

Merton Council

Planning Applications Committee

Membership

Councillors

Linda Kirby (Chair)

Laxmi Attawar

Stephen Crowe

David Dean

Philip Jones

Andrew Judge

Najeeb Latif

Peter Southgate

Geraldine Stanford

Imran Uddin

Substitute Members:

John Bowcott

Joan Henry

Daniel Holden

Jerome Neil

John Sargeant

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

Date: 25 May 2017

Time: 7.15 pm

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

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Planning Applications Committee

25 May 2017

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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.

Human Rights Implications:

The applications in this Agenda have been considered in the light of the Human Rights Act 1998 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).

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.

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.

Order of items: Applications on this agenda are ordered alphabetically. At the meeting the Chair may change this order to bring forward items with the greatest number of public speakers. The new order will be announced by the Chair at the start of the meeting.

Speaking at Planning Committee: All public speaking at Planning Committee is at the discretion of the Chair. The following people may register to speak:

Members of the Public who have submitted a written representation objecting to an application. A maximum of 6 minutes is allowed for objectors. If only one person registers they will get 3 minutes to speak, a second person will also get 3 minutes. If further people want to speak then the 6 minutes may be shared between them

Agents/Applicants will be able to speak but only if members of the public have registered to speak in opposition to the application. Applicants/agents will get an equal amount of time. If an application is brought to Committee with an Officer recommendation for Refusal then the Applicant/Agent will get 3 minutes to speak.

All Speakers MUST register in advance, by contacting The Planning Department no later than 12 noon on the day before the meeting.

PHONE: 020-8545-3445/3448

e-mail: planning@merton.gov.uk)

Ward Councillors/Other Councillors who are not members of the Planning Committee may also register to speak and will be allocated 3 minutes each. Please register with Development Control Administration or Democratic Services no later than 12 noon on the day before the meeting

Submission of additional information before the meeting: Any additional information relating to an item on this Agenda should be sent to the Planning Department before 12 noon on the day before the meeting (using email above).

Please note:

There is no opportunity to make a visual presentation when speaking at Planning Committee

That the distribution of any documents by the public during the course of the meeting will not be permitted.

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Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

20 APRIL 2017

(7.15 pm - 11.00 pm)

PRESENT Councillor Linda Kirby (Chair), Councillor John Bowcott, Councillor Philip Jones, Councillor Andrew Judge, Councillor Peter Southgate, Councillor Geraldine Stanford, Councillor Imran Uddin, Councillor Laxmi Attawar, Councillor Daniel Holden and Councillor Stephen Crowe

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Abigail Jones and Councillor Najeeb Latif. Councillor Laxmi Attawar and Councillor Daniel Holden attended as their respective substitutes.

Apologies for lateness were received from Councillor Imran Uddin (arrived at 19:20).

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

Councillor John Bowcott made a statement to inform the Committee that he chaired the Design Review Panel that considered Item 7, however he did not take part in the debate or vote on the proposal on that panel.

Councillor Andrew Judge informed the Committee that he had been involved in the development of the proposals associated with Item 7, and therefore would not be participating for that item.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 16 March 2017 are agreed as an accurate record.

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

The published Agenda and Supplementary Agenda tabled at the meeting form part of the Minutes:

Supplementary Agenda: A list of modifications for agenda items 5, 6, 7, 8, 9, 10, 13 and 16 were published as a supplementary agenda.

Items 11 and 14 were withdrawn from the Agenda prior to the meeting.

Verbal Representations: The Committee received verbal representations detailed in the minutes for the relevant item.

Order of the Agenda: The Chair amended the order of items to the following: 5, 7, 6, 9, 10, 13, 15, 8, 12, 16.

5 260 CHURCH ROAD, MITCHAM, CR4 3BW (Agenda Item 5)

Proposal: Demolition of existing building and the erection of a part 3 storey, part 4 storey (with setback) residential block comprising 14 x residential units, provision of 8 on-street car parking spaces (subject to Traffic Management Order) and 20 cycle parking spaces.

The Committee noted the officer's report and presentation, additional information in the Supplementary agenda, verbal presentations from three objectors, the agent for the application and ward Councillor Ross Garrod.

The objectors raised residents' concerns including:

- The height of the building in relation to the Tall Buildings Paper
- The overpowering effect on the streets
- Erosion of the character due to its scale and height
- The perceived height of the building above the others nearby
- That it was out of character with the surrounding area
- The high number of objections
- The building being built in an area of local character
- The marketing of the site by Developers
- The loss of sunlight
- Loss of privacy and visual intrusion

The Agent to the application asked the committee to note points including:

- The application has been subject to 18 months of discussions.
- This would be a redevelopment of a derelict site
- Affordable Housing was included within the proposal
- The proposal included a £180,000 CIL payment
- The parking would be increased in the area with the proposal
- Sunlight assessments had been undertaken and the levels would be above the suggested levels all compliance would be achieved

Councillor Ross Garrod made points including:

- The large number of representations received including a petition, noting this was one of the largest number of representations received for an application of this size
- Inadequate parking provision
- The building was out of scale with the surroundings
- Concerns about the safety of the changes to the yellow lines
- Lack of privacy
- The proposed building is too large

The Planning Officer advised that Church Road was subject to a diverse range of building types and did not reflect the character that objectors referred to, and that the surrounding areas contained flats and other buildings which were higher than the one proposed. The Planning Officer advised that quantitative assessments had been carried out in relation to loss of light.

In response to questions, the Planning Officer responded:

- The Planning Officers had fully engaged with Highways Officers and the applicant to look at extra options in the street locally to accommodate vehicles.
- The report was comprehensive and properly reflected the analysis done by the applicant.
- Vacant property levels in the borough were high and it would be unreasonable with the known need for affordable housing to frustrate the application based on the marketing of the site.

Members expressed concerns that a more pleasing design could be achieved and Councillor Peter Southgate suggested a deferral to the Design and Review Panel who would meet on 24 May 2017.

Following further comments, the Chair asked the Committee to vote on the motion to defer.

Members voted on the motion to defer, pending comments from the Design and Review Panel and the motion was carried.

RESOLVED: That the application is deferred pending comments from the Design and Review Panel.

6 CROWNALL WORKS, ELM GROVE, WIMBLEDON, SW19 (Agenda Item 6)

Proposal: Demolition of existing office and warehouse buildings and

erection of a building comprising 924.8 sqm of office floorspace (Use Class B1) and 6 x 3 bed houses (Use Class C3).

The Committee noted the officer's report and presentation, additional information in the Supplementary agenda, verbal presentations from one objector and the agent for the application.

The objector raised residents' concerns including:

- Previous projects by the same applicant were too dense
- Devoid of amenity space
- Insufficient parking
- Height
- The front was not in keeping with the area and would diminish the look of the street
- Poor outlook
- The entrances would compromise privacy

The Agent to the application asked the committee to note points including:

- The proposal was lower than others nearby
- The offices would be car free and the area was well served by public transport
- The traffic would reduce with the change of usage of the site
- There would be more jobs than the current usage

In response to questions, the Planning Officer responded:

- Worker numbers would increase from 48 to 109
- There was no overlooking and no resident would be prejudiced by the development.

RESOLVED: That the application is granted subject to s.106 agreement and conditions.

7 MERTON HALL, 78 KINGSTON ROAD, WIMBLEDON, SW19 (Agenda Item 7)

Proposal: Alterations and extensions to Merton Hall including demolition of part of Merton Hall, and alterations and refurbishment of the retained two storey building and erection of a new worship hall, café, foyer and meeting/group rooms.

The Committee noted the officer's report and presentation, additional information in the Supplementary agenda, verbal presentations from three objectors, the applicant for the application and Councillor Michael Bull.

The objectors raised residents' concerns including:

- The energy report was non viable
- The site was unsuitable
- The proposal was not appropriate or neighbourly
- Loss of parking
- Excessive noise
- The loss of the currently community centre
- Loss of greenspace
- Overbearing impact
- The new proposal would be closer to the neighbouring boundary than the previous building
- Loss of privacy
- Noise from the mechanical ventilation
- Loss of historic fabric and character

The Applicant asked the committee to note points including:

- The tree lined area would be retained
- The proposed building would be well insulated and the applicant had worked hard to ensure that sound would not leak.
- Surveys had been completed in respect of noise, transport and parking.

The Chair, Councillor Linda Kirby read out an email submitted by Councillors Katy Neep and Abigail Jones which outlined their concerns, including:

- Could the useage of the Café be reviewed to consider the number of cafes already in the area
- The retention of greenspace
- Overlooking and noise from the changes at the rear of the property

Councillor Michael Bull made points including:

- Incongruity of application
- Noise and disturbance
- Loss of privacy, parking spaces and greenspace

In response to questions, the Planning Officer responded:

- There had been quantitative conditions applied restricting noise to safeguard neighbour amenity
- A condition had been added to restrict hours of use, and another to restrict the noise breaking out of the building
- The applicant had submitted a parking survey and there was ample on street parking
- It was not for the Local Planning Authority to regulate competition between cafes.

Following further comments, members continued to express concern over the design and the loss of greenspace.

Councillor Peter Southgate moved a motion to refuse on the grounds of the design, and this was seconded by Councillor Stephen Crowe.

A vote was taken on the motion, with 6 members voting for the motion and 3 against.

RESOLVED: That the application is refused as the front design is out of keeping with the building and neighbouring area.

RESOLVED: That officers are delegated the authority to draft the full reasons for refusal citing the relevant planning policies.

8 641 KINGSTON ROAD, RAYNES PARK, SW20 8SA (Agenda Item 8)

Proposal: Application for change of use from a Public House (Use Class A4)

to a 21-room hotel (Use Class C1) including 1 x 1 bed (managers flat) dwelling and demolition of existing taxi business within curtilage.

The Committee noted the officer's report and presentation, additional plans tabled at the meeting and a verbal presentation from Councillor Michael Bull.

Councillor Bull raised concerns about the lack of parking for the premises, and members acknowledged this issue.

The vote to grant permission was unanimously agreed.

RESOLVED: To grant permission subject to conditions.

9 27 LANDGROVE ROAD, WIMBLEDON SW19 7LL (Agenda Item 9)

Proposal: Application for variation of condition 10 (use of garage) attached to LBM planning application 07/p1131 relating to the erection of a three storey building on the site of 27 Landgrove Road containing 3 x 2 bedroom apartments involving conversion of second level roof space of 25 Landgrove road to form additional accommodation for new second floor apartment at no.27. Enlargement of existing detached garage at rear of properties incorporating a storage area within the roofspace.
Variation to remove restriction of use of ground floor of garage to parking only
To allow use of both ground and first floor as a home office.

The Committee noted the officer's report and presentation, additional information in the Supplementary agenda, verbal presentations from two objectors and the agent for the application.

The objectors raised residents' concerns including:

- The use of the building was unclear
- Size
- Transparency of the plans
- Parking issues caused by using the garage as an office
- Overlooking

The Agent to the application asked the committee to note points including:

- It would be low key ancillary use
- It would cause a loss of one parking space only
- A recent parking survey stated there was spare capacity for parking
- There was no intention to put as separate use

In response to questions, the Planning Officer responded:

- The location was in a CPZ, but there was sufficient space
- The application was permitted on the basis that it was not for commercial use and would not for example, have staff in the building
- The reworded condition allows for home office use, domestic storage and parking to retain flexibility for future use

RESOLVED: That the application is granted subject to conditions.

10 OBERON PAVILION, 19 LINDISFARNE ROAD, WEST WIMBLEDON, SW20 0NW (Agenda Item 10)

Proposal: Formation of 2 single storey side extensions to existing bungalow; formation or roof extension to bungalow and infill between bungalow and pavilion; formation of roof extension over pavilion including 2 new dormers; improvements to hard and soft landscaping and provision of new netball court, erection of new fencing and gates to site boundary including formation of drop off area at Lindisfarne Road.

The Committee noted the officer's report and presentation, additional information in the Supplementary agenda, verbal presentations from two objectors and the agent for the application.

The objectors raised residents' concerns including:

- The maximum height of the hedge to preserve visual enjoyment and the heritage asset
- The maximum height for the mesh fence
- Overlooking from the veranda
- Safety of children who would be above residents gardens
- Privacy
- Parking
- Construction traffic and the risks associated with this in a small site with no pavements on the road, which is a popular walking route

The Agent to the application asked the committee to note points including:

- The agent raised the positive value of the high level of resident engagement in this road

- Late amendments had been made as the agent was respectful of the concerns raised by residents and had responded to them
- The agent advised he was willing to accept reasonable conditions

In response to questions, the Transport Officer responded that there was a construction management plan.

