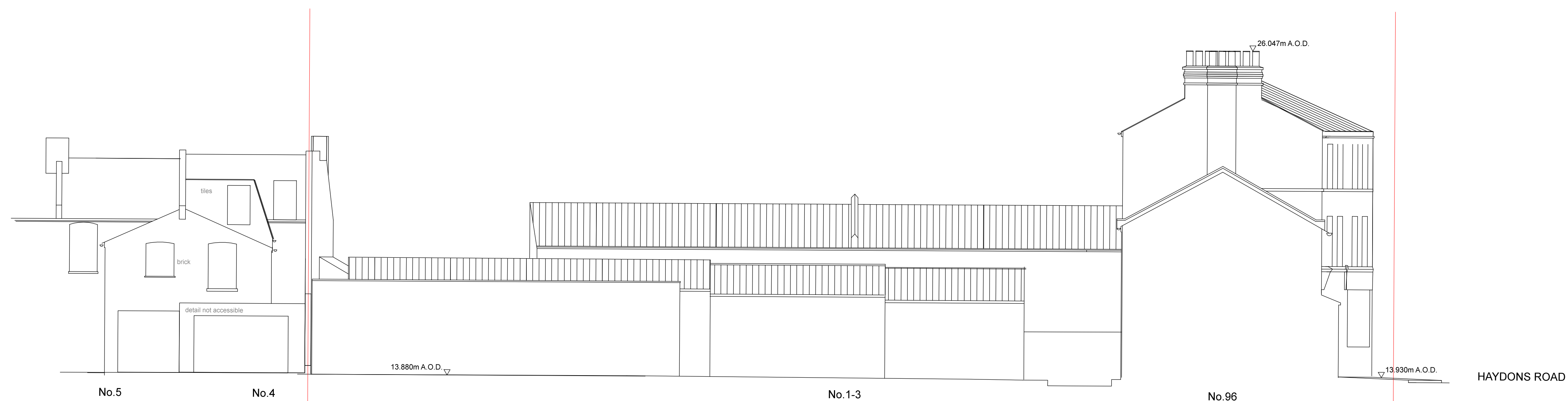
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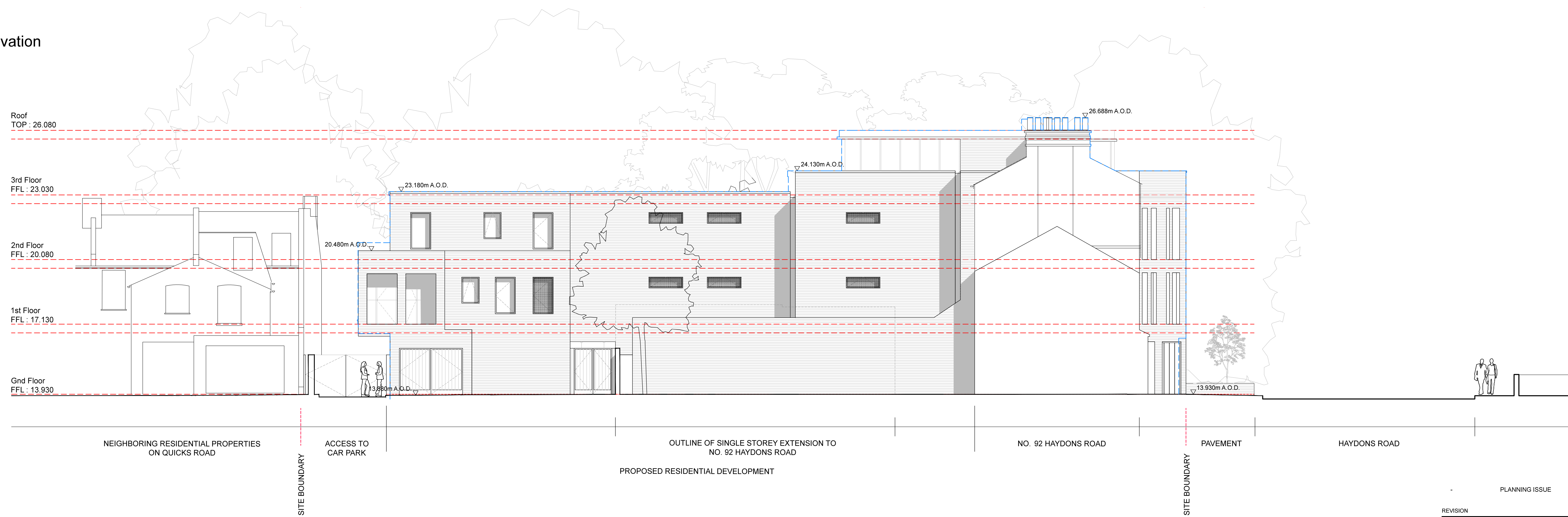


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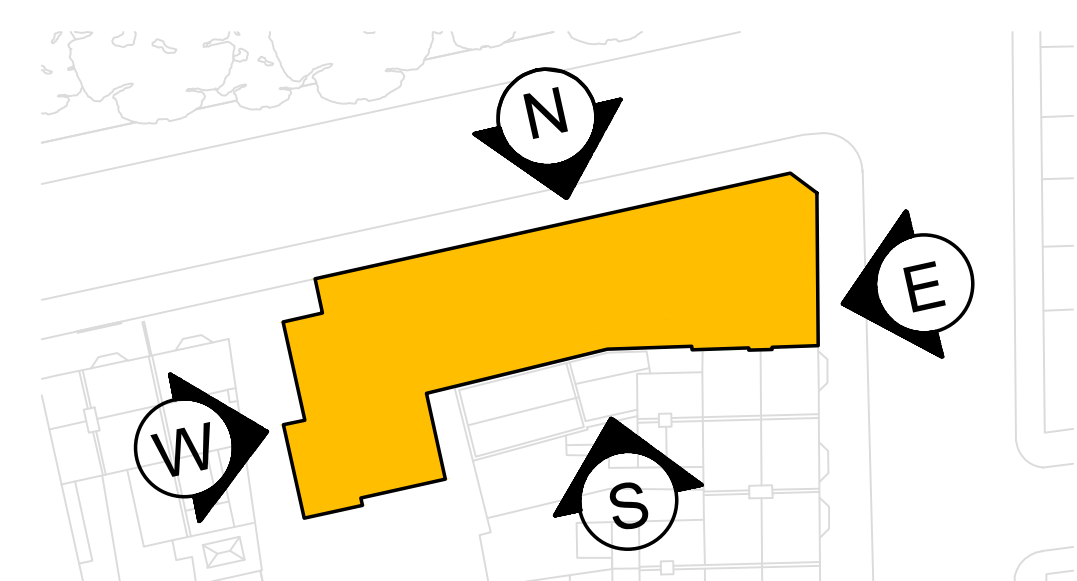
- Outline of Approved Scheme Ref: 15/P2070
- Proposed Facing Brickwork
- Proposed Obscured Glazing



Existing South Elevation



Proposed South Elevation



Key Plan 1:500 @A1

PLANNING ISSUE	27/11/15	JH
REVISION		DATE/DRAWN






PROJECT 94-96 HAYDONS ROAD  
1-3 QUICKS ROAD  
DRAWING TITLE EXISTING & PROPOSED  
SOUTH ELEVATION

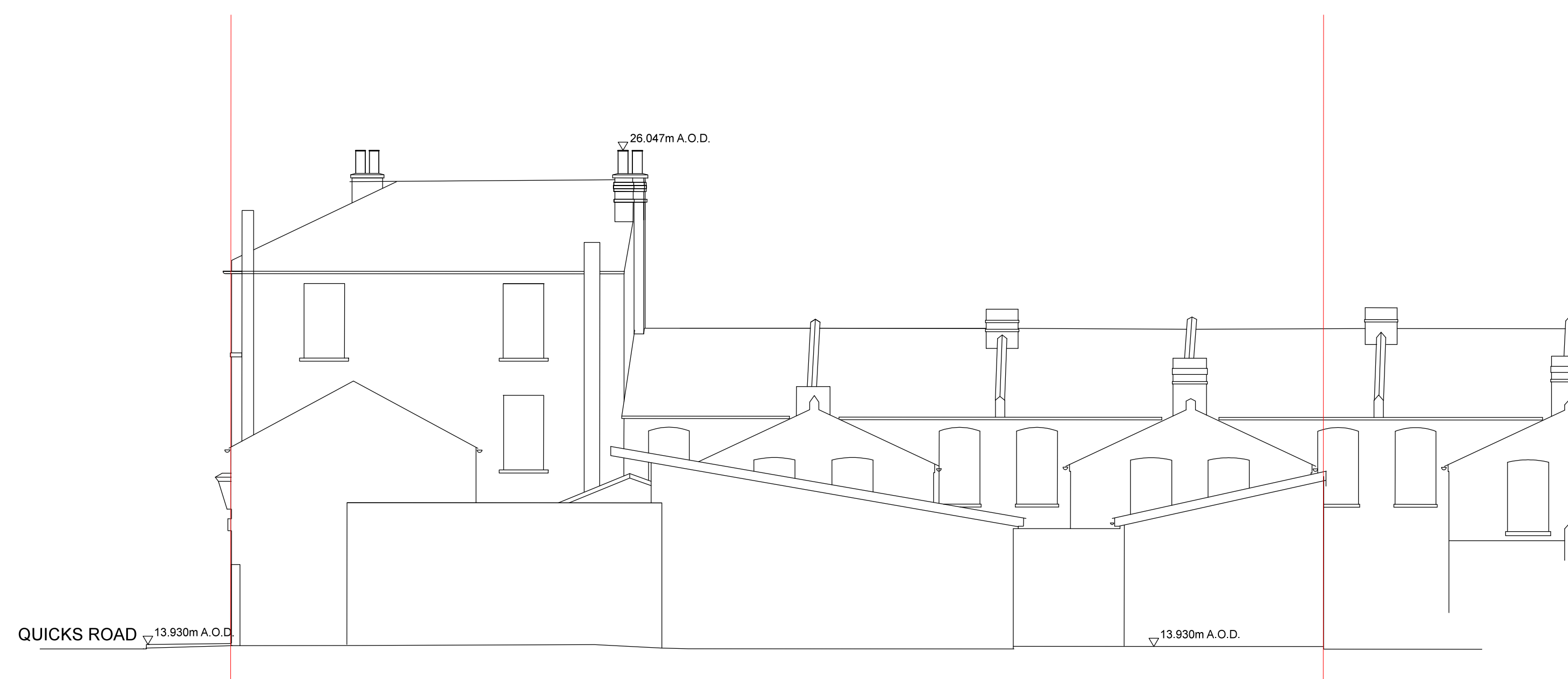
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STATUS PLANNING  
JOB NUMBER AI-2232  
DRAWING NUMBER QK-202 REV -



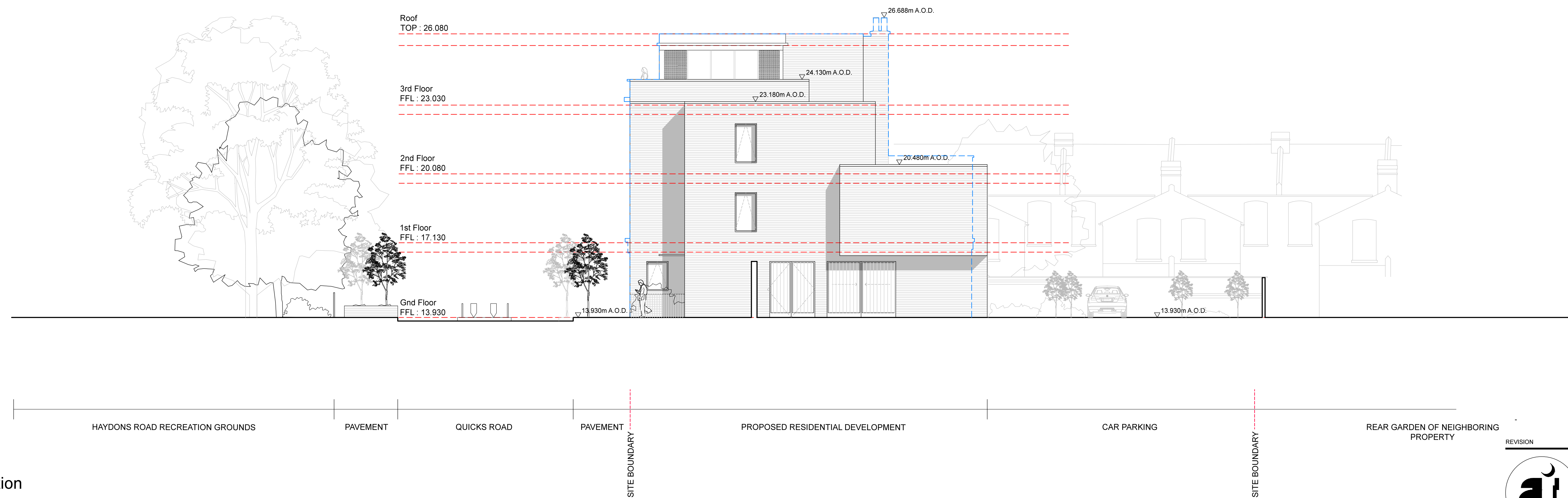
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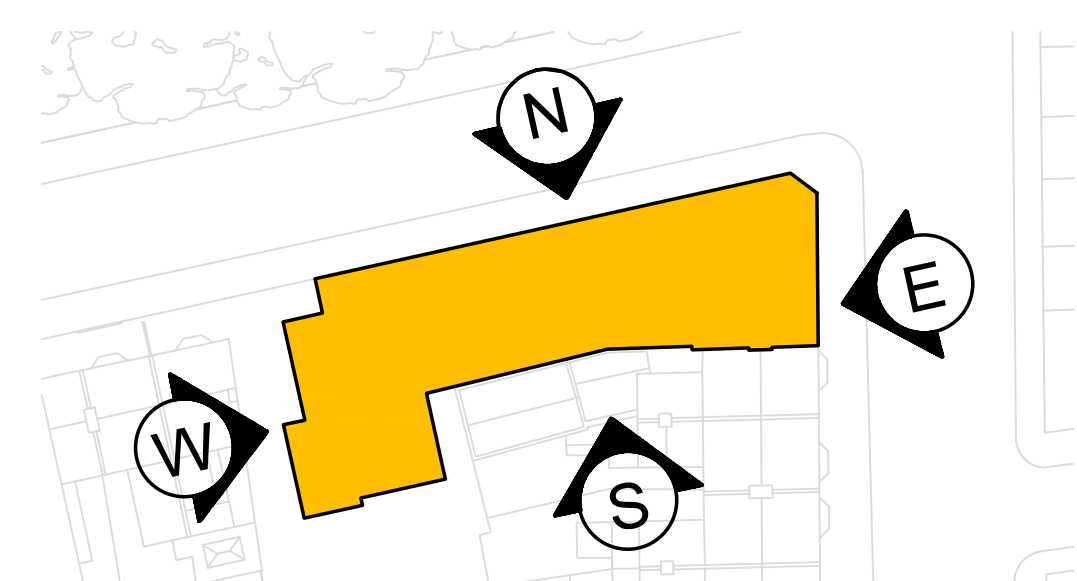
-  Outline of Approved Scheme Ref: 15/P2070
-  Proposed Facing Brickwork
-  Proposed Obscured Glazing



Existing West Elevation



Proposed West Elevation



Key Plan 1:500 @A1

PLANNING ISSUE 27/11/15 JH  
REVISION DATE/DRAWN



PROJECT 94-96 HAYDONS ROAD  
1-3 QUICKS ROAD  
DRAWING TITLE EXISTING & PROPOSED  
WEST ELEVATION

DATE NOV 2015 SCALE 1:100 @A1

DRAWN JH CHECK TR

STATUS PLANNING

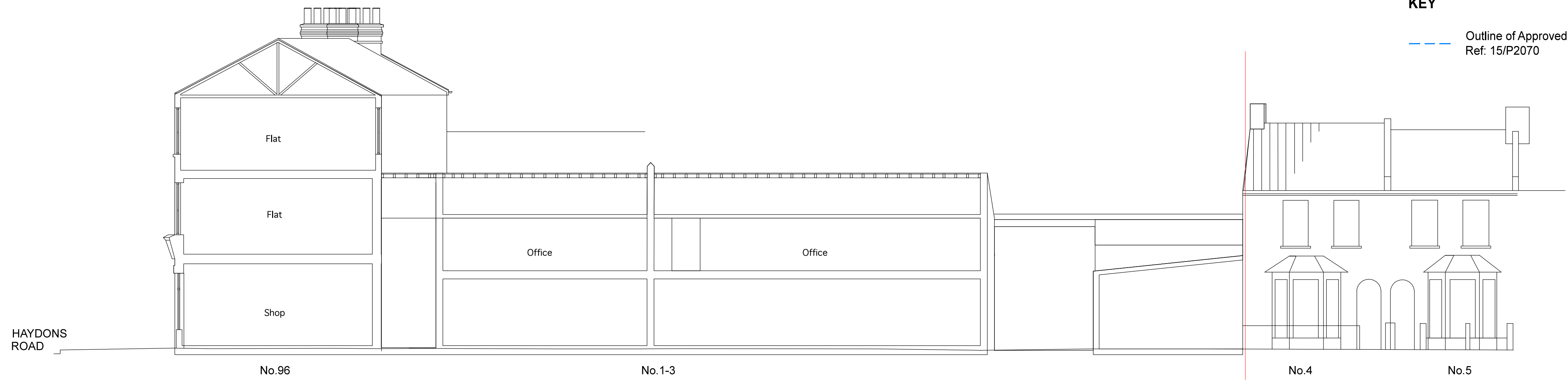
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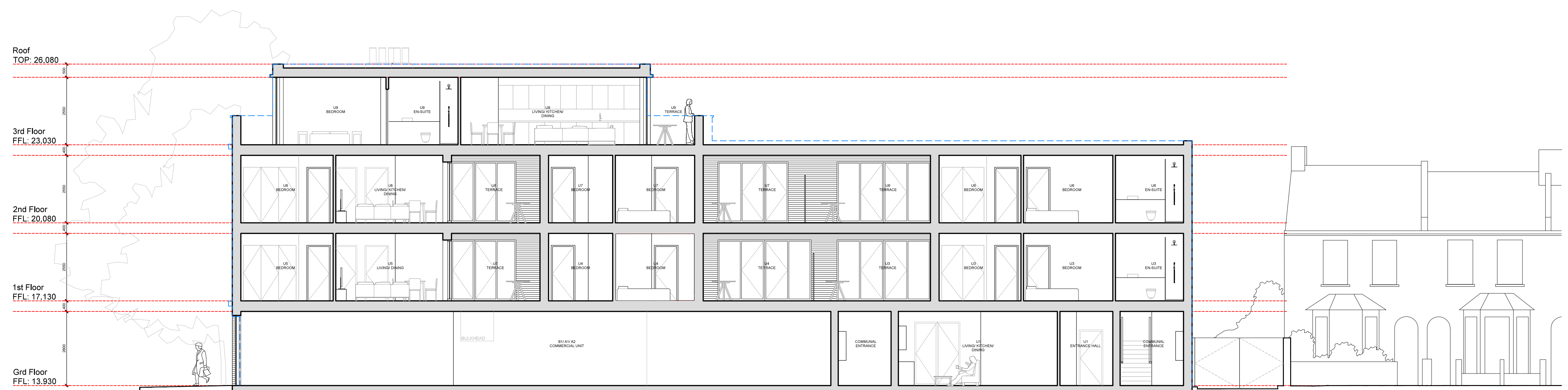
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**KEY**  
 --- Outline of Approved Scheme  
 Ref: 15/P2070

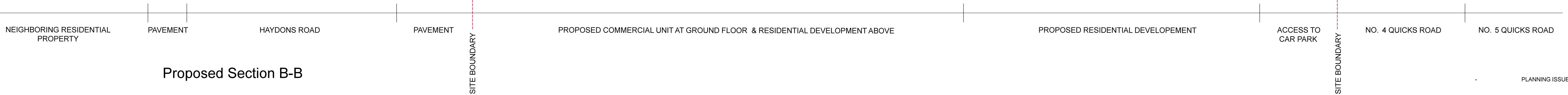
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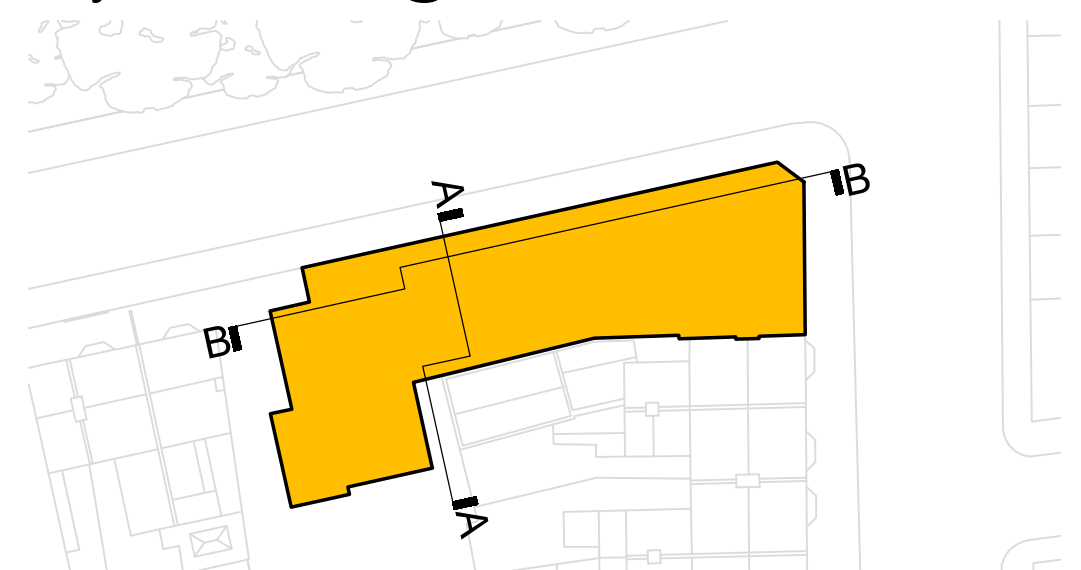
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Proposed Section B-B



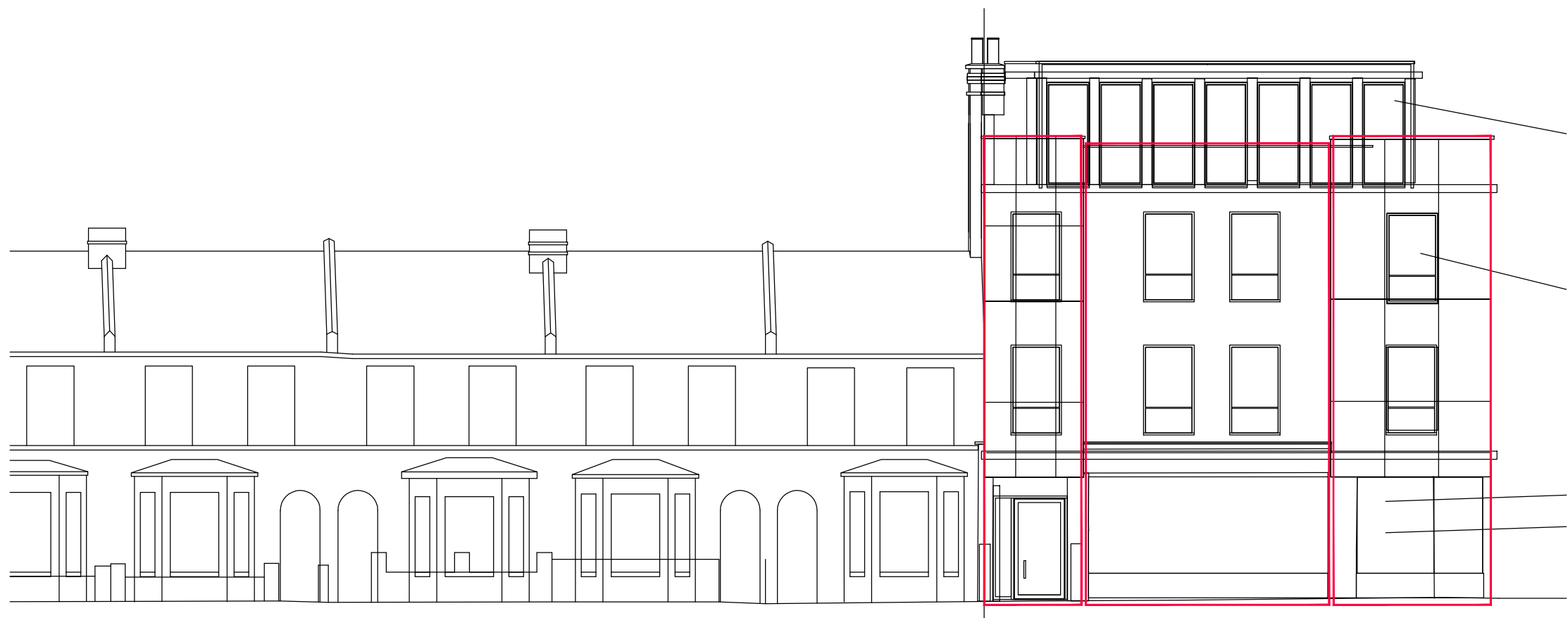
Key Plan 1:500 @A1



PLANNING ISSUE	27/11/15	JH
REVISION		DATE/DRAWN



PROJECT	94-96 HAYDONS ROAD	
	1-3 QUICKS ROAD	
DRAWING TITLE	EXISTING & PROPOSED	
	SECTION B-B	
DATE	NOV 2015	SCALE 1:100 @A1
DRAWN	JH	CHECK TR
STATUS	PLANNING	
JOB NUMBER	AI-2232	
DRAWING NUMBER	QK-301	REV -

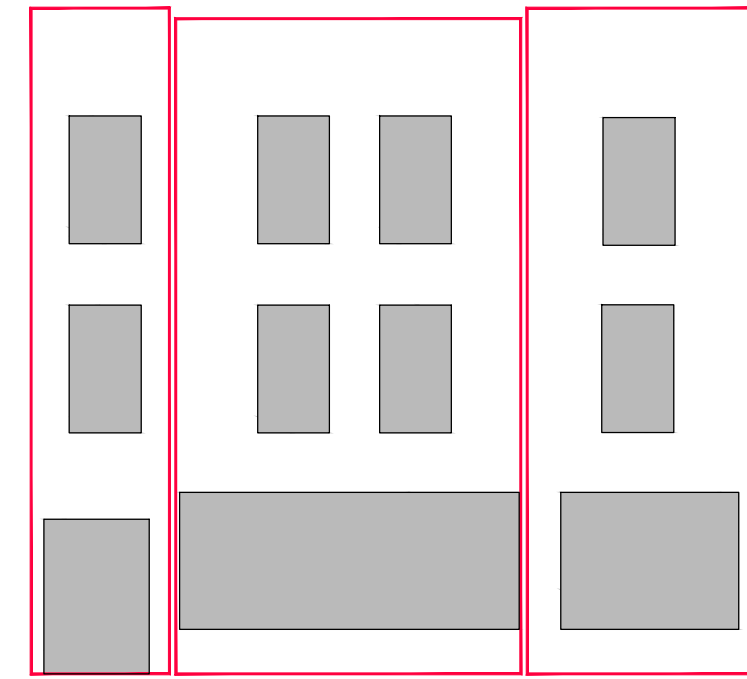


Approved Scheme | East Elevation

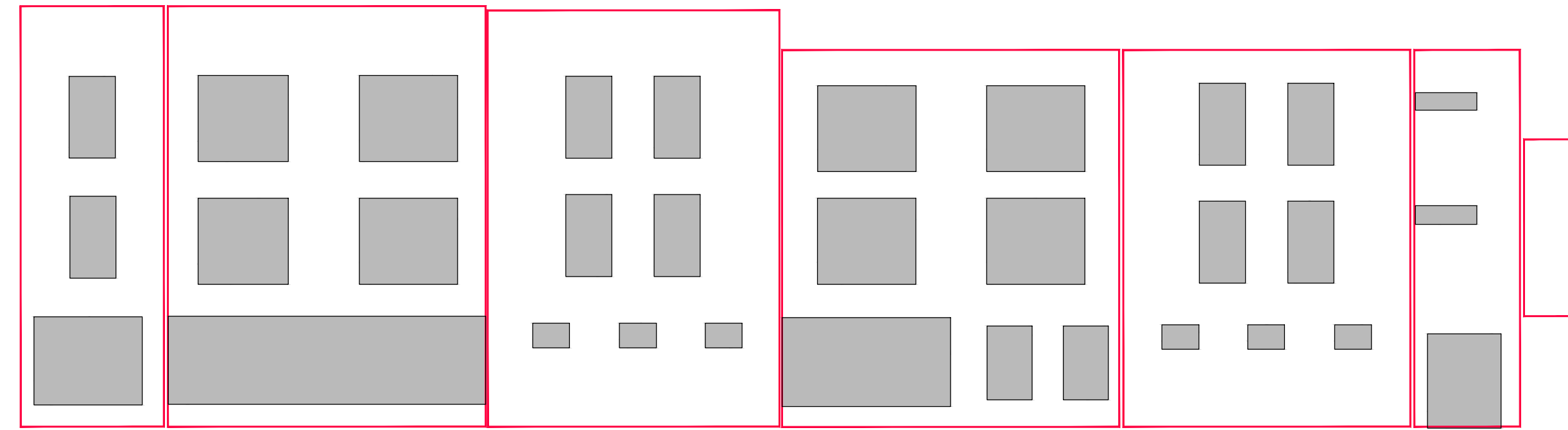


Approved Scheme | North Elevation

- KEY**
- Outline of Development Massing
  - Opening in Elevation, Windows/ Doors

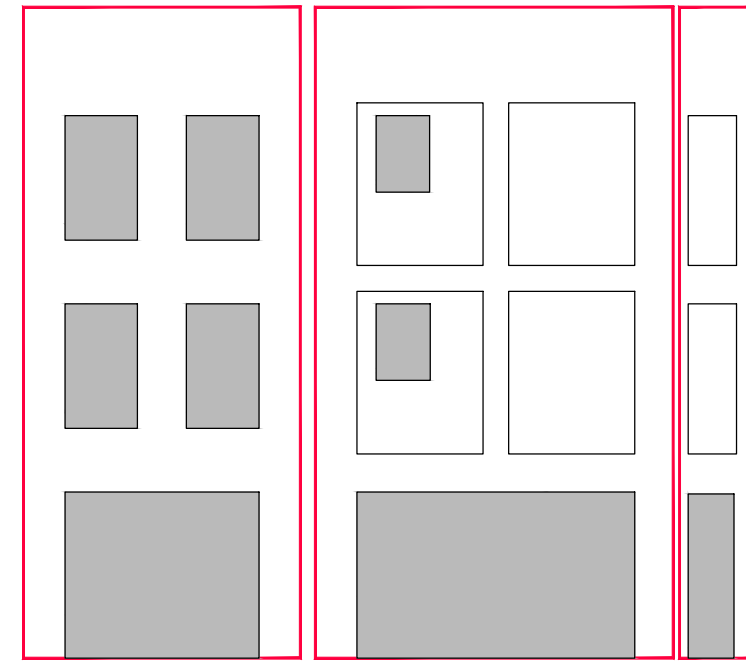


Approved Scheme | Elevation Analysis

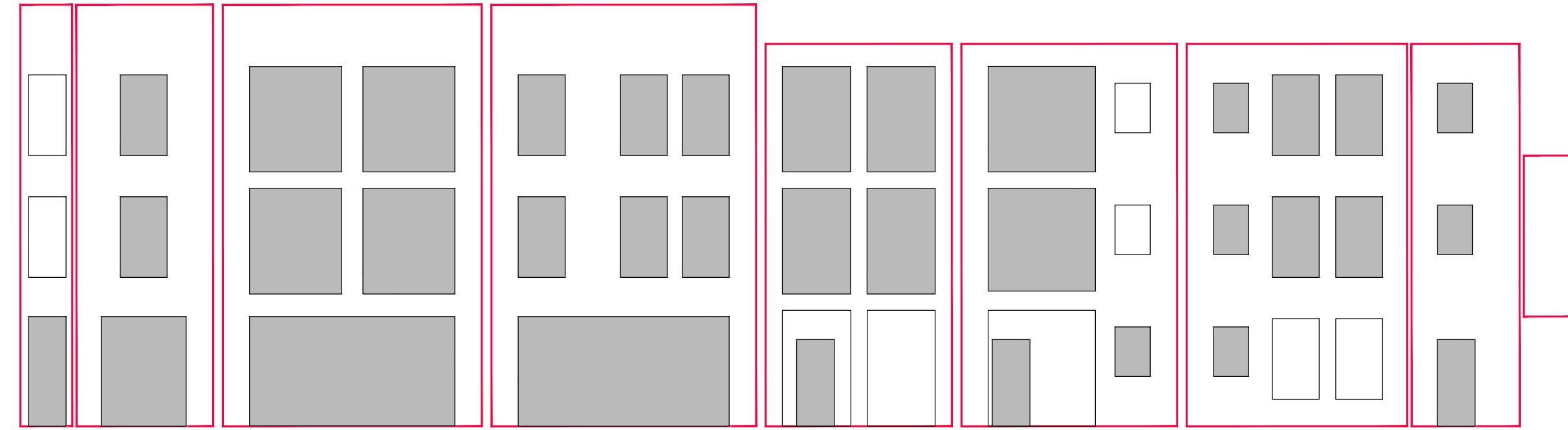


Approved Scheme | Elevation Analysis

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Proposed Scheme | Elevation Analysis



Proposed Scheme | Elevation Analysis



Proposed Scheme | East Elevation



Proposed Scheme | North Elevation

REVISION	PLANNING ISSUE	27/11/15	TR
			DATE/DRAWN



PROJECT	94-96 HAYDONS ROAD		
	1-3 QUICKS ROAD		
DRAWING TITLE	PROPOSED AMENDMENTS		
	ANALYSIS DIAGRAM		
DATE	NOV 2015	SCALE	NTS
DRAWN	TR	CHECK	LM
STATUS	PLANNING		
JOB NUMBER	AI-2232		
DRAWING NUMBER	QK-400	REV	-





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Photo realistic view form Haydons Road

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	FEB 2016	SCALE	NTS
DRAWN	JH	CHECK	TR
STATUS	PLANNING		
JOB NUMBER	A1-2232		
DRAWING NUMBER	QK-402	REV	A





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Photo realistic view form Haydons Road Recreation Park

A	AMENDED PLANNING ISSUE	05/02/16	TR
-	PLANNING ISSUE	27/11/15	JH

REVISION DATE/DRAWN



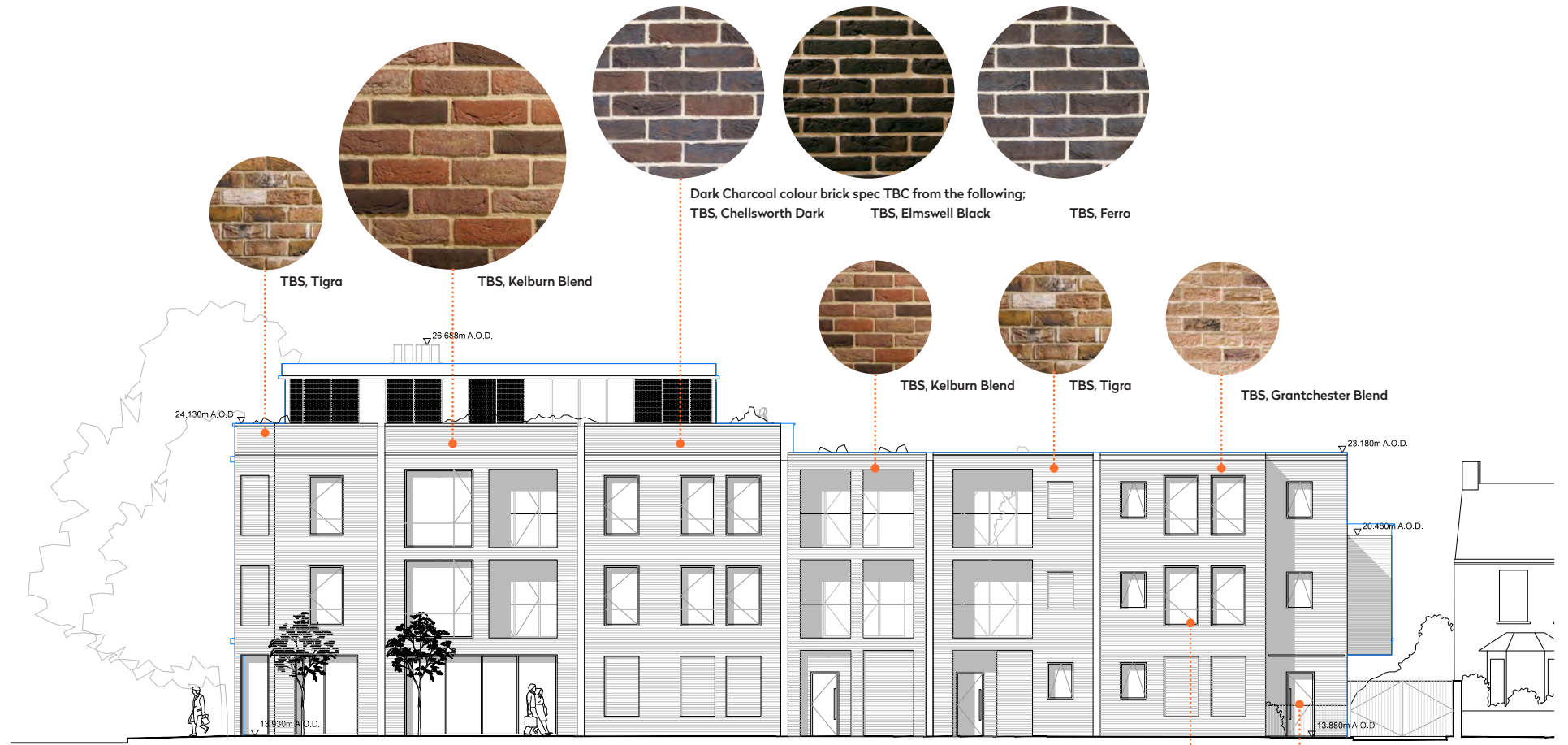
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1-3 QUICKS ROAD  
DRAWING TITLE PERSPECTIVE VIEW  
FROM HAYDONS ROAD PARK

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





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

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 PROPOSED EXTERNAL  
FACADE MATERIALS

DATE FEB 2016 SCALE NTS  
DRAWN JH CHECK TR  
STATUS PLANNING  
JOB NUMBER AI-2232  
DRAWING NUMBER QK-401 REV A

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## PLANNING APPLICATIONS COMMITTEE

17 March 2016

		Item No:
UPRN	APPLICATION NO.	DATE VALID
	16/P0104	23.12.2015
<b>Address/Site</b>	8 Hazelbury Close, Merton Park, London, SW19 3JL	
<b>(Ward)</b>	Merton Park	
<b>Proposal:</b>	Application for variation of condition 2 (approved plans) and the variation of condition 7 (code for sustainable homes) attached to LBM planning permission 14/P3132 (dated 27/08/2014) relating to the demolition of existing bungalow and the erection of a new two storey 4 x bedroom dwelling house.	
<b>Drawing No's</b>	Site location plan, drawings; HC 02 Rev F, HC03 Rev C & HC 08.1 Rev A	
<b>Contact Officer:</b>	Leigh Harrington (020 8545 3836)	

---

### RECOMMENDATIONS

Grant variation of Conditions 2 and 7 attached to LBM planning permission 14/P3132 (dated 27/08/2014).