The vote to grant was unanimously agreed.

RESOLVED: That the application is granted subject to conditions.

11 17 MERTON HALL ROAD, SW19 3PP (Agenda Item 11)

WITHDRAWN FROM THIS AGENDA

12 THE PERSEID UPPER SCHOOL, MIDDLETON ROAD, MORDEN, SM4 6RU
(Agenda Item 12)

Proposal: Erection of a single storey north-west extension, a two storey rear central extension and 2 x single storey south east extensions.

The Committee noted the officer's report and presentation.

The vote to grant was unanimously agreed.

RESOLVED: To grant planning permission subject to conditions.

13 29 ST GEORGES ROAD, MITCHAM, CR4 1ED (Agenda Item 13)

Proposal: Erection of a front porch

The Committee noted the officer's report and presentation, additional information in the Supplementary agenda, verbal presentations from one objector and the applicant for the application.

The objector raised concerns including:

- Loss of character of the road and erosion of the character of the property
- The proposal is not in keeping and would lead to a loss of uniformity in the road
- Changes to the visual outlook
- Loss of natural surveillance and security

The applicant on the application asked the committee to note points including:

- There had been a large number of houses developed in the road in various ways so houses were not uniform
- The proposal was the same size as other garages and extensions in the road
- The road includes a large block of flats
- The properties need updating and this would improve the look of the area

The vote to grant was unanimously agreed.

RESOLVED: That the application is granted subject to planning conditions.

14 12 WATERSIDE WAY, TOOTING, SW17 0HB (Agenda Item 14)

WITHDRAWN FROM THIS AGENDA

15 21-23 WIMBLEDON HILL ROAD, WIMBLEDON, SW19 7NE (Agenda Item 15)

Proposal: Erection of first and second storey rear extension and rear roof extensions in connection with the conversion of the first, second and third floors of the building from beauty salon (Class Sui Generis) to Class A1 use (part first floor) and five 3x1 bed and 2x 2 bed self-contained flats (part first, second and third floor).

The Committee noted the officer's report and presentation.

The vote to grant was unanimously agreed.

RESOLVED: That the application is granted subject to s.106 agreement and conditions.

16 120 WINDERMERE ROAD, STREATHAM, SW16 5HE (Agenda Item 16)

Proposal: Erection of an outbuilding in the rear garden to be used as a garage

The Committee noted the officer's report and presentation and additional information in the Supplementary agenda.

Following questions from members the Planning Officer advised that the permission would have suitable conditions so as to prevent use of the garage for commercial purposes and that if members remained concerned about the condition of the site and its impact on the character of the surrounding area consideration could be given to enforcement action under S215 of the Planning Act.

The Chair raised concerns about the effect on neighbours and their personal amenity.

RESOLVED: To grant permission subject to conditions.

17 PLANNING APPEAL DECISIONS (Agenda Item 17)

The Committee noted the report on recent Planning Appeal Decisions.

18 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 18)

The Committee noted the report on recent Planning Enforcement. Following questions from members, the Planning Officer clarified the current staffing levels.

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PLANNING APPLICATIONS COMMITTEE

25th May 2017

APPLICATION NO.

16/P4268

DATE VALID

23/12/2016

Address/Site:

4 and 4a Cottenham Park Road, West Wimbledon, SW20 0RZ

Ward

Village

Proposal:

Demolition of 2 x existing houses and erection of 3 detached 5 bedroom houses arranged over 4 floors

Drawing Nos:

1130 – 01(D), 02(C), 03(D), 04(C), 05(D), 06(C), 07(D) & 08(B)

Contact Officer:

David Gardener (0208 545 3115)

RECOMMENDATION

GRANT Planning Permission Subject to Conditions and S106 Agreement

CHECKLIST INFORMATION

- Heads of agreement: permit free
- 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: 51
- External consultations: None

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a two-storey detached building which has been sub-divided into two houses (1 x 4 & 1 x 2 bedroom). The site is located at the north end of Cottenham Park Road close to the junction with Copse Hill/Ridgway. The surrounding area is predominantly residential in character

comprising low density mainly detached housing although it should be noted that Christ Church is located immediately to the north. The application site is not located in a conservation area.

- 2.2 The application site has a PTAL rating of 1b which means it has poor access to public transport however it should be noted that the No. 200 bus route operates along this part of Cottenham Park Road offering frequent services to Wimbledon Town Centre, Raynes Park and Mitcham.

3. CURRENT PROPOSAL

- 3.1 The current application is for full planning permission to demolish the existing two houses and erect 3 x 5 bedroom detached houses. The proposed houses would be arranged over four floors, with lower ground, ground first floor and roof space accommodation.
- 3.2 The houses would be traditional in terms of their appearance featuring gabled roofs and dormers on their front elevations. The houses would feature natural slate roof tiles whilst Plot 1 & 3 would feature Buff stone brick and plot 2 would feature red brick facing materials. The proposed windows would be timber.
- 3.3 New tree planting and landscaping is proposed at the front of the site with off-street parking also proposed for each of the houses. Plots 1 and 2 would have a shared car access whilst plot 3 would have its own car access. New brick piers and railings would also be erected on the front boundary of the site.

4. PLANNING HISTORY

The following planning history is relevant:

- 4.1 91/P0919 - Erection of two-storey extensions to rear side on southern side of existing house erection of two-storey addition on northern side for use as a two bedroom dwellinghouse and formation of a new vehicle access. Granted - 29/01/1992

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 02 (Nature conservation, trees, hedges and landscape features), 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)

- 5.4 Housing Standards – Minor Alterations to the London Plan (March 2016)
- 5.5 Mayor’s Housing Supplementary Planning Guidance (March 2016)
- 5.6 DCLG Technical Housing Standards – nationally described space standard March 2015
- 5.7 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, 7 letters of objection were received on the following grounds:

- Substantial over-development of the site/unacceptable high density
- Incongruous on the Cottenham Park Road streetscene, not in keeping with the architectural style of road
- Overlooking, visually intrusive and unduly dominant, excessive height would result in unacceptable loss of daylight
- It hasn’t been demonstrated that the basement of plot 1 can be constructed without compromising the stability of adjoining houses
- Impact on groundwater flows
- Poor precedent
- Impact on wildlife
- Impact on the setting of Grade II listed Christ Church
- Removal of trees contravenes Merton planning policies

6.2 Future Merton - Transport Planning

6.2.1 No objections

6.3 Future Merton – Flood Engineer

6.3.1 No objections subject to condition requiring a detailed scheme for the provision of surface and foul water drainage.

6.4 Future Merton – Structural Engineer

6.4.1 No objections subject to appropriate conditions.

6.5 Tree Officer

6.5.1 No objections subject to conditions on tree protection.

7. PLANNING CONSIDERATIONS

7.2 Design and Impact on Streetscene

- 7.1.1 Policy CS.14 of the Core Planning strategy promotes high quality sustainable design that improves Merton's overall design standard. Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be expected to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings.
- 7.1.2 Although the current building comprises two houses it has the appearance of a single large detached house reflects the low density character of the surrounding area. It is accepted that the proposal, which would result in the erection of three detached houses with gabled roofs would increase the density of development of the site however it is not considered to be excessive or an overdevelopment of the site with wide gaps between each house improving views to the rear of the application site. It should be noted that there are a number of examples of high density developments along the road which have been built in recent years such as Nos. 26, 26a and 26b which is a row of three terrace houses. The houses are not excessively large with the ridges being only marginally higher than the ridge of No.6. However, this is to be expected given the gradient of the road.
- 7.1.3 The proposed houses are also considered to be of a high quality design in terms of design approach and materials and would relate positively to the wider setting. The houses would have a traditional design featuring gable roofs with two dormers to the front of each roof slope. The proposed dormers are not considered to be too large with their flank walls located a generous distance from the flank walls. In terms of materials the houses would feature natural slate roof tiles whilst Plot 1 & 3 would feature Buff stone brick and plot 2 would feature red brick facing materials. Finally, the proposed front boundary treatment would comprise wrought iron railings, which is considered to be acceptable as it would retain the sites soft boundary edge and allow for natural surveillance of the street. Overall, it is considered that the proposal is acceptable in terms of its design and would comply with the relevant design planning policies.

7.3 Residential Amenity

- 7.2.1 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.
- 7.2.2 No.6 Cottenham Park Road abuts the sites southern side boundary whilst the Christ Church abuts the sites northern side boundary (it should be noted that the Church Hall building is located closest to the application site). With

regards to No.6 it is considered that the proposal would not be visually intrusive or overbearing when viewed from this property given the ground floor element would extend 5.8m beyond the rear wall of No.6 and is located between 1.2m and 1.3m from the side boundary. The site is also located to the north of No.6 which means it would have a very limited impact on the amount of daylight/sunlight received at No.6. A condition will be attached requiring that any windows located in the south elevation above ground floor level will be obscure glazed to protect the privacy levels of No.6. It is also considered that the proposal would not have an unacceptable impact on the church located to the north given the church hall building, which is located closest to the application site extends approx. 11m beyond the rear wall of the ground floor element of the closest house.

- 7.2.3 It is considered that given the above considerations that the proposal would not be visually intrusive or overbearing when viewed from surrounding residual properties, or result in an unacceptable level of daylight/sunlight or privacy loss. The proposal would therefore accord with policies DM D2 and DM D3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) and is acceptable in terms of residential amenity.

7.3 Standard of Accommodation

- 7.3.1 Policy 3.5 of the London Plan 2015, as updated by the Minor Alterations Housing standards (March 2016) and the Department for Communities and Local Government 'Technical housing standards – nationally described space standard' set out a minimum gross internal area standard for new homes. This provides the most up to date and appropriate minimum space standards for Merton. 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.
- 7.3.2 As the proposed houses 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 houses would provide a minimum of 50 square metres of private amenity space. The proposed houses 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 Parking and Traffic

- 7.4.1 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) allows for up to 2 space per unit with 4 bedrooms or more where there is a PTAL rating of 0-1.
- 7.4.2 The proposed houses would provide between 1 and 2 off-street car parking space each which is considered acceptable as it would not exceed the maximum parking standards set out in the London Plan. Bicycle storage is also located in the rear garden of each house which is also welcomed.

7.5 Basement Impact

- 7.5.1 With regards to the basement, the applicant has provided a Basement Impact Assessment (BIA) demonstrating how the stability of ground conditions will be maintained in relation to adjoining properties and details of a drainage strategy in relation to surface water and ground water flows. No boreholes appear to have been undertaken however from the trial hole investigation carried out on site, it is evident that stiff/firm clay was revealed. The BIA reports that the risk of the presence of natural water table within the clay is very low and that no ingress of water occurred during the trial holes. It should be noted that groundwater levels will vary due to seasonal fluctuation and more detailed ground investigation including boreholes (x3 minimum) and a groundwater standpipe is installed, prior to commencement of development. Infiltration testing in accordance with BRE365 at the site has also not been provided, thus it is recommended that the infiltration values specified within the Ambient drainage report are checked through trial pit infiltration tests on site prior to the final detailed drainage design being carried out, as well as a groundwater level check be undertaken in order to accurately identify the depth of the water table.
- 7.5.2 The council's structural engineer has also assessed the proposal and is satisfied with the details submitted which demonstrate that there is a safe method of excavating the basement without causing significant impact on the public highway and the neighbouring properties No. 6 Cottenham Park Road and the Church Hall. Conditions will be attached requiring the submission of a demolition method statement and detailed construction method statement produced by the respective Contractors responsible for piling, excavation and basement construction works. 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 Trees and Landscaping

- 7.6.1 Concerns were raised when the application was first submitted regarding the amount of hard landscaping to the front of the site given the root protection

area of the large Sycamore Tree (listed as T19 in the Arboricultural Assessment) is already constrained by the footpath, road and driveway. The plans have now been amended increasing the amount of soft landscaping around this tree and this is now considered to be acceptable. It should also be noted that the application site has lost two important Cedar trees in recent years, one of which was removed last year. A condition will therefore be attached requiring that two sizeable trees are planted at the front of the site to restore the amenity that was enjoyed by the public for a considerable amount of time in the area.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 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 a Community Infrastructure Levy (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

- 10.1.1 As of Friday 28 November 2014, the Government amended National Planning Policy Guidance to state that planning obligations (section 106 planning obligations) requiring a financial contribution towards affordable housing should not be sought from small scale and self-build development. Following this change, the council could no longer seek financial contributions towards affordable housing on schemes of 1-9 units but can still seek financial contributions to on developments with a gross area of more than 1,000sqm. The proposed development comprises three new houses with a gross floor area exceeding 1,000sqm which means a financial contribution will be required in this instance. 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. After applying the formula a figure of (Sum to be confirmed) would be sought as a S106 planning obligation.