---

### CHECKLIST INFORMATION.

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No,
- Number of neighbours consulted: 27
- Press notice – No
- Site notice – Yes
- External consultations: No
- Archaeological Priority Zone – No
- Controlled Parking Zone - No
- Number of jobs created: N/A



## **1 INTRODUCTION**

- 1.1 The application has been brought before the Committee due to the level of public interest and the committee's involvement in the original applications for a new replacement house on the site.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site is a detached bungalow located at the Cul de sac end of Hazelbury Close in Merton Park. The site benefits from a large rear garden, off street parking and detached garage to the front of the site. The bungalow has a conservatory at the rear but it is not known if this was an original feature. A large Beech tree subject to a Tree Preservation Order is located in the rear garden of 53A Dorset Road, within 1m of the site boundary.
- 2.2 Hazelbury Close was built after permission was granted in 1987 in a country vernacular style with the houses having a mixture of mock Tudor gables, tile hung two storey bays and plain exposed brick upper floors with lighter render ground floors.

## **3. CURRENT PROPOSAL**

- 3.1 The proposal to vary Condition 2 relates to amendments to the plans approved by the Planning Inspector when determining the appeal for application 14/P3132 and involves the following changes;
- Replacement of the timber cladding on the single storey element with brick.
  - Replacement of the timber cladding on the lower floor of the main structure with a continuation of the approved render finish.
  - Changes to the roof of the single storey element by replacing the clerestory windows in the approved scheme with a standard pitched roof.
  - Removal of the rear canopy.
  - Replacing the approved render finish on the rear dormer with a zinc effect finish.
  - Alterations to the positioning of windows (No new additional fenestration is proposed).
- 3.2 The proposal also included 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 an intention to accord with PassivHaus standards but offered no alternative conditions. Following the involvement of the Council's Climate Change Officer condition 7 would now be varied to a 2 part condition that stated 'Part 1, No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4. Evidence requirements are detailed in the "Schedule of Evidence Required" for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide (2010). Evidence

to demonstrate a 19% reduction compared to 2013 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing' and 'Part 2, No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved the sustainability objectives identified in the applicant's Design and access statement (dated: August 2014). This should include all post-construction certificates for the sustainable design and construction standards (domestic) discussed in the approved Design and Access statement which should be returned to the council within six months of occupation.' The reason for the varied condition would be 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 and Policy DM H4 Sites and policies.

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

- 4.1 Site built as part of a redevelopment of a former playing field to provide 13 houses and a bungalow in 1987.
- 4.2 14/P0176: Application refused and appeal dismissed for the demolition of the existing bungalow and the erection of a new two-storey 4 bedroom dwelling house with accommodation in the loft space.  
Reason for refusal; The proposed house by reason of size, design including materials, siting and bulk would represent an overly dominant and visually intrusive form of development that would: a) fail to complement, respond to and reinforce the character and local distinctiveness of the adjoining townscape, c) detract from the existing suburban character and sense of openness of Hazelbury Close; to the detriment of the visual amenities of the area. The proposals would be contrary to London Plan (2011) policy 7.6, Merton LDF Core Strategy (2011) policy CS14, Merton UDP (2003) policies BE 15, BE16 and BE 22
- 4.3 14/P3132 Application refused by members but allowed on appeal for the demolition of existing bungalow and the erection of a new two storey 4 x bedroom dwelling house.
- 4.4 15/P3908 Lawful development certificate issued for installation of solar panels on garage roof.

#### **5. CONSULTATION**

- 5.1 The application has been advertised by means of a site notice and letters to 27 neighbouring occupiers. In response to the consultations 13 objections were received raising the following concerns:
- Grey bricks will not harmonise with the rest of the Close



- Lead or zinc not appropriate for the roof
- The proposed materials will do nothing to make the proposed building fit within the street
- The standard pitch of the single storey roof adds to its overall overbearing bulk
- Removing condition 7 would undermine the sustainability credibility of the development, the Inspector allowed the design to be different to the other houses because it was compensated by being very sustainable, if this is not the case then the Council's design policies should be taken back into account.

5.2 The Council's Climate Change officer confirmed that the proposed variations to Condition 7 would satisfactorily address the requirements for high sustainability.

## **6 POLICY CONTEXT**

6.1 Relevant policies in the London Plan 2015 are; 3.5 (Quality and design of housing developments), 5.1 (Climate change mitigation), 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.9 (Overheating and cooling) & 7.6(Architecture).

NPPF 2012

6.2 Relevant policies in the Core Strategy 2011 are; CS 9 (Housing provision), CS 14 (Design) & CS 15 (Climate change)

6.3 The relevant policies in the Sites and Policies Plan 2014 are DM D1 (Urban Design and the public realm), DM D2 (Design considerations in all developments), DM H4 (Demolition and redevelopment of a single dwellinghouse)

## **7. PLANNING CONSIDERATIONS**

7.1 The main planning considerations in this case relate to the impact of the changes in design and materials on the appearance of the new house and its wider setting and the impact of the changes to the wording of Condition 7 upon the sustainability of the new development.

### **7.2 Impact on the new house and wider streetscene.**

London Plan 2015 policy 7.6, Core Strategy policy CS14 and SPP policies DM D1 and DM D2 require well designed proposals to utilise materials and design that will respect the siting, rhythm, materials and massing of surrounding buildings as well as complementing, responding to and reinforcing, local architectural character, locally distinctive patterns of development as well as the character and local distinctiveness of the adjoining townscape.

### 7.3 The replacement of the timber cladding

Although timber cladding has become a fashionable material for the exterior of residential properties it can be prone to uneven fading and staining which can have a negative impact on the appearance of a property within a relatively short period of time. The impact of the replacement of timber cladding as a material for the main part of the house with an extension of the STO 31337 rendered finish is considered negligible and has not been raised as a concern by neighbours. Its replacement with Hoskins Lithium Code 45 bricks on the single storey element would be a more noticeable change from the approved drawings. However, whilst the application original simply stated 'grey bricks' the applicants have now proposed Hoskins Lithium Code 45 bricks to demonstrate the 'domestic' nature of the bricks which have a shade of grey to reflect the weathered nature of the timber cladding, rather than simply grey industrial bricks that might be more commonly found on the walls of a supermarket. Officers consider that the use of bricks instead of timber would be more in keeping with Hazelbury Close and would weather and be more sustainable than timber cladding and thereby improve the overall appearance of the development.

### 7.4 Changes to the single storey roof.

The proposed changes to this roof have resulted from further work on the design which has shown that although the clerestory windows provide extra light they provide lower solar gain than was envisaged because of the small glazing area and issues with thermal bridging. By reducing the surface area it allows the proposal to improve the sustainability of the structure because it is more compliant with PassivHaus requirements. The changes would have a slight increase in the bulk and volume of the single storey element although this is considered minimal when compared with the overall property. The ridge line would reflect that of the existing garage and the standard pitch would be more in keeping with the established streetscene than the clerestory windows approved by the Inspector. The roof of this part of the house would also be finished in slate/slate effect tiling.

### 7.5 Removal of the rear canopy.

The canopy would have been located at the rear of the building and barely visible from the public domain. Further modelling showed the canopy offered little shading and increased thermal bridging and the house would perform better without it. There were no objections to its removal.

### 7.6 Zinc dormer.

The dormer was approved with a light coloured rendered finish. The proposal would replace this render with a VM Zinc Pigmento Rouge finish which would be more in keeping with the darker colour of the slate/slate effect roof tiles and has a tendency to weather better than render. It is worthy of note that in terms of permitted development for roof extensions the materials should be in keeping with those of the main roof and therefore a zinc finish would be supported in preference to a rendered finish.

## 7.7 Fenestration changes;

The number and position of the windows have been altered to minimise thermal loss and cold bridging and to make the most of thermal gains. No new windows are proposed and there have been no concerns raised in relation to fenestration which would be triple glazed units set within 'Internorm' dark grey aluminium faced timber frames.

## 7.8 Condition 7

The applicant acknowledges that an application to 'remove' this condition would have benefitted from being accompanied by replacement wording such that it was effectively an amendment/variation to the condition rather than a removal as there was no intention on their part to reduce the sustainability of the development. This is vindicated by the reasoning behind most of the changes outlined above and was submitted because of the abolition of the Code for Sustainable Homes criteria.

7.9 Following consultation with the Council's Climate Change Officer the wording for an amended Condition 7 has been formulated into a new two part condition that is considered to satisfactorily ensure that the proposal will achieve the very high standard of sustainability that the Inspector cited as reasoning for allowing for a design and appearance that varied so much from other houses in the Close

## 8. **CONCLUSION**

8.1 Officers consider that much of the objection to this application was partly generated by a lack of clarity in the application. The proposals involve no reduction in the sustainability of the development and the intention remains to achieve as close as possible to PassivHaus standards, which exceed CSH Level 4 and this can be ensured through the new two part replacement to condition 7.

The changes to the design and appearance of the development are largely a response to needs to make small changes to improve energy efficiency and sustainability in the new house while officers consider that the removal of the timber cladding and the render on the dormer will actually result in improvements to the appearance of the house and its wider setting.

In view of these considerations officers are of the opinion that allowing these variations of conditions will not have a negative impact on the local area and will still ensure an above average standard of sustainability for the development and consequently the application is recommended for approval.

## 9 **RECOMMENDATIONS**

Grant variation of conditions;

- 1 Condition 2 of Planning permission 14/P3132 to read 'The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan and drawings HC 02 Rev F, HC03 Rev C & HC 08.1 Rev A
  
- 2 Condition 7 of Planning permission 14/P3132 to read ' Part 1, No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4. Evidence requirements are detailed in the "Schedule of Evidence Required" for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide (2010). Evidence to demonstrate a 19% reduction compared to 2013 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing'

And

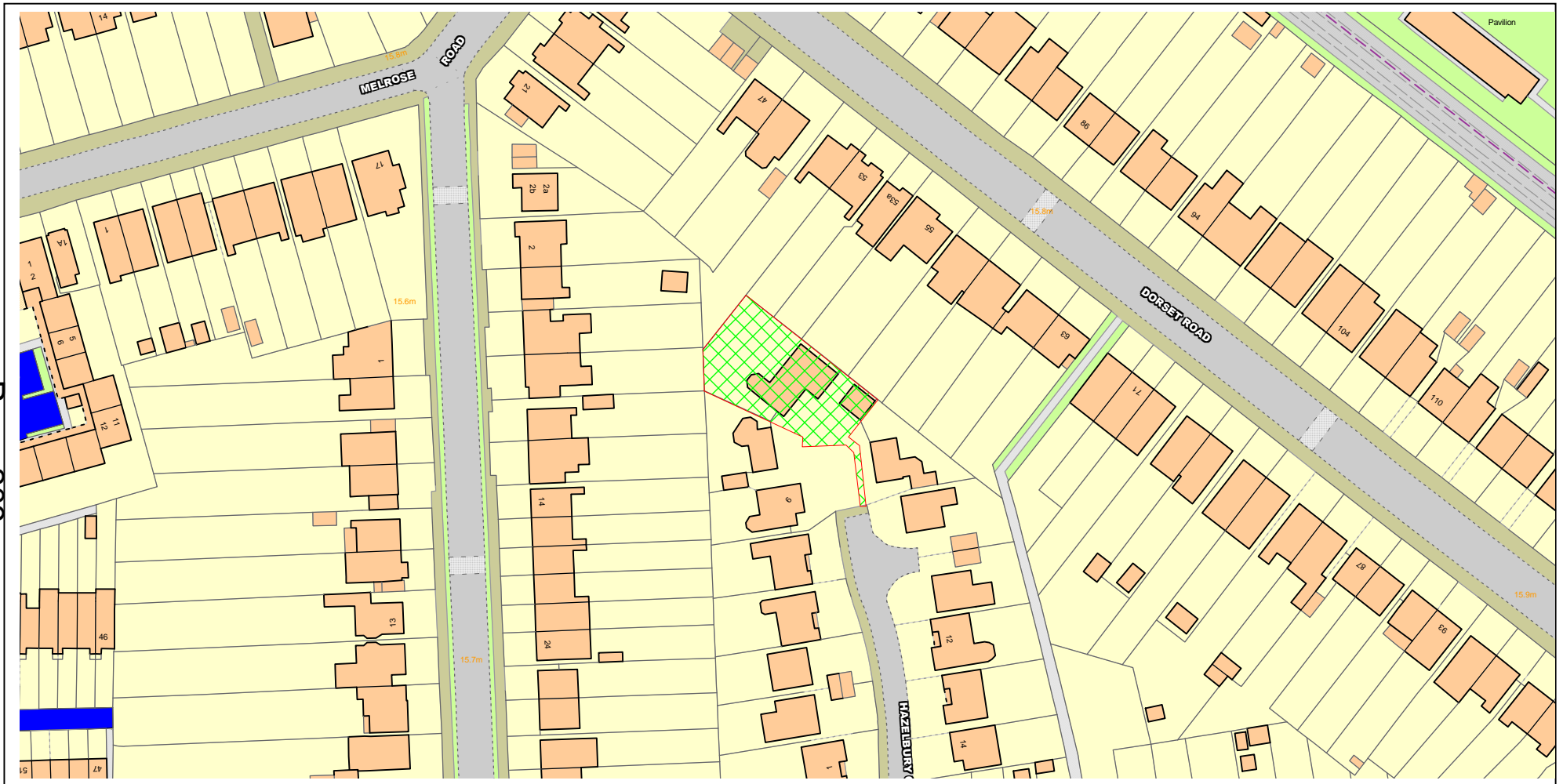
'Part 2, No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved the sustainability objectives identified in the applicant's Design and access statement (dated: August 2014). This should include all post-construction certificates for the sustainable design and construction standards (domestic) discussed in the approved Design and Access statement which should be returned to the Council within six months of occupation.'

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 and Policy DM H4 Sites and policies.

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# NORTHGATE SE GIS Print Template

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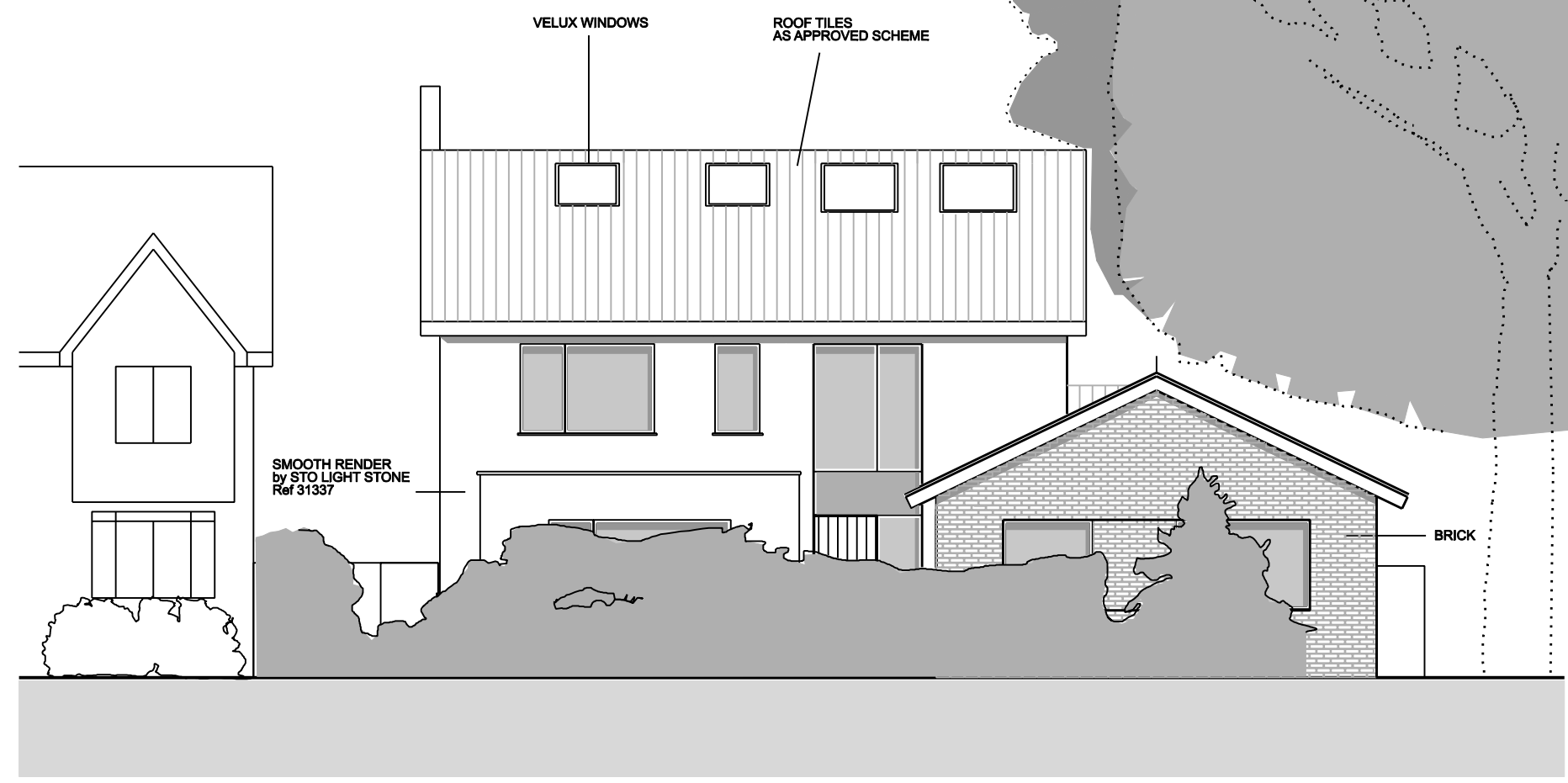


Text Details 8 Hazelbury Close

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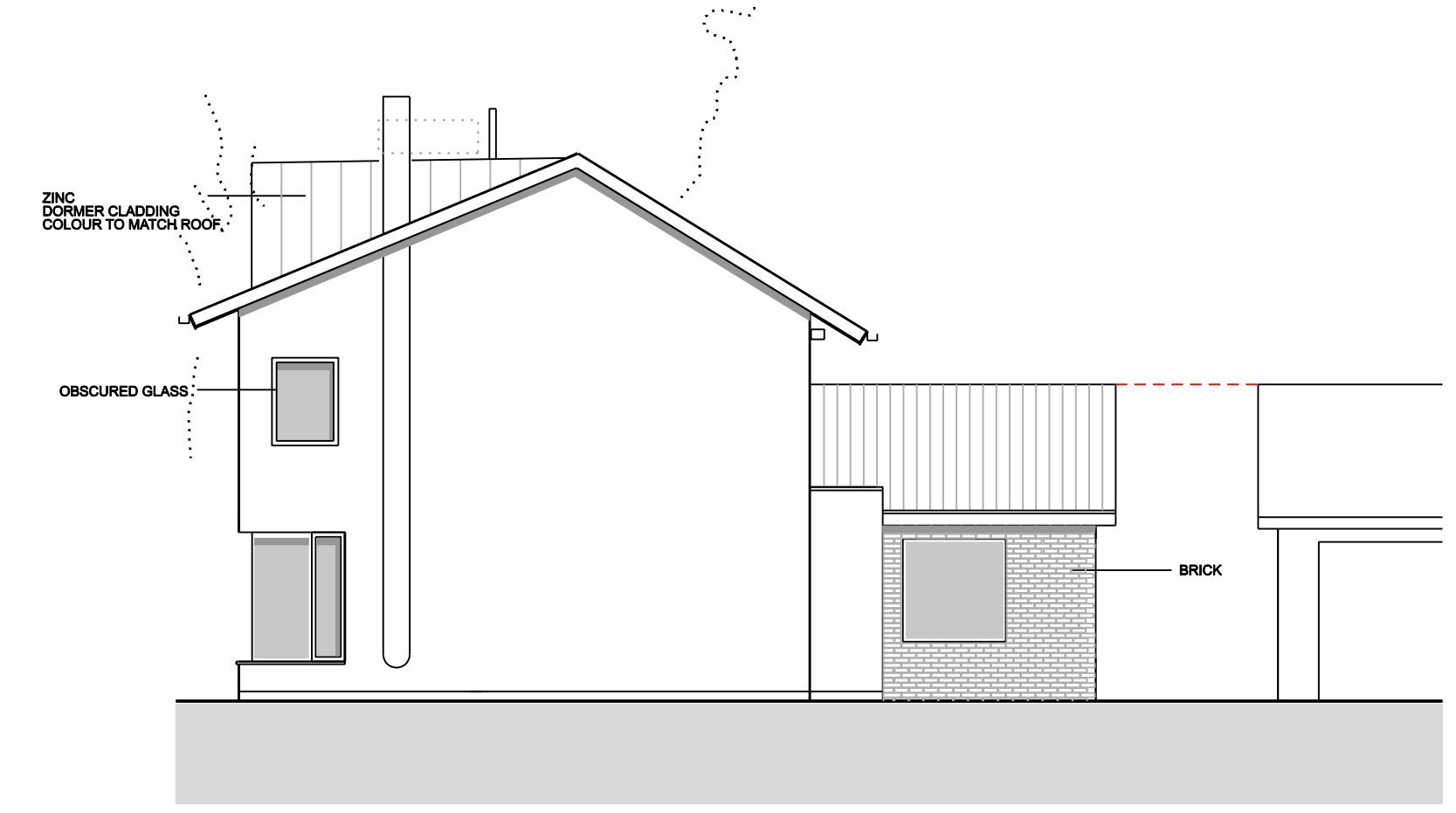
**PROPOSED**



No 8 STREET ELEVATION



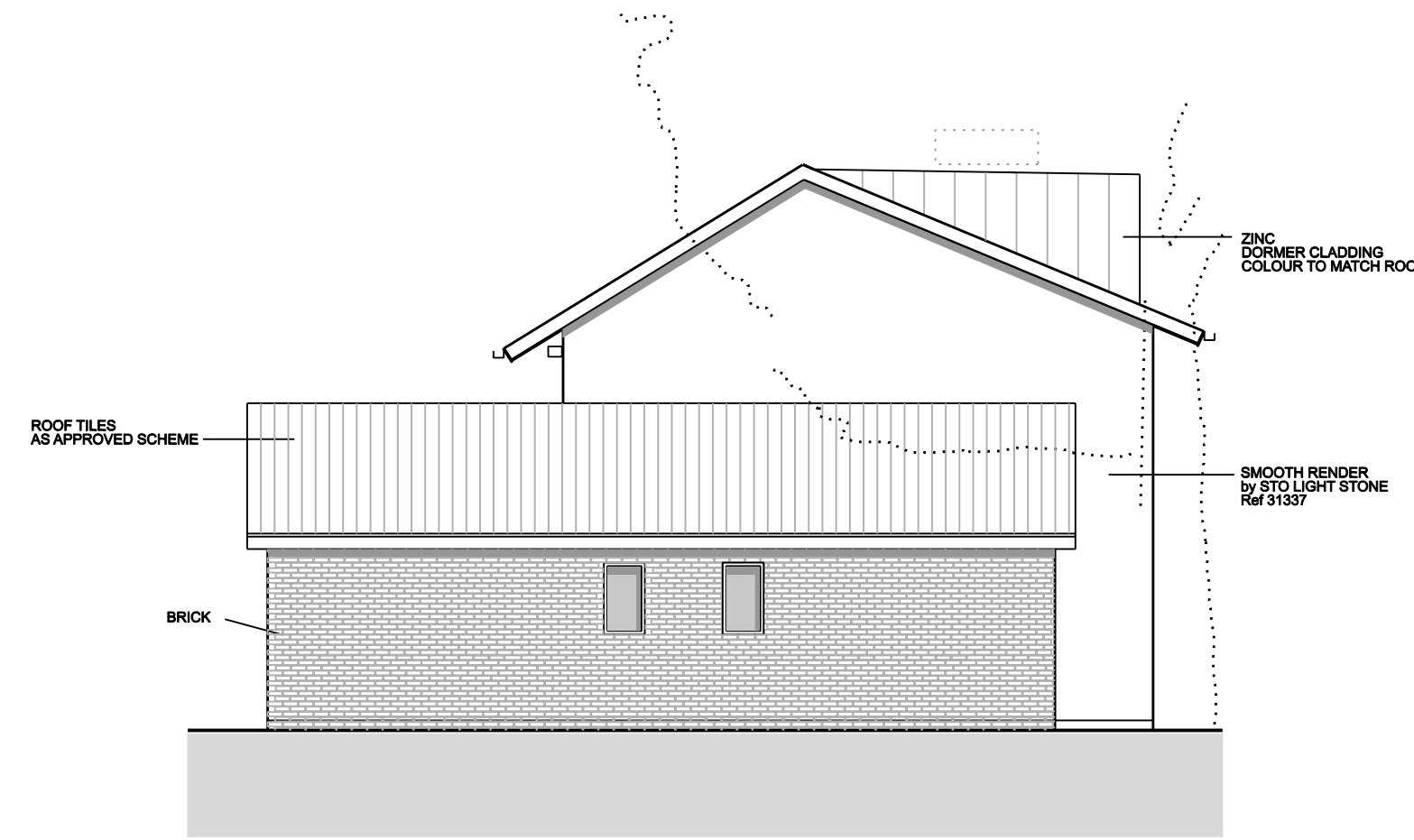
REAR ELEVATION



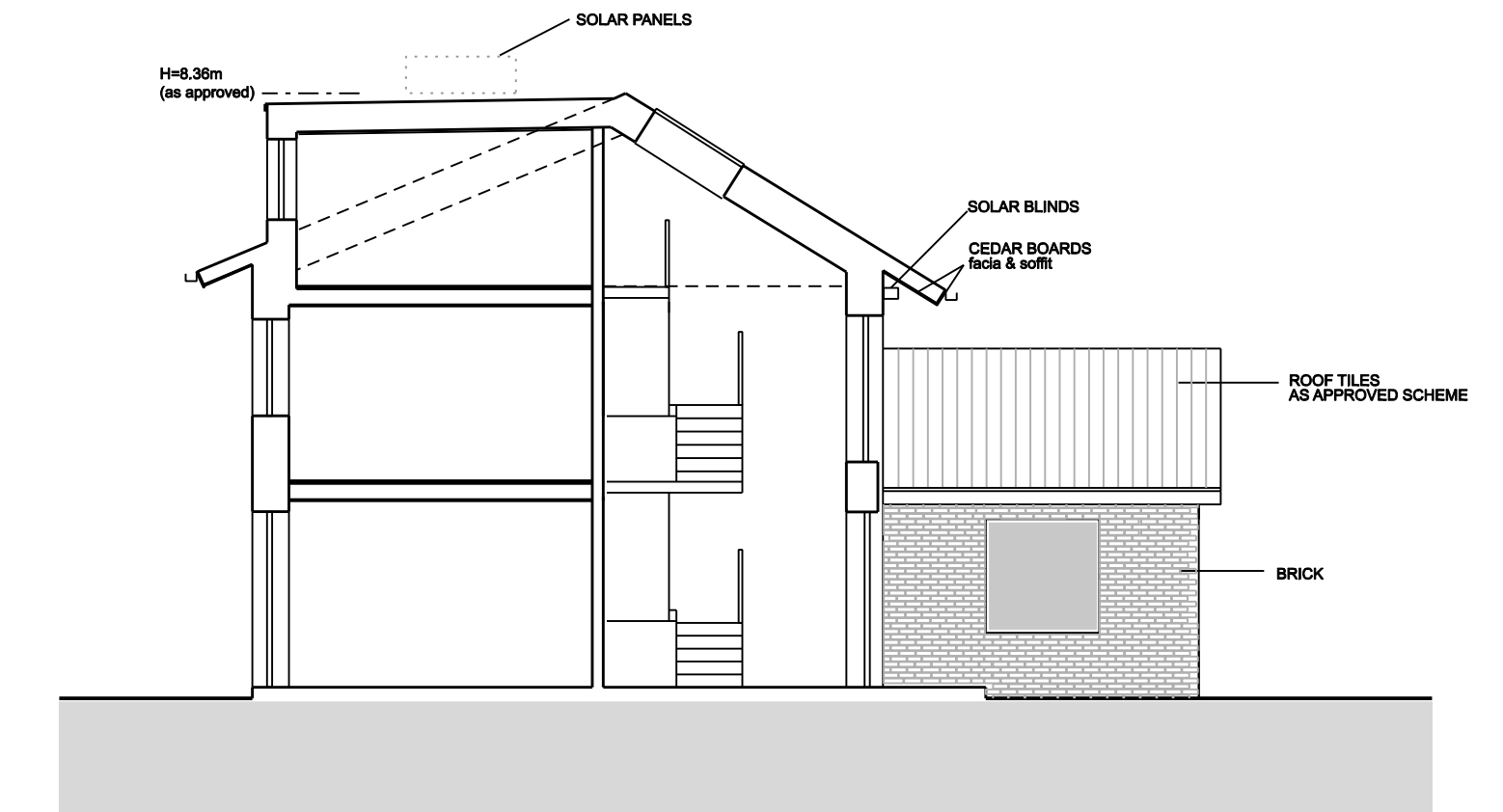
SOUTH ELEVATION



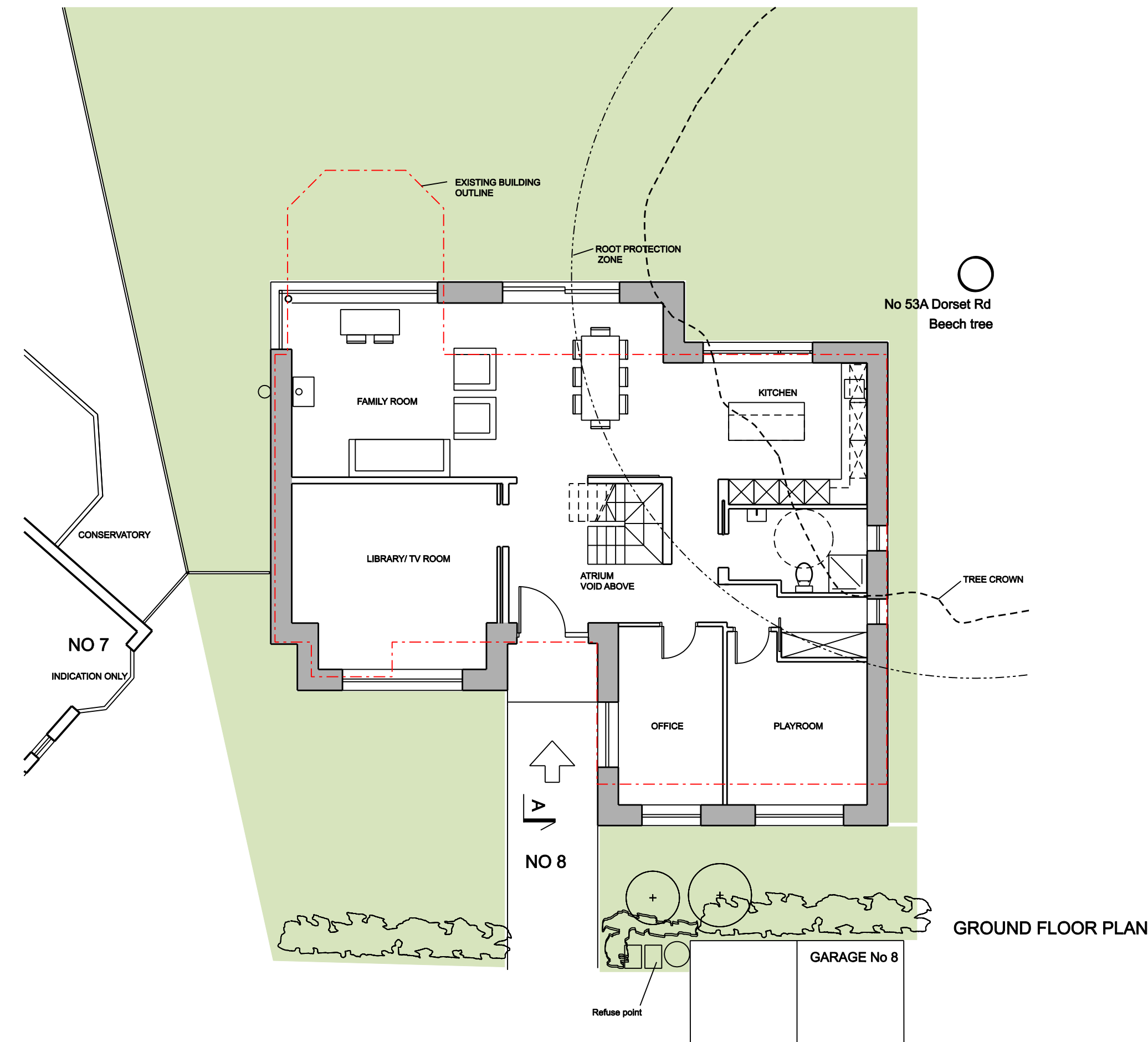
No 8 FRONT ELEVATION



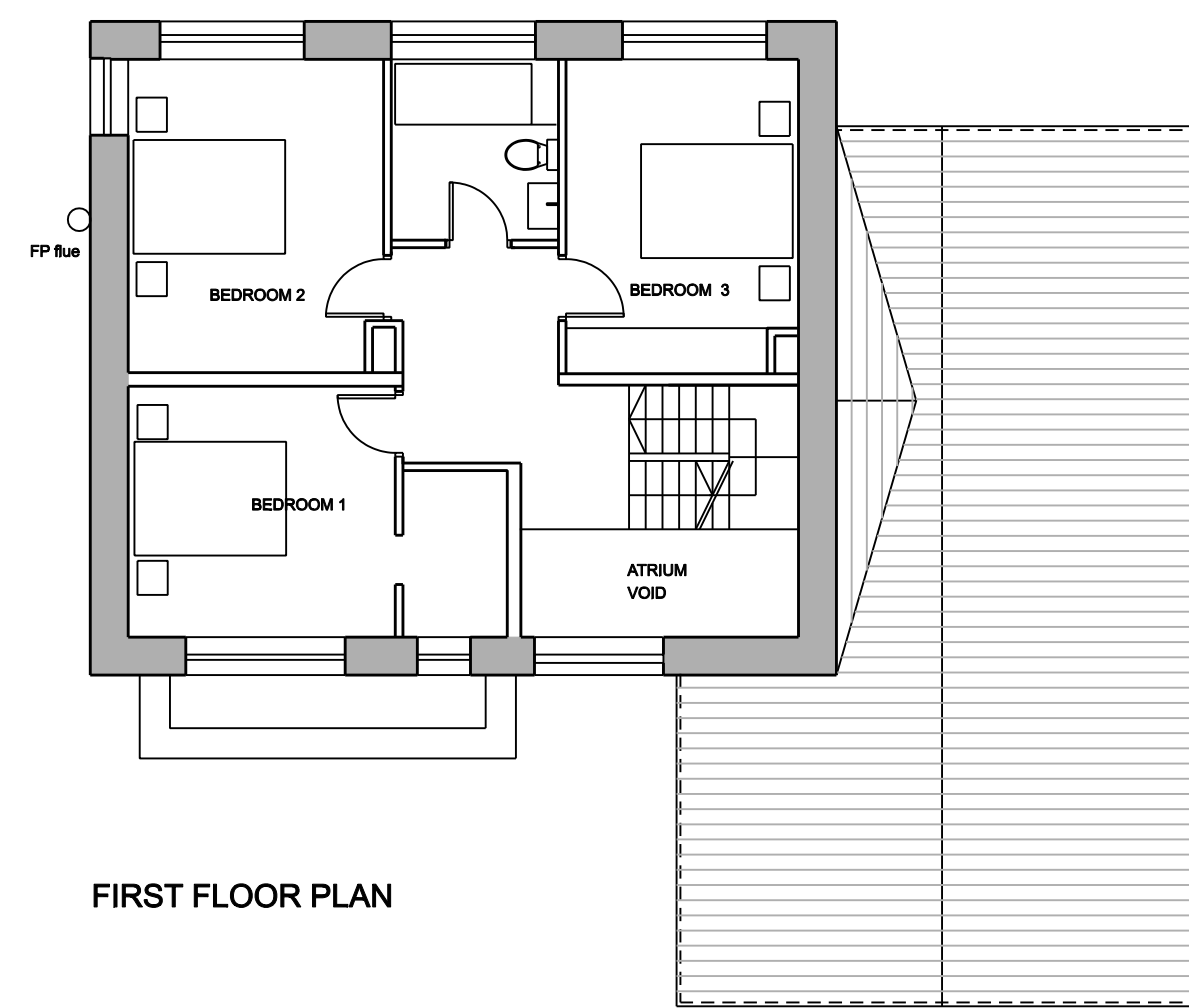
NORTH ELEVATION



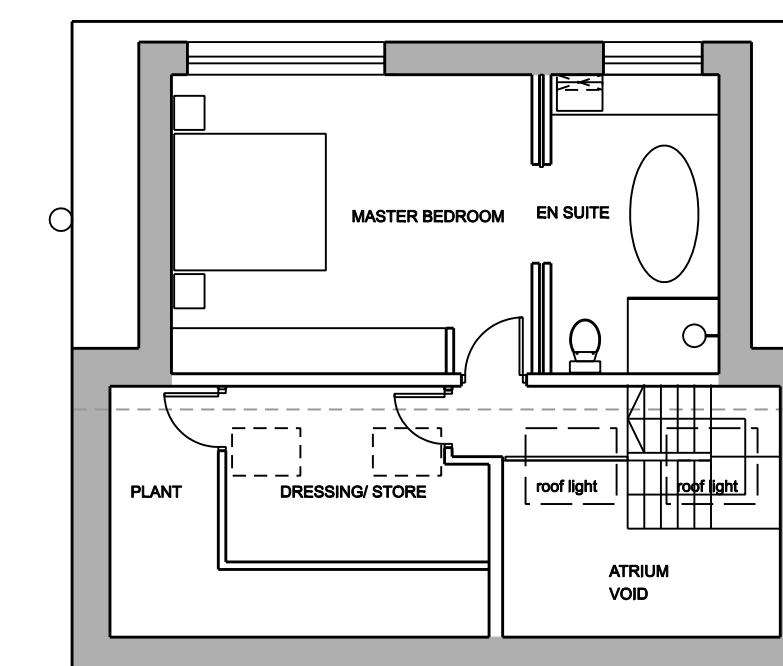
SECTION A - A



GROUND FLOOR PLAN



FIRST FLOOR PLAN



SECOND FLOOR PLAN



- Rev F 02 03 16 Amended roof of single storey
- Rev E 22 02 16 Amended single storey element other minor changes
- Rev D 12 12 15 Amended single storey element (standard roof / walls) other minor changes
- Rev C 31 10 14 Solar panels added (elevations)
- Rev B 06 10 14 Rear dormer size reduced
- Rev A 29 09 14 Rear dormer added

Applicant: Mr Dean Sewell  
Mrs Edyta Cholewinski

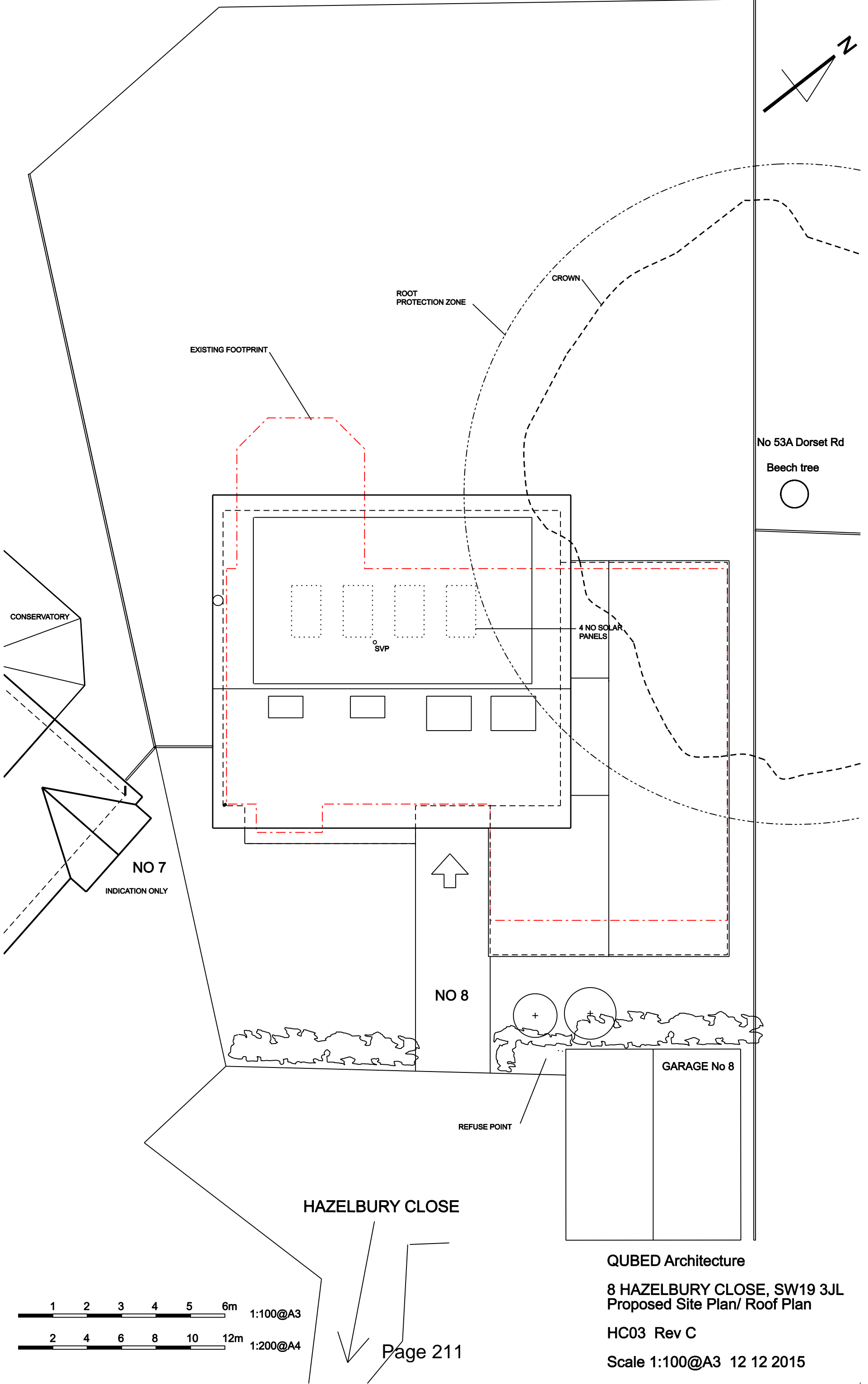
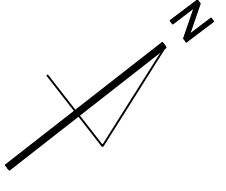
Project: **8 Hazelbury Close SW19 3JL**

QUBED UK LTD  
Architecture  
106 Pelham Road  
SW19 1PA  
02082 863 927  
www.qubedarchitecture.co.uk

Stage: **PLANNING**

Drawing: **Proposed Plans, Elevations and Section**

Number	Revision	Scale	Date
HC 02	F	1:100@A1 1:200@A3	11 08 2014



CONSERVATORY

EXISTING FOOTPRINT

ROOT PROTECTION ZONE

CROWN

No 53A Dorset Rd

Beech tree



4 NO SOLAR PANELS

SVP

NO 7  
INDICATION ONLY



NO 8



GARAGE No 8

REFUSE POINT

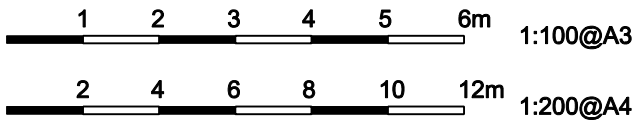
HAZELBURY CLOSE

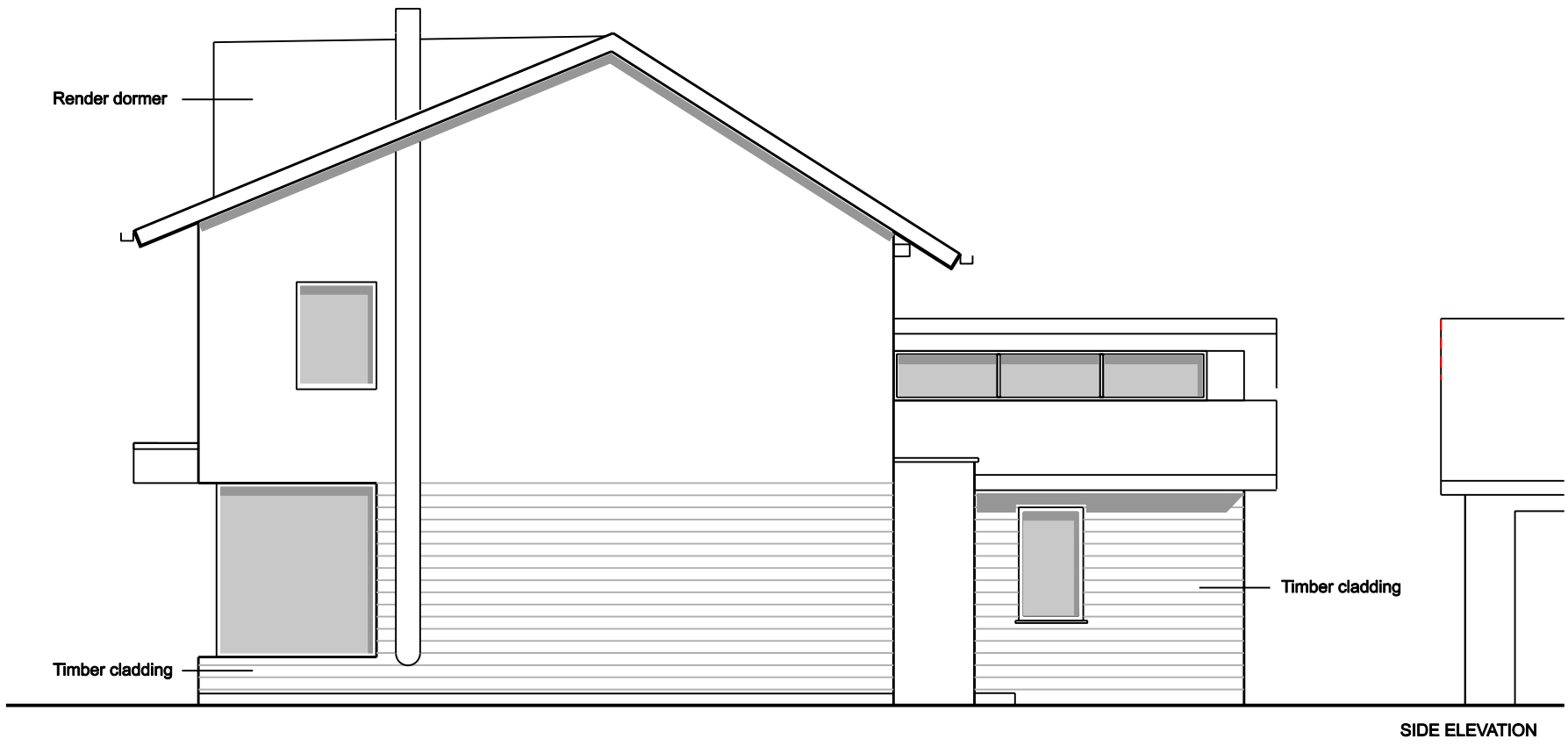
QUBED Architecture

8 HAZELBURY CLOSE, SW19 3JL  
Proposed Site Plan/ Roof Plan

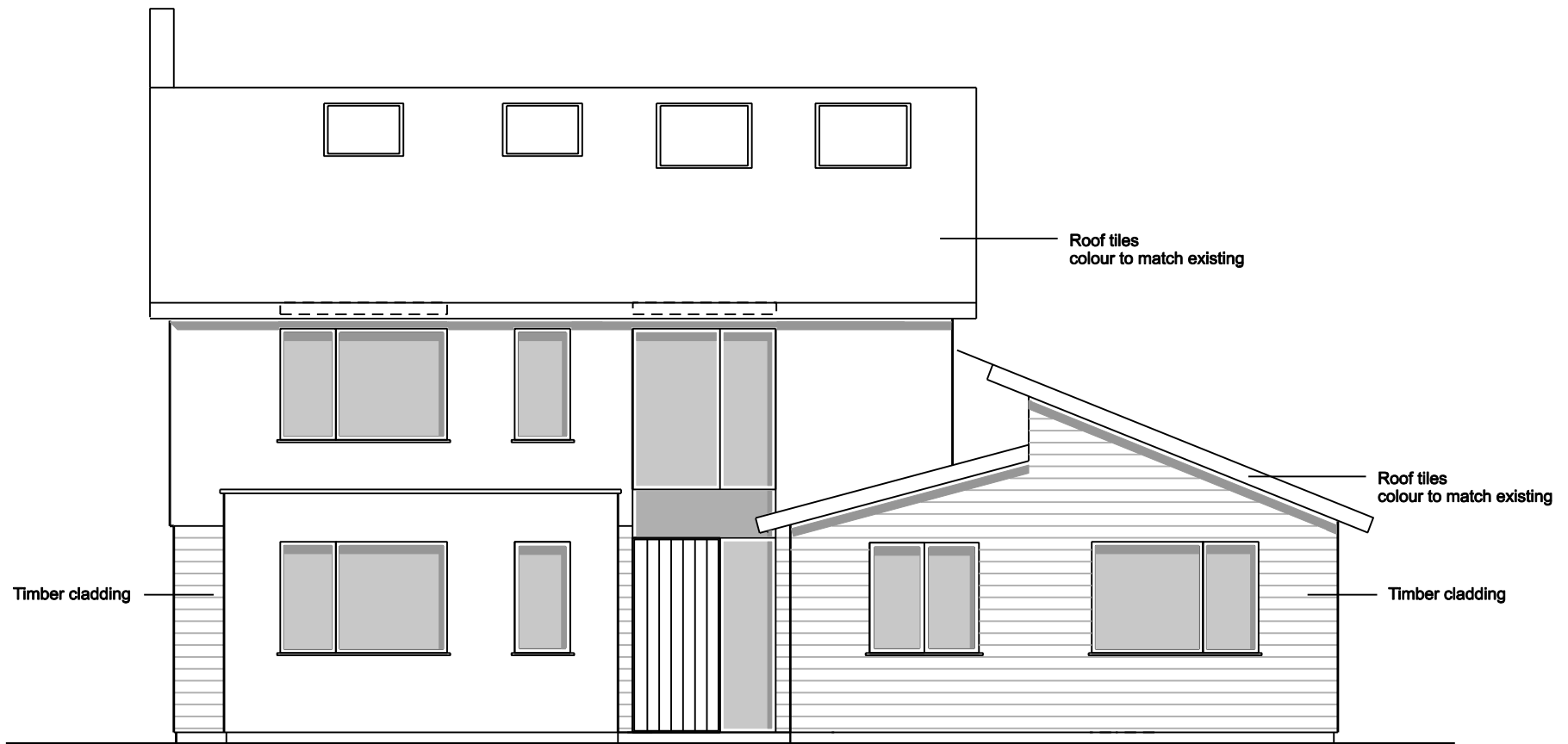
HC03 Rev C

Scale 1:100@A3 12 12 2015

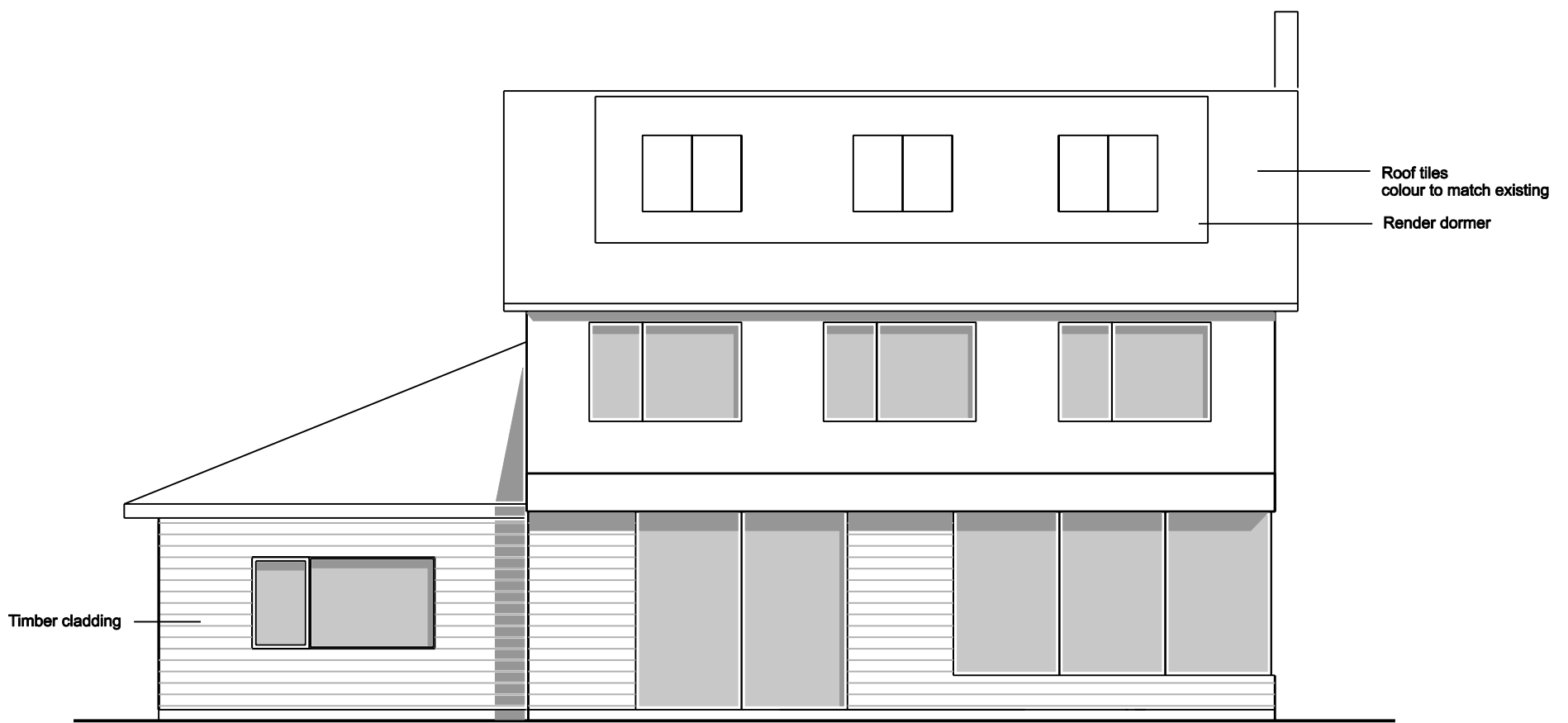




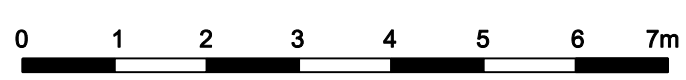
SIDE ELEVATION



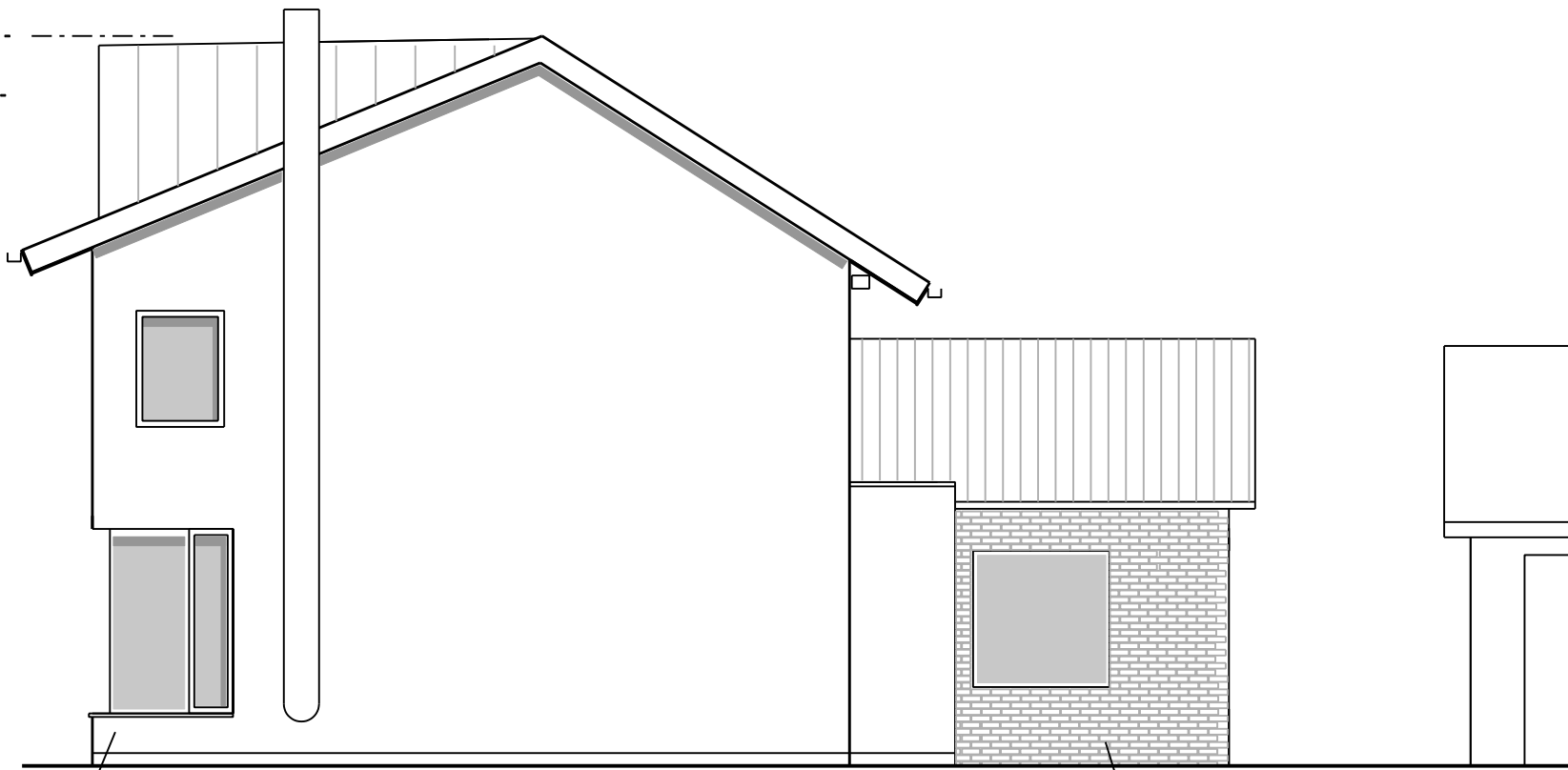
FRONT ELEVATION



REAR ELEVATION



Ridge height - as approved  
Dormer size - as approved



SIDE ELEVATION

Simplified elevations with continuous highly insulated render system, including wrapping all windows frames to reduce losses. Removal of timber cladding from ground floor.  
Dormer material changed to zinc, colour to match roof.  
(Note, dormer set-back 1.2m, barely visible from the street)

Bricks used in single storey element in place of timber cladding (as approved).

Removal of clerestory windows and change to standard pitched roof form resulting in improved overall building performance for the single storey element.

South facing window amended to improve solar gain.

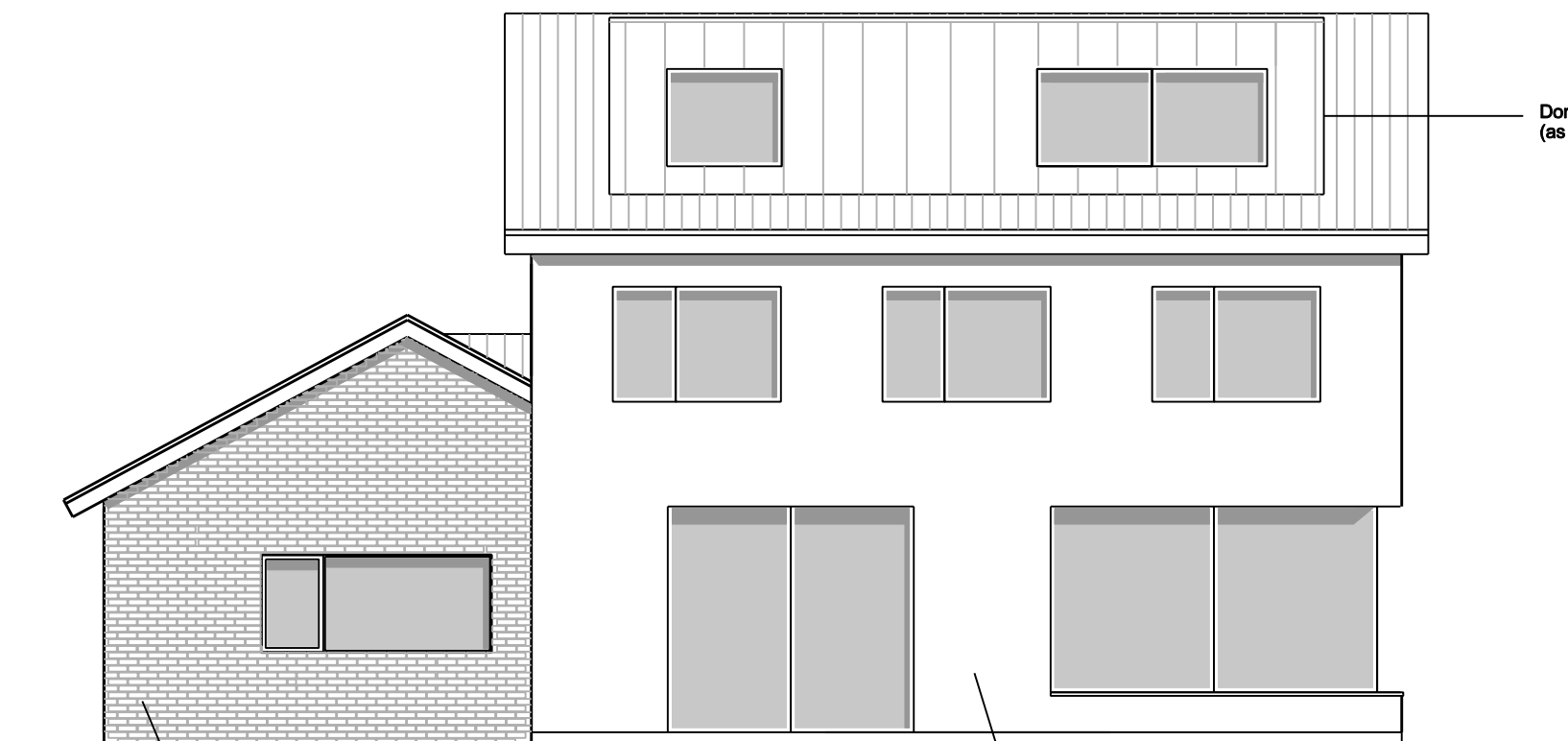


FRONT ELEVATION

Window amended to increase solar gain and reduce thermal losses.

Bricks (as above).

Simplified roof form (as above).



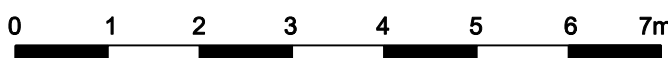
REAR ELEVATION

Bricks as above.

Simplified roof form (as above).

Simplified elevations (as above).

Dormer material (as above).



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APPROVED SCHEME – LONG VIEW





AMENDED SCHEME – LONG VIEW





APPROVED SCHEME – SHORT VIEW





AMENDED SCHEME – SHORT VIEW



**8 Hazelbury Close – S73 Changes**



APPROVED SCHEME – LONG VIEW



AMENDED SCHEME – LONG VIEW

**8 Hazelbury Close – S73 Changes**



APPROVED SCHEME – SHORT VIEW



AMENDED SCHEME – SHORT VIEW









-The size of the house and the substantial amount of glass on the elevation facing onto the garden of 93 Home Park Road, has resulted in a loss of privacy to 93 Home Park Road. A high close boarded fence and additional planting to the north-west boundary would provide screening and maintain privacy.

## 6. **POLICY CONTEXT**

- 6.1 The relevant policy contained within the Adopted Merton Core Strategy (July 2011) is CS14 (Design).
- 6.2 The relevant policy within the Adopted Sites and Policies Plan (July 2014) is DM D2 (Design Considerations in all Developments).