11. CONCLUSION

- 11.1 It is considered that the proposed houses would be acceptable in terms of its size and design and would not have an unacceptable impact on the Cottenham Park Road streetscene or the wider area. The houses are 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

GRANT PLANNING PERMISSION subject to the completion of a S106 agreement covering the following heads of terms:

- 1) Financial contribution for Affordable Housing (Sum to be confirmed)
- 2) Paying the Council's legal and professional costs in drafting, completing and monitoring the legal agreement.

And subject to the following conditions:

1. A.1 (Commencement of Development)
2. A.7 (Approved plans)
3. B.1 (External Materials to be Approved)
4. B.5 (Details of Walls/Fences)
5. B.6 (Levels)
6. C.1 (No Permitted Development (Extensions))
7. C.2 (No Permitted Development (Windows and Doors))
8. C.4 (Obscured Glazing (Opening Windows))
9. C.8 (No Use of Flat Roof)
10. C.10 (Hours of Construction)
11. F.1 (Landscaping/Planting Scheme)
12. F.2 (Landscaping (Implementation))
13. F.5 (Tree Protection)
14. F.8 (Site Supervision (Trees))
15. Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority in accordance with the Ambient Surface Water Drainage Strategy (Ref: 2966 dated Dec 2016). The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:
 - i. Provide information about the design storm period and intensity, attenuation (volume of no less than 33.5m³ to be provided) and control the rate of surface water discharged from the site to no more than 5l/s;

- ii. Include a timetable for its implementation;
- iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

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

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

16. F.9 (Hardstandings)

17. 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.

18. 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.

19. No development approved by this permission shall be commenced until a detailed construction method statement from the Contractors responsible for piling, excavation and basement construction works has been submitted to and approved by the local planning authority. The detailed construction method statement shall be reviewed and agreed by the chartered structural engineer and should include construction drawings and sections of the piled

retaining wall, and temporary works drawings in case of a propped piled retaining wall being proposed.

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

20. No development approved by this permission shall be commenced until a Demolition Method Statement - prepared by the Contractor undertaking the demolition works has been submitted to and approved by the local planning authority. The method statement should incorporate any recommendations from the survey report and include the subsequent management, handling and safe disposal of any hazardous materials.

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

21. No development approved by this permission shall be commenced until a site investigation into soil and hydrology conditions which shall include site specific boreholes has been carried out and the details have been submitted and approved by the Local Planning Authority.

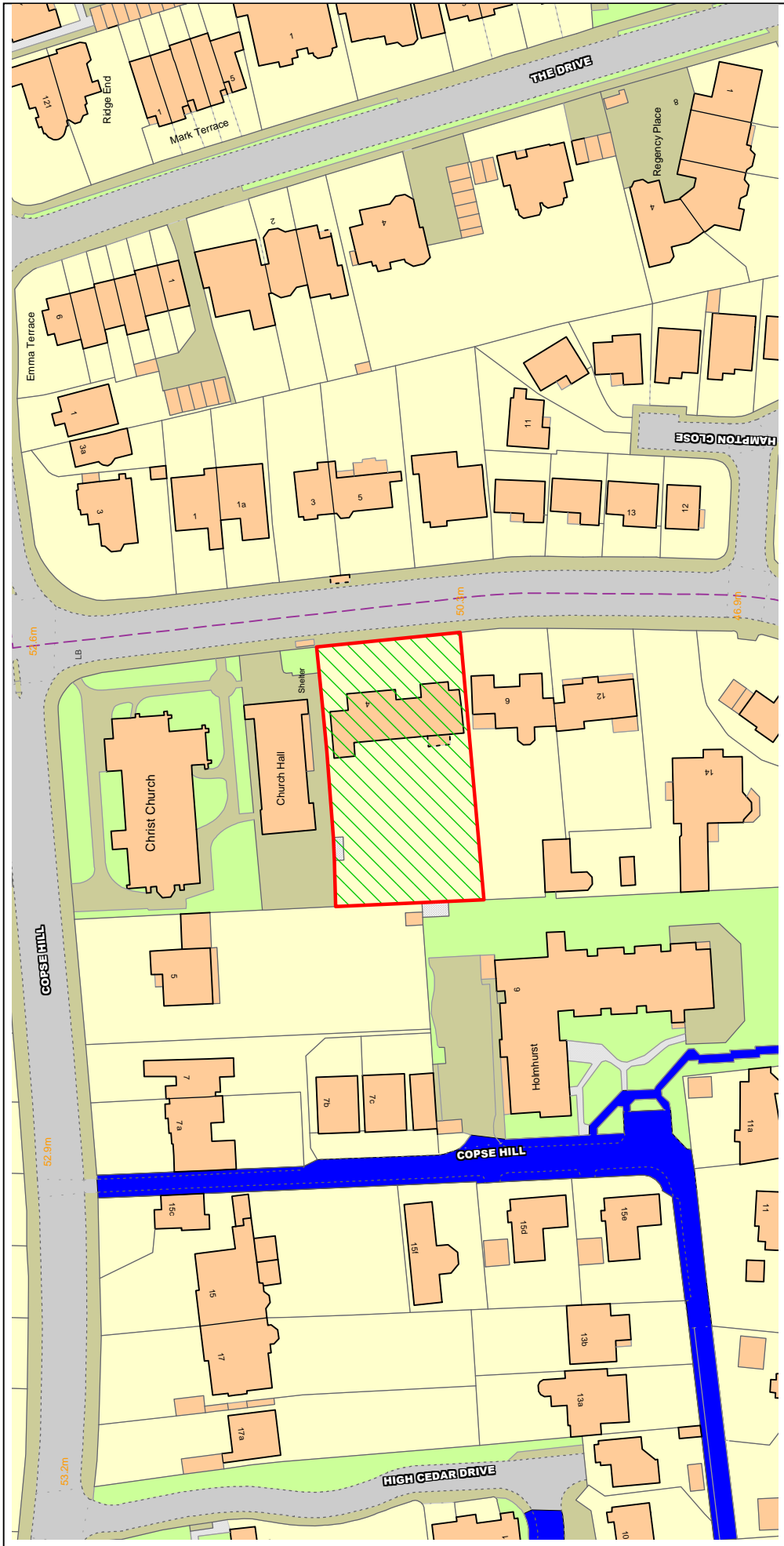
Reason: To ensure that structural stability of adjoining properties is safeguarded and neighbour amenity is not harmed and to comply with policy DM D2 of Merton's Sites and Polices Plan 2014.

22. H.7 (Cycle parking to be implemented)

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

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PLANNING APPLICATIONS COMMITTEE

25th May, 2017

APPLICATION NO.	DATE VALID
17/P0652	10/02/2017
Address/Site:	32 Florence Avenue, Morden, SM4 6EX
Ward	Ravensbury
Proposal	Demolition of existing bungalow and erection of four terrace houses
Drawing No's	'Site Location Plan 16-72 A01 Rev A', 'Proposed Block Plan 16-72 A02 Rev E', 'Proposed Site Plan 16-72 A03 Rev F', 'Proposed Ground Floor Plan 16-72 A20 Rev F', 'Proposed First Floor Plan 16-72 A21 Rev F', 'Proposed Second Floor Plan 16-72 A22 Rev F', 'Proposed Roof Plan 16-72 A23 Rev F', 'Proposed Front Elevation 16-72 A30 Rev F', 'Proposed Rear Elevation 16-72 A31 Rev F', 'Proposed West Elevation 16-72 A32 Rev F', 'Proposed East Elevation 16-72 A33 Rev F', 'Street Elevation 16-72 A34 Rev F', 'Proposed Cross-Section 16-72 A35 Rev F', 'Proposed Longitudinal Section 16-72 A36 Rev F & 'Proposed Tree Plan 16-72 A40 Rev E'.
Contact Officer	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: 14
- Press notice: No
- Site notice: Yes
- External consultations: No
- Controlled Parking Zone: No

1. INTRODUCTION

1.1 The application is being brought before the Planning Applications Committee due to the level of public interest in the proposal. The application has also been called in at the request of Councillor Stephen Alambritis.

2. SITE AND SURROUNDINGS

2.1 The application site is located on the northern side of Florence Avenue, near to the intersection with Ravensbury Avenue. A bungalow is currently located on the site and proposed to be demolished to facilitate the new build.

2.2 The site has an area of approximately 680 square metres. The section of Florence Avenue in which the subject site is located has a gentle slope in a westerly direction from a peak in front of 26 Florence Avenue sloping down towards the intersection with Ravensbury Avenue.

2.3 The site is within the St Helier Neighbourhood (Willows Avenue Character Area) under the Draft Borough Character Study. In Florence Avenue, there is a mixture of 1930s two-storey and bungalow detached houses, and some semi-detached and terrace houses.

2.4 The site is not within a conservation area. The site is not within a Controlled Parking Zone.

3. CURRENT PROPOSAL

3.1 This application seeks planning permission for the demolition of the existing bungalow and erection of four terrace dwelling houses. The western dwelling (House A) would be a two storey, two bedroom dwelling. The balance of the dwellings (Houses B-C) would be two storey houses plus accommodation within the roofspace. These dwellings would be 4 bedroom dwellings.

3.2 The gross internal floor areas and garden areas of the proposed dwellings is as follows (from west to east):

Dwelling	Bedroom/Spaces	GIA Proposed (m ²)	GIA Required (m ²)	Rear Garden Area (m ²)
House A	2b, 3p	74.50	70	111
House B	4b, 6p	117.43	112	80
House C	4b, 6p	112.98	112	80
House D	4b, 5p	105.15	103	96

3.3 The eastern and western end of terrace dwellings would have a setback of 1.2m from the side boundaries of the site. The proposed dwellings would be setback between 4.7m-4.9m from the front footway.

- 3.4 The three eastern terrace houses would have a crown roof with two front projecting gables. The building would have a height of 5.1m to eaves and 7.7m to top of roof. The rear roof of the eastern dwelling would be stepped down in height in the north-eastern corner to a height of 4.3m to eaves and 5.6m to top of roof. As such, this section of the dwelling would be only two storeys in height, with no accommodation within the roofspace. The three eastern dwellings would have a depth of 11.7m.
- 3.5 The building would step down in height to two storeys adjacent to the rear boundaries of the properties fronting Ravensbury Avenue. This section of the building (the western dwelling) would have a crown roof to the second storey of accommodation with a height to eaves of 3.4m and maximum roof height of 4.9m. This was reduced in height from the original proposal which a height to eaves of 4.3m and maximum roof height of 5.6m.
- 3.6 The western dwelling would have a depth of 11.5 metres at ground level and 10 metres at first level. The upper storey of the building has been setback 1.5m from the rear elevation. The rear single storey element of this dwelling would have a flat roof to a height of 2.5m above ground level. The original proposal submitted did not include any setback to the first floor (i.e. depth of both storeys was 11.5 metres).
- 3.7 Each dwelling would have a single car parking space in the front garden. Bin storage is also proposed in the front garden. Bicycle and garden stores are proposed in the rear garden of each dwelling (Empire Sheds Wooden Bike Shed SKU: EMSD1553 or similar).
- 3.8 The dwellings would be finished with red brick external walls with white bond coursing, roof tiles, black UPVc rainwater goods, white UPVc windows and painted timber doors.

4. PLANNING HISTORY

- 4.1 The site has an extensive site history. The following is the relevant planning history applicable to this application:

16/P3861 DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF NO. 3 X 4 BEDROOM TERRACE HOUSES AND NO. 1 X 3 BEDROOM TERRACE HOUSES –

Planning permission refused. Reason: The proposed development of four terrace dwellings by reason of its size, massing, design and siting is considered an unneighbourly form of development which would be overly large and overbearing on neighbours and the streetscene, and harmful to the amenity of neighbours in terms of overshadowing and visual intrusion, appearing unduly dominant and out of character with the Florence Avenue streetscene and would be contrary to policies 7.4 and 7.6 of the London Plan 2015, policies CS13 & CS14 of the Merton LDF Core

Planning Strategy (2011), policy DM D2 of the Merton Sites and Policies Plan (2014) and Standard 3.1.1 of the London Housing SPG 2012.