## 7. **PLANNING CONSIDERATIONS**

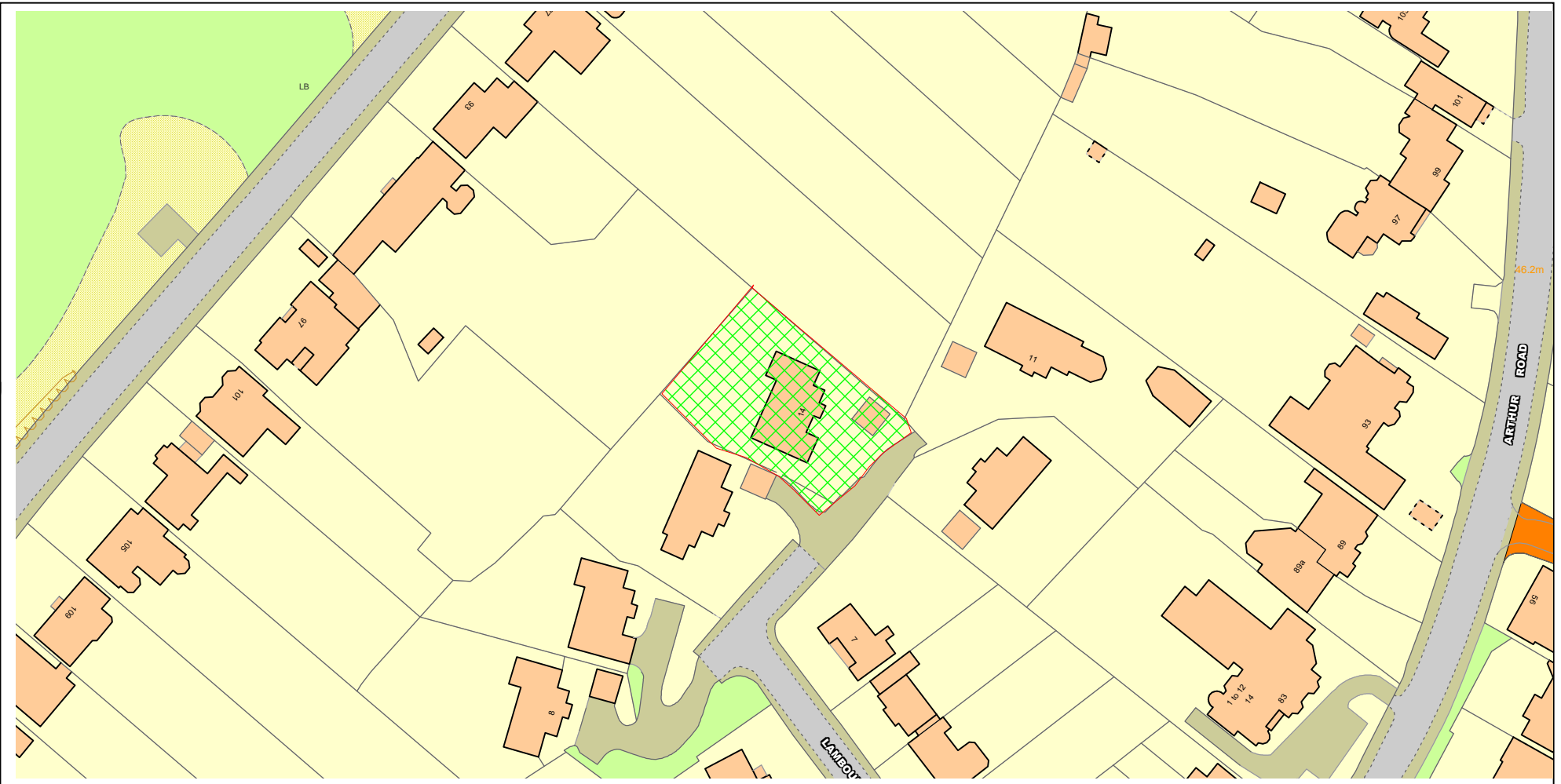
- 7.1 The main planning consideration concerns neighbour amenity and impact on privacy.
- 7.2 Neighbour Amenity Issues  
Condition 5 of planning permission LBM Ref.12/P0125 that the glazed staircase tower be glazed with obscure/coloured glass and be maintained as such thereafter. The condition was imposed on the original planning permission as it was unclear as to the internal levels of the staircase in relation to the staircase tower window. Construction works are well advanced and at present the staircase tower is glazed with clear glass. The applicant wishes to remove the requirement for obscure glazing on the grounds that there is adequate separation distance between the staircase tower and the nearest residential property, number 9 Lambourne Avenue.
- 7.3 From inside the staircase tower, the highest level affording a view is at first floor landing level – the glazed area above is beyond eye level. The separation distance between the glazing in the staircase tower and the front elevation of number 9 is 33.52 metres. This separation distance between the first floor level of the staircase tower window and the nearest first floor window in 9 Lambourne Avenue is considered to be sufficient to justify removal of the requirement that the staircase glazing be obscure. The proposal to retain clear glazing is therefore considered to be acceptable in terms of policy DM D2.
- 7.4 The concerns of the residents to the rear of the development in Home Park Road regarding the removal of the obscure glazing condition are noted. However condition 5 relates only the staircase tower glazing and no alterations are proposed to the rear elevation of the building that faces towards properties in Home Park Road.
- 7.5 The concerns raised by neighbours regarding the consultation process are noted. However, both the original planning application LBM Ref.10/P0708 and the subsequent application for a new house Ref.12/P0125 were subject to the



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# NORTHGATE SE GIS Print Template



Text Details 14 Lambourne Avenue

- 9 DEC 2011

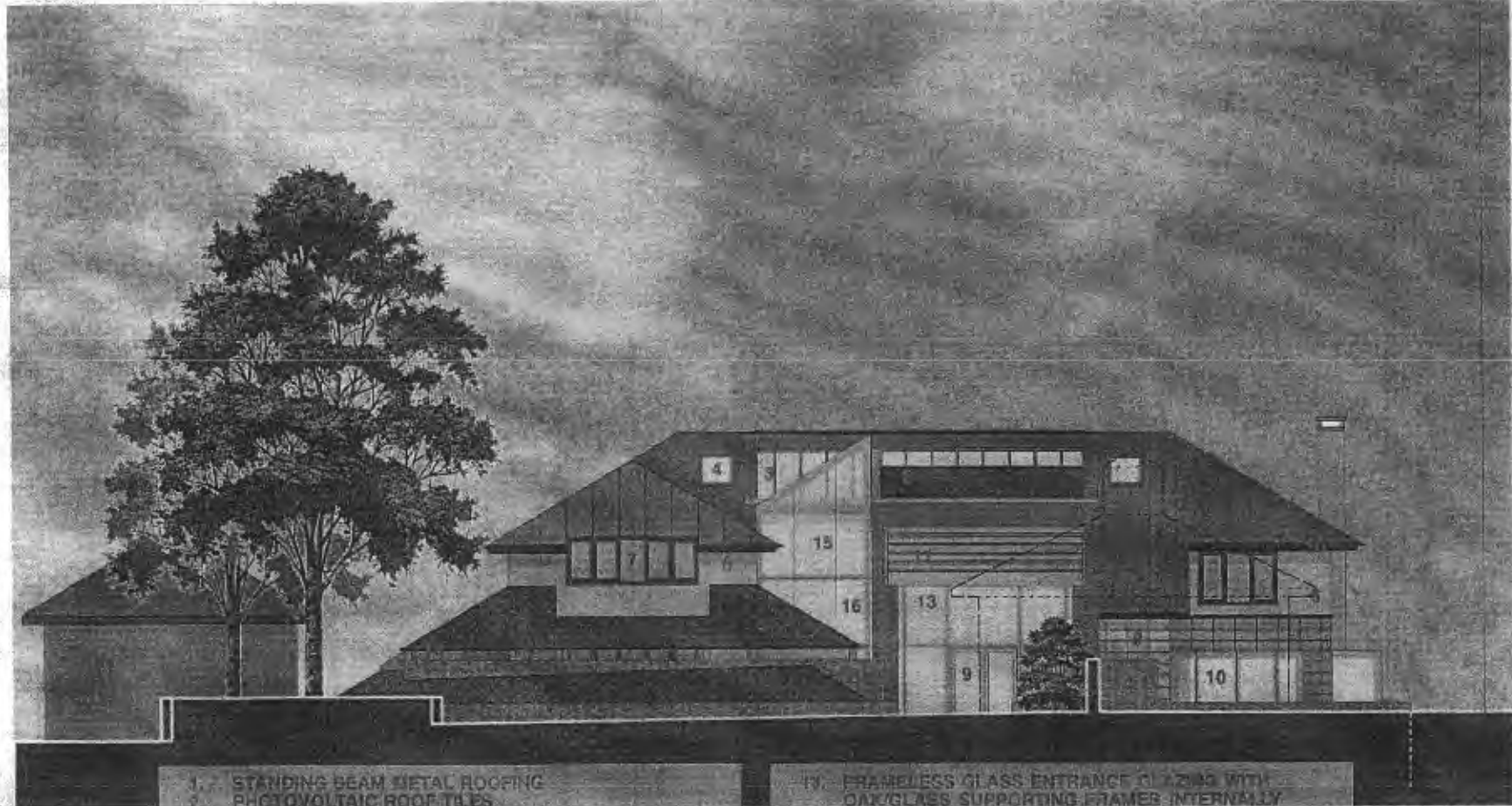
Planning Department

FRONT ELEVATION



PROP/09 - 1:100

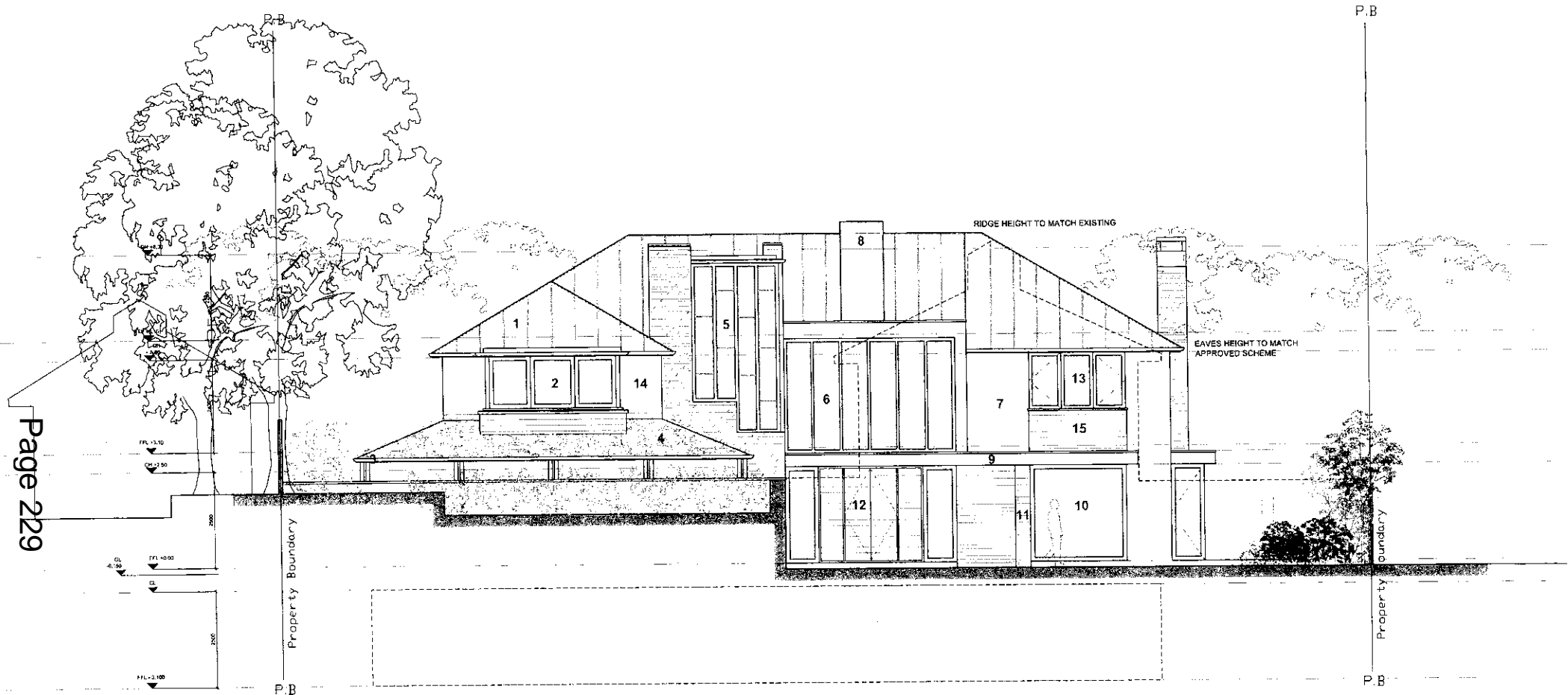
Page 228



- 1. STANDING BEAM METAL ROOFING
- 2. PHOTOVOLTAIC ROOF TILES
- 3. METAL FRAMED GLAZED ROOFLIGHT
- 4. VELUX WINDOW
- 5. SEDUM ROOF
- 6. INSULATED RENDER CLADDING
- 7. TRIPLE GLAZED SCANDINAVIAN WINDOW - TIMBER WITH METAL FACING
- 8. INSULATED OAK RAINSCREEN CLADDING
- 9. TIMBER/OAK FRAMED GLAZED DOORS
- 10. FRAMELESS GLASS ENCLOSURE WITH OAK/GLASS SUPPORTING FRAMES INTERNALLY
- 11. TIMBER/OAK SECTION CANOPY
- 12. METAL CLADDING TO MATCH ROOFING

- 13. FRAMELESS GLASS ENTRANCE GLAZING WITH OAK/GLASS SUPPORTING FRAMES INTERNALLY
- 14. LIMESTONE DRY STONE WALLING
- 15. FRAMELESS GLASS STAIR ENCLOSURE WITH OAK SUPPORTING FRAMES INTERNALLY
- 16. COLOURED GLASS PANELS MOUNTED INTERNALLY
- 17. OUTLINE OF GARAGE
- 18. TIMBER/OAK COLUMNS TO ROOF
- 19. PLANTING
- 20. METAL GUTTER - TIMBER SOFFIT TO EAVES
- 21. EXISTING/NEIGHBOURING BUILDING

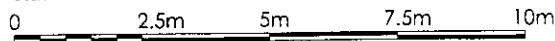
12/PO125 Approved Scheme.



1. STANDING SEAMED METAL ROOFING WITH METAL GUTTER
2. HARD WOOD BAY WINDOW WITH HARDWOOD SILL
3. TIMBER/OAK COLUMNS TO ROOF
4. SEDUM ROOF
5. METAL FRAMED GLASS STAIR ENCLOSURE
6. METAL FRAMED GLASS ATRIUM
7. SELF COLOURED RENDER (STO OR SIMILAR)
8. FRAMELESS GLASS PROJECTING BAY WINDOW
9. ENTRANCE CANOPY WITH RENDERED PROFILE AND METAL COVERING
10. HARDWOOD BAY WINDOW
11. DRYSTONE WALLING
12. TIMBER/OAK AND GLASS PANELLED ENTRANCE
13. HARDWOOD WINDOW
14. SELF COLOURED RENDER (STO OR SIMILAR)
15. TIMBER WEATHERBOARD CLADDING

**FRONT ELEVATION**

Scale 1:50



**Andrew Harper Architects**

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 London, SW19 5BY  
 t: 020 7183 0590  
 e: office@andrewharperarchitects.co.uk  
 w: www.andrewharperarchitects.co.uk

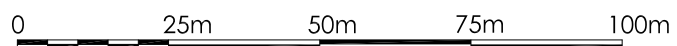
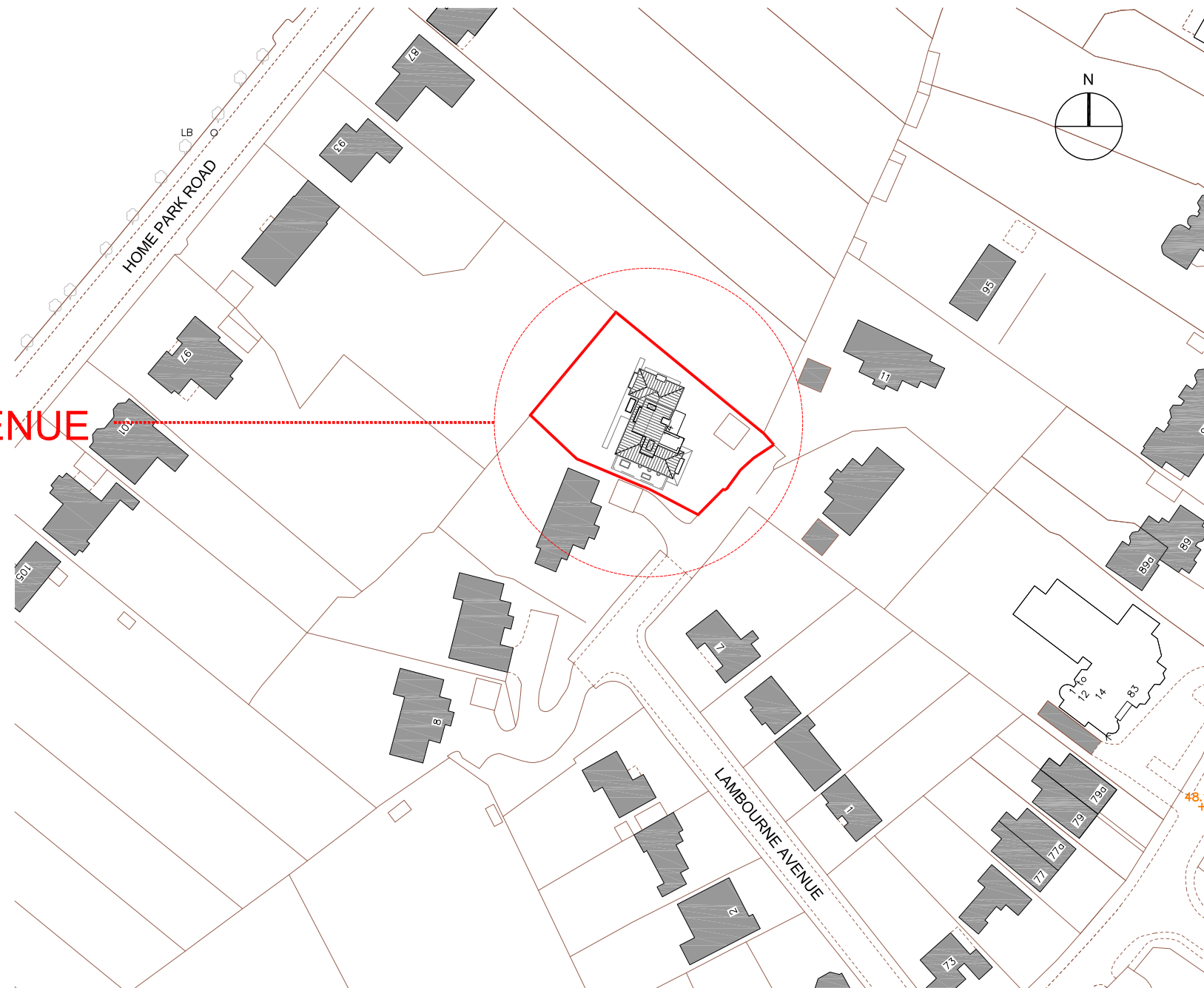
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14, Lambourne Avenue, SW19	130	30/03/14
drawing:	130	drawn:
Proposed	A1 @ 1:100	JL
Front Elevation	A1 @ 1:50	
NOTES:	drawing no.	rev.
All copyright is reserved to Andrew Harper Architects	PROP/09	A

17/P1727 Non-Material Amendment

# SITE LOCATION PLAN 1: 1250 SCALE

Page 230

14 LAMBOURNE AVENUE



**Andrew Harper Architects**

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 w: www.andrewharperarchitects.co.uk

job: 14, Lambourne Avenue, SW19	job no: 130	date: 10/03/14
drawing: Proposed Site Location Plan	scale: A3 @ 1:100 A1 @ 1:50	drawn: JL
NOTES:	drawing no.	rev. A

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PLANNING





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## PLANNING APPLICATIONS COMMITTEE

17 March 2016

Item No:

UPRN

APPLICATION NO.

15/P0890

DATE VALID

03.03.2015

Address/Site

The Cricketers Public House, 340 London Road,  
Mitcham, CR4 3ND

(Ward)

Cricket Green

Proposal:

Demolition of existing buildings and construction of a part 2, part 3 storey building to provide 10 homes with associated access, car parking, cycle parking, refuse/recycling storage and landscaping

Drawing No's

Site location plan, drawings; 00842\_B\_01 P02, 00842\_B\_02 P02, 00842\_B\_03 P03, 00842\_B\_04 P02, 00842\_S\_02 P02, 00842\_S\_03 P05 & 00842\_S\_04 P02,

Contact Officer:

Leigh Harrington (020 8545 3836)

---

## RECOMMENDATION

GRANT PERMISSION SUBJECT TO CONDITIONS.

---

## CHECKLIST INFORMATION.

- S106 Heads of agreement: No
  - Is a screening opinion required: No
  - Is an Environmental Statement required: No
  - Has an Environmental Impact Assessment been submitted –No
  - Design Review Panel consulted – No
  - Number of neighbours consulted – 40
  - Press notice – Yes
  - Site notice – Yes
  - External consultations: Two
  - Number of jobs created – n/a
  - Density 142 units per ha
- 

## 1. INTRODUCTION

- 1.1 The application is brought before PAC due to the history of similar previous applications being brought before members.

## **2. SITE AND SURROUNDINGS**

- 2.1 This is a 0.07 hectare site located at the junction of Lower Green West with London Road, south of Mitcham Town Centre. The Cricketers is a vacant two storey 1950s public house with ancillary living accommodation. Currently the site boundary is marked by a dilapidated wooden fence and hedging. Land on the opposite side of London Road and the land that borders the Fire Station and Vestry Hall to the west and north, is designated as Open Space and Green Corridor.
- 2.2 The site is within Mitcham Cricket Green Conservation Area, and an Archaeological Priority Zone. To the north is Vestry Hall and to the west is Mitcham Fire Station, both of which are locally listed buildings. There are also a number of statutorily listed buildings in the immediate area. The surrounding character is mixed, comprising properties from various periods with different design features and massing, and a wide range of uses, including retail, office, school, residential and community.
- 2.3 Members recently approved the demolition of the nearby Kwik Fit building and the erection of a block of 22 flats on that site.
- 2.4 The application site enjoys good access to public transport, (PTAL level 4), and is not in a Controlled Parking Zone.

## **3. CURRENT PROPOSAL**

- 3.1 The current proposal involves the demolition of the existing buildings and construction of a part 2, part 3 storey building to provide 10 homes with associated access, car parking, cycle parking, refuse/recycling storage and landscaping. The proposed internal layout comprises one x 2 bedroom and one x 3 bedroom flats at ground floor level, three x 2 bedroom and one x one bedroom flats at first floor and two x 2 bedroom, one x 1 bedroom and 1x studio units on the second floor. On-site provision is made for 20 new cycle parking spaces and 6 car parking spaces including a disabled bay are provided as well as a self contained refuse area.
- 3.2 There would be a shared screened garden space of around 130sqm along the Lower Green West frontage as well as new planting on the London Road elevation. Works to the pavement area on both these elevations to provide two extra parking spaces, landscaping and four waiting bays are also included.
- 3.3 Separate access to the front ground floor flat and a communal entrance for the other 9 flats is proposed from London Road.
- 3.4 Following the initial public consultation and in response to ongoing discussions with officers the scheme has been amended in terms of external appearance, internal layout and the quantum of development with the number of units being reduced from 11 to 10.

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

- 4.1 14/P1087 Application granted for demolition of an existing outbuilding and conversion and extension of the ground floor of existing building to provide a commercial use (use within classes A1 (retail), A2 (financial and professional services), A3 (restaurants and cafes) and A4 (drinking establishments)) and conversion of upper floors to provide three residential units and ancillary commercial office for ground floor use with associated access, car parking, cycle parking, refuse/recycling storage and landscaping.
- 4.2 13/P1019 Lawful development certificate issued in respect of the proposed change from public house (class A4) to retail (class A1), professional & financial services (class A2) and/or restaurant and cafe use (class A3).
- 4.3 13/P1077 Application granted by PAC for change of use of existing public house (class A4) into 7 x self-contained flats (comprising 4 x 1 bed flats and 3 x studio flats).
- 4.4 12/P2083- Appeal dismissed- Demolition of existing public house and redevelopment of the site with a new building providing 16 flats (11x1 bed, 5x 2bed) over four floors with associated parking
- 4.5 12/P2084 – Appeal dismissed – Conservation Area Consent in respect of 12/P2083.
- 4.3 11/P3229 – Refused at PAC 16 February 2012 –  
Demolition of existing public house and redevelopment of the site with a new building, providing 16 flats (11 x 1 and 5 x 2 bedrooms), over four floors, with associated parking provision.  
Reason for refusal:  
i) The proposed development, by virtue of its design, bulk, height and scale, on this landmark site within a Conservation Area, would –  
(a) fail to respect or complement the design, scale, massing and form of existing nearby buildings, particularly locally listed buildings Vestry Hall and the Fire Station, which both together with The Cricketers, form the most significant group of buildings in this part of the Conservation Area;  
(b) fail to respect or complement the nearby historic Mitcham Cricket Ground;  
(c) fail to maintain important views within and out of the Mitcham Cricket Green Conservation Area, including views of Vestry Hall;  
(d) fail to enhance or preserve the character and appearance of the Mitcham Cricket Green Conservation Area; and  
(e) fail to provide a high standard of design that will complement the character and local distinctiveness of the adjoining townscape and landscape, contrary to Policies BE.1 and BE.22 of the Adopted Merton Unitary Development Plan (October 2003), and contrary to Strategic

Objective 8 and Policy CS14 of the Merton LDF Core Planning Strategy (2011).

- 4.4 11/P3273 - Refused Conservation Area Consent at PAC 16 February 2012 - Conservation area consent for demolition of existing public house in connection with planning application 12/P2083.  
Reason for refusal:  
The demolition of the existing buildings would be premature and inappropriate in the absence of suitable replacement buildings and would be harmful to the appearance of the Mitcham (Cricket Green) Conservation Area contrary to Policy BE.2 of the Adopted Merton Unitary Development Plan (October 2003).  
The above application references (11/P3229 and 11/P3273) were both dismissed at appeal.
- 4.5 10/P1090 – Refused at PAC (9th December 2010) and dismissed at appeal – Demolition of existing public house and redevelopment with a commercial (Classes A1, A2, A3, B1 or D1uses) unit at ground floor and 17 flats (10 x 1, 6 x 2 and 1 x 3 bedroom) over part ground, first, second and third floors, with associated parking provision.  
Reason for refusal:  
The proposed development, by virtue of its design, bulk and scale, on this landmark site within a Conservation Area, would –  
(a) fail to respect or complement the design, scale and form of existing nearby buildings, particularly Vestry Hall, a locally listed building and the Fire Station, and also Listed Buildings in the vicinity;  
(b) fail to respect or complement the nearby historic Mitcham Cricket Ground;  
(c) fail to maintain important views within and out of the Mitcham Cricket Green Conservation Area; (d) fail to enhance or preserve the character and appearance of the Mitcham Cricket Green Conservation Area; and  
(e) fail to provide a high standard of design that will complement the character and local distinctiveness of the adjoining townscape and landscape, contrary to Policies BE.1 (iii) and BE.22 (i) & (ii) of the Adopted Merton Unitary Development Plan (October 2003).
- 4.6 10/P1911 – Refused at PAC (9th December 2010) and dismissed at appeal - Conservation area consent for demolition of existing public house in connection with planning application 10/P1909.  
Reason for refusal:  
The demolition of the existing buildings would be premature and inappropriate in the absence of suitable replacement buildings and would be harmful to the appearance of the Mitcham (Cricket Green) Conservation Area contrary to Policy BE.2 of the Adopted Merton Unitary Development Plan (October 2003).



## 5. CONSULTATION

- 5.1 The proposal was publicised by means of major and conservation area press and site notices, also letters were sent to 40 neighbouring occupiers.

In response one objection letter has been received from local residents raising the following issues:

- This is an important historic site and development needs to respect that.
- The proposal will result in additional traffic in a busy area and vehicular access to and from the site will be difficult.
- The amount of development will leave little space for landscaping

An objection letter in response to the initial design was received from the Mitcham Cricket Green Community and Heritage Group raising the following issues;

- This is an important site and the proposals are neither modest nor of outstanding design.
- The new building is too large to avoid disrupting the visual relationship of the existing buildings and open space and too poorly designed to compete with Vestry Hall and the old Fire Station for attention without damaging the area.
- Bland 'could be anywhere' approach that owes little to context.
- Competes with Vestry Hall for size and scale without an equivalent high standard of design
- Has the same failings as the 2013 refusal
- Still introduces a large scale urban bulk into a sensitive Triptych of buildings on this landmark site
- Damages views of the Cricket Green with a clumsy roof, too many windows facing Cricket Green
- Introduces large area of private land in heart of an area of common land
- Has living spaces that don't meet the London Plan requirements
- Fails to address issues of ownership of the land in front of the site
- Does not address detrimental impact of light pollution identified by the Inspector in 2013
- Prevents the future of the whole island site, Vestry Hall and the Fire Station being considered together
- Fails to address the NPPF requirements for schemes to understand the potential impact of the proposals on the significance of other neighbouring Heritage assets.

The Group was re-consulted on the revised drawings and whilst they consider the revision to be an improvement their comments above continue to stand and add the following comments;

- The proposals introduce private residential development onto lower Green West, an open area which only has buildings of community use

- Don't preserve or enhance the CA and won't be capable of being listed in 30 years' time. The revised design is derivative and lacks any distinction. Takes its cues from the other buildings rather than adds to the character.
- Still introduces a large scale urban bulk into a sensitive triptych of buildings on this landmark island site between two critically important open spaces at the heart of the conservation area. It competes with the locally listed buildings rather than enhance them.
- Does not respect the prominence of the site which can be viewed from many angles, view across Lower Green West will be a notably weaker elevation of inferior design quality. The front and back have not been given equal attention in the plans.
- If the scheme is approved careful attention needs to be given to the materials and the way that they will weather and for this to be approved by conservation expert.
- A landscaping scheme should be submitted for approval

One letter of comment was received stating the proposed brickwork should match the colour of the surrounding buildings.

- 5.2 **Transport Planning** have confirmed that the site has good access to public transport (PTAL level 4) and is not located in a CPZ. London Road is part of the strategic road network with significant levels of pedestrian and vehicular traffic along its length. There is no on street parking in the vicinity of the site because of bus lanes and double yellow lines. The numbers of on-site parking bays are within London Plan guidelines, but a parking management condition should be imposed. The proposed level of cycle storage is acceptable but needs a condition attached requiring details to be approved of the design and method of storage. Subject to appropriate conditions there are no anticipated adverse impacts in terms of traffic generation or highway safety and therefore no objections to the principle of the development.
- 5.3 **Environmental Health** advice that the site is located on a busy road junction, in close proximity to the Fire Station and Vestry Hall. In the event that the scheme is recommended for approval, conditions relating to Noise Survey, Air Quality Survey, hours for demolition and construction, ground contamination/ remediation and working method statement should be imposed.
- 5.4 **The Police Safer by Design Officer** was consulted on both designs and offered the following comments on this revision; Planting should not impede the opportunity for natural surveillance and avoid the creation of hiding places, Lighting should there should be to British Standard avoiding various forms of light pollution, Communal space should not abut ground floor windows and doors and a defensible buffer zone should reduce ease of approach to Bedroom 1 of the corner plot and beds 1 7 2 of the rear unit, communal door should be video controlled, undercroft parking should have light colour finishes to maximise effectiveness of the lighting, cycle racks need two securing

points, refuse and cycle store locks need a thumb turn to prevent accidental locking, fencing and gates design is needed, clear demarcation is needed for the front bays to prevent continued use by non-residents and the development should seek full Safer by Design accreditation.

- 5.5 **Historic England** were consulted as the site is located within an Archaeological Priority Zone and they raised no objection subject to the inclusion of suitable conditions.
- 5.6 The Council's **Urban Design officer** has been involved in the application design and has been instrumental in amendments to the design so that it is now considered acceptable although a recommendation has been made for details of a decorative design feature in the gable ends facing Lower Green West to be approved by condition.

## 6. POLICY CONTEXT

- 6.1 Relevant policies in the London Plan (March 2015) are 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Development), 3.8 (Housing Choice), 5.1 (Climate Change), 5.3 (Sustainable Design and Construction) & 7.8 (Heritage assets and Archaeology)
- 6.2 Relevant policies in the Core Strategy (July 2011) are CS8 (Housing Choice), CS9 (Housing Provision), CS11 (Infrastructure), CS13 (Open Space, Nature Conservation, Leisure and Culture), CS14 (Design), CS15 (Climate Change), CS18 (Active Transport), CS19 (Public Transport), CS20 (Parking, Servicing and Delivery).
- 6.3 Relevant policies in the Adopted Sites and Policies Plan 2014 are DM D1 (Urban Design and the Public Realm), DM D2 (Design considerations in all developments), DM D3 (Alterations and extensions to buildings), DM D4 (Managing Heritage Assets), DM D5 (Advertisements), DM R2 (Development of town centre type uses outside town centres) DM R5 (Food and drink uses), DM EP 2 (Reducing and mitigating against noise) & DM EP 4(Pollutants).

## 7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include the loss of a public house; the impacts on the Mitcham Cricket Green Conservation Area; housing targets, affordable housing and standard of accommodation; impact on neighbouring amenity; parking and servicing; planning obligations.
- 7.2 Redevelopment involving loss of a public house  
The loss of the pub use has been considered in all of the previous planning applications with reference to former UDP policy L.16. This

policy has now been superseded by policy DM R5 in the SPP 2014 and is also considered relevant as it seeks to protect public houses outside town centre locations unless:

- i) The applicant can demonstrate that the pub is no longer economically viable and
- ii) There is alternative provision within the local area.

7.3 The Cricketers ceased trading in August 2010 and the building has been vacant since. In the previous applications the principle of the loss of the public house was not considered to warrant grounds for refusal. No fresh issues are raised in this regard in consideration of the current proposals as there remains alternative provision in the local area with the Queens Head, White Hart and former Burn Bullock all within two minutes walk of the site.

7.4 Impacts on the Conservation Area

Mitcham Cricket Green Conservation Area was originally designated in 1969 and the particular features which merit the designation include its historical background, the number of listed buildings and the character and diversity of buildings generally and the generous open spaces. The Cricketers Public House stands at a prominent corner site between the Vestry Hall and Mitcham Fire Station.

7.5 SPP policy DM D4 states that proposals for new development in conservation areas are required to preserve or enhance the character and appearance of the conservation area and development proposals are expected to complement the character and appearance of the wider setting, by careful consideration of how the proposed density, scale, design and materials relate to the urban setting in which the development is placed.

7.6 A number of previous applications have involved demolition of the pub and redevelopment of the site with a new building. Key reasons for refusal had related to the negative impact that larger replacement buildings would have had, particularly in relation to height, bulk and massing. However this scheme has been developed and refined such that whilst the eaves lines of the proposal and Vestry Hall are the same the roof scale and height of this proposal is significantly lower and subservient to that of Vestry Hall and marginally lower than the old Fire Station such that officers would dispute suggestions that the proposal is trying to compete with its locally listed neighbours.

7.7 The Council published the draft Mitcham Cricket Green Conservation Area Appraisal and Management Plan in 2010 and this noted that the Lower Green and Cricket Green form the central focus of the conservation area. The Inspector noted in his consideration of the 2010 scheme that the most dominant feature of the conservation area is the

visual impact of the large areas of green space, around which built form is clustered creating well defined edges. The current scheme reflects the footprint of the existing building and retains much of the open space along the Lower Green West elevation whilst making a noticeable increase in the greenery on the London Road elevation.

7.8 The Mitcham Cricket Green Community and Heritage Group raised the issue of light pollution from windows overlooking Cricket Green which had been a concern of the Inspector at the appeal for application 12/P2083. In that scheme there were 13 single windows and four double units on three upper floors (Including a mansard roof). In this scheme there are only two upper floors and they have 8 windows and four balcony units facing the Cricket Green. Given the site's well-lit nature and busy road in front of it, officers consider that the reduction in fenestration in terms of both the overall height and the number of actual windows is such that this concern has been satisfactorily addressed.

7.9 The principle of residential development on the site

Currently Policy CS. 9 within the Council's Adopted Core Strategy [July 2011] and policy 3.3 of the London Plan [July 2015] state that the Council will work with housing providers to provide a minimum of 4,107 additional homes [411 new dwellings annually] between 2015 and 2025. This proposal will provide a new three bedroom house suitable for family accommodation and is therefore considered to accord with these policies.

7.10 Affordable housing

Schemes for new development involving housing of 10 or more dwellings should provide on-site affordable housing subject to justification. The proposal was submitted with an Economic Viability Assessment that has been independently assessed by the Valuations Office taking into consideration matters such as construction costs, CIL costs, development costs including fees etc., the assigned existing use value of the site and sales values of the scheme's market homes. This assessment concluded that the scheme is unable to support an on-site affordable housing contribution

7.11 Standard of Accommodation and Amenity Space

The London Plan (2015) (Policy 3.5) and its supporting document, The London Housing Supplementary Planning Guidance 2012 provide detailed guidance on minimum room sizes and amenity space. These recommended minimum Gross Internal Area space standards are based on the numbers of bedrooms and therefore likely future occupiers. Each flat either meets or exceeds this standard, with all habitable rooms receiving reasonable levels of daylight, outlook and

natural ventilation. Guidance suggests that the 5 person unit, Flat 1 should have a separate living and kitchen/dining area. However it does benefit from being more than 25m<sup>2</sup> larger than the minimum and has dual aspect with a larger than required amenity area and consequently officers do not consider that this would represent a matter that could justify refusal of the application. Whilst the other units all provide the required level of amenity space, unit 7 the studio has no private amenity space. However the floor area is above the minimum, there is garden space on site and the proposal is opposite the open space of the Cricket Green and therefore officers consider that this would not have a negative impact on occupier amenity that justified a refusal of consent. A condition would ensure the flats were built to Lifetime Homes standards and a condition is recommended to address matters relating to making the site as safe and secure as possible.

#### Floor and Amenity space provision

Apartment	Floor Area m2	London Plan GIA standard m2	Amenity space m2	London Plan Standard m2
1 3b5p	111.1	86	20.3	8
2 2b3p	68.9	61	14.9	6
3 2b3p	63.8	61	14.9	6
4 2b3p	61	61	6.5	6
5 2b3p	61.2	61	8.6	6
6 1b2p	50	50	11.2	5
7 Studio	41	39	0	5
8 2b3p	61	61	6.5	6
9 2b3p	61.2	61	8.6	6
10 1b2p	50	50	11.2	5

#### 7.12 Neighbour Amenity

The existing public house building is a two storey structure with rooms in the roof and given the separation distances to the nearest dwellings in Lower Green West on the opposite side of a busy through route, no direct or adverse impacts are anticipated for any existing residential occupiers with regard to overlooking or noise levels and there have been no objections on these grounds.

#### 7.13 Traffic, Parking and Servicing

Current central government guidance seeks to encourage use of sustainable travel modes and to reduce reliance on private car travel. The current scheme makes provision for 20 cycle parking spaces with 6 cars to the side of the building and this is in line with London Plan guidelines. (The existing parking bays to the front of the building are not on land within the title of the owners of The Cricketers, neither is the land registered. Although it is understood that the pub has over



many years used the area for seating and parking by patrons and tenants of the pub, this area of land cannot be considered as part of the planning process).

- 7.14 The Council's Transport Planning Officer had no objections to the proposal and has advised that the proposal should be subject to a standard condition to provide a Parking Management Strategy. On-street parking is controlled by double yellow line restrictions and the level of additional traffic generated by the residential units is unlikely to result in undue detriment to the existing highway conditions which already carry heavy traffic loads. Given the level of on-site parking, it is considered that the development would be unlikely to result in adverse impacts for highway safety or increased demand for on-street parking to an extent that would warrant refusal of the scheme.
- 7.15 The proposed level of cycle parking is satisfactory, but the design of the stores and method of securing the cycles will need to be secured by way of condition. The refuse and recycling store has been positioned away from the flats with its access facing Lower Green West. The proposal would involve changes to the existing roadway at this point to replace the now unused fire station access land with a section of pavement and a series of four roadside bays that would allow parking for servicing and delivery vehicles.
- 7.16 **Archaeology and contaminated land**  
The relevant consultees have no objection to the proposals but require the imposition of suitable conditions relating to archaeological investigation and potential land contamination.

## **8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 8.1 Planning obligations and conditions could reasonably secure appropriate levels of sustainability in terms of construction as new residential development should be designed to achieve Lifetimes Homes Standards.
- 8.2 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of an Environmental Impact Assessment (EIA).

## **9. CONCLUSION**

- 9.1 The principle relating to the loss of the vacant public house and the use of the site for residential purposes have previously been considered as acceptable by the Planning inspector and the current scheme raises no fresh issues in that respect.  
The proposed design of the scheme has been amended prior to submission following the comments of the previous appeal Inspectors and following further comments from officers. Consequently it is

considered by officers that the proposal has now satisfactorily addressed previous causes for concern and that the scheme is now of a suitable scale, bulk massing design that allows the redevelopment of this site for good quality well serviced housing, for which there is an identified demand, with a building that can sit comfortably in this location and preserve and enhance the Mitcham Cricket Green Conservation Area in which it will be located.

**10. RECOMMENDATION, GRANT PERMISSION subject to planning conditions**

1. A.1 Commencement of development for full application
2. A.7 Approved plans Site location plan, drawings; 00842\_B\_01 P02, 00842\_B\_02 P02, 00842\_B\_03 P03, 00842\_B\_04 P02, 00842\_S\_02 P02, 00842\_S\_03 P05 & 00842\_S\_04 P02,
3. B 1 Material to be approved. No construction shall take place until details of particulars and samples of the materials (including details of weathering) to be used on all external faces of the development hereby permitted, including design details on the gable fronts facing Lower Green West, window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details. Reason To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies 7.6 & 7.8 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2, D3 and D4 of Merton's Sites and Polices Plan 2014.
4. B.4 Surface treatment. No construction shall take place until details of the surfacing of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas or roads, footpaths, hard and soft have been submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details. Reason; To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Polices Plan 2014.

5. B.5 Boundary treatment. No development shall take place until details of all boundary walls or fences are submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter. Reason; To ensure a satisfactory and safe development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2011, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Polices Plan 2014.
  
- 6 C.6 No construction shall take place until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. 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 has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation. Reason To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2015, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Polices Plan 2014.
  
7. D.9 No external lighting shall be installed without the prior approval in writing of the Local Planning Authority. Reason; To safeguard the amenities of the Conservation Area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.
  
8. D.11 Construction times. No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays Reason ; To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policy DM EP2 of Merton's Sites and Polices Plan 2014.
  
9. F.1 Landscaping/ Planting Scheme. No construction shall take place until full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or

the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development. Reason; To enhance the appearance of the development in the interest of the amenities of the Conservation Area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies 5.1, 7.5 and 7.21 of the London Plan 2015, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, F2 and O2 of Merton's Sites and Polices Plan 2014.

10. F.2 Landscaping (Implementation). All hard and soft landscape works shall be carried out in accordance with the details approved by condition 9. The works shall be carried out in the first available planting season following the completion of the development or prior to the occupation of any part of the development, whichever is the sooner, and any trees which die within a period of 5 years from the completion of the development, are removed or become seriously damaged or diseased or are dying, shall be replaced in the next planting season with others of same approved specification, unless the Local Planning Authority gives written consent to any variation. All hard surfacing and means of enclosure shall be completed before the development is first occupied. Reason; To enhance the appearance of the development in the interest of the amenities of the Conservation Area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies 5.1, 7.5, 7.8 and 7.21 of the London Plan 2015, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, D4 F2 and O2 of Merton's Sites and Polices Plan 2014.

9. H.3 Redundant crossovers. The development shall not be occupied until the existing redundant crossover/s have been be removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority. Reason; In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Polices Plan 2014.

10. H.4 Provision of Vehicle Parking. The vehicle parking area (including any garages hereby approved) shown on the approved plans shall be provided before the commencement of the buildings or use hereby permitted and shall be retained for parking purposes for occupiers and users of the development and for no other purpose. Reason To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS20

of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Polices Plan 2014.

11. H.7 Cycle Parking to be implemented. The development hereby permitted shall not be occupied until the details of the secure cycle parking shown on the plans hereby approved has been provided, approved in writing by the Local Planning Authority and made available for use. These facilities shall be retained for the occupants of and visitors to the development at all times. Reason To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Polices Plan 2014.

12. H.10 Construction vehicles. Development shall not commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate:

- (i) Parking of vehicles of site workers and visitors;
- (ii) Loading and unloading of plant and materials;
- (iii) Storage of construction plant and materials;
- (iv) Wheel cleaning facilities
- (v) Control of dust, smell and other effluvia;
- (vi) Control of surface water run-off.

No development shall be carried out except in full accordance with the approved method statement.

Reason To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Polices Plan 2014.

13. H.11 Parking Management Strategy. Construction shall not commence until a Parking Management Strategy has been submitted in writing for approval to the Local Planning Authority. No works that is subject of this condition shall be carried out until this strategy has been approved, and the development shall not be occupied until this strategy has been approved and the measures as approved have been implemented. Those measures shall be maintained for the duration of the use unless the prior written approval of the Local Planning Authority is obtained to any variation. Reason; To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Polices Plan 2014.

14. H. 14 Gates. The doors of the garage or gates hereby approved shall not open over the adjacent highway. Reason; In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core

Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014

15. J.3 Level Access. Level access or a ramp at a gradient of not more than 1:12 and no less than a 900mm door width at the threshold to the threshold to the principal entrance to the premises shall be provided before the development hereby permitted is first occupied or brought into use and shall be retained thereafter. Reason; To ensure suitable access for persons with disabilities and to comply with the following Development Plan policies for Merton: policy 7.2 of the London Plan 2015, policy CS8 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.
16. K1 Archaeology. No development [including demolition] pursuant to this consent shall take place until the implementation of a programme of archaeological work has been secured in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. The archaeological works shall be carried out by a suitably qualified investigating body acceptable to the Local Planning Authority and in accordance with the approved written scheme of investigation. Reason; In order to provide the opportunity to record the history of the site and to comply with the following Development Plan policies for Merton: policy 7.8 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policy DM D4 of Merton's Sites and Policies Plan 2014.
17. Non standard condition An air quality assessment shall be undertaken and submitted to the Council before development commences. The assessment report, which should include dispersion modelling, shall be undertaken having regard to all relevant planning guidance, codes of practice, British Standards for the investigation of air quality and national air quality standards. The assessment report shall include recommendations and appropriate remedial measures and actions to minimise the impact of the surrounding locality on the development. A scheme of proposed remedial measures shall be submitted for the Council's approval and implemented to the satisfaction of the Council, prior to the occupation of the residential properties.  
Reason: To safeguard the amenities of occupiers of the development hereby approved and ensure compliance with policy DM EP4 of the Adopted Merton Sites and Policies Plan 2014
18. Non standard condition; Due to the potential impact of the surrounding locality on the development, a noise survey undertaken by a competent person is to be undertaken having regard to all relevant planning guidance, codes of practice and British Standards for the investigation of noise. The survey shall include recommendations and appropriate remedial measures and actions to minimise the impact of the surrounding locality on the development. A scheme for sound insulation and noise control measures



shall be submitted for the Council's approval and implemented to the satisfaction of the Council, prior to occupation of the residential properties. Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with policy DM EP 2 of the Adopted Merton Sites and Policies Plan 2014.

19. Non standard condition. No construction may commence until a section 278 Highways Act agreement has been entered into with the Local Highways Authority in relation to those works outside the confines of the site on the London Road and Lower Green West elevations as shown on drawing 00842\_S\_03 Rev P05. Reason; To ensure a satisfactory appearance for the development and to improve parking and servicing for this development and ensure compliance with policy DM D4 of the Adopted Merton Sites and Policies Plan 2014 and policy CS 20 of Merton's Core Planning Strategy 2011.

20. Non standard condition. The development hereby approved shall not be occupied until details relating to planting, lighting, defensible buffer zones, communal entrance security, undercroft parking area painting, refuse and cycle store locking systems, security fencing and parking demarcation for the front bays has been submitted and approved in writing by the Local Planning Authority. Reason; to ensure a safe and secure layout for the development that takes account of crime prevention in accordance with policy DM D2 of the Adopted Merton Sites and Policies Plan 2014.

Informative:

You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.

Informative:

Due to historical land uses in the Mitcham area, should any possible sources of ground contamination be found during the development works, Merton's Environmental Health Service (020 8545 3944) should be notified and

Cil Informative

NPPF Informative

# NORTHGATE SE GIS Print Template



Text Details The Cricketers, 340 London Rd

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# The Vestry Hall

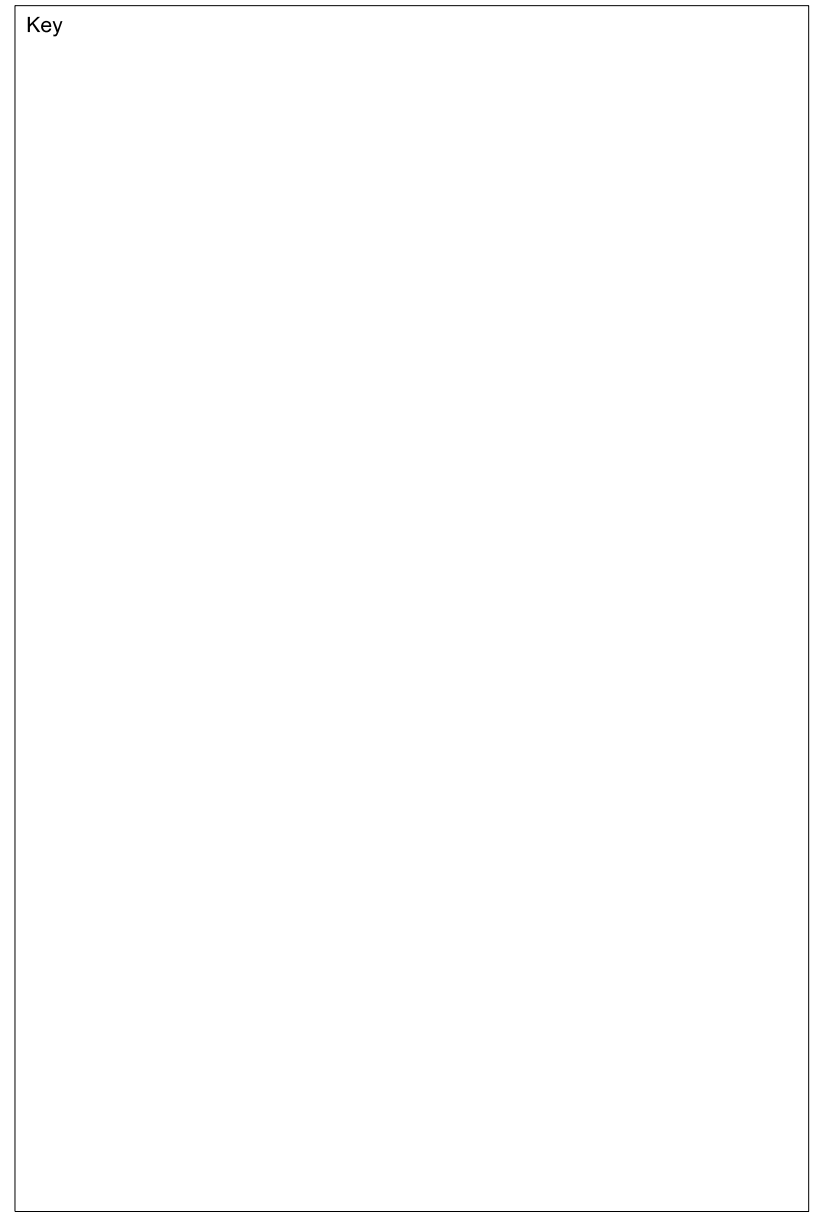
Fire Station

LONDON ROAD

LOWER GREEN WEST

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Rev	Date	Description	Drawn	Chkd
P05	18.01.16	Revised Ground Floor plan for Planning issue	JH	ABL
P04	25.09.15	Amendments following comments on 24.09.15	KN	ABL
P03	11.09.15	Amendments following comments on 02.09.15	KN	ABL
P02	20.04.15	Amended cycle storage	CD	ABL
P01	17.02.15	Planning Issue	CD	DC

Drawing Status  
**PLANNING**

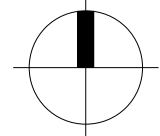
Client  
**AXIOM LAND**

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Project  
**The Cricketers, Merton**

Drawing Title  
**Site Plan**

Scale @ A1 1:100 Job Ref. 00842  
 Drawing No. 00842\_S\_03 Revision P05  
 Scale Bar 0 1 2 3 4 5m



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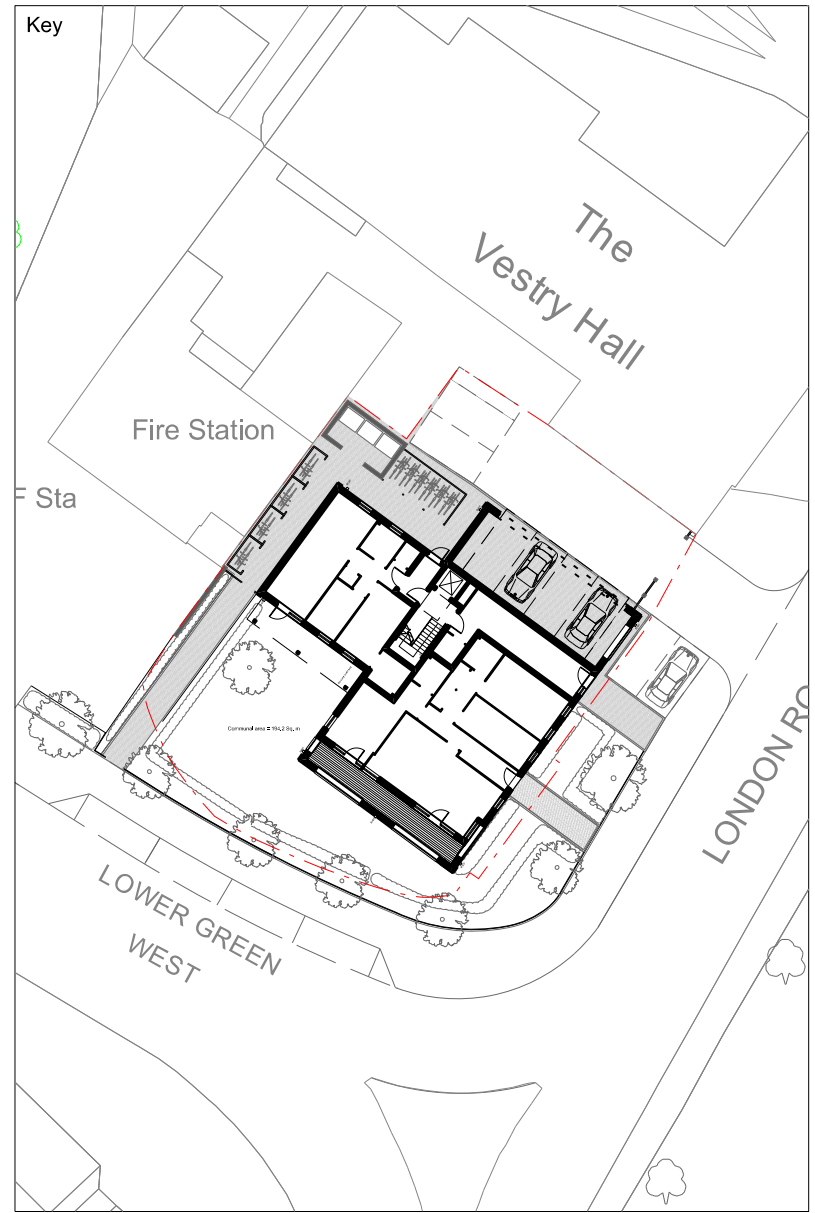


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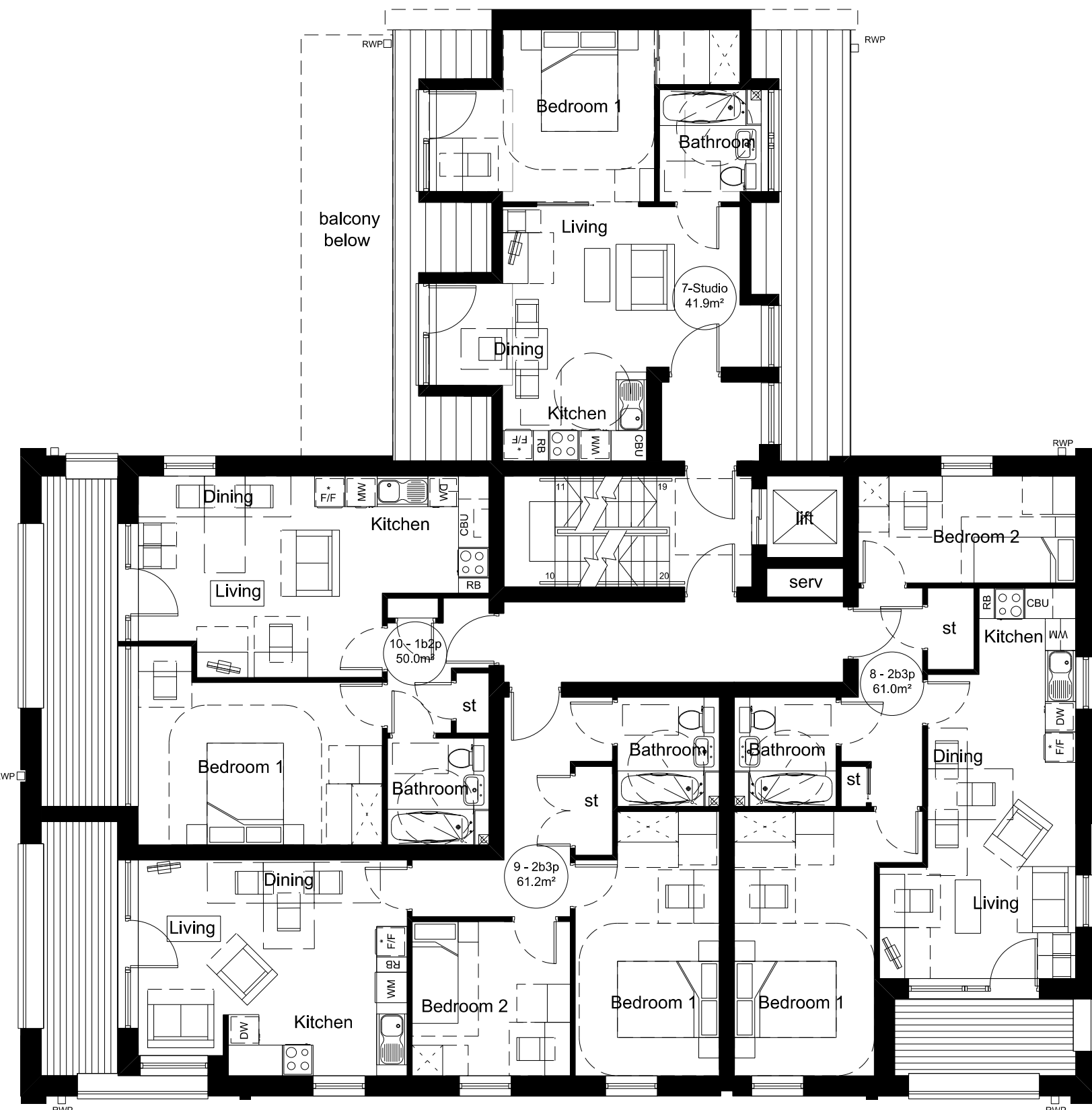
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First Floor Plan

GEA 350.0m²  
 GIA 290.9m²



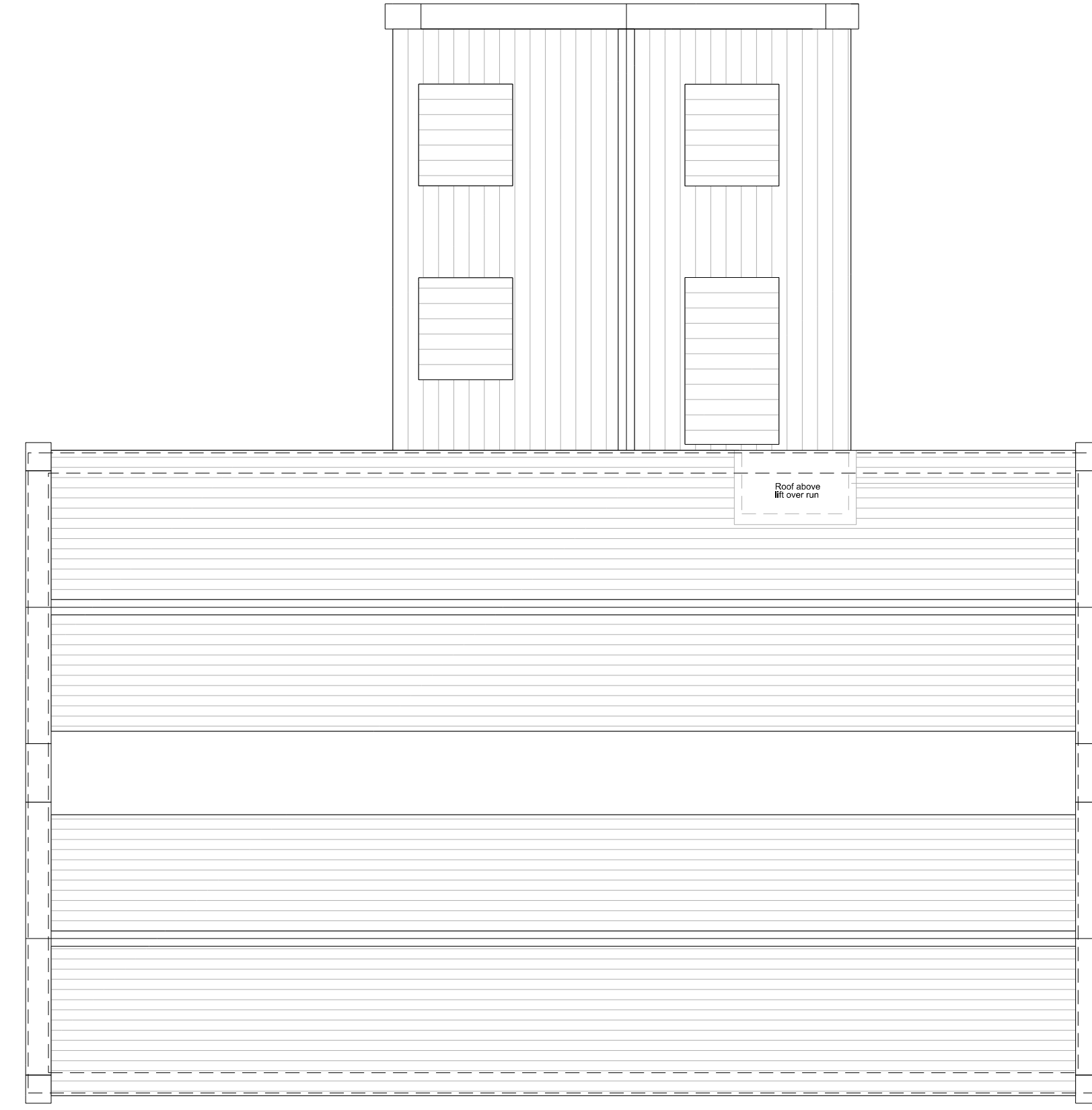
Second Floor Plan

GEA 319.5m²  
 GIA 256.2m²



Ground Floor Plan

GEA 345.1m²  
 GIA 234.6m²



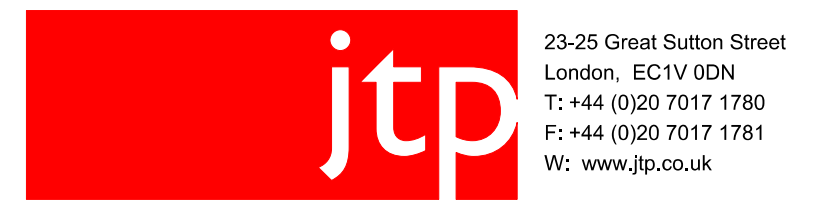
Roof Plan

Rev	Date	Description	Drawn	Chkd
P02	18.01.16	Revised plan layout	JH	ABL
P01	09.07.15	Planning Issue	ABL	-

**PLANNING**

Client  
**AXIOM LAND**

**JOHN THOMPSON & PARTNERS**

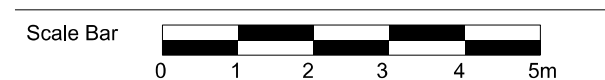


Project  
**The Cricketers, Merton**

Drawing Title  
**Floor and Roof plan**

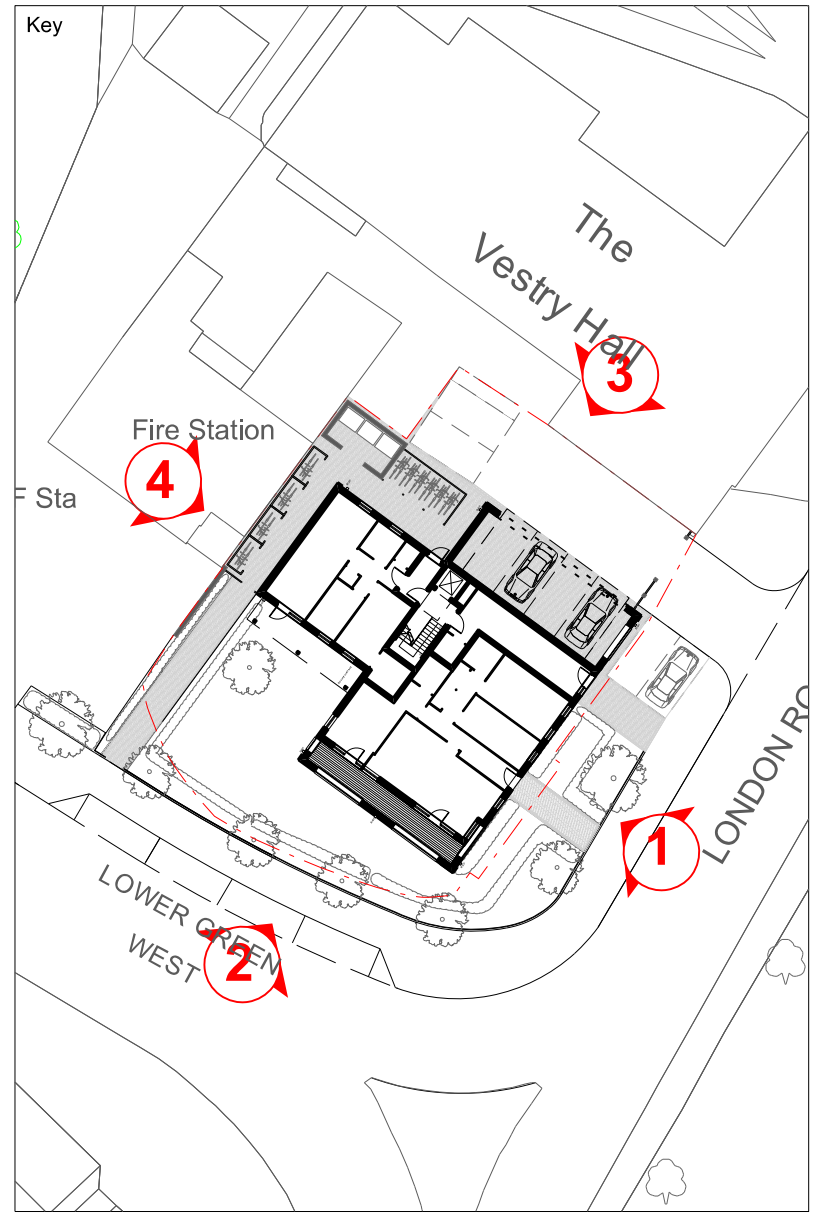
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Drawing No. 00842\_B\_01 Revision P02



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① South East Elevation



② South West Elevation



③ North East Elevation



④ North West Elevation

P02	18.01.16	Revised Elevations for Planning Issue	KN / JOPI/JH	ABL
P01	17.02.15	Planning Issue	CD	DC

Rev	Date	Description	Drawn	Chkd
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Drawing Status  
**PLANNING**

Client  
**AXIOM LAND**

**JOHN THOMPSON & PARTNERS**

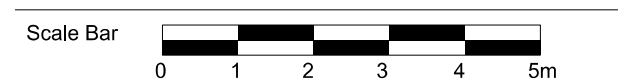


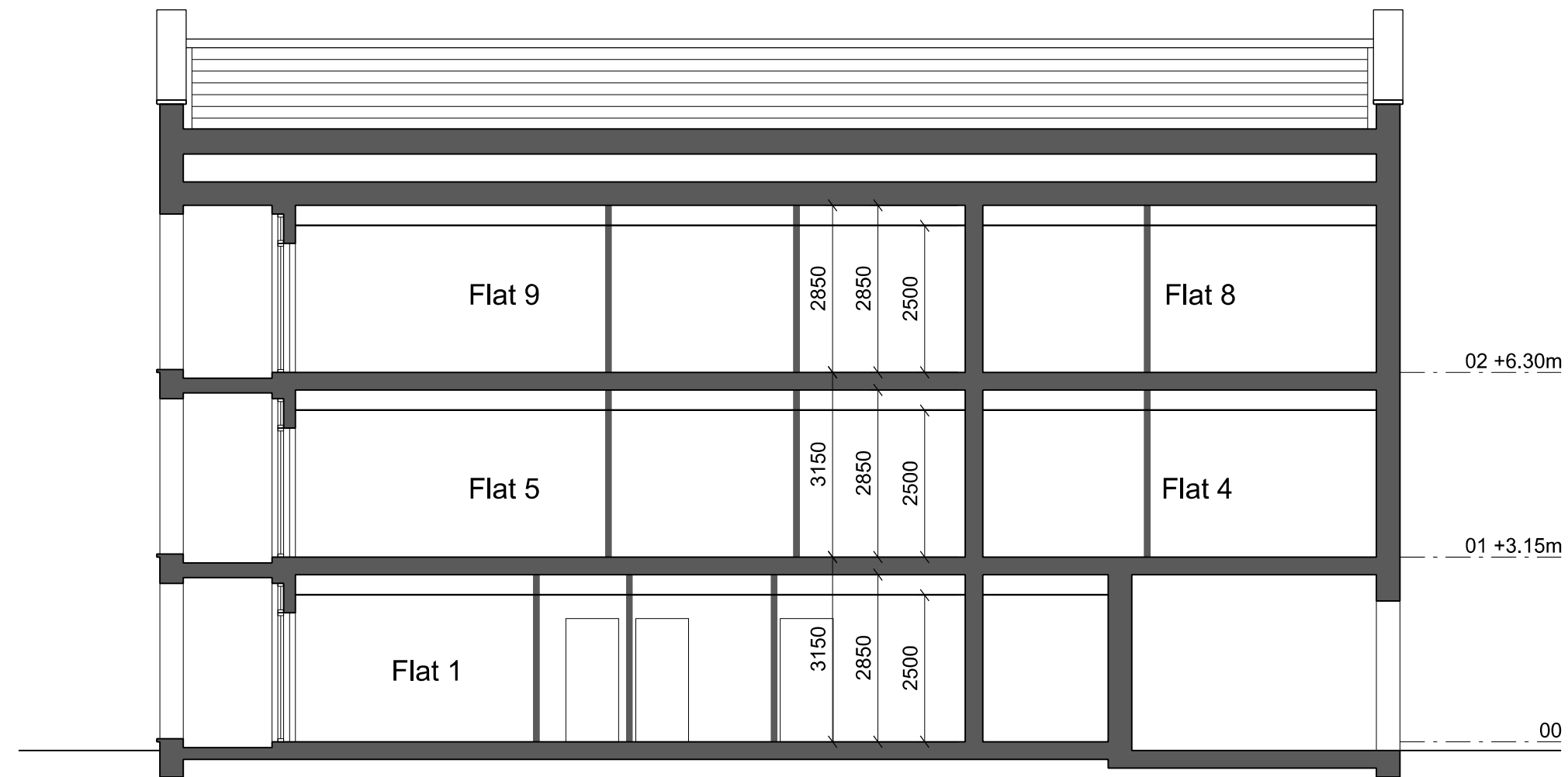
Project  
**The Cricketers, Merton**

Drawing Title  
**Elevations**

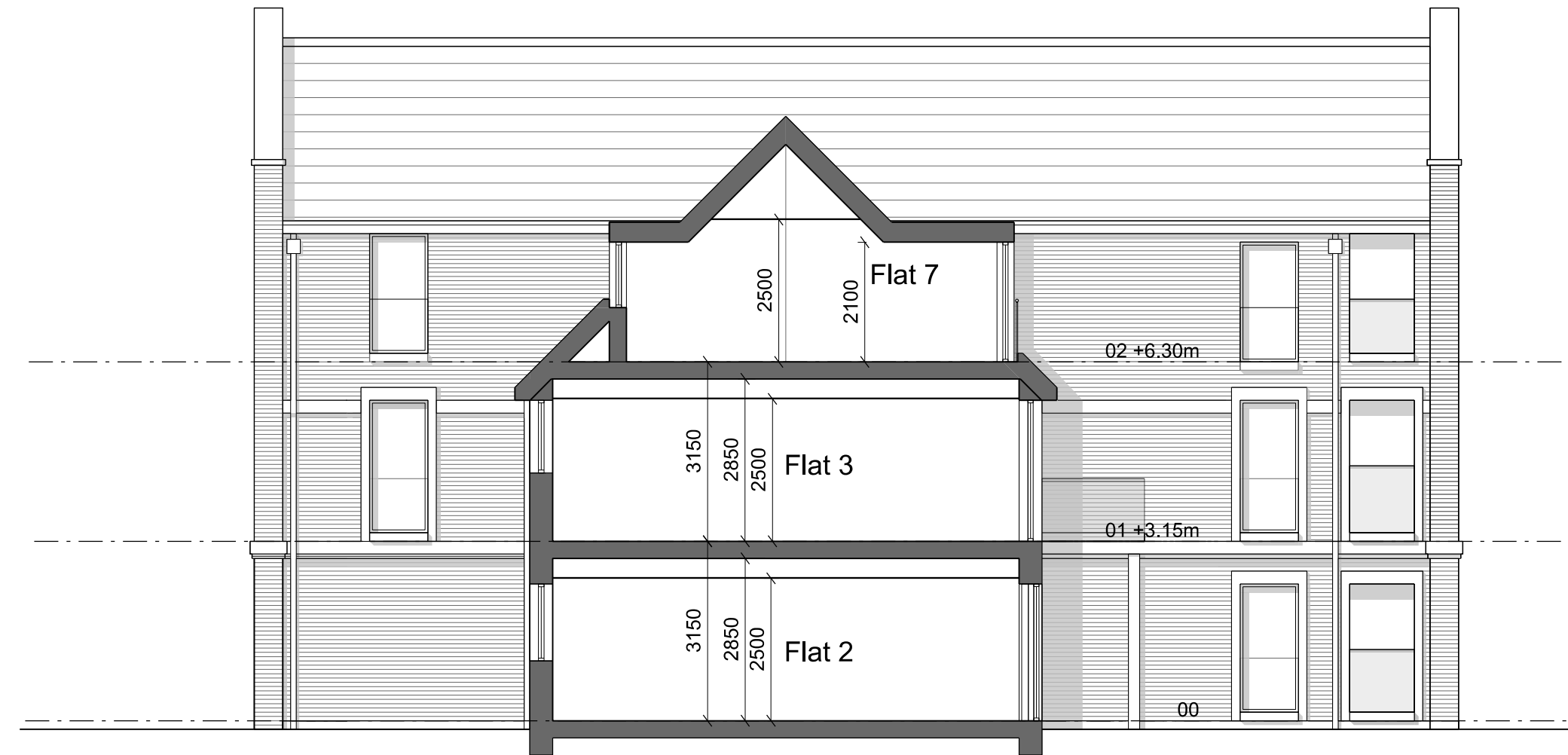
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Drawing No. 00842\_B\_02 Revision P02