The application is currently the subject of an appeal. No date has been given for the Planning Inspector's site visit.

5. CONSULTATION

5.1 The application was advertised by means of neighbour notification letters and a site notice.

5.2 A petition objecting to the development was received, which contained 70 signatories. The petition raises the following objections:

- Design, size, and siting of building is unneighbourly.
- Pleasantness and attractiveness of street and area would deteriorate by this overly large and overbearing development.
- The amended proposal has not addressed the areas of concern from the previously refused planning application.
- Dominant appearance would be out of character with the Florence Avenue streetscene

5.3 In addition to the petition, there were 5 objections from local residents raising concerns relating to:

- Design, size, bulk, siting and height is inappropriate for the size of the site and is overdevelopment;
- Proposed building is out of character with the housing of the area – would be detrimental to streetscene and character of area by being overly dominant and overly large;
- Would be visually imposing on neighbours and will restrict outlook;
- Would result in loss of privacy, sunlight and daylight to neighbours;
- Similar development built in 2005 in the street was built with irregularities and has resulted in intrusion on neighbours. This development should not set a precedent for future development;
- Would subject residents to increased noise, car exhaust emissions, light pollution and emissions from new development;
- Would increase traffic/parking issues and endanger safety of road users and pedestrians;
- Insufficient parking available in street and proposal would increase parking problems;
- Loss of bungalow means less housing available for elderly and disabled;
- Development will generate additional pressure on educational and health facilities, public open spaces, children's play spaces, infrastructure and waste;
- The amended proposal has not addressed the areas of concern from the previously refused planning application.

- 5.4 Councillor Stephen Alambritis – Objects to the proposal and supports the view of residents who have petitioned to Council objecting to the proposal. The proposed development's size, design and situation is unneighbourly. The proposal would be harmful to the pleasant streetscene and surrounding area by being overly large and overbearing. The dominant appearance of the development would be out of character with the Florence Avenue streetscene. The proposal has not addressed the previous concerns regarding the refused planning application.
- 5.5 Environmental Health. No objection. Recommend conditions requiring submission of Demolition and Construction Method Statement.
- 5.6 Transport Planning. Officers have advised that the level of car parking and cycle parking is sufficient. Bin storage is suitably located. The proposed development will not generate a significant negative impact on the performance and safety of the surrounding highway network as such a recommendation for approval is supported.
- 5.7 Highways. Officers have no objections or comments to the proposal subject to conditions on details and construction of crossovers and car parking.
- 5.8 Climate Change. Officers have advised that they are satisfied that the proposed energy approach to the development is compliant and recommend that Merton's Standard Sustainable Design and Construction (New Build Residential - minor) Pre-Occupation Condition is applied to the development.

6. POLICY CONTEXT

6.1 NPPF - National Planning Policy Framework (2012):

Core planning principles relevant to application:

Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.

Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;

Part 7 Requiring Good Design

6.2 London Plan (2015)

3.3 Increasing housing supply;

3.4 Optimising housing potential;

3.5 Quality and design of housing developments.

5.3 Sustainable design and construction.

6.9 Cycling

7.4 Local character

7.6 Architecture

6.3 Merton LDF Core Planning Strategy (2011)

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)

6.4 Merton Sites and Policies Plan (2014)

The relevant policies in the Merton Sites and Policies Plan (2014) are:

DM D1 (Urban Design and the Public Realm)

DM D2 (Design considerations in all developments)

DM T2 (Transport impacts of Development)

6.5 Supplementary planning guidelines:

London Housing SPG – 2016

Merton SPG: Design – 2004

Merton SPG: New Residential Development – 1999

7. PLANNING CONSIDERATIONS

7.1 The main planning considerations include assessing the principle of development, the need for additional housing and housing mix, design and appearance of the proposed building, the standard of the residential accommodation, the impact on residential amenity and impact on car parking and traffic generation.

7.2 Principle of Development

Core Planning Strategy Policy CS9 encourages the development of additional dwellings within residential areas in order to meet the London Plan target of 42,389 additional homes per year from 2015-2036 (Merton - 411 per year). The National Planning Policy Framework 2012 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings in locations with good public transport accessibility. Merton's most recent Annual Monitoring Report notes that all the main housing targets have been met for 2015/16. 688 additional new homes were built during the monitoring period, 277 above Merton's target of 411 new homes per year (in London Plan 2015). For the period 2011-16 provision has been 2,508 net units (817 homes above target).

- 7.3 The site has a PTAL rating of 2 which is considered to be average, and is located within proximity to bus and tram services. Notwithstanding that the housing target was exceeded not only for 2015/16 but for the period 2001-2016, the proposal would provide additional dwellings in a residential area, helping to provide a mix of dwelling types locally and contributing to on-going housing targets. The principle of a more intensive residential development of the site for housing is consistent with making more effective use of land; however officers acknowledge that the acceptability of the scheme is dependent upon to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

Design and Appearance

- 7.4 London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policies DMD2 and DMD3 require well designed proposals that will respect the appearance, materials, scale, bulk, proportions and character of the original building and their surroundings.
- 7.5 The site is designated within the St Helier Neighbourhood (Willows Avenue Character Area) under the Draft Borough Character Study. The character study identifies that the Willows Avenue Character Area is largely defined by semi-detached two storey 1930s medium density houses in varying materials. However, it is evident from a site visit that the area also features numerous examples of bungalows, detached two storey dwellings and groups of terrace houses with some examples of flats in the surrounding area. Given the mix of dwellings in the immediate locality, officers consider that there would be no overriding reason to resist proposals to replace a bungalow with a different building form such as houses on the site.
- 7.6 The modifications to the design from the previously refused scheme include a reduction in building height, width and modification to the western elevation to be a reduced two storey form. The height of the revised proposal has been reduced by 442mm, the height of the western section of the roof (House A) has been reduced by 3774mm and the width of the proposal has been reduced by 375mm. The rear elevation gables have been removed and the western gable on the front elevation has been moved 2960mm to the east. The western section of the building (House A) has been replaced with a two storey form with sloping side and rear elevations to the first floor. The first floor of House A has also been setback 1500mm from the rear elevation of the building.
- 7.7 Street Elevation Drawing No: 16-72 A34 Rev F illustrates how the development would appear within the streetscene of Florence Avenue. Officers consider that the amended design may be considered as achieving a height that is respectful of the surrounding built form and slope of the street. Whilst it is noted the immediately adjoining property is a bungalow, the predominant building height in the street is two

storeys dwellings, several of which have additional accommodation within converted lofts.

- 7.8 The street elevation also illustrates that the proposal is of a substantially smaller scale and massing to the terrace dwellings constructed at 24a-28a. However, notwithstanding that the design of the dwelling has taken cues from the surrounding built form through the proposed building materials, combination of pitched and gabled roofs, and fenestration, the context of the current proposals differs from that of this terrace insofar as the flank boundary adjoins back gardens of dwellings in Ravensbury Avenue thereby accentuating the prominence of the contrasting built form with that of the neighbouring bungalows.
- 7.9 The modifications have reduced the bulk and massing of the building, and whether the current proposals achieves a massing, scale character and design that is respectful of the Florence Avenue streetscene and surrounding area is a matter of judgement. The proposed dwellings would present as an asymmetrical block of houses onto the street with a subordinate side extension and, allowing for the prominence of the development, may be considered to complement the form and design of surrounding housing and warrant support.

Neighbour Amenity

- 7.10 London Plan Policy 7.6 (Architecture) requires that buildings and structures should not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy and overshadowing. SPP policy DMD2 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 or noise.
- 7.11 Overlooking has been raised as a concern by surrounding residents. The *Merton SPG: New Residential Development* specifies that a minimum distance of 20 metres should be provided between facing elevations of properties to maintain sufficient privacy. The distance between the rear elevation of the dwellings and the rear elevation of properties fronting Leonard Avenue is approximately 40 metres and therefore exceeds the minimum separation distance recommended within the *Merton SPG: New Residential Development*. Windows on the flank elevations of the building (two on the eastern elevation and one on the western flank elevation) will be obscure glazed and non-openable to a height of 1.7m above floor levels, to be secured through a suitably worded condition. Therefore, subject to suitable conditions the proposal would not be likely to result in the loss of privacy to adjoining occupiers.
- 7.12 The western flank elevation of the proposal would be sited approximately 15 metres from the rear elevation of 21/23 Ravensbury Avenue and 14 metres from the rear elevation of 19 Ravensbury

Avenue. The current proposal has reduced the height, scale and massing of the proposal along the western boundary of the site adjacent to the rear gardens of these properties fronting Ravensbury Avenue.

- 7.13 A large double garage with gable roof is located at the rear of 21/23 (servicing these dwellings) in addition to a further shed located along the rear boundary of this garden. The plot on which the new dwellings would be erected is however slightly higher than that of 21/23 and the bungalow at 19. Notwithstanding the slight change in levels, taking into consideration the existing garages and outbuildings and the reduced height and massing of the proposal, it may be considered that the proposal would not be unduly intrusive or overbearing to the occupiers of these dwellings.
- 7.14 To address concerns relating to potential visual intrusion on the outlook and amenity space of 19 Ravensbury Avenue, the first floor of the western dwelling has been recessed 1.5m from the rear elevation. Combined with the reduction in height and massing with sloping side elevations to the first floor, officers judge that the amended proposal would not be harmful to the amenity of the occupiers of this property in terms of visual intrusion and loss of outlook.
- 7.15 A Daylight & Sunlight Analysis (dated 08 February 2017) was provided with the current application. The Daylight and Sunlight Analysis had been produced by Energy Rating Services for the preceding planning application LBM Ref: 16/P3861. The analysis demonstrated that the previous proposal would not have a harmful impact on the amenity of adjoining properties in terms of loss of daylight to habitable rooms and was within the acceptable BRE criteria. Given the current scheme has been reduced in height and massing from the previous scheme, it is considered that the findings of this analysis remain relevant. It would therefore be unreasonable to withhold permission on the grounds of a failure to maintain adequate access to daylight to adjoining habitable rooms.
- 7.16 A BRE Overshadowing Analysis (dated 08 February, 2017) was submitted with the application. The analysis demonstrates that the proposed development complies with the BRE Guidelines as no part of the adjoining gardens would be prevented from receiving any sun as a result of the proposed development. The Overshadowing Analysis demonstrates that the proposal would not cause a material loss of sunlight on adjoining properties as defined by BRE Guidelines. It would therefore be unreasonable to withhold permission on the grounds of a detrimental impact on adjoining properties in terms of loss of light and overshadowing.
- 7.17 Standard of Accommodation
Policy DM D2 and DM D3 of the Site and Polices Plan states that all proposals for residential development should safeguard the residential

amenities of future occupiers in terms of providing adequate internal space, a safe layout and access for all users; and provision of adequate amenity space to serve the needs of occupants. Policies CS8, CS9 and CS14 within the Council's Adopted Core Strategy [2011] states that the Council will require proposals for new homes to be well designed.

- 7.18 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 (Amended March 2016).
- 7.19 The proposed dwellings meet the minimum gross internal floor area requirements of the London Plan, as shown in the Table provided in Section 3. Both the single and double bedrooms comply with the London Plan room size requirements (7.5m² and 11.5m² respectively). The layout of the dwellings is considered to provide adequate daylight and outlook for future occupiers.
- 7.20 SPP Policy DM D2 requires that all proposals for residential development provide adequate private amenity space to meet the needs of future occupiers. Policy DM.D2 requires that for all new houses, the Council will seek a minimum of 50 square metres as a single usable regular amenity space.
- 7.21 Each dwelling will be provided with a rear garden area in excess of 50 square metres as specified in Section 3. The proposed gardens are considered to have sufficient privacy and daylight.
- 7.22 It is therefore considered that the proposed dwellings would provide a satisfactory standard of accommodation in accordance with the above policy requirements.
- 7.23 Parking and Servicing
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.
- 7.24 The site has a PTAL of 2 and is not located in a Controlled Parking Zone. The car parking provision will provide a total of four spaces for the four dwellings.
- 7.25 LBM Transport Officers have advised that the level of parking provision is sufficient and overspill parking from the occupied development is unlikely to occur. The proposed development is not considered to generate a significant negative impact on the performance and safety of the surrounding highway network. It is therefore considered that the proposal is acceptable in accordance with Core Strategy policy CS20.

- 7.26 Cycle Storage
Core Strategy Policy CS18 and London Plan policy 6.9 call for proposals that will provide for cycle parking and storage. A new 2 or more bedroom dwelling would be required to provide 2 bicycle spaces.
- 7.27 The application has provided for storage for 2 bicycles per dwelling within the rear garden area of each dwelling. LBM Transport Officers have advised that the proposed provision of cycle parking is in accordance with minimum London Plan requirements for cycle parking. The proposal is therefore considered to comply with the above policies.
- 7.28 The applicant has advised that the bicycle/garden store proposed in the rear gardens would be an “Empire Sheds Wooden Bike Shed SKU: EMSD1553” or similar. The sheds would be obscured by the boundary fence and therefore would not be visually intrusive to neighbours.
- 7.29 Refuse Storage and Collection
Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway.
- 7.30 A dedicated refuse store is to be provided for each dwelling within the front garden area of the dwellings. The bin store is within the recommended distances for bin stores as outlined in the Manual for Streets and the LBM’s Waste and Recycling Storage Requirements Guidance Note and will allow for refuse collection from the street. The proposal is therefore considered to comply with the above policies.
- 7.31 Sustainable Design and Construction
London Plan Policy 5.3 requires that new dwellings address climate change adaptation and mitigation. Policy CS15 of the Core Strategy 2011 requires that developments make effective use of resources and materials minimises water use and CO2 emissions.
- 7.32 LBM Climate Change Officers have advised that the proposed energy approach as detailed within the Design and Access Statement is acceptable. The intent of the development is to achieve performance levels in compliance with former Code for Sustainable Homes Level 4. LBM Climate Change Officers have recommended that Merton’s Standard Sustainable Design and Construction (New Build Residential - minor) Pre-Occupation Condition is applied to the development.

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

- 9.1 The proposal would provide for four new dwellings in an established residential area by introducing a significantly more housing intensive development in this plot within Florence Avenue.
- 9.2 While the scheme would deliver on one key planning objective, that of delivering more housing, this aspect of the scheme merits needs to be balanced against the impact that the development would have on neighbour amenity and the surrounding streetscene.
- 9.3 The latest application reduces the bulk of the earlier scheme that is the subject of an appeal. In terms of quantitative analyses of impact on daylight and sunlight the proposals would not breach recognized guidance which forms the basis of the Council's policies. On balance, officers consider that the current proposal is of an adequate design, and that its scale and massing is such that it would not detract from the mixed character of the area and the Florence Avenue streetscene.
- 9.4 The design of the dwellings meets minimum standards required for Gross Internal Area, and is considered to provide an acceptable standard of accommodation for future occupiers. The potential for adverse amenity impacts on neighbours in terms of the impact of further extension and from placing windows in the flanks of the end terrace dwellings may be mitigated by restrictive conditions. The proposal is therefore 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 16-72 A01 Rev A', 'Proposed Block Plan 16-72 A02 Rev E', 'Proposed Site Plan 16-72 A03 Rev F', 'Proposed Ground Floor Plan 16-72 A20 Rev F', 'Proposed First Floor Plan 16-72 A21 Rev F', 'Proposed Second Floor Plan 16-72 A22 Rev F', 'Proposed Roof Plan 16-72 A23 Rev F', 'Proposed Front Elevation 16-72 A30 Rev F', 'Proposed Rear Elevation 16-72 A31 Rev F', 'Proposed West Elevation 16-72 A32 Rev F', 'Proposed East Elevation 16-72 A33 Rev F', 'Street Elevation 16-72 A34 Rev F', 'Proposed Cross-Section 16-72 A35

Rev F', 'Proposed Longitudinal Section 16-72 A36 Rev F & 'Proposed Tree Plan 16-72 A40 Rev E'.

- 3) B1 External Materials to be Approved
- 4) B6 Levels
- 5) C01 No Permitted Development (Extensions)
- 6) C02 No Permitted Development (Windows and Doors in flank walls)
- 7) C04 Obscured Glazing

Before the development hereby permitted is first occupied, the windows in the eastern and western elevations shall be glazed with obscure glass and fixed shut to a height of 1.7 metres above finished floor level and shall permanently maintained as such thereafter.

- 8) C07 Refuse & Recycling (Implementation)
- 9) C08 No Use of Flat Roof
- 10)D10 External Lighting
- 11)D11 Construction Times
- 12)F01 Landscaping/Planting Scheme
- 13)F04 Tree Survey Approved

The trees shown on the deposited plan numbered 'Proposed Tree Plan 16-72 A40 Rev E' as to be retained, shall be retained and maintained unless otherwise agreed in writing by the Local Planning Authority.

- 14)F09 Hardstandings
- 15)H01 New Vehicle Access – Details to be submitted
- 16)H04 Provision of Vehicle Parking
- 17)H05 Visibility Splays
- 18)H06 Cycle parking – Details to be submitted
- 19)Non-Standard Condition

No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by,

the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

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

Reason: To 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 Policies Plan 2014.

20) Sustainable Design and Construction (New Build Residential - minor) (Pre-Occupation Condition)

No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water usage rates of not more than 105 litres per person per day.'

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

21) NPPF Informative – Scheme Amended During Application Lifecycle.

22) Informative for evidence requirements for condition 20:

Carbon emissions evidence requirements for Post Construction stage assessments should provide:

Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address).

OR, where applicable:

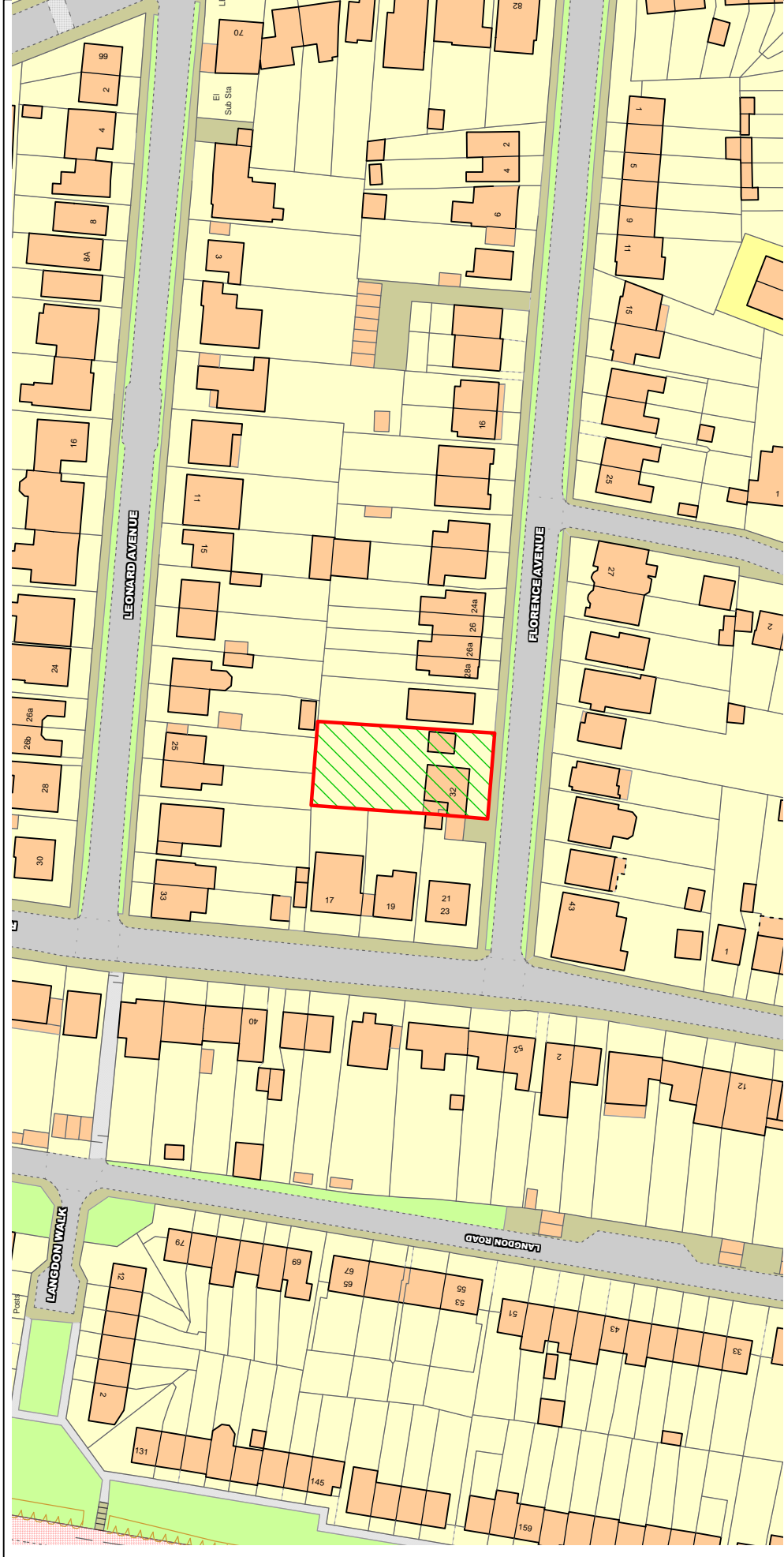
A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs
Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation
Water efficiency evidence requirements for Post Construction Stage assessments must provide:
Detailed documentary evidence representing the dwellings 'As Built'; showing:
The location, details and type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment); and
The location, size and details of any rainwater and grey-water collection systems provided for use in the dwelling;
Along with one of the following:
Water Efficiency Calculator for New Dwellings; or
Written confirmation from the developer that the appliances/fittings have been installed, as specified in the design stage detailed documentary evidence; or
Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'.

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

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PLANNING APPLICATIONS COMMITTEE 25th MAY 2017

APPLICATION NO. **DATE VALID**

17/P0842 24/02/2017

Address/Site: 1 Hadleigh Close Merton Park SW20 9AW

Ward: Merton Park

Proposal: Erection of a two storey side extension

Drawing No's: PA-02 Rev B & PA-03 Rev C

Contact Officer: Joyce Ffrench (020 8545 3045)

Recommendation: GRANT PLANNING PERMISSION subject to conditions

CHECKLIST INFORMATION.

- S106: N/A
- 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 - 10
- External consultations - No
- Density - N/A
- Additional employment - N/A.

1. INTRODUCTION

- 1.1 This application is presented to the Planning Committee due to the scope and number of objections which have been received from neighbouring owner/occupiers.

2. SITE AND SURROUNDINGS

- 2.1 The application site is a semi-detached property constructed as part of a re-development of 20 houses to the rear of properties in Aylward Road following the demolition of Nos. 18 & 20 Aylward Road.
- 2.2 The property has no permitted development rights (under Classes A,B,C & E) as these were removed as a condition of planning permission reference 94/P0291.

- 2.3 The property has been extended with a side/rear conservatory extension and the garage has been converted into a habitable room.
- 2.4 The property has off-street parking and there is a side gate giving access to the rear garden. To the side of the property is a gated track allowing vehicle access to garages associated with Nos. 2 – 16 Aylward Road
- 2.5 The original rear elevation of properties in Aylward Road are approximately 30m. from the flank wall of the site and have outbuildings at the ends of their gardens
- 2.6 The house is not in a conservation area.

3. CURRENT PROPOSAL

- 3.1 The application seeks permission to erect a two-storey side extension with a hipped roof to a width of 3.4m.
- 3.2 The extension would incorporate a hipped roof and there would be a minimum gap of 0.6m. to the side boundary
- 3.3. Windows to the flank wall to the first floor will be high level and clear glazed.
- 3.4 A small tree located close to the conservatory, which is to be demolished, would be removed.
- 3.5 Plans have been amended during the course of the application to reduce the bulk of the scheme, changing the roof design from a gable ended roof to a hipped roof, and the size of flank wall windows which takes into account officer concerns regarding potential impact on privacy and the visual impact of the proposals.

4. PLANNING HISTORY

- 4.1 94/P0291 - demolition of 18 & 20 Aylward Road and the existing bungalow to form an access road and the erection of 20 two storey dwellings. Approved at Planning Committee. The permission includes the following condition:-

Notwithstanding the provisions of the Town and Country Planning General Development Order 1988 (or any Order revoking or re-enacting this Order) no buildings, extensions or alterations permitted by Classes A,B,C and E of Part 1 of the 2nd Schedule of the 1988 Order shall be carried out without the prior permission of the Local Planning Authority. Reason for condition: To prevent an overdevelopment, having regard to the restricted nature of the site.