Section 1



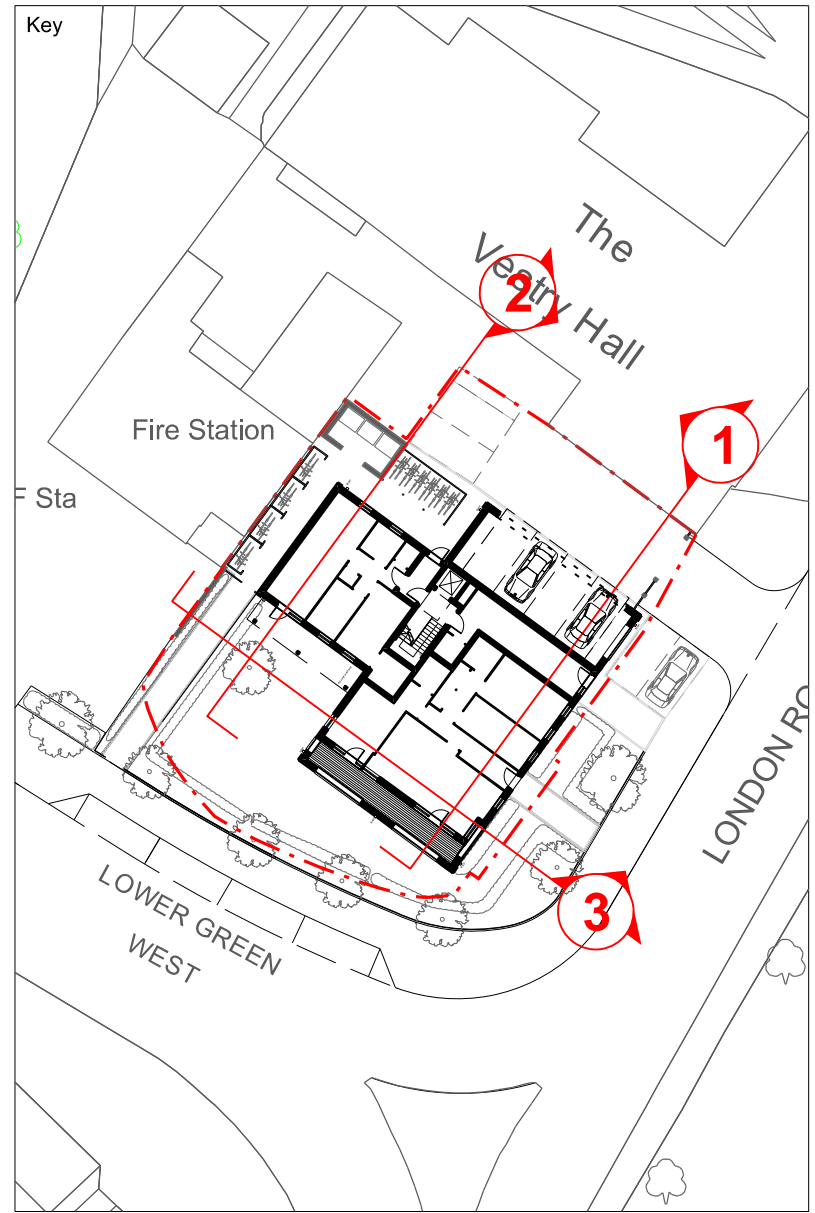
Section 2



Section 3

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Rev	Date	Description	Drawn	Chkd
P03	18.01.16	Revised sections for Planning issue	JH	ABL
P02	16.04.15	Section 4 through lift shaft added	LD	DC
P01	17.02.15	Planning Issue	CD	DC

Drawing Status

**PLANNING**

Client  
**AXIOM LAND**

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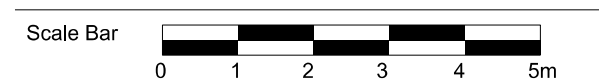


Project  
**The Cricketers, Merton**

Drawing Title  
**Sections**

Scale @ A1 1:100 Job Ref. 00842

Drawing No. 00842\_B\_03 Revision P03



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Lower Green West Elevation 1:100



Site Plan 1:200

Notes:  
 Do not scale from this drawing.  
 All contractors must visit the site and be responsible for taking and checking dimensions.  
 All construction information should be taken from figured dimensions only.  
 Any discrepancies between drawings, specifications and site conditions must be brought to the attention of the supervising officer.  
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London Road Elevation 1:100

Rev	Date	Description	Drawn	Chkd
P02	18.01.16	Revised issue for planning	JH	ABL
P01	07.01.15	First Issue	LD	DC

Drawing Status  
**PLANNING**

Client  
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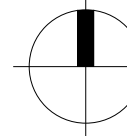
Project  
**The Cricketers, Merton**

Drawing Title  
**Site Plan & Street Elevations**

Scale @ A1 1:100/1:200 Job Ref. 00842

Drawing No. 00842\_S\_04 Revision P02

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## **PLANNING APPLICATIONS COMMITTEE**

17<sup>th</sup> March, 2016

Item No:

<b>UPRN</b>	<b>APPLICATION NO.</b>	<b>DATE VALID</b>
	15/P0615	18/02/2015
<b>Address/Site:</b>	The William Morris Pub, 20 Watermill Way, Colliers Wood, London SW19 2RD	
<b>Ward</b>	Colliers Wood	
<b>Proposal</b>	Alteration and extension to existing public house and restaurant, including new Micro-Brewery (B2 Use) and Shop	
<b>Drawing No's</b>	Site Location Plan, 'L004 Block Plan', Tree Constraints Plan 8406/01, Design and Access Statement Review B, and Drawings 'L002 Rev D Proposed Ground Floor Plan', 'L003 Rev C Proposed First Floor Plan', 'L004 Rev D Proposed Roof Plan' & 'L006 Rev A Proposed Elevations'	
<b>Contact Officer</b>	Felicity Cox (020 8545 3119)	

## **RECOMMENDATION**

GRANT PLANNING PERMISSION subject to planning conditions.

## **CHECKLIST INFORMATION**

- Head of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 83
- Press notice: Yes
- Site notice: Yes
- External consultations: 1
- Density - N/A

### **1. INTRODUCTION**

- 1.1 This application is brought before the Planning Applications Committee due to the level of public interest in the proposal.

## **2 SITE AND SURROUNDINGS**

- 2.1 The application site comprises The William Morris Pub, The 1929 Shop and the area immediately surrounding these two buildings, also known as 18 & 20 Watermill Way SW19 2RD. The site is located within the heritage site known as Merton Abbey Mills in Colliers Wood, and is designated within the Wandle Valley Conservation Area (Sub Area 3: Merton Priory). Both buildings are locally listed, as are many of the surrounding buildings within Merton Abbey Mills.
- 2.2 The William Morris building is currently used as a public house, and includes a function room with roof terrace on the first floor, and outdoor seating at the front and rear of the pub along the River Wandle. At ground level, The 1929 Shop building is split into two components. The eastern section of the building is used for Retail/Shops whilst the western section adjacent to the William Morris Pub is a Restaurant. The first floor of the building is used as Office. The two buildings are physically connected at ground level by a shared entrance. Both buildings are two storeys in height and industrial in character.
- 2.3 The site is bound to the south by Watermill Way and to the east by 'The Long Shop'. Three, four-storey residential buildings are located on the southern side of Watermill Way opposite the site. Two of these buildings have commercial uses at ground level. The eastern boundary of the site is the bank of the River Wandle, which flows north from this location eventually into the Thames at Wandsworth.
- 2.4 The bank of the river is designated within a Green Chain and Green Corridor under the Merton Sites and Policies Plan. The site contains five large trees/tree groups, four of which are protected by formal Tree Preservation Orders. The four trees protected include three Lime trees and one Sycamore Tree, in the public seating area adjacent to the River Wandle.
- 2.5 The site lies approximately half a mile south west of Colliers Wood and half a mile south east of South Wimbledon Underground Stations. By road the site is accessed directly off the A24 Merantun Way onto Watermill Way where there is a car park for customers. The site is designated within the Colliers Wood Town Centre.

## **3. CURRENT PROPOSAL**

- 3.1 The proposal involves alterations and extensions to the existing public house and restaurant including remodelling the existing riverside terrace to improve the bar, restaurant and outdoor dining facilities of The William Morris pub. The proposal will also involve the establishment of a micro-brewery and an ancillary shop selling the products of the brewery. The net increase in floor area is 76m<sup>2</sup>.

- 3.2 The proposed micro-brewery is to be housed within the ground level of the existing William Morris pub. The proposal will create informal dining/seating areas over the two stories of the building, including the creation of a mezzanine dining/seating area on the first floor over the brewery equipment. All equipment is to be housed within the existing building.
- 3.3 Improvements will be undertaken to the western façade of the William Morris Pub where there is existing dining at ground level (this section is not part of the original building). The improvements involve new windows, balustrades and material finishes that will upgrade the appearance of the existing extension as well as improve viewing opportunities to the River Wandle from the internal dining/seating areas.
- 3.4 The rear (western side) of The 1929 Shop will house the restaurant section of the proposal with a double sided bar to serve both the terrace and the restaurant. There will also be an ancillary brewery shop selling the bottled beers and brewery related merchandise within the 1929 Shop. Externally, a permanent roof for the decked area is to be constructed over the terrace so that this area can be used throughout the year for additional seating.
- 3.5 The two buildings are to be connected by an internal ‘boulevard’ which will separate the more formal eating area adjacent to the kitchen within the 1929 Shop, and the more relaxed bar area/informal dining area. There will be two main entrances, situated at either end of the main boulevard, one being accessible from the market end (north) and the other from Watermill Way (south). Servicing for the building will be via Watermill Way where there will be ‘back-of-house’ entrances for both the kitchen and micro-brewery.
- 3.6 Originally all four trees protected by TPOs were proposed to be removed. This has been reduced to one tree, with the Sycamore tree in the northern corner of the site to be removed. The new roof canopy will be cut around the trunk of the three remaining Lime trees to allow for their retention.
- 3.7 No change to the first floor of the The 1929 Shop is proposed, and no change is proposed to the eastern section of the ground level of The 1929 Shop, which will remain in use as Shops/Retail.

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

- 4.1 The Merton Abbey Mills precinct has an extensive site history. The following is the relevant planning history applicable to the two buildings associated with this application.

Planning history for ‘The 1929 Building’:

08/P1532 - CONSTRUCTION OF AN ADDITIONAL STOREY TO THE EXISTING TWO STOREY BUILDING TO PROVIDE 12 NEW BUSINESS UNITS (USE WITHIN CLASS B1) WITH AN EXTERNAL ESCAPE STAIR TO THE SOUTH ELEVATION AND ALTERATIONS TO EXTRACT VENTILATION TO GROUND FLOOR COMMERCIAL UNITS - Grant Permission subject to Conditions

94/P0906 - CHANGE OF USE OF FIRST FLOOR OF UNIT 7 (1929 SHOP), FROM OFFICE TO RETAIL USE – Grant Permission subject to Conditions

Planning History for 'The William Morris Pub':

98/P0086 - ERECTION OF A SINGLE STOREY EXTENSION WITH ROOF TERRACE – Refuse Permission; Excavations which are required for the construction of the proposal would likely to result in the loss of a protected tree of amenity value through root disturbance/severance which would be detrimental to the character of the Wandle Valley Conservation Area contrary to Policies EB2, EN10, and EN11.

89/P1458 - DISPLAY OF 6 NON-ILLUMINATED AND ONE EXTERNALLY ILLUMINATED SIGNS - Grant Permission subject to Conditions

## **5. CONSULTATION**

- 5.1 The application was advertised by means of neighbour notification letters, site notice and notice in the Wimbledon/Mitcham/Morden Guardian.
- 5.2 There were 7 objections from local residents raising concerns relating to:
- Toxic and odorous fumes;
  - Noise from expansion of pub/restaurant facilities, roof terrace, associated deliveries, brewing machinery and air conditioning
  - Storage of bins and waste management being unsightly
  - Increased traffic from patrons and delivery vehicles
  - Detrimental visual impact on character of conservation area from demolition work and unsympathetic extensions
  - Condition that the micro-brewery be ancillary to restaurant use
  - Micro-brewery activity an industrial use, which is unsafe and inappropriate near residential activities
  - Bar and microbrewery attracting undesirable clients
  - Loss of trees
- 5.3 There was one letter of support received from a local resident, which stated the view that the proposal would be a positive addition to the Merton Abbey Mills helping to revive the precinct, which has recently struggled with empty units and declining number of market stalls. It was

the resident's view that noise would not be any more substantial than the existing public house and restaurant use. It was suggested any removal of trees should be replaced with suitable replanting.

- 5.4 Environmental Health officers have been consulted on the application and were initially concerned at the potential for odours to reach neighbouring residential occupiers. Consequently the applicant proposed two options for odour management – (1) Dedicated filtration system or (2) Vapour Condenser System (applicant's preferred option).

Officers are satisfied both options will eliminate odours and therefore have no objections to the proposals. A pre-commencement condition requiring details of the specific scheme proposed to be implemented and requiring the ongoing use of the odour management system is recommended.

- 5.5 Future Merton – Conservation officers are supportive of the proposal, subject to a condition requiring the retention and refurbishment of the existing Crittall windows for re-use within the front façade.

- 5.7 Trees – Officers were opposed to the removal of all four trees protected by TPOs. Consequently the applicant amended the proposal to retain the three Lime trees, and only the Sycamore tree is to be removed. Officers are satisfied this is an acceptable solution, subject to a pre-commencement condition requiring the submission of an arborist's report detailing how the trees will be protected during works, detailed foundation designs to ensure the protection of roots, and details of the ongoing management of the trees.

- 5.6 Transport planning officers have been consulted and raised no objection to the scheme. Residents living at the development have off street parking with restricted access so there will be no impact on resident parking. A condition requiring the provision of visitor cycle parking in the form of a 10 bike toast rack in order to provide secure cycle parking for visitors travelling to the site by bicycle was recommended.

## **6. POLICY CONTEXT**

### **6.1 London Plan (2011)**

The relevant policies in the London Plan (2011) are:

- 4.7 Retail and town centre development
- 7.6 Architecture
- 7.8 Heritage assets and archaeology
- 7.14 Improving air quality
- 7.15 Reducing noise

### **6.2 Merton LDF Core Planning Strategy (2011)**

The relevant policies in the Merton LDF Core Strategy (2011) are:

- CS 1 Colliers Wood
- CS 7 Centres



CS 14 Design  
CS 12 Economic development  
CS 13 Open space, nature conservation, leisure and culture  
CS 18 Active Transport  
CS 20 Parking and servicing

6.3 Merton Sites and Policies Plan (2014)

The relevant policies in the Merton Sites and Policies Plan (2014) are:  
DM R1 Location and scale of development in Merton's town centres and neighbourhood parades  
DM R5 Food and drink/leisure and entertainment uses  
DM D2 Design considerations in all developments  
DM D3 Alterations and extensions to existing buildings  
DM D4 Managing Heritage Assets  
DM EP 2 Reducing and mitigating noise  
DM EP 4 Pollutants  
DM E1 Employment areas in Merton  
DM O2 Nature conservation, trees, hedges and landscape features

**7.0 PLANNING CONSIDERATIONS**

7.1 The key issues arising from the application are the impacts of the use on the local area and the impact on neighbour amenity, appearance as well as the impact on the Conservation Area and Listed Buildings.

7.2 Expansion of Use & Implementation of Micro-Brewery Use

London Plan Policy 4.4, SPP Policy DM E1 and Core Strategy Policy CS 12 all seek to promote employment opportunities both locally and regionally. SPP Policy DM E1 stipulates that new uses should have parking and access appropriate to the site and its surroundings, not unacceptably affect the operation of neighbouring businesses, traffic movement, road safety or local amenity.

7.3 Core Strategy Policy CS1 and CS7 encourages an improved mix of uses within Colliers Wood, inclusive of restaurants, cafes and uses commensurate with its retail offer as a district centre, that will contribute to the vitality and viability of the Colliers Wood centre. The policy encourages development that will raise awareness of heritage assets, recognising their positive contribution to regeneration and development. SPP Policy DM R1 and DM R5 stipulates that new development in town centres is to be commensurate with the scale and function of the centre, and must maintain the character and amenity of the area.

7.4 The proposal will involve alterations and extensions to the established pub and restaurant use on site, providing for an improved pub/bar/restaurant facility that will create additional employment and leisure opportunities. The micro-brewing industry is a rapidly expanding market and the implementation of a new micro-brewery within The William Morris building will bring renewed vitality and recognition to the

Colliers Wood town centre and Merton Abbey Mills heritage precinct. The use links to the industrial history of the Merton Abbey Mills heritage area, and is considered to be commensurate with the pub/restaurant and surrounding retail/office development.

7.5 Parking and servicing

SPP Policy DM E1 and Core Strategy policy CS 20 stipulate that new uses should have parking and access appropriate to the site and its surroundings and not unacceptably affect the operation of neighbouring businesses, traffic movement and road safety.

- 7.6 There are no opportunities for on street parking on the public highway in the vicinity and Watermill Way is a private road with restricted access. Residents living at the development have off street parking with restricted access so there will be no impact on resident parking. The proposal results in a net increase in floor area of 76m<sup>2</sup> and hence the proposal is not considered to place additional parking stress on the area. Core Strategy policy CS 18 promotes active transport methods through the provision of cycle storage and a condition requiring the provision of a 10 bike toast rack to provide secure cycle parking for employees and visitors is recommended.

7.8 Neighbour amenity

SPP Policy DM E1 also stipulates that new uses should not unacceptably affect local amenity. Objections have related largely to concerns about fumes and odours from production, and noise from the brewery, expansion of the bar/pub use and associated ancillary activities.

- 7.9 Odour and health issues; SPP Policy DM EP4 seeks to minimize pollutants and to reduce concentrations to levels that have a minimal adverse effect on people and the local area. The applicant has proposed two options for the management of odour, both of which have been considered by LBM Environmental Health to be effective measures to filter out and reduce fumes and odours from the production system. These two systems are:

- 7.10 (1) Dedicated filtration system which involves the use of a canopy type extract system complete with carbon filters similar to the systems used within commercial style kitchens connected to a dedicated duct mounted extract fan. Make-up air would be provided via appropriately sized air inlet louvres.; or (2) Vapour Condenser System (applicant's preferred option): A stainless steel vapour condenser unit is mounted to the vapour outlet of the copper boiling vessel. Cold water is then connected to the outer jacket of the condenser. As water vapour from the boiling vessel rises within the inside of the condenser, it is cooled by the effect of cold water in the outer jacket and which in turn condenses to water. This water is then drained via the condensate return tube. This type of device is very effective in removing odours and

will be the preferred option in minimising aromas as a result of the boiling process.

In view of these facts it is considered that there will be no odour or health issues arising from the proposal, with a condition to be implemented requiring pre-commencement submission of details on the final odour management system to be implemented.

- 7.11 Noise; SPP Policy DM EP 2 requires that noise generating developments should be appropriately located so as to minimise impacts on noise sensitive land uses. The bar/restaurant use with existing roof terrace and outdoor dining/seating is an established use on site, and the proposed enhancements to the facility are not considered to result in additional noise impacts beyond current levels. It is noted that the roof/outdoor dining is located adjacent to the River Wandle, directing noise towards the river and industrial estate beyond, rather than the residential buildings to the south and east. The proposed roof over the outdoor seating area will help reduce existing noise levels from the outdoor dining.
- 7.12 All brewing equipment is to be installed within the existing William Morris building. The brewing process is generally very quiet as much of the equipment is used for storage of the various stages of production with some pumping between tanks and some agitation during brewing. The production operations and cleaning equipment will be confined to regular business hours. Any ventilation equipment will be sized complete with suitable attenuation to ensure any generated noise due to plant is at an acceptable level to local residents. These factors mean that the proposal is not considered to raise concerns of noise being generated above those levels which can be expected from the usual operation of the existing pub/restaurant use and surrounding commercial operations of the Merton Abbey Mills precinct.
- 7.13 Appearance  
London Plan 7.8 and SPP policy DM D4 seek to ensure that alterations and extensions to properties within conservation areas should conserve and enhance such areas whilst Core strategy policy CS14 and SPP Policy DMD3 require well designed proposals that will respect the appearance, materials, scale bulk, proportions and character of the original building and its surroundings.
- 7.13 The proposed contemporary roof sheltering that will connect the two buildings provides for a clear distinction between old and new. The height of the roofed structure is single storey and set well below the height of the two host buildings, and is therefore not considered to be visually dominating or overbearing on the host buildings.
- 7.14 The existing front entrance to The William Morris Pub is proposed to be demolished, however Crittall windows from the west façade of the restaurant will be replaced in this opening, ensuring there is no loss of

significant heritage fabric. The modifications to the western façade of The William Morris Pub that includes new floor to ceiling glazing will update the appearance of the existing addition and improve views from the internal dining/seating areas to the River Wandle.

7.15 Conservation officers are supportive of the proposal. The overall design is considered to enhance the appearance of the conservation area in accordance with the above policies.

7.16 Trees

SPP Policy DM O2 and Core Strategy policy CS 13 stipulate that new uses should protect and incorporate significant trees which make a positive contribution to the wider network of open spaces, and in this circumstance, the Wandle Valley Conservation Area. The amended design will retain three significant Lime trees along the River Wandle riverbank, with the new roof structure designed to be built around these trees. These trees make a significant contribution to the character and amenity of the area. The removal of the one Sycamore tree has been considered by the LBM Tree Officer to be acceptable in this instance, due to the health of this tree. Conditions will be implemented to ensure the ongoing protection of these trees prior, during and after construction.

**8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of an Environmental Impact Assessment (EIA).

**9. CONCLUSION**

The proposal is considered to enhance the William Morris Pub and contribute to the ongoing viability of the Merton Abbey Mills precinct, creating an improved pub/restaurant/bar facility that will provide additional employment and leisure opportunities in the Colliers Wood town centre. Through the imposition of suitable conditions relating to the hours of operation and the use of odour controlling systems it is considered that the proposed micro-brewery use can operate without harming the amenity of neighbouring residents or having a negative impact on neighbour businesses. Consequently it is considered that the proposal accords with relevant planning policy and that subject to suitable conditions the proposal is recommended for approval.

**RECOMMENDATION Grant planning permission subject to conditions.**

Conditions

1) A1 Commencement of works

- 2) A7 Built according to plans; Site Location Plan, 'L004 Block Plan', Tree Constraints Plan 8406/01, Design and Access Statement Review B, and Drawings 'L002 Rev D Proposed Ground Floor Plan', 'L003 Rev C Proposed First Floor Plan', 'L004 Rev D Proposed Roof Plan' & 'L006 Rev A Proposed Elevations'
- 3) B1 External materials to be approved
- 4) C06 Refuse & Recycling (details to be submitted)
- 5) F05 Tree Protection
- 6) F06 Design of Foundations
- 7) F07 Trees – Notification of Start
- 8) N03 Works to Match
- 9) Non-standard condition

The new section of wall on the eastern façade of The William Morris pub is to be replaced with refurbished metal Crittall windows from the western wall of the building following the demolition of the current building entrance, as shown on Approved Plan L006 Rev A.

Reason: To safeguard the special architectural or historic interest of the listed building and to comply with the following Development Plan policies for Merton: policy 7.8 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2, D3 and D4 of Merton's Sites and Policies Plan 2014.

10) Hours of operation

The use of the site for the active production of beer shall not operate outside of the hours of 7am to 7pm Monday to Sunday.

Reason: To safeguard neighbour amenity and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2011, policy CS7 of Merton's Core Planning Strategy

11) Cycle Parking

Prior to occupation a 10-bike toast rack is to be installed to accommodate cycle parking. These facilities shall be retained for the employees of and visitors to the development at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with policy CS18

12) Non standard condition



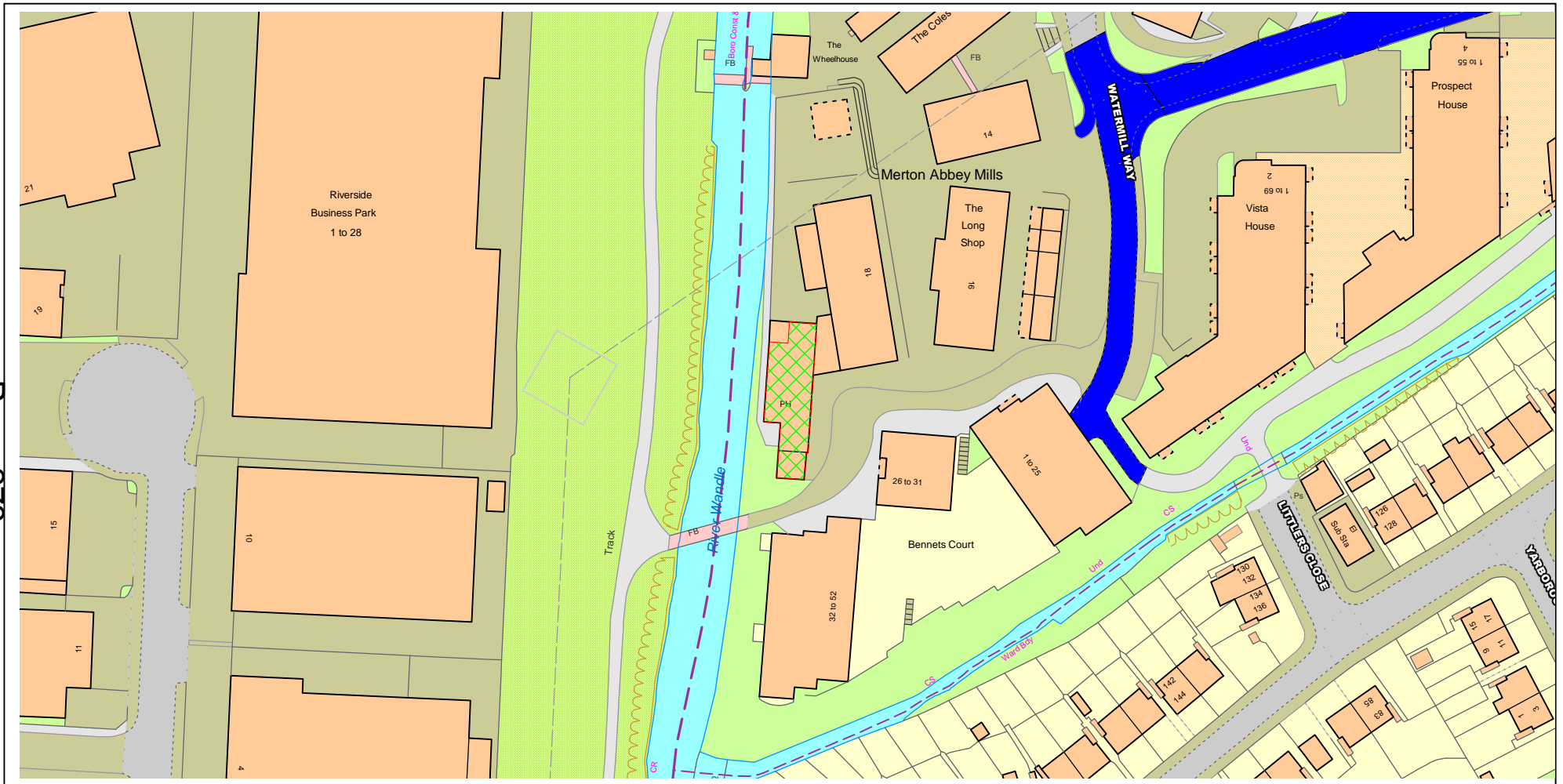
Prior to the commencement of the development a scheme detailing the method to control odour emissions from the brewing/boiling process shall be submitted and approved in writing by the planning authority. Thereafter, this method shall be used when odours are likely to be generated during the brewing/boiling process. All equipment associated with this method shall be maintained to give maximum odour reduction.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with the following Development Plan policies for Merton: policies 7.14 and 7.15 of the London Plan 2011, policy CS7 of Merton's Core Planning Strategy 2011 and Policies DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

13)NPPF Informative

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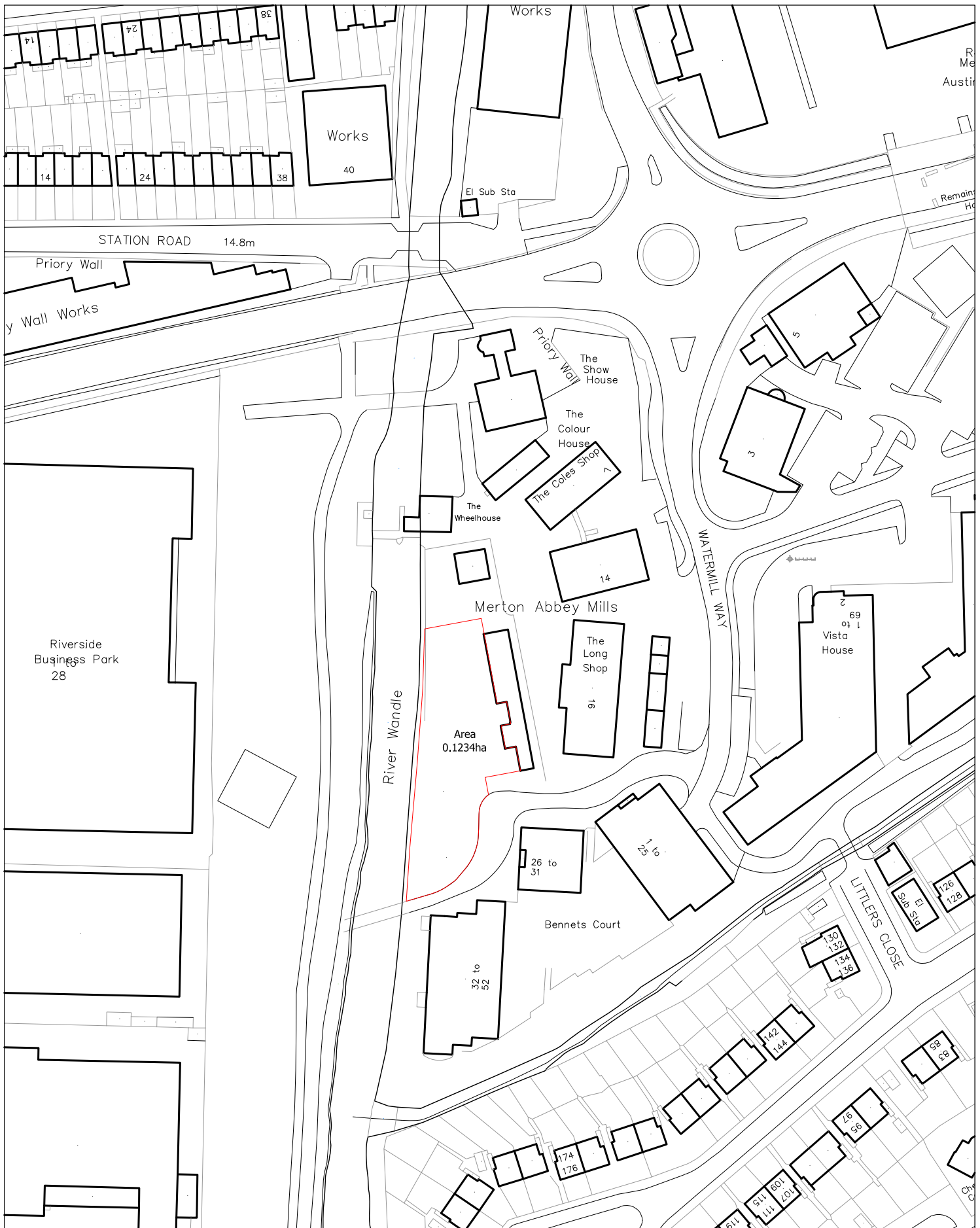
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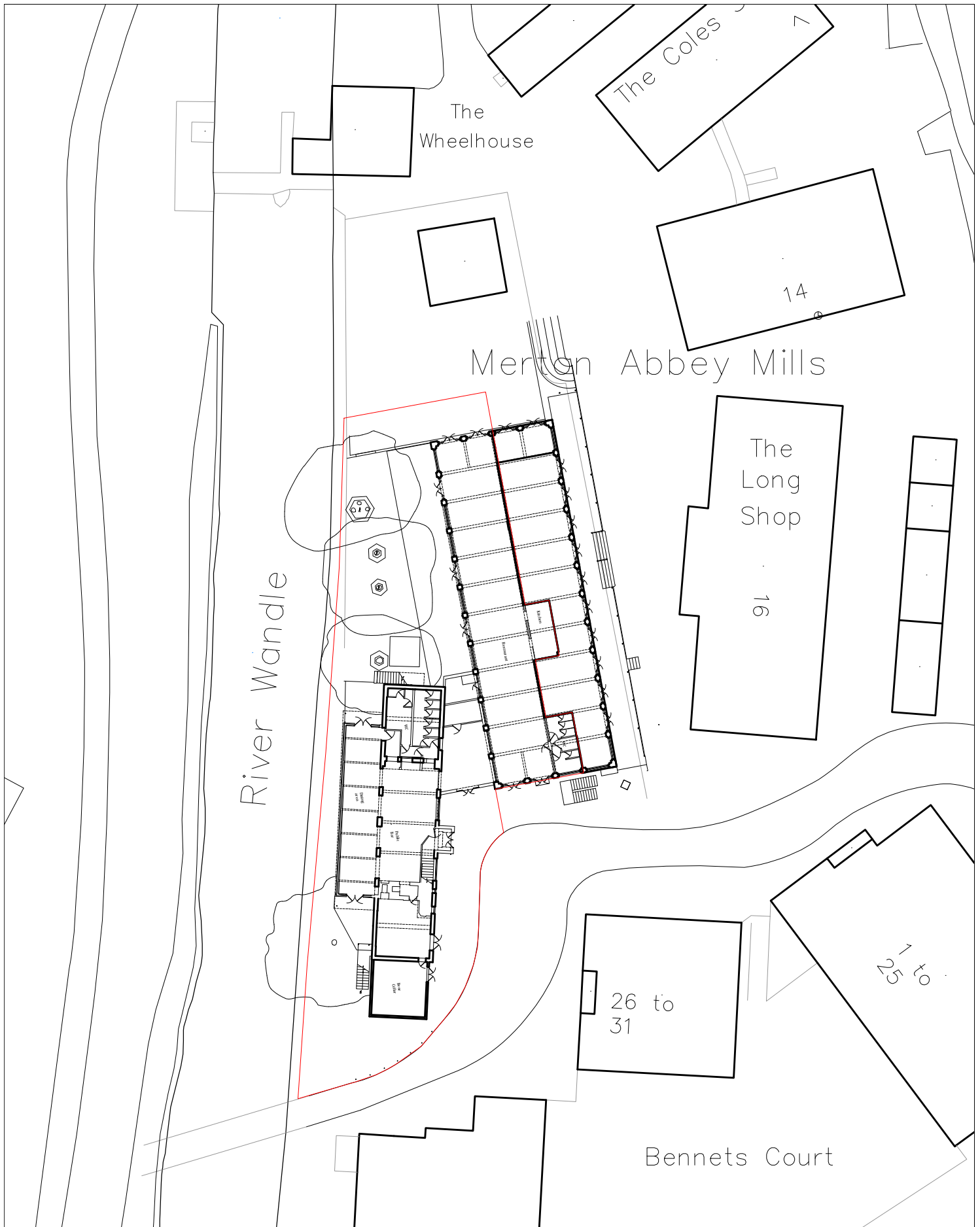


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Text Details William Morris, 20 Watermill Way