- 4.2 96/P0097 - erection of single storey side conservatory extension – approved

4.3 09/P2540 - conversion of existing garage into a bedroom with en-suite bathroom with new window to front elevation – approved

5. RELEVANT POLICIES.

National Planning Framework [March 2012]

5.1 The National Planning Framework was published on the 27 March 2012. This document is put forward as a key part of central government reforms '...to make the planning system less complex and more accessible, and to promote sustainable growth'.

5.2 The document reiterates the plan led system stating that development which accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework states that the primary objective of development management should be to foster the delivery of sustainable development, not to hinder or prevent development. To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, local planning authorities need to approach development management decisions positively and look for solutions rather than problems so that applications can be approved wherever it is practical to do so.

5.3 On the matter of Design, and pertinent to the assessment of the application the NPPF encourages local planning authorities:

- To optimise the potential of the site to accommodate development;
- To ensure developments are visually attractive as a result of good architecture and appropriate landscaping.
- Design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.
- To ensure developments respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation.
- Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

5.4 Merton Site and Policies Plan (2014).

DM D2: Design considerations in all developments.

DM D3: Alterations and extensions to existing buildings.

DM.O2: Nature conservation, trees hedges and landscape features.

5.5 Merton LDF Core Planning Strategy (2011).

CS 14: Design

5.6 Merton Supplementary Planning Guidance – Residential Extensions, Alterations and Conversions (2001).

6. CONSULTATION

6.1 The application has been advertised with a site notice and neighbour letters. Nine letters of objection were received following consultation of the original plans submitted following pre-application advice. Following the receipt of amended plans a re-consult was undertaken– 7 letters of objection were received as a result, raising the following concerns:-

- Loss of privacy due to size of flank windows
- Design is un-neighbourly, overwhelming and does not complement the style and symmetry of the development in Hadleigh Close
- Out of proportion with the adjoining property
- Changes the use of the dwelling out of proportion to its original concept
- Sense of encroachment to properties in Aylward Road
- Possibility of trespass on to the private road during construction
- Loss of light
- Side access is too narrow

7. PLANNING CONSIDERATIONS

7.1 The main planning considerations are impact on neighbour amenity, design and impact on trees.

7.2 Impact on neighbours

The flank wall of the extension is a minimum of 0.6m to the boundary of the application site and approx. 30m from the rear elevations of 14 & 16 Aylward Road - i.e. the properties which directly back on to the flank wall of the application site. All the properties in Aylward Road which are served by the vehicle access track (2 – 16 Aylward Road) have outbuildings at the bottom of their gardens which partially obscures the application site from view.

7.3 The visual impact of the proposed extension has been reduced by changing from a gable ended roof to a hipped roof. The applicant has also reduced the flank windows to high level windows only and, with a distance of 30m. separating the properties, there is no loss of privacy.

7.4 Officers consider that as a result of the changes to the design and in combination with the distance separating the existing dwellings in Aylward Road from the flank of the proposed extension the proposals would not result in a sense of encroachment, loss of light or privacy to properties in Aylward Road.

7.5 Design

The side extension would retain a gap of 0.6m to the site boundary. While SPG guidance recommends a gap of a metre to a site boundary where two storey side extensions are proposed the guidance is primarily aimed at properties which are part of rows of terraces or pair of semi-detached properties where regular spacing can contribute to the character of an area and where infilling can result in a harmful terracing effect. Officers consider that the application of the guidance would be inappropriate in this case due to its position in Hadleigh Close and its relationship to existing dwellings in Aylward Road.

Officers would note that any short term intrusion on the private road to the rear of properties in Aylward Road in the course of building works is a private matter and outside planning control.

7.6 The design of the extension, which now incorporates a hipped roof, is considered acceptable and not out of keeping with the original design. The width of 3.4m. is more than half the width of the original property however it is not considered that this additional width has any detrimental impact on the appearance of the property or the estate of which it is a part.

7.7 The proposals would provides additional accommodation while maintaining the size of the front and rear gardens Officers consider that, following amendment, stating the design of the extension would complement the style of Hadleigh Close.

7.7 The design of the extension is not considered to be out of proportion to the original building and is considered appropriate to its surroundings thereby fulfilling the objectives of policy CS.14 of the Merton LDF (2011) and policies DM D2 & DM D3 of the Sites and Policies Plan (2014).

7.8. Trees

There is a small tree on site which will have to be removed to accommodate the proposed extension. This tree is not protected by a TPO and has no significant wider amenity value that might be judged as contributing to the quality of the public realm. Having regard to the objectives of policy DM.O2, which seeks to resist proposals for development that would remove trees or significant amenity value, officers raise no objection to the loss of the tree and it would be unreasonable to withhold permission on the basis of its loss.

8. **CONCLUSION**

8.1 The amended scheme, which is a minimum of 0.6m. from the boundary of the plot and incorporates a hipped roof and high level windows to the flank wall, is

considered acceptable in planning terms and does not impact on the amenities of neighbouring occupiers.

RECOMMENDATION

Grant planning permission subject to the following conditions:

- 1 A.1 Time limits
2. A.7 The development hereby permitted shall be erected in accordance with the approved plans.

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

- 3 B2 – matching materials.
- 4 C2 - no permitted development – no windows and other openings in flank wall facing Aylward Road.

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

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PLANNING APPLICATIONS COMMITTEE
25 May 2017

APPLICATION NO. **DATE VALID**

17/P0093

06/01/2017

Address/Site Hatton House, 81 Hartfield Road, London

(Ward) Dundonald

Proposal: APPLICATION FOR CHANGE OF USE OF COMMERCIAL SPACES ON LOWER GROUND FLOOR ONLY TO CLASSES D1 (NON-RESIDENTIAL INSTITUTIONS) AND D2 (ASSEMBLY AND LEISURE) FOR THE PROVISION OF GYMNASIUM.

Drawing Nos WIM-A-L-01-001 rev 01, WIM-A-L-00-003 rev 1, Site location plan, un-numbered Parking Allocation Plan

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 – 91
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: No

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**

- 2.1 The application site is part of a mixed use development comprising of residential dwellings and commercial premises, located on the west side of Hartfield Road in Wimbledon. Hatton House is comprised of 5 storeys and a lower ground/basement level, with the ground floor and lower ground levels currently designated as B1 (office) use. At the front boundary of the site there is formed a setback that serves as a lightwell to the units at lower ground floor level.
- 2.2 The site is just outside the defined Wimbledon Town Centre and the immediate surrounding area is predominantly residential in character. Although the site itself is not within a conservation area, the boundary of the Bertram Cottage Conservation Area is on the opposite side of Hartfield Road.

3. **CURRENT PROPOSAL**

- 3.1 The current proposal is to change the use of the lower ground floor commercial space, currently use class B1 to use class D1/D2 in order to provide a gymnasium, and includes internal alterations to suit the proposed usage.
- 3.2 The proposed scheme indicates that the space will be divided into 2 self contained units and the primary means of access will be an external stairwell installed on the front façade that leads directly to the existing outdoor terrace serving the lower ground floor units. Permission has already been granted for the installation of the stairwell under a separate reference 17/P0009.
- 3.3 The application has been modified since the initial submission, restricting the change of use to the lower ground floor units only and an undertaking to exclude day nursery/crèche usage for the unit.
- 3.4 No separate client/customer parking provision has been proposed for the units, and there is no indication that the scheme will make use of the parking already allocated to the ground and lower ground units as part of the original permission.

4. **PLANNING HISTORY**

77 – 91 (now 77 – 85) Hartfield Road:

16/P3321 –Application for the discharge of condition 4 (contamination investigation and remediation) attached to planning application in 11/P2254. Partially granted 06/02/2017.

15/P4503 – Application for non-material amendment condition 4 attached to LBM planning permission 11/P2254. Granted 14/12/2015.

15/P1456 – Application for discharge of conditions 5, 6 and 7 attached to LBM planning permission 11/P2254. Granted 03/06/2016.

14/P4107 – Application for discharge of condition 4 attached to LBM planning permission 11/P2254). Refused 18/12/2014.

14/P2931 – Application for non-material amendment to energy strategy and condition 8 attached to planning application 11/P2254. Granted 18/08/2014.

14/P2490 – Application for non-material amendment to condition 4 attached to planning application 11/P2254. Granted 21/07/2014.

14/P2099 – Application for non-material amendments to planning application 11/P2254 comprising reconfiguration of basement, ground floor, first floor, third floor, and fourth floor internal layouts, relocation of cycle parking from basement to ground floor, and substitution of basement car lifts for ramps. Granted 28/07/2014.

14/P1058 – Application for discharge of conditions 3 (materials), 4 (site investigation), 7 (car lift) and 12 (construction method statement) attached to LBM planning application 11/P2254 dated 08/05/2012 relating to the demolition of the existing office and residential buildings and redevelopment of the site for a mixed use scheme comprising 54 x residential units (use class C3) and office floorspace (use class B1) with associated car parking at basement level and landscaping. Granted 29/05/2014

12/P1333 – Retrospective application for the retention of existing temporary (24 months) car wash with associated storage, office and waiting area. Refused 04/10/2012

11/P2254 – Demolition of the existing office and residential buildings and redevelopment of the site for a mixed-use scheme comprising 54 x residential units (use class C3) and office floorspace (use class B1) with associated car parking at basement level and landscaping. Refused 08/05/2012, appeal allowed 29/10/2012.

06/P1426 – Demolition of existing semi-detached pair and erection of an apartment block consisting of 9 flats (2 x 1, 6 x 2 and 1 x 3 bedroom) on five floors. Refused 08/08/2006, appeal dismissed 13/03/2007.

06/P2183 – Demolition of existing house and office and erection of an apartment block consisting of 9 flats (2 x 1 and 7 x 2 bedroom) and offices and basement level. Granted subject to s106 obligation 07/01/2008.

The Pointe 89 Hartfield Road:

12/P1838 – Retrospective application for temporary change of use of the premises from class B1 (office) to a flexible use encompassing use B1, D1 and a hostel use (Sui Generis) for a period of 24 months. Refused 18/09/2012, appeal allowed 07/03/2013.

03/P1796 – Installation of an external wall mounted air conditioning unit to the rear elevation. Granted 29/09/2003.

5. **CONSULTATION**

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

Twenty nine objections to the proposals have been received on the following grounds:

- Noise
- Hours of operation
- Lack of privacy
- Lack of parking
- Accessibility
- Impact on Bertram Cottages
- Security

Following amendments to the scheme a reconsultation was carried out on 3 April 2017, 4 additional representations were received objecting to the scheme reiterating the previous objections and stating the following grounds:

- Scope of use inappropriate for the location
- Likelihood of visual harmful commercial signage

- 5.2 Transport Planning Officer Comments:

We would not have an objection to any of the proposed D class uses as the information submitted within the transport statement shows a low level of trip generation by the proposed changes of use. We would suggest that a condition is added for a travel plan to provide journey planning advice for future users, as well as a condition omitting a D class place of worship use from the permission.

- 5.3 Environmental Health Officer comments:

I would recommend the inclusion of the following conditions in any planning permission granted:

1. Due to the potential impact of the development on occupiers in adjacent residential premises 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 development on the adjacent residential units. 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 the operation of the D1 & D2 use.

2. Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery associated with each separate commercial unit shall not exceed LA90-10dB at the boundary with the closest residential or noise sensitive property.

3. Prior to commencement of development an air quality assessment shall be submitted to and approved in writing by the Local Planning Authority. The assessment report shall include recommendations, appropriate remedial measures and actions to minimise the impact of the development on the surrounding locality and occupants of the building itself.

4. No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority.

6. **POLICY CONTEXT**

6.1 Adopted Merton Core Strategy (July 2011)

CS 6 (Wimbledon Town Centre)
CS 12 (Economic Development)
CS 14 (Design)
CS 19 (Public Transport)
CS 20 (Parking, Servicing and Delivery)

6.2 Sites and Policies Plan (July 2014)

DM D2 Design Considerations in all developments
DM D3 Alterations and extensions to existing buildings
DM D4 Managing Heritage Assets
DM E1 Employment areas in Merton
DM E2 Offices in town centres
DM E3 Protection of scattered employment sites
DM EP2 Reducing and Mitigating Noise
DM T2 Transport Impacts of Development
DM T3 Car Parking and servicing standards

7. **PLANNING CONSIDERATIONS**

7.1 The principal planning considerations for this application are the principle of development, design, impact of proposals on the conservation area, transport and parking implications, impact on neighbouring amenity, and employment site implications.

Principle of Development

7.2 The application site is just outside the Wimbledon Town Centre, and is also in close proximity to the Site and Policies Plan designated P3 site comprising the car park site of 66 – 84 Hartfield Road Car Park. The allocated uses of the site are for “an appropriate mix of town centre type uses such as retail (A1

use class), café and restaurants (A3 use class), community (D1 use class), cultural, leisure and entertainment (D2 use class), offices (B1 [a] use class) and hotel (C1 use class). The site may incorporate residential development (C3 use class) on upper floors.” The application site itself is not employment site as designated in the adopted policies map.

- 7.3 Policy DM E3 of the Sites and Policies Plan seeks to promote the availability of employment facilities with a mix of size, type, tenure and location. It resists the loss of scattered employment sites unless it is demonstrated that their operations have a significant adverse impact on the amenity of local residents, the site characteristics render the site unsuitable or unviable for whole site employment use or there is no realistic prospect for employment or community use in the future.
- 7.4 The ground floor and basement level office units are currently vacant and have been so since their construction. The applicant has indicated that marketing activities have been carried from April 2014 till date, with no credible offers received to lease all or part of the space. The siting of the units at lower ground floor level is also noted as a potential factor in securing occupancy.
- 7.5 Following the initial consultations and feedback from officers, the current scheme has been amended since its submission to retain the office units on the ground floor/street level and limiting the change of use to the lower ground floor.
- 7.6 The proposed use of the lower ground floor unit as a gym will be consistent with a town centre type use, as a leisure and community location, and will be in keeping with the mixed use character of the extant development. The use as a gym will provide an employment use on the site, albeit at a moderate level and the retention of the ground floor office units is also deemed to mitigate losses of the potential employment spaces on the site.
- 7.7 As such the principle of amending the usage is acceptable in this context and is consistent with LPA policies with respect to the protection of employment sites and Town Centre uses.

Impact on Neighbour Amenity

- 7.8 The scheme as amended retains the office usage on the ground floor and limits the change to D1/D2 usage to the lower ground floor. There will be no direct proximity between the gym spaces and residential units, as the office spaces will effectively form a barrier between the different zones and retain to a large extent the expected character of the development as initially approved. The current permission will have a condition restricting the use within the proposed D1/D2 usage class to a gymnasium only in order to preclude impacts on resident amenity that may come about as a result of the other activities that within that class.
- 7.9 The proposed layout of the lower ground floor comprises of two self-contained units with floor areas of 188 m² and 195 m². The sizes of the units are

modest and expected to lend themselves to relatively small numbers of clientele at any one time.

- 7.10 Conditions will be attached to the current permission as recommended by Environmental Health officers requiring the undertaking of noise surveys and requiring the submission and approval of remedial measures to ensure the amenity of neighbours.

Security and Accessibility

- 7.11 Access to the lower ground floor is made possible by the approved front staircase. Disabled access to the lower ground floor will be by lifts located near the internal courtyards which can be reached through the main access doors. Restrictions will be in place to prohibit commercial operators using this access as a main entrance and will be monitored by the lease agreement. A condition to this effect will be attached to the current permission.

Design and Impact on the Conservation Area

- 7.12 Permission has been granted under a separate reference 17/P0009 for the installation in the front lightwell of a staircase linking the basement level terrace with street level.
- 7.13 Other than the approved stairwell there are no other external additions or alterations that comprise the current scheme. As such the built fabric is largely retained at street level apart from the street level balustrades that comprise the stairwell, which are considered to have a relatively low impact on the existing street scene. All subsequent alterations to the external building fabric and erections of signage or similar structures are subject to approval of the LPA and will require planning permission.

Parking and Traffic Impacts

- 7.14 The commercial units currently have a designated parking space to the rear of the development at lower ground level for staff use only. No additional parking spaces have been proposed as part of the current scheme and the designated parking spaces will not be made available to clients or visitors. The application site is located within a high PTAL rating area (6b) and as such it is expected that future occupiers and users of the units would have direct access to a number of alternative public transport options.
- 7.15 The submitted transport appraisal indicates that there would be a low level of trip generation as a result of the use. The current permission will have a condition restricting the use within the proposed D1/D2 usage class to a gymnasium only, in order to preclude potential impacts on traffic that may come about as a result of the other activities that within that class. A condition will also be attached to the current permission requiring the provision of a travel plan comprising of journey advice for future users.

8. 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 scheme as proposed would comprise primarily of alterations to the internal layout and does not comprise of any amendments that are considered to dramatically alter the appearance or character of the building. The scheme is deemed to be acceptable in design terms and is not expected to detract from the current street scene or result in an adverse impact on the character of the nearby conservation area.

9.2 The proposed change of use will comprise of activities that are appropriate for the location and the mixed use character of the overall development.

9.3 The concerns of the residents within the overall development have been noted and it is considered that the amendments in response, which minimises the extent of the proximity of the proposed gymnasium and residential units, have mitigated the impacts on the amenity of residents within the development with regards to the generation of noise, intrusion on privacy and overintensification of the use of the site.

9.4 It is therefore recommended that planning permission be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION

and subject to the following conditions:-

1. A.1 Commencement of Development
2. A.7 Approved Plans
3. B.1 External Materials to be Approved
4. B.3 (External Materials as Specified)
5. D.1 (Hours of Use)
6. D.11 (Construction Times)
7. E.5 (Restriction – Use of Premises)
8. H.8 (Travel Plan)

9. H.09 (Construction Vehicles)
 10. H.10 (Construction Vehicles, Wash-down Facilities etc.)
 11. H12 (Delivery and Servicing Plan to be submitted)
 12. Non Standard Condition (Noise Survey)
 13. Non Standard Condition (Noise Levels)
 14. Non Standard condition (Air Quality Assessment)
 15. Non Standard condition (Demolition and Construction Method Statement)
 16. Non Standard condition (Disabled Access)
-

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PLANNING APPLICATIONS COMMITTEE 25 MAY 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
16/P1139	16/03/2016
Address/Site	162 and 164 Hartfield Road, Wimbledon SW19 3TQ
(Ward)	Dundonald
Proposal:	Demolition of a two semi-detached dwellings and erection of a three storey building (with basement) comprising 4 x 2 bedroom flats and 3 x 1 bedroom flats and 1 x studio flat together with associated landscaping.
Drawing Nos	1516_P003 B, P004 G, P005 D, P100 J, P101 J, P102 K, P103 J, P201 C, P202 C, P203 C P206 C, P201 C, P210 E, P211 E, P212 F, P213 F P214 E, P216 B, P217 C and Design and Access Statement
Contact Officer:	Richard Allen (8545 3621)

RECOMMENDATION

GRANT Planning Permission subject to completion of a S.106 Agreement and conditions.

CHECKLIST INFORMATION

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental impact statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- No
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted –External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: No

1. INTRODUCTION

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

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a pair of semi-detached houses situated on the west side of Hartfield Road. The surrounding area is residential in character comprising mainly two storey housing. However, towards the north end of the road building heights increase and there are a number of new flat developments at the Wimble Town Centre end of Hartfield Road. The existing buildings on the site are not listed or locally listed and the site is not within a conservation area. The application site is however within a Controlled Parking Zone (CPZ W4).

3. **CURRENT PROPOSAL**

- 3.1 The current application involves the demolition of the existing pair of semi-detached houses and the erection of a new three storey building comprising 4 x two bedroom apartments and 3 x one bedroom apartments and a studio flat together with associated landscaping.
- 3.2 The proposed building would be 17.5 metres in width and be between 10.5 and 17 metres in length and have an eaves height of 8 metres and a ridge height of 9.5 metres. The proposed building would be set back from the site frontage by 3 metres and set off the boundary with 160 Hartfield Road by 1.2 metres at first floor level and 3 metres away from the boundary with 164 Hartfield Road at first floor level.
- 3.3 Internally, at basement level 2 x two bedroom flats would be formed with a gross internal floor area of 100m² and 95m² respectively. At ground floor level 2 x 2 bedroom flats of 89m² and 85m² would be provided, whilst at first floor level 2 x one bedroom flats (51m² and 50m² respectively) and 1 studio flat (41m²) will be provided whilst at second floor level 1 x one bedroom flat (63m²) would be provided.
- 3.4 Provision for off street parking for five vehicles previously proposed in the rear garden has now been removed

4. **PLANNING HISTORY**

- 4.1 In October 2015 a pre-application meeting was held in respect of the redevelopment of the site by the erection of a three storey building comprising 4 x 2 bedroom flats and 5 x 1 bedroom flats (LBM Ref.15/P3261/NEW).

5. **CONSULTATION**

- 5.1 The application has been advertised by site notice procedure and letters of notification to occupiers of neighbouring properties. In response 194 representations (including a petition signed by 158 residents) have been received. Details are set out below: -

- The design is completely out of character with the area.
- The proposed building would be taller than neighboring properties.

- The proposed building is out of scale with its neighbours.
- The proposed 9 flats would result in loss of privacy and result in overlooking.
- the proposal is overdevelopment of the site. There are no other basements at this end of Hartfield road.
- Will increase traffic and affect highway safety.
- The proposal will result in the loss of two gardens at the expense of hard surfacing for parking.
- Inadequate parking for the number of flats.
- The building will intrude into rear gardens of neighbouring properties.
- The development would compound parking problems in Hartfield Road.
- The proposed building would destroy the symmetry of this part of the road.
- The proposed redevelopment would set a precedent.
- The proposal is a gross overdevelopment of the site. Much needed housing should go on brownfield sites.
- The proposal would result in the loss of two family sized Victorian houses.
- Loss of two gardens.
- The proposed building would result in overlooking and loss of privacy.
- There is a glut in one and two bedroom flats in the area and not enough family housing.
- The infrastructure cannot cope with any more development.
- The site is too small for the number of flats proposed.
- The building would be out of scale and character with the area.
- Increased hard surfacing would affect drainage. There should be no more hard surfacing.
- No more flats should be permitted in Harfield Road with 60 flats just completed opposite Bertram Cottages and 7 flats under construction near the Kingston Road junction. The number of flats is changing the character of the road.
- The design of the building fails to respect the scale and urban grain of the area.
- The provision of balconies would affect privacy to neighbouring properties.
- No information is provided in respect of affordable housing.

5.2 Amended Plans

Following discussions with officers, the plans were significantly amended to reduce the bulk and massing of the rear section of the building and to provide improved amenity space at the rear of the building by eliminating the car parking. The mix of units was also revised with a reduction in the number of flats from 9 to 8 units. A reconsultation has been undertaken and a further 7 letters of objection have been received. The grounds of objection are set out below: -

- The proposal will still result in two gardens being turned into a car park.
- The proposed development is out of scale with neighbouring properties.
- Would result in the loss of two family homes.
- Will set a precedent for basement construction.
- No significant change to the development.
- Design not in keeping with nearby Victorian houses.
- Design out of proportion to neighbouring houses.
- Increase pressure on car parking.

-Would result in overdevelopment.

5.3 Transport Planning

Given the removal of parking spaces and the new arrangement to accommodate 8 units the high PTAL score we will cap the number of permits to the 4 that are associated with the existing development.

6. **POLICY CONTEXT**

6.1 Adopted Merton Core Strategy (July 2011)

CS 8 (Housing Choice), CS14 (Design), CS15 (Climate Change) and CS20 (Parking).

6.2 Sites and Policies Plan (July 2014)

DM H2 (Housing Mix), DM D1 (Urban Design and the Public Realm), DM D2 (Design Considerations in all Developments), DM T3 (Car Parking and Servicing Standards) and DM F2 (Sustainable Urban Drainage Systems).

6.3 The London Plan (March 2015) as Amended by the Mayor of London's Housing Standards, Minor Alterations to the London Plan (March and 2016 and Housing SPG (March 2016)

The relevant policies within the London Plan are 3.3 (Increasing Housing Supply), 3.4 (Optimising Sites Potential), 3.5 (Quality and Design of Housing), 3.8 (Housing Choice), 3.11 (Affordable Housing), 5.3 (Sustainable Design and Construction), 5.7 (Renewable Energy), 7.3 (Designing out Crime), 7.4 (Local Character) and 7.6 (Architecture).