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Status

**Planning**

Title

**20 Watermill Way Page 275**  
 London SW19 2RD  
 Block Plan

DATE

18.07.2014

SCALE

1/500@A4

DRAWN

HMC

CHECKED

PROJECT NO

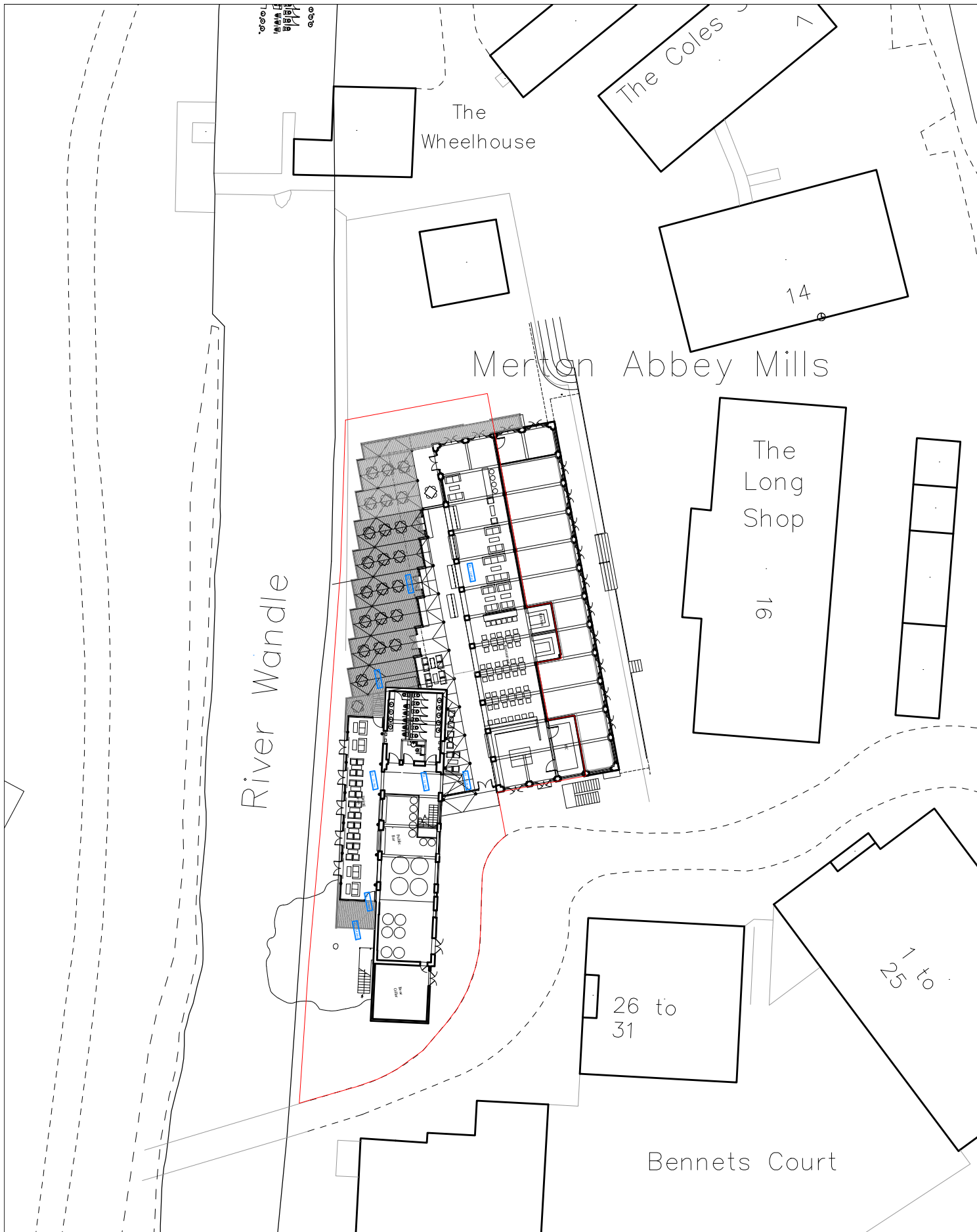
0752

DRAWING NO

**L(EX) 005**

REV





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Status

Preliminary

Title

20 Watermill Way  
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Block Plan

Page 276

DATE

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SCALE

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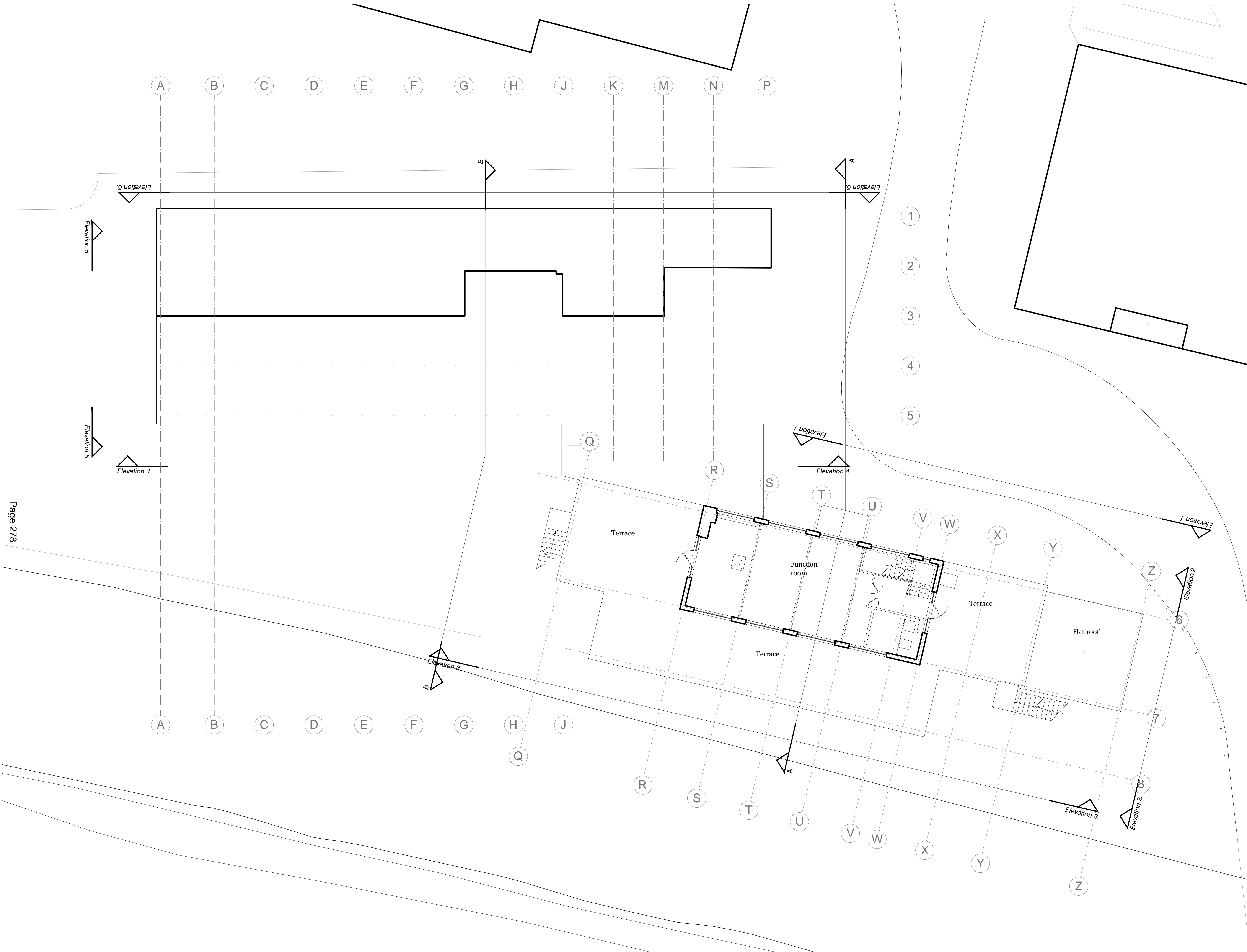
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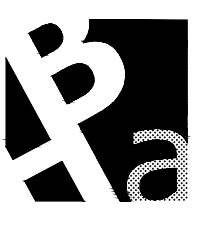




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A	General revision	20.11.14	sw
Rev	Description	Date	By

Status  
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Client

Project  
**20 Watermill Way  
London SW19 2RD**

Title  
**First Floor Plan  
Existing**

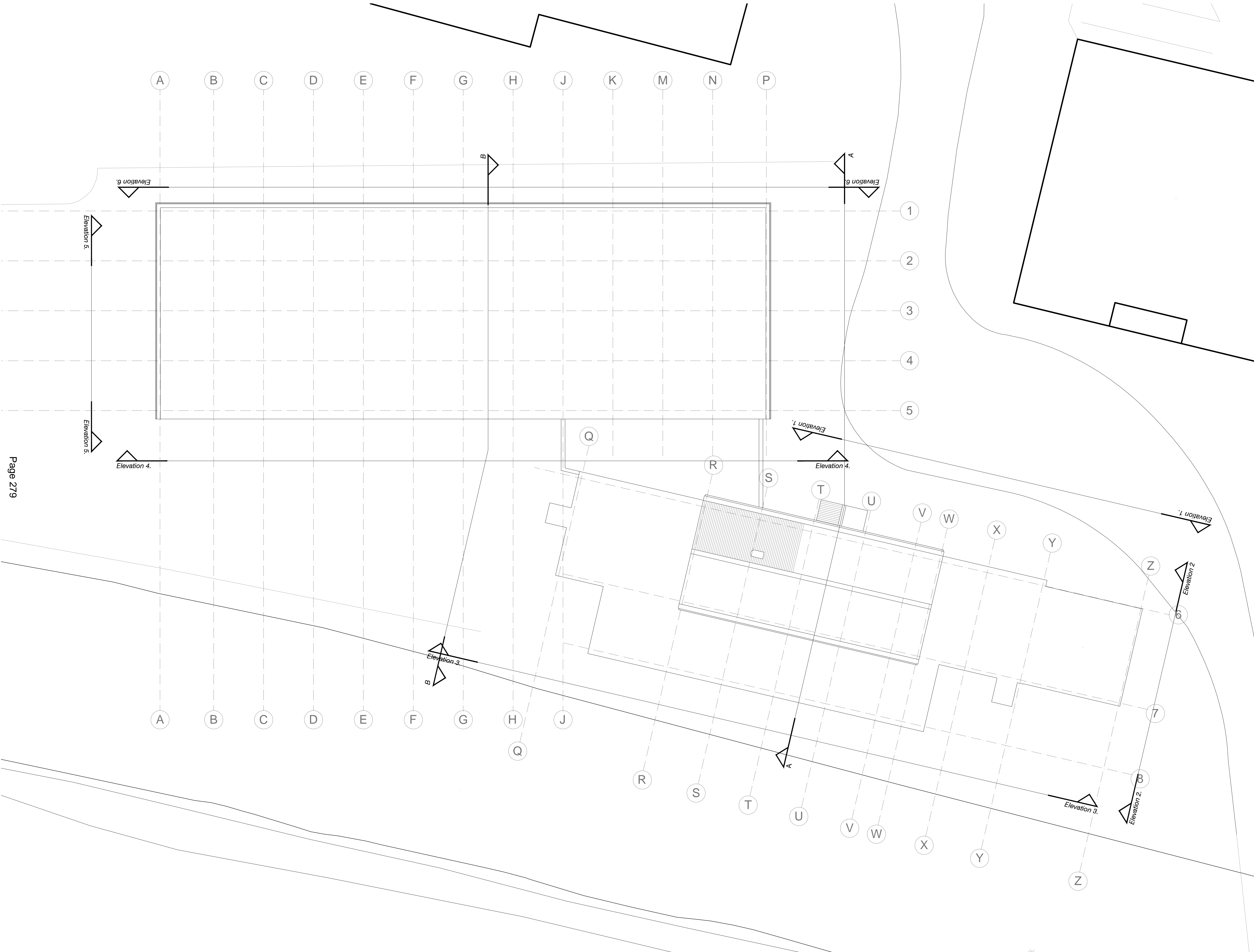
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**22/07/14**

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Project No <b>0759</b>	Drawing No <b>L(EX) 003</b>
	REV <b>A</b>







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Rev	Description	Date	By

Status  
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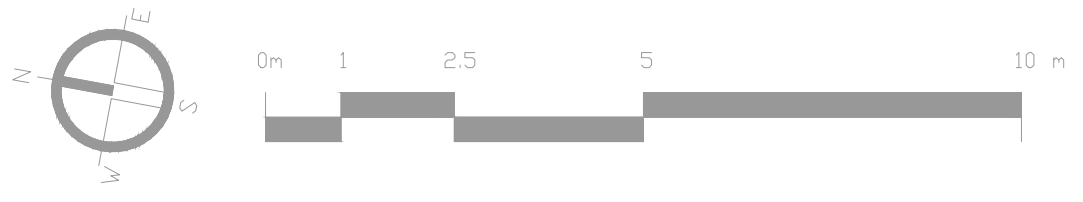
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Project  
**20 Watermill Way**  
**London SW19 2RD**

Title  
**Roof Plan**  
**Existing**

Scale  
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Date  
**22/07/14**

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Project No <b>0759</b>	Drawing No <b>L(EX) 004</b>

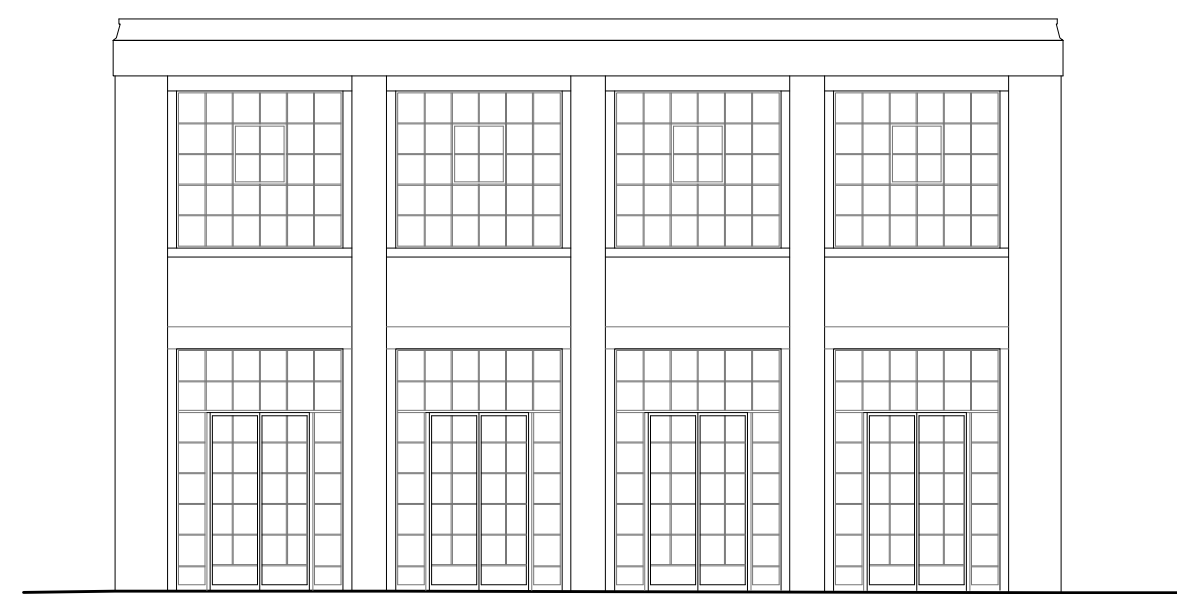




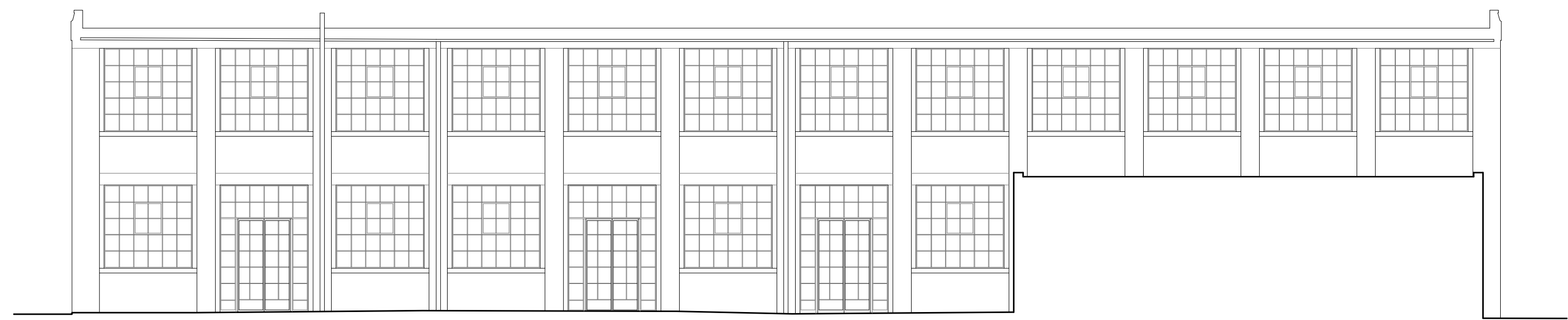
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Elevation 2



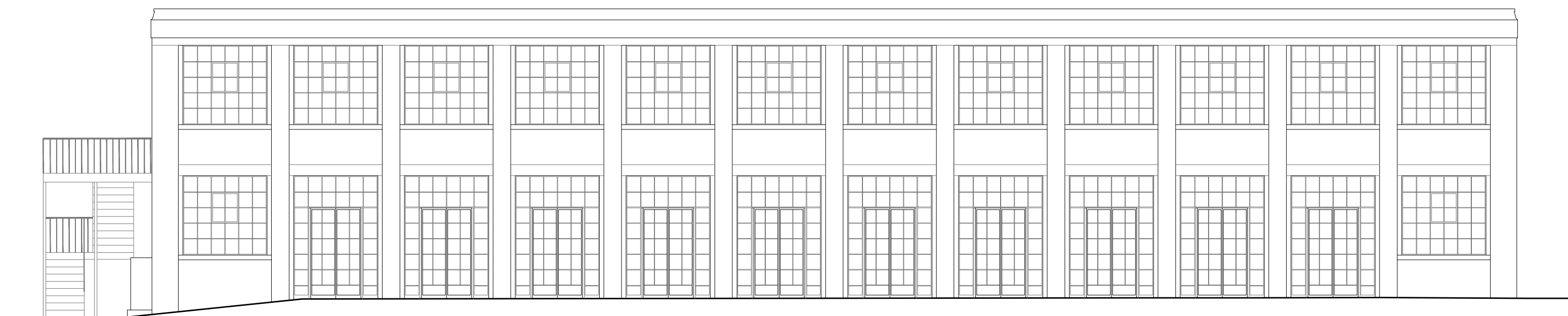
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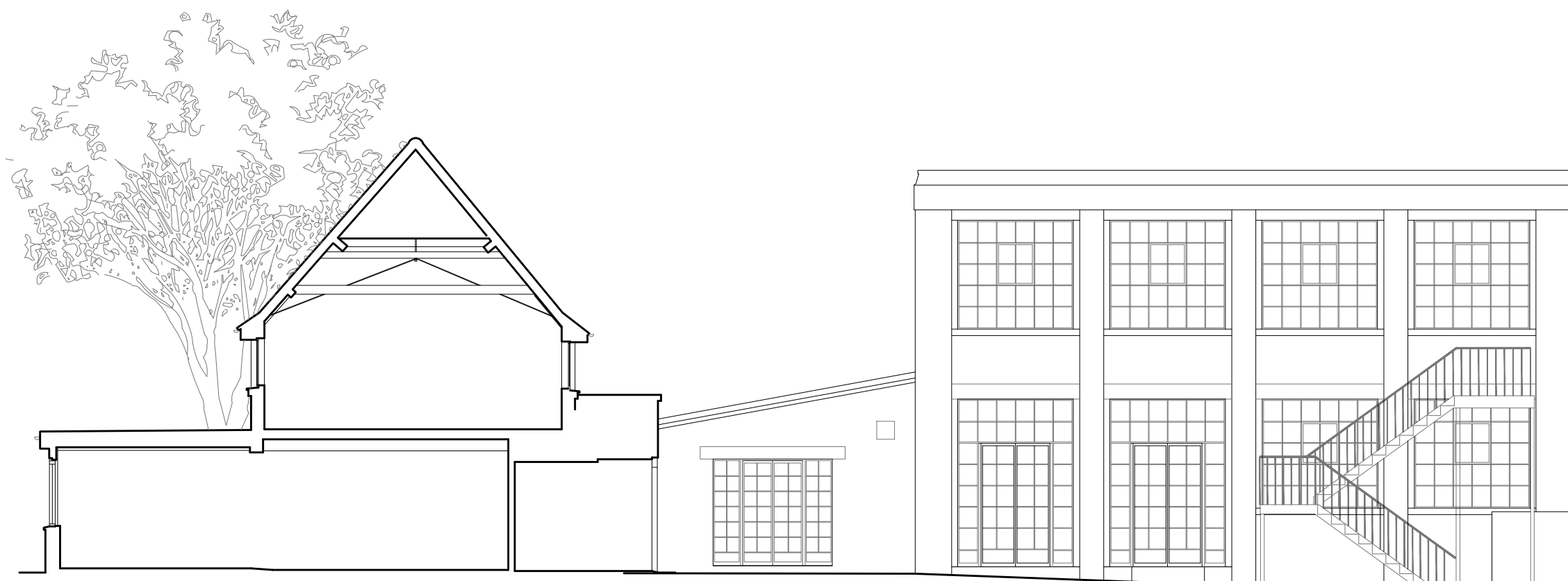
Elevation 4



Elevation 1



Elevation 6



Section AA



Section BB

Rev	Description	Date	By
A	Drawing error on planning drawing	07/15	SW

Status

**Planning**

Client

Project

**20 Watermill Way  
London SW19 2RD**

Title

**Elevations  
Existing**

Scale

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Date

28/07/14

Drawn

HMC

Checked

MH

Project No

0759

Drawing No

**L(EX) 006**

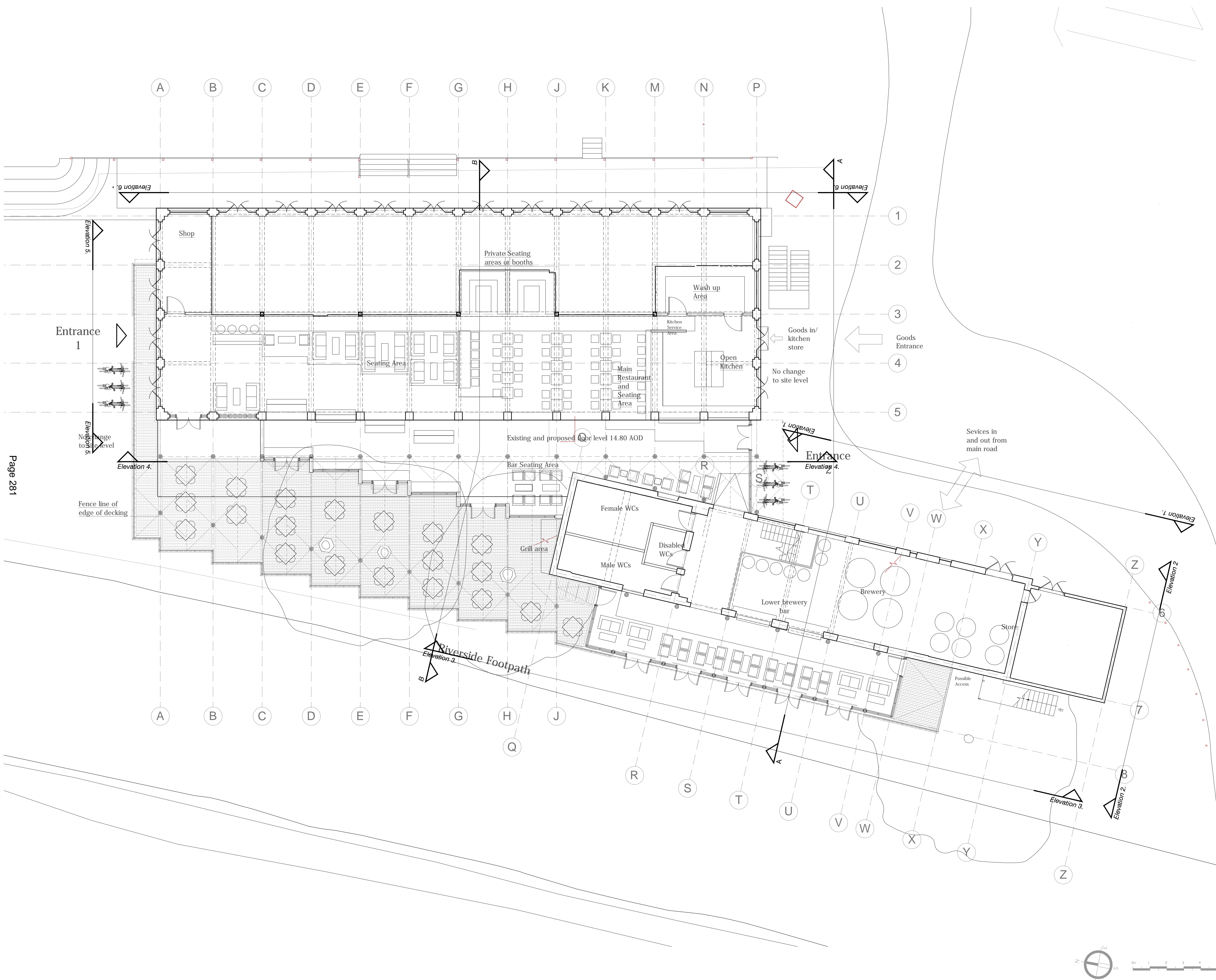
REV

**A**

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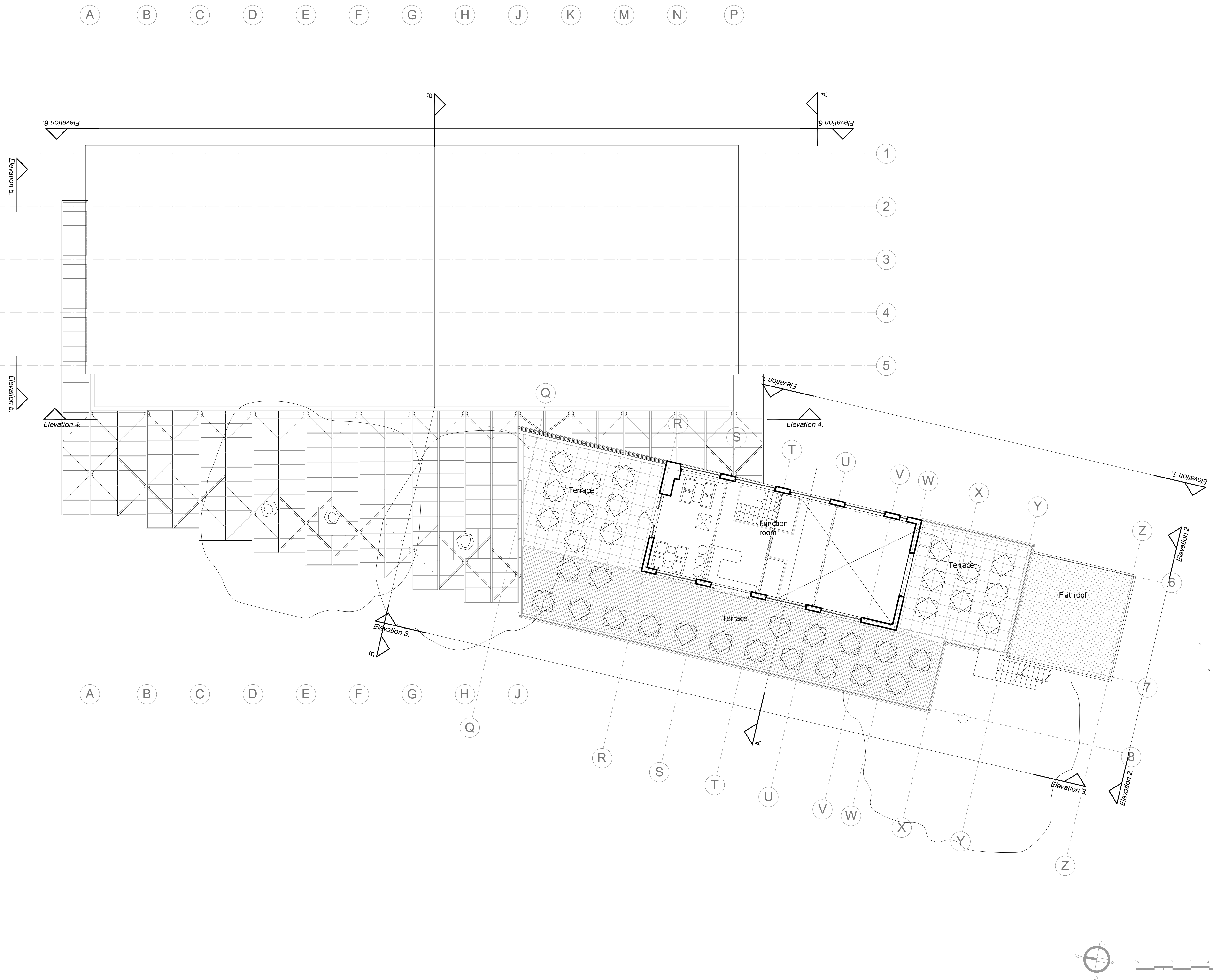
Rev	Description	Date	By
D	Removal of existing entrance canopy and levels added	02/16	SW
C	North sycamore removed, cycle racks and levels added	12/15	MH
B	Revision to retain trees	07/15	SW
A	Revision to new terrace canopy	11/14	MH

Planning

**Buchanan Hartley Architects Ltd**  
 architecture interiors environment

13 Grosvenor Gardens London SW1W 0BD  
 T 020 7592 7247  
 E mail@buchananhartley.co.uk

Client	
Project	20 Watermill Way London SW19 2RD
Title	Ground Floor Plan Proposed
Scale	1:100@A1; 1:200@A3
Date	18/08/14
Drawn	HMC
Checked	MH
Project No	0759
Drawing No	L(-) 002
REV	D



Rev	Description	Date	By
C	North sycamore removed	12/15	MH
B	Revision to retain trees	07/15	SW
A	Revision to new terrace canopy	11/14	SW

Status

**Planning**

Buchanan Hartley Architects Ltd  
architecture interiors environment

13 Grosvenor Gardens London SW1W 0BD  
T 020 7592 7247  
E mail@buchananhartley.co.uk

Client

Project

**20 Watermill Way  
London SW19 2RD**

Title

**First Floor Plan  
Proposed**

Scale

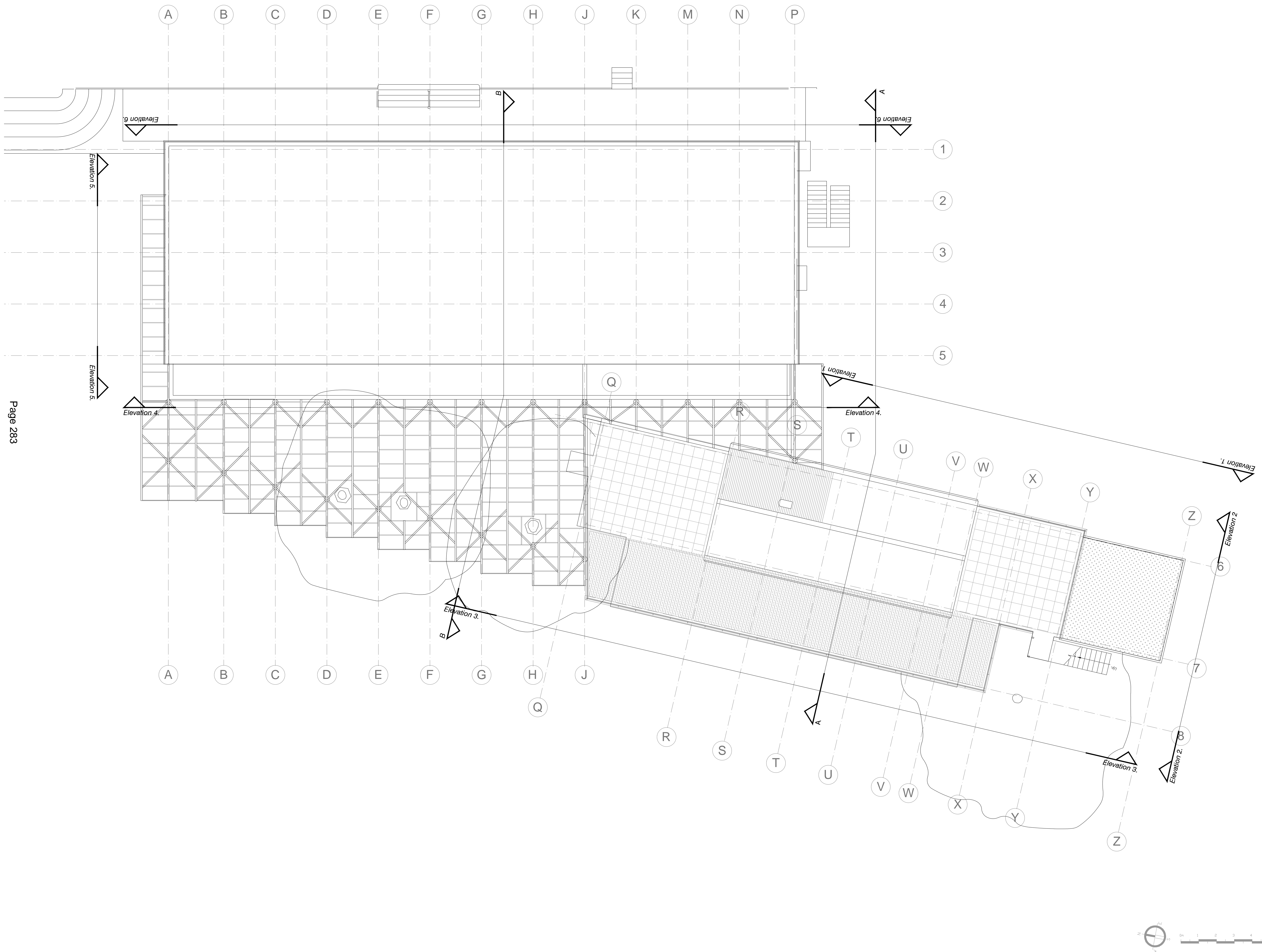
**1:100@A1; 1:200@A3**

Date

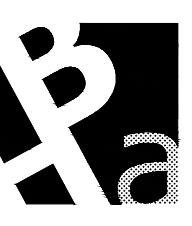
**18/08/14**

Drawn	Checked
HMC	MH
Project No	Drawing No
0759	L(--) <b>003</b>
	REV
	<b>C</b>



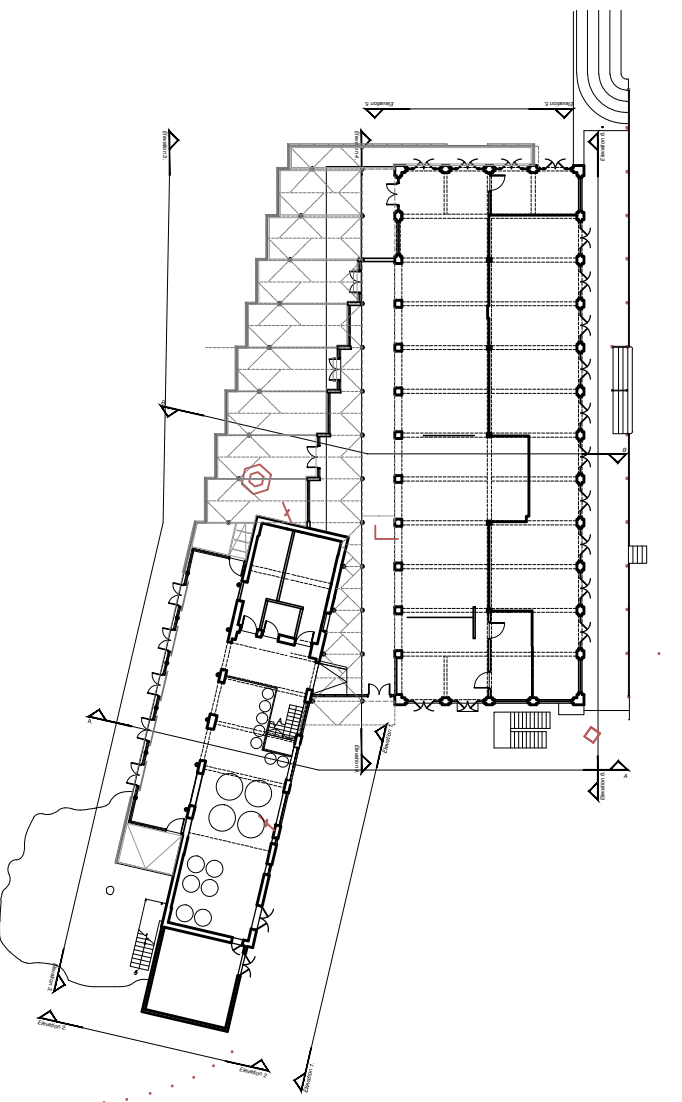


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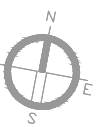
D	Removal of existing entrance canopy	02/16	SW
C	North sycamore removed	12/15	MH
B	Revision to retain trees	07/15	SW
A	Revision to new terrace canopy	11/14	SW
Rev	Description	Date	By
Status			
<b>Planning</b>			
 Buchanan Hartley Architects Ltd architecture interiors environment 13 Grosvenor Gardens London SW1W 0BD T 020 7592 7247 E mail@buchananhartley.co.uk			
Client			
Project			
20 Watermill Way London SW19 2RD			
Title			
<b>Roof Plan</b> Proposed			
Scale			
1:100@A1; 1:200@A3			
Date			
22/07/14			
Drawn	Checked		
HMC	MH		
Project No	Drawing No	REV	
0759	L(-) 004	D	



Elevation 3



Key plan 1:500

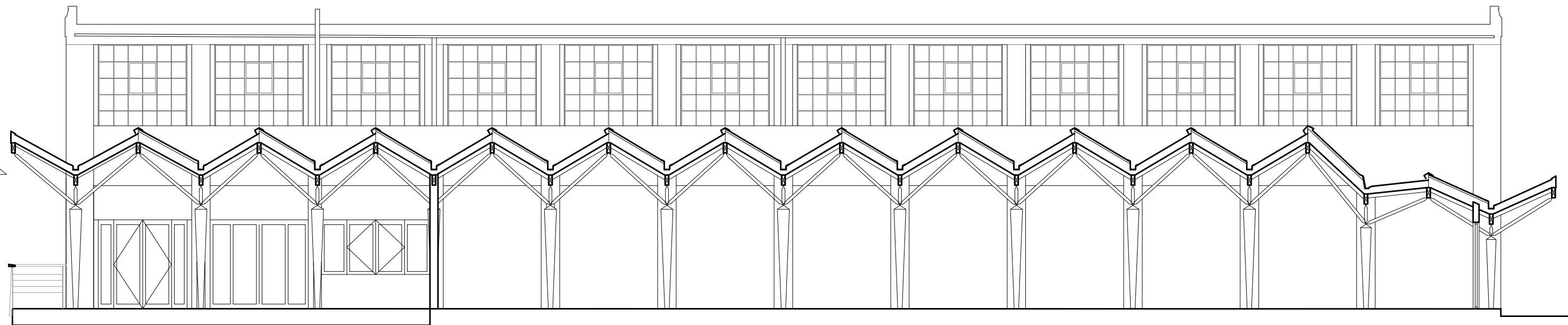


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Elevation 2



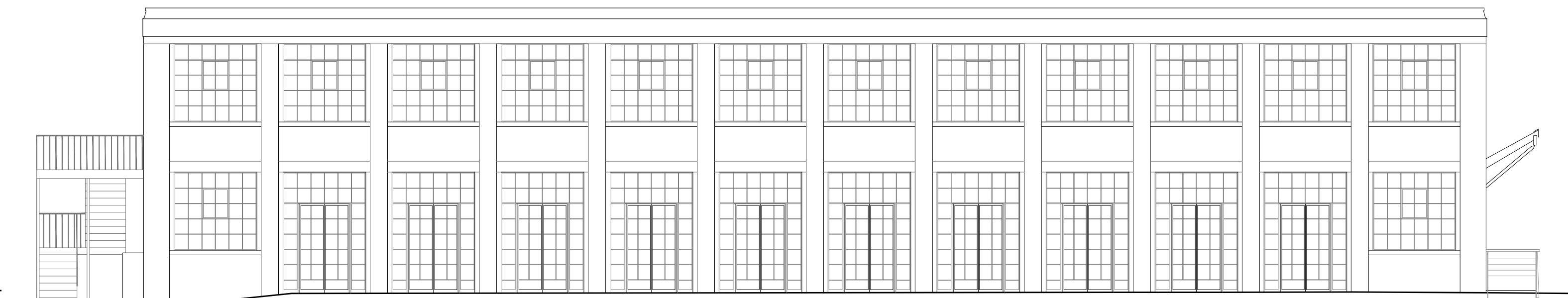
Elevation 5



Elevation 4



Elevation 1

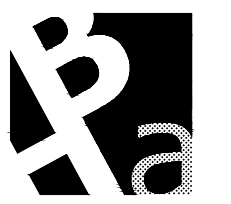


Elevation 6

Rev	Description	Date	By
A	Revision to new terrace canopy	11/14	SW

Status

Planning



Buchanan Hartley Architects Ltd  
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13 Grosvenor Gardens London SW1W 0RD  
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Client

Project

20 Watermill Way  
London SW19 2RD

Title

Elevations  
Proposed

Scale

1:100@A1; 1:200@A3

Date

28/07/14

Drawn

HMC

Project No

0759

Checked

MH

Drawing No

L(--)-006

REV

A





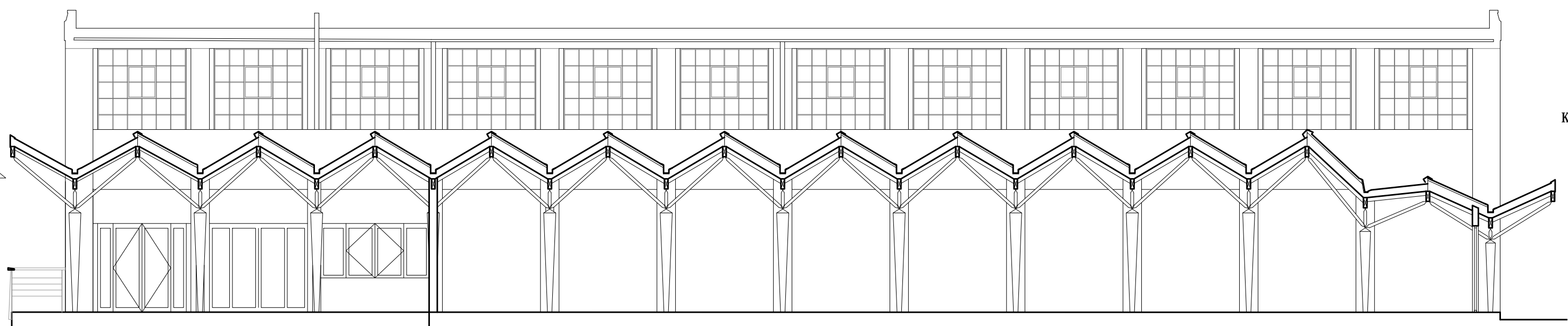
Elevation 3



Elevation 2



Elevation 5

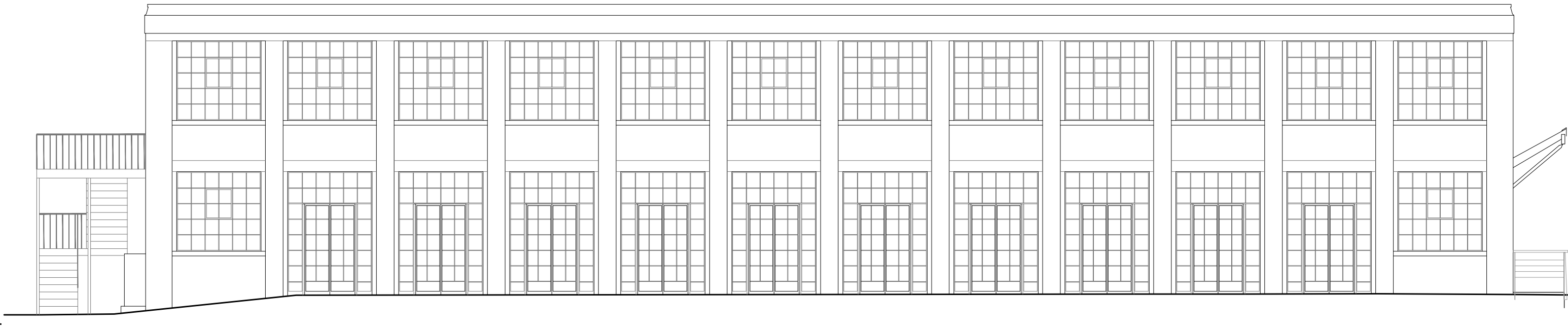


Elevation 4

Key plan 1:500



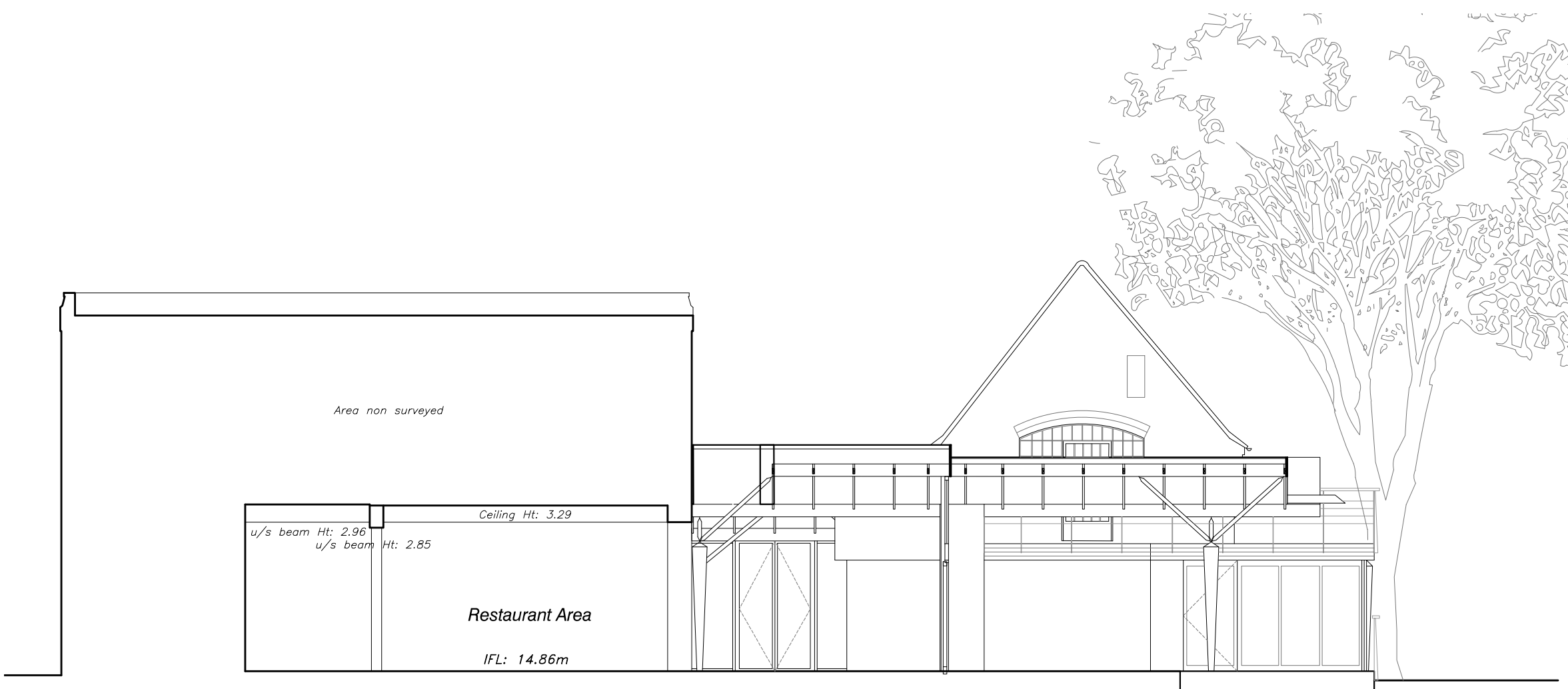
Elevation 1



Elevation 6



Section AA



Section BB

Rev	Description	Date	By
A	Revision to new terrace canopy	11/14	SW

Status

Planning



Buchanan Hartley Architects Ltd  
architecture interiors environment  
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T 020 7592 7247  
E mail@buchananhartley.co.uk

Client

Project

20 Watermill Way  
London SW19 2RD

Title

Elevations  
Proposed

Scale:  
1:100@A1; 1:200@A3

Date:  
28/07/14

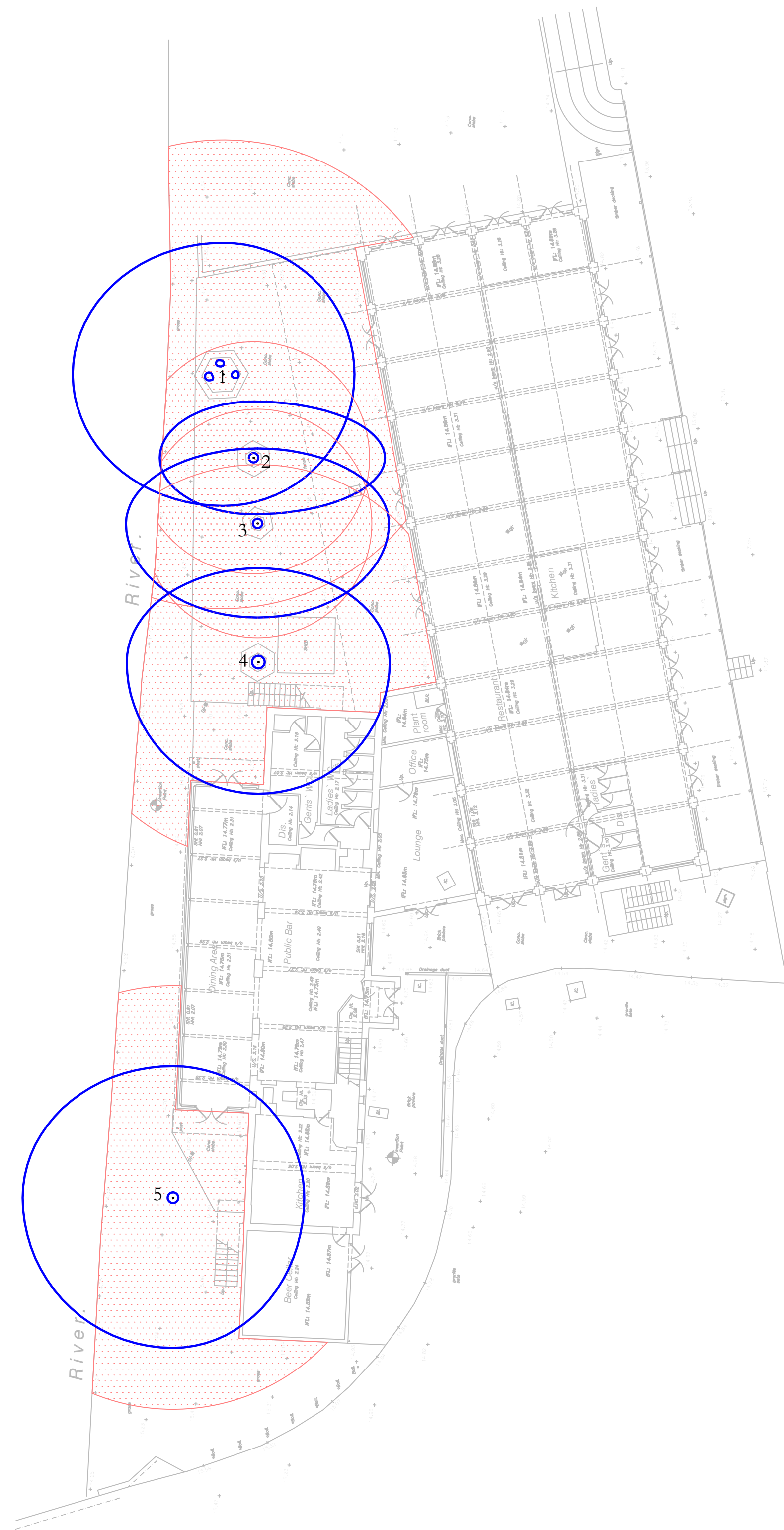
Drawn	Checked
HMC	MH
Project No 0759	Drawing No L(-)-006
	REV A



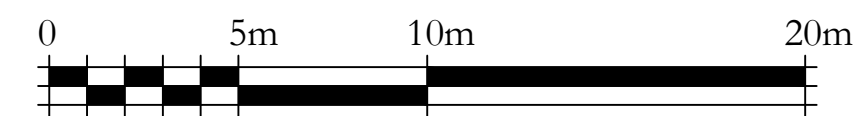
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SURVEY OF TREES AT 20 WATERMILL WAY, LONDON																							
Tree No.	Species	Ht (m)	Branch Spread (m)				Single Stem	Stem diameters (cm)					Mean dia	No. stems	Height of crown clearance (m)	Height of first branch (m) and direction (compass point)	Age class	Category grading	Estimated remaining contribution (yrs)	Condition Physiological / Structural	Preliminary management recommendations	Root protection radius (m)	Root protection area sqm
			N	E	S	W		Stem 1	Stem 2	Stem 3	Stem 4	Stem 5											
1	Sycamore	13	7	7	7	8		42	56	25	26				3	2.5W	MI	B1	>20	Multi-stemmed with base concealed by timber seat.		9.45	281
2	Lime	16	3	7	3	5	51								5	5E	MI	B1	>20	Part of a group of 3 trees of similar proportions. Base concealed by timber seat. Possibly previously pollarded at circa 6 metres above ground level and allowed to regrow.		6.12	118
3	Lime	17	4	7	5	7	51								2	4W	MI	B1	>20	Part of a group of 3 trees of similar proportions. Base concealed by timber seat. Possibly previously pollarded at circa 6 metres above ground level and allowed to regrow.		6.12	118
4	Lime	17	5	7	7	7	67								5	4S	MI	B1	>20	Part of a group of 3 trees of similar proportions. Base concealed by timber seat. Possibly previously pollarded at circa 6 metres above ground level and allowed to regrow.		8.04	203
5	Sycamore	14	7	7	8	8	57								2	2.5E	MI	B1	>20	Broad spreading tree of free form. Some past damage to east side of stem now repairing.		6.84	147



Column Heading	Explanation
<b>TPD No</b>	If applicable and where known
<b>Tree No.</b>	Unique number corresponding with number on plan
<b>Species</b>	English names
<b>Ht (m)</b>	Height in metres
<b>Branch Spread</b>	Crown radius in metres to cardinal points of the compass
<b>Stem Dia</b>	All measurements conform to Annex C of BS 5837:2012
<b>Height of crown clearance</b>	Single stem - Stem diameter in centimetres measured at 1.5m above ground level. Multi-stemmed tree with 2 to 5 stems - Diameter of each stem
<b>Height of first major branch</b>	Multi-stemmed tree with more than 5 stems - Average stem diameter and number of stems
<b>Branch and direction of growth</b>	Height in metres between the ground and underside of canopy
<b>Abbreviations as suffix to a dimension</b>	Height from ground level to base of first major branch and the approximate direction of growth
<b>Age Class</b>	Suffix 'v' denotes an estimated dimension
<b>Category grading and Estimated remaining Contribution (yrs)</b>	Suffix 'av' denotes an average dimension
<b>Estimated remaining contribution</b>	Age Class definitions: Y = less than one third natural life span spent MI = between one third and two thirds natural life span M = greater than two thirds life span completed OM = overmature V = veteran
<b>Condition</b>	Summary of BS 5837: 2012 categorisation:
<b>Preliminary management recommendations</b>	1. Trees unsuitable for retention: U = those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years
<b>Root Protection Radius</b>	2. Trees to be considered for retention: A1, 2 or 3 = trees of high quality (substantial contribution >40 yrs) B1, 2 or 3 = trees of moderate quality (significant contribution >20 yrs) C1, 2 or 3 = trees of low quality (but adequate, ie >10 yrs or young trees - until new planting can be established)
<b>Root Protection Area</b>	Useful estimated remaining contribution of the tree or tree group
	Brief description including physiological and structural defects
	Describes current arboricultural requirement for the tree in its current context
	Radius of minimum root protection area in metres calculated from section 4.6 and Annex D
	Total area of minimum root protection area extrapolated from root protection radius



Key:

- Trees to be considered for retention:
  - Tree Category A 1,2 or 3 - trees of high quality
  - Tree Category B 1,2 or 3 - trees of moderate quality
  - Tree Category C 1,2 or 3 - trees of low quality
- Trees unsuitable for retention:
  - Tree Category U - trees that cannot realistically be retained due to their condition
- Protected areas:
  - Root Protection Area (RPA)
- Tree numbering
  - Tree number - refer to schedule for information

CLIENT:	Faucet Inns Limited
PROJECT:	20 Waremill Way, London
TITLE:	Tree Constraints Plan
DRAWING NUMBER:	8406/01
STATUS:	For Information
DATE:	May 2014
DRAWN BY:	ML
SCALE:	1:200 @ A1
CHECKED BY:	JTK
Do not scale from this drawing: All dimensions to be checked on site	
The copyright of this document resides with Ian Keen Limited unless assigned in writing by the company	
<p style="text-align: center;"><b>I AN KEEN LIMITED</b></p> <p style="text-align: center;"><i>Consultants for Trees, Landscapes and Nature Conservation</i></p> <p style="text-align: center;">Redlands Farm, Redlands Lane, Woburn, Farnham, Surrey GU10 5AS Telephone: 01252 859096 Facsimile: 01252 851702 Email: mail@ikeyn.co.uk</p>	

Note:  
The original of this drawing was produced in colour - a monochrome copy should not be relied upon.

Tree survey based on Greenhatch Group drawing number 19996\_01\_P.

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**Committee:** Planning Applications

**Date:** 17<sup>th</sup> March 2016

:

**Wards:** All

## **Subject:** Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

**Contact officer:** Stuart Humphryes

### **Recommendation:**

**That Members note the contents of the report.**

#### **1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 For Members' information recent decisions made by Inspectors appointed by the Secretary of State for Communities and Local Government in respect of recent Town Planning Appeals are set out below.
- 1.2 The relevant Inspectors decision letters are not attached to this report, but can be seen on the Council web-site with the other agenda papers for this meeting at the following link:

[http://www.merton.gov.uk/council/committee.htm?view=committee&com\\_id=165](http://www.merton.gov.uk/council/committee.htm?view=committee&com_id=165)

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### **DETAILS**

Application Numbers: **14/P4681**  
Site: 314 Haydon's Road, South Wimbledon SW19 8JZ  
Development: Change of use of garage into 1 bed flat with single storey extension  
Recommendation: Refuse Permission (Delegated)  
Appeal Decision: **ALLOWED**  
Date of Appeal Decision: 4<sup>th</sup> February 2016

#### **Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000087000/1000087303/14P4681\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000087000/1000087303/14P4681_Appeal%20Decision%20Notice.pdf)

-----

**Application Number:** 15/P0418  
**Site:** 14 Hanford Row SW19 4UT  
**Development:** Erection of a single storey rear extension with Listed Building Consent  
**Recommendation:** Refuse Permission (Committee Decision)  
**Appeal Decision:** **DISMISSED**  
**Date of Appeal Decision:** 5<sup>th</sup> February 2016

**Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000087000/1000087731/15P0418\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000087000/1000087731/15P0418_Appeal%20Decision%20Notice.pdf)

---

**Application Number:** 15/P1198  
**Site:** 1 Sandbourne Avenue, Merton Park SW19 3EW  
**Development:** Erection of a single storey rear conservatory  
**Recommendation:** Refuse Permission (Delegated Decision)  
**Appeal Decision:** **DISMISSED**  
**Date of Appeal Decision:** 13<sup>th</sup> February 2016

**Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000088000/1000088481/15P1198\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000088000/1000088481/15P1198_Appeal%20Decision%20Notice.pdf)

---

**Application Number:** 15/P1696  
**Site:** 61 Commonside West, Mitcham CR4 4HB  
**Development:** Retention of single storey rear extension and a rear & side roof extension  
**Recommendation:** Refuse Permission (Delegated Decision)  
**Appeal Decision:** **DISMISSED**  
**Date of Appeal Decision:** 1<sup>st</sup> March 2016

**Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000088000/1000088959/15P1696\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000088000/1000088959/15P1696_Appeal%20Decision%20Notice.pdf)

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**Application Number:** 15/P1970  
Site: 58 Daybrook Road, Merton Park SW19 3DH  
Development: Erection of a single storey detached annexe  
Recommendation: Refuse Permission (Delegated decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 12<sup>th</sup> February 2016

**Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000089000/1000089219/15P1970\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000089000/1000089219/15P1970_Appeal%20Decision%20Notice.pdf)

---

**Application Number:** 15/P2303  
Site: 78 Byron Avenue, New Malden, Surrey KT3 6EY  
Development: Erection of a two storey side and single storey rear extension with enlargement of existing roof extension.  
Recommendation: Refuse Permission (Delegated Decision)  
Appeal Decision: **ALLOWED**  
Date of Appeal Decision: 23<sup>rd</sup> February 2016

**Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000089000/1000089532/15P2303\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000089000/1000089532/15P2303_Appeal%20Decision%20Notice.pdf)

---

**Application Number:** 15/P3127  
Site: 126 Westway, Raynes Park SW20 9LS  
Development: Prior Approval for single storey rear extension  
Recommendation: Refuse Permission (Delegated Decision)  
Appeal Decision: **ALLOWED**  
Date of Appeal Decision: 2<sup>nd</sup> February 2016

**Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000090000/1000090313/15P3127\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000090000/1000090313/15P3127_Appeal%20Decision%20Notice.pdf)

---

**Application Number:** 15/P3363  
Site: 159 Grove Road, Mitcham CR4 1AE  
Development: Vehicular crossover and hardstanding  
Recommendation: Refuse Permission (Delegated Decision)  
Appeal Decision: **ALLOWED**  
Date of Appeal Decision: 2<sup>nd</sup> March 2016

**Link to Appeal Decision**

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000090000/1000090539/15P3363\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000090000/1000090539/15P3363_Appeal%20Decision%20Notice.pdf)

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**Application Number:** 15/P3506  
Site: 47 Franklin Crescent, Mitcham CR4 1ND  
Development: Erection of two storey front infill extension with side roof extension  
Recommendation: Refuse Permission (Delegated Decision)  
Appeal Decision: **ALLOWED**  
Date of Appeal Decision: 1<sup>st</sup> March 2016

### Link to Appeal Decision

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000090000/1000090674/15P3506\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000090000/1000090674/15P3506_Appeal%20Decision%20Notice.pdf)

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**Application Number:** 15/P3513  
Site: 50 Rowan Crescent, Streatham SW16 5JB  
Development: Erection of two storey side and single storey rear extensions with rear roof extension  
Recommendation: Refuse Permission (Delegated Decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 2<sup>nd</sup> March 2016

### Link to Appeal Decision

[http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000090000/1000090682/15P3513\\_Appeal%20Decision%20Notice.pdf](http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000090000/1000090682/15P3513_Appeal%20Decision%20Notice.pdf)

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## Alternative options

- 3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is re-determined.
- 3.2 The Council may wish to consider taking legal advice before embarking on a challenge. The following applies: Under the provision of Section 288 of the Town & Country Planning Act 1990, or Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person or an establishment who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the following grounds: -
  1. That the decision is not within the powers of the Act; or
  2. That any of the relevant requirements have not been complied with; (relevant requirements means any requirements of the 1990 Act or of the Tribunal's Land Enquiries Act 1992, or of any Order, Regulation or Rule made under those Acts).

## 1 CONSULTATION UNDERTAKEN OR PROPOSED

1.1. None required for the purposes of this report.

## **2 TIMETABLE**

2.1. N/A

## **3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

3.1. There are financial implications for the Council in respect of appeal decisions where costs are awarded against the Council.

## **4 LEGAL AND STATUTORY IMPLICATIONS**

4.1. An Inspector's decision may be challenged in the High Court, within 6 weeks of the date of the decision letter (see above).

## **5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

5.1. None for the purposes of this report.

## **6 CRIME AND DISORDER IMPLICATIONS**

6.1. None for the purposes of this report.

## **7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

7.1. See 6.1 above.

## **8 BACKGROUND PAPERS**

8.1. The papers used to compile this report are the Council's Development Control service's Town Planning files relating to the sites referred to above and the agendas and minutes of the Planning Applications Committee where relevant.

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**Committee:** Planning Applications Committee

**Date:** 17<sup>th</sup> March 2016

**Agenda item:**

**Wards:** All

**Subject:** PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES

**Lead officer:** HEAD OF SUSTAINABLE COMMUNITIES

**Lead member:** COUNCILLOR LINDA KIRBY, CHAIR, PLANNING APPLICATIONS COMMITTEE

**Contact Officer** Sam Amoako-Adofo: 0208 545 3111  
sam.amoako-adofo@merton.gov.uk

**Recommendation:**

---

That Members note the contents of the report.

---

## **1. Purpose of report and executive summary**

This report details a summary of case work being dealt with by the Planning Enforcement Team and contains figures of the number of different types of cases being progressed, with brief summaries of all new enforcement notices and the progress of all enforcement appeals.



<b>Current Enforcement Cases:</b>	<b>786</b> <sup>1</sup> (786)	<b>New Appeals:</b>	<b>0</b> (1)
<b>New Complaints</b>	<b>36</b> (43)	<b>Instructions to Legal</b>	<b>2</b>
<b>Cases Closed</b>	<b>93</b> (104)	<b>Existing Appeals</b>	<b>4</b> (6)
No Breach:	51	<hr/>	
Breach Ceased:	42	<b>TREE ISSUES</b>	
NFA <sup>2</sup> (see below):	-	<b>Tree Applications Received</b>	<b>69</b> (37)
Total	<b>93</b> (104)	<b>% Determined within time limits:</b>	<b>95%</b>
<b>New Enforcement Notices Issued</b>		High Hedges Complaint	<b>0</b> (0)
Breach of Condition Notice:	0	<b>New Tree Preservation Orders (TPO)</b>	<b>1</b> (4)
New Enforcement Notice issued	2	<b>Tree Replacement Notice</b>	<b>0</b>
S.215: <sup>3</sup>	0	<b>Tree/High Hedge Appeal</b>	<b>0</b>
Others (PCN, TSN)	0		
Total	2 (0)		
<b>Prosecutions:</b> (instructed)	0 (0)		

Note (*figures are for the period (2<sup>nd</sup> February to 7<sup>th</sup> March 2016)*). The figure for current enforcement cases was taken directly from M3 crystal report.

<sup>1</sup> Totals in brackets are previous month's figures

<sup>2</sup> confirmed breach but not expedient to take further action.

<sup>3</sup> S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

## 2.00 New Enforcement Actions

**2.01 117 Haydons Road South Wimbledon SW19.** The Council served a replacement notice on 9<sup>th</sup> February 2016 against the unauthorised conversion of the former public house into eight self-contained flats. The notice would come into effect on 18<sup>th</sup> March 2016 unless there is an appeal prior to that date and the requirement would be to cease using the building as eight self-contained flats.

**2.02 3 Aberconway Road Morden SM4** - The Council served an enforcement notice on 4<sup>th</sup> February 2016 against the erection of a single storey side extension to the property following a refusal of retrospective planning permission to retain the structure. The notice would come into effect on 10<sup>th</sup> March 2016 unless there is an appeal and the owner is required to remove the extension and associated debris within one month of the effective date.

## **Some Recent Enforcement Actions**

- 2.03 61 Commonsides West Mitcham CR4** An enforcement notice was issued on 12<sup>th</sup> October 2015 against a roof alteration at the property with a requirement to remove the unauthorised roof and replace with the original flat roof. The notice came into effect on 20/11/15 as there was no appeal prior to that. The compliance period is one month.
- 2.04 1 Dovedale Rise, Mitcham CR4** - The Council served an enforcement notice on 17<sup>th</sup> August 2015 against the erection of four outbuildings in the rear garden of the property with a requirement to demolish these structures within three months of the effective date. The notice came into effect on 25<sup>th</sup> September as there was no appeal prior to that date. The compliance period expired on 25<sup>th</sup> December 2015. **The landlord has confirmed that the structures are to be removed by the end of March 2016.**
- 2.05 Burn Bullock, 315 London Road, Mitcham CR4.** A Listed Buildings Repair Notice (LBRN) was issued on 27<sup>th</sup> August 2014 to require a schedule of works to be carried out for the preservation of the Building which is listed.

Listed Building Consent was granted on 3<sup>rd</sup> March 2015 to cover the required works which include the roof and rainwater goods, masonry, chimney and render repairs and woodwork, and glazing.

On 6/11/15 an extension (ref 15/P2924) (expiring on 6/3/16) was granted to allow the required works to be completed. An update on progress of the works will be made at the meeting.

## **3.0 New Enforcement Appeals**

**None**

## **3.1 Existing enforcement appeals**

- **4 Sunnymead Avenue Mitcham CR4-** The Council served an enforcement notice against a front roof alteration and rear dormer on 26/10/15. The notice would have come into effect on 5/12/15 but an appeal has been registered. The requirement is to demolish the unauthorised roof extension within one month.
- **14 Glenthorpe Road Morden SM4** An enforcement notice was issued against the erection of a raised timber decking with uprights and a polycarbonate lean-to with roofing. The requirements are to remove these structures within one month of the effective date. The owner has appealed and the council's statement was sent on 5/10/15.

**An inspector site visit took place on 8/2/16 and a decision is expected between 2 – 5 weeks.**

- **24 Greenwood Close SM4** An enforcement notice was issued on 20<sup>th</sup> July 2015 against the unauthorised erection of a detached bungalow. The

notice would have come into effect on 25th August 2015 but an appeal has been registered.

The main requirement of the notice is for the unauthorised building to be demolished within three months.

The Council's statement was sent on 1/12/15. PINS have confirmed an extension to 5/1/16 at the request of the appellant as they want two other planning appeals for the same development to be co-joined and dealt with by one inspector. **The next stage would be an inspector site visit.**

- **163 Central Road, Morden SM4**, An enforcement notice was issued on 9th April 2015 against the unauthorised conversion of an outbuilding into residential accommodation. The notice would have come into effect on 19th May 2015 but an appeal was registered and is proceeding under written representations. The requirements are for the unauthorised use to cease and the landlord to remove all partitions, facilities, fixtures and fittings facilitating the use of the outbuilding as a bedsit.

**An inspector site visit took place on 8/2/16 and a decision is expected between 2 – 5 weeks.**

### 3.2 Appeals determined –

- **61 The Quadrant SW20** - The Council issued an enforcement notice on 25th August 2015 against the unauthorised erection of a single storey rear extension. The main requirement is to demolish the structure within three months of the effective date. An appeal was allowed with the Inspector stating that there is no loss of sunlight to the adjoining property at 59 The Quadrant.
- **204 Tamworth Lane, Mitcham CR4**, - An enforcement notice was issued on 11th May 2015 against the unauthorised erection of a second single storey rear extension and raised patio following the refusal of planning permission and the dismissal of a subsequent appeal against the refusal of planning permission. An enforcement appeal has been dismissed and the notice upheld by the inspector with a requirement that the unauthorised extension be demolished within 3 months.
- **36 Deal Road SW17** An enforcement notice was issued on 6th July 2015 against the conversion of the property from two into three self-contained flats involving the use of the roof space as a self-contained flat.

An appeal against the enforcement notice has been dismissed with the inspector expressing concerns of the size of the flats on the effects of the living conditions of the occupiers. Indeed in the top floor flat, a minimum floor to ceiling height of at least 2.5m was not available for about a large part of the gross internal area.

- **2 Cavendish Road, Colliers Wood SW19** - The Council issued an enforcement notice on 18th August 2015 against the unauthorised erection of a first floor extension to an existing structure. The main requirement is to remove the first floor structure within one month of the effective date.

The appeal was dismissed and the enforcement notice upheld as the Inspector was concerned about the impact of the extension on the living conditions of the occupiers of the neighbouring properties.

**Prosecution case.**

**None**

**3.4 Requested update from PAC**

**4. Consultation undertaken or proposed**

None required for the purposes of this report

**5 Timetable**

N/A

**6. Financial, resource and property implications**

N/A

**7. Legal and statutory implications**

N/A

**8. Human rights, equalities and community cohesion implications**

N/A

**9. Crime and disorder implications**

N/A

**10. Risk Management and Health and Safety implications.**

N/A

**11. Appendices – the following documents are to be published with this report and form part of the report Background Papers**

N/A

**12. Background Papers**

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