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the demolition of the existing buildings, the design of the new building, together with neighbour amenity, basement construction, parking and sustainability issues.

7.2 Demolition of Existing Building

The existing pair of dwelling houses are of little architectural merit and there are no objections to the demolition of the existing building subject to a satisfactory replacement building and compliance with relevant adopted Merton Core strategy policies and policies within the Merton Sites and Policies Plan and policies within the London Plan and relevant planning guidance. New residential accommodation is encouraged at local, regional and national policy levels.

7.3 Design Issues

The current proposal for the redevelopment of the site by the erection of a three storey building has been subject to pre-application discussions and the current revised application has been submitted following advice given by officers. Although of contemporary design, the proposed building would have a similar eaves and ridge height to neighbouring buildings. There is a mixture of architectural style in Hartfield road and there is no objection to the

contemporary design adopted for the proposed building. The current scheme has incorporated significant amendments suggested by officers to reduce the bulk and massing and rearward projection of the proposed building along with design amendment to ensure the proposal fits more sympathetically to the local vernacular. The amended scheme is considered to be acceptable in terms of policies CS14 and DM D2.

7.4 Neighbour Amenity

The proposed building has been designed to mitigate potential problems of loss of privacy with windows facing towards the street frontage and to the rear. Although rear terraces would be provided for each flat, the terraces would be screened to prevent overlooking of neighbouring gardens.

It is therefore considered that the siting of the proposed building and its relationship to existing neighbouring residential properties is acceptable in terms of policy DM D2. In terms of outlook from the neighbouring properties the bulk has been reduced and centralised to the rear projection to reduce the impact on neighbours to acceptable levels.

7.5 Standard of Residential Accommodation

The flats have been designed to comply with the standards set out in the Mayor of London's guidance on new residential development the size of each flat is set out below: -

Flat B1 (2 bedroom) - 100m²
Flat B2 (2 bedroom) - 95m²
Flat G1 (2 bedroom) - 89m²
Flat G2 (2 bedroom) - 85m²
Flat F1 (1 bedroom) - 51m²
Flat F2 (1 bedroom) – 50m²
Flat F3 (1 bedroom Studio) - 41m²
Flat S1 (1 bedroom) – 63m²

The design, internal layout of the proposed flats is considered to be acceptable.

7.6 Basement Construction

A number of representations comment on the provision of basement accommodation in the development and raise concerns over basement construction and the impact of basements upon the water table. However, in accordance with policy DM D2 the applicant has provided a Site Investigation Report and a Basement Impact Assessment and Method Statement. The statement concluded that the design and construction of the basement accommodation is in line with industry norms and there are no technical reasons why the basement should not be constructed as planned. The provision of basement accommodation is therefore considered to be acceptable in terms of policy DM D2.

7.7 Parking

The proposal has been revised and would now provide no car parking spaces. The previous proposal to introduce parking to the rear garden area was considered to be unacceptable and out of character with the established

pattern of development in this area. Secure cycle parking for 13 cycles will be provided. The existing pair of houses benefits from 4 parking permits for on street parking and this number of permits would be retained with the additional four units being designated 'permit free' secured through a section 106 Agreement.

7.8 Sustainability Issues

The proposed building has been designed to incorporate sustainability measures including Grey water harvesting to provide irrigation and WC flushing to the building, surface water attenuation tank for storm water disposal of basement terraces, surplus cavity drain system, and a Green roof to the main roof,

7.9 Developer Contributions

The proposal involves the conversion of a pair of existing dwellings into 8 flats. Although additional units would be formed there would be no requirement for a financial contribution towards affordable housing in this instance due to the court decision in respect of financial contributions towards affordable housing of sites of less than 10 units.

The proposed development would however, be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

8. **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 design and layout of the proposed building is considered to be acceptable in this location. The siting of the proposed building would not affect neighbour amenity. Accordingly, it is recommended that planning permission be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to a S.106 Agreement

Covering to following heads of terms: -

1. That four of the residential units on the site be designated 'Permit Free'.
2. That the developer paying the Councils legal and professional costs of drafting and completing the legal agreement.

And subject to the following conditions: -

1. A.1 Commencement of Development

2. A.7 Approved Drawings
 3. B.1 (Approval of Facing Materials)
 4. B.4 (Site Surface Treatment)
 5. B.5 (Boundary Treatment)
 6. C.6 (Refuse and Recycling-Details to be Submitted)
 7. D.9 (External Lighting)
 8. D.11 (Construction Times)
 9. F.1 Landscaping Scheme
 10. F.8 Site Supervision
 11. H.9 (Construction Vehicles)
 12. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority demonstrating that the development has achieved not less than CO2 reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and initial water usage (WA1) (150 litres/per/day) standards equivalent to Code for Sustainable Homes Level 4.
 13. Prior to commencement of development full details of the method of construction of the basement shall be submitted to and be approved in writing by the Local Planning Authority. The basement shall be constructed in accordance with the details set out in the Basement Construction Method Statement unless agreed in writing by the Local Planning Authority.

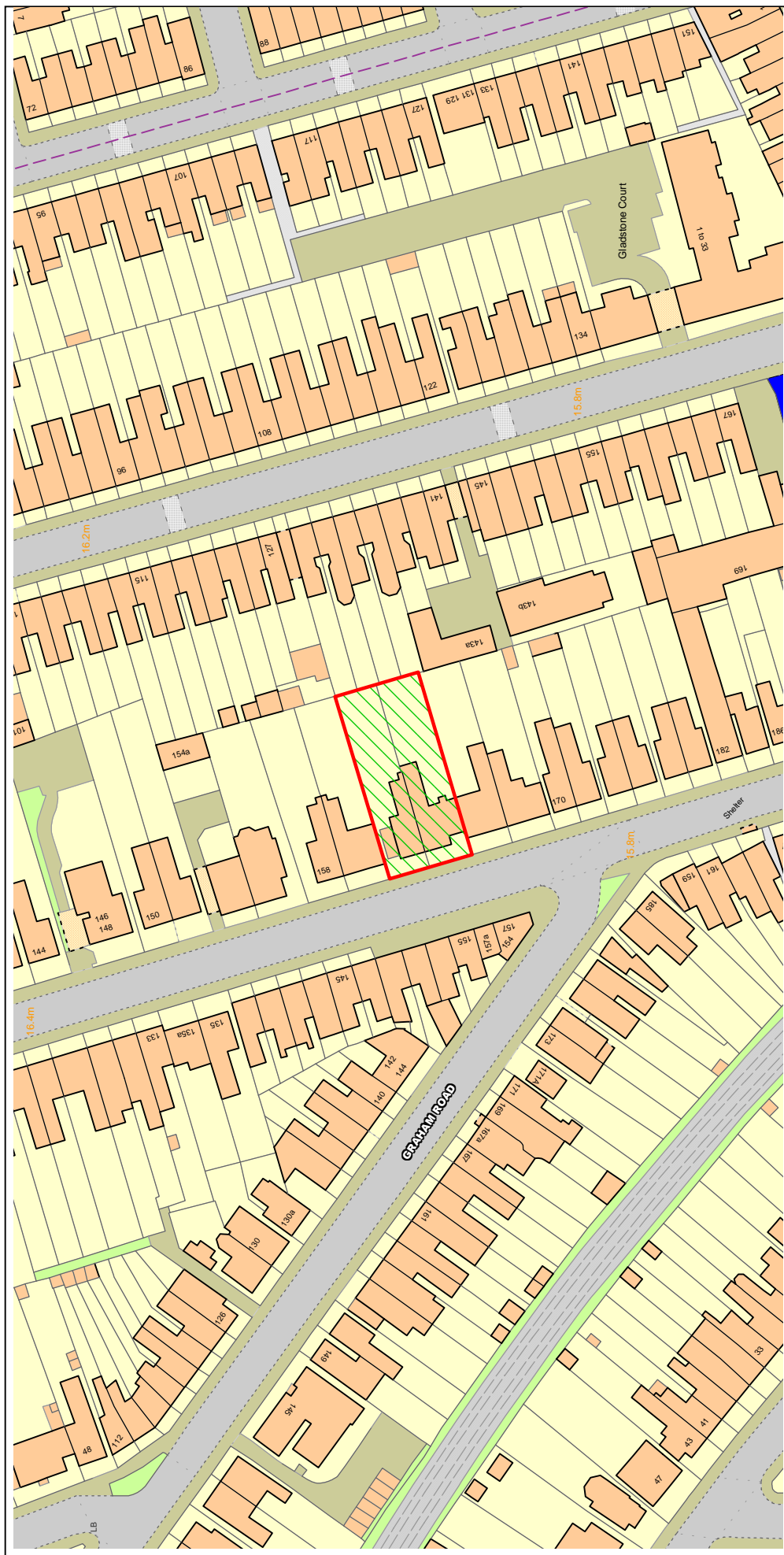
Reason for condition: In the interest of neighbour amenity and to comply with policy DM D2.
 14. Informative
Evidence requirements in respect of condition 12 are detailed in the 'Schedule of evidence required for Post Construction Stage' from Ene1 and Wat 1 of the Code for Sustainable Homes Technical Guide.
 15. INF.1 (Party Wall Act)
 16. INF.7 (Hardstanding)
-

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

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PLANNING APPLICATIONS COMMITTEE
25th May 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
16/P4672	05/12//2016
Address/Site	7 Lambourne Avenue, Wimbledon Park, London, SW19 7DW
Ward	Wimbledon Park
Proposal:	Demolition of existing detached house and erection of 2 x two storey detached houses with accommodation at basement and roof level .
Drawing Nos	907/2h/01, 03 Rev C, 04 Rev C, 05 Rev D, 06 Rev D, 07 Rev C, 08 Rev G, 10 Rev C, 12 Rev D, 14 Rev D
Contact Officer:	Stuart Adams (0208 545 3147)

RECOMMENDATION

GRANT Planning Permission subject to conditions and S106 agreement

CHECKLIST INFORMATION.

Heads of agreement: - Permit Free Development
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 – 1b
CPZ – P2(s)

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a two storey detached house located in Lambourne Avenue, which is a cul de sac accessed from Arthur Road, Wimbledon Park. The house is the last in a line of 4 properties on the eastern side of the road before reaching the houses at the bottom of the cul de sac. The house has a side boundary with the turning head area, giving it a corner location. It is set back from the pavement in an elevated position compared to pavement level. It sits on a plot which is appreciably larger and wider than the other 3 houses on the east side of the road.
- 2.2 Lambourne Avenue is characterised by detached houses in a maturely landscaped setting, to which the vegetation within the deep front curtilages makes a contribution. Another key feature of the road is the topography, sloping downwards from Arthur Road, from south to north, to the bottom of the cul-de –sac. The most northerly properties on the far side of the turning head sit below street level which provides views beyond and a sense of openness.
- 2.3 The next door house, no 5 Lambourne Avenue, adjacent to the southern boundary of the application site, is a new replacement house, completed in 2015.
- 2.4 The property is located within the Wimbledon North Conservation Area (Sub-Area 3: Arthur and Leopold Road). It is also within a Controlled Parking Zone.

3. **CURRENT PROPOSAL**

- 3.1.1 The proposal is for the demolition of the existing two storey detached house and erection of 2 x two storey detached houses including accommodation at basement and roof levels. The proposed houses would have a traditional design using stock brick, stone detailing, timber sash windows and slate roofs.
- 3.1.2 House A would be located closest to the bend in the road. House A would be separated from House B by a 2.1m gap. The gap would accommodate a light well serving the basements of the proposed houses. House A adopts a subordinate design approach to House B, being narrower in the width of the front elevation, set lower in the ground, with lower ridge and eaves levels, a part catslide roof form and a staggered front building line, set back between 1.4m and 2.4m behind the frontage of House B. The house would have a part open driveway for two cars and a pedestrian footpath leading up to the house, with a low brick wall containing the rest of the front curtilage.

- 3.1.3 House B would be separated from 5 Lambourne Avenue by a 1.1m gap. The eaves and ridge level of House B would be 0.92m and 0.89m below the eaves and ridge of 5 Lambourne Avenue. The house would have a part open driveway for two cars and a pedestrian footpath leading up to the house.
- 3.1.4 The floor space (GIA) and amenity space of the 2 houses compared to the adopted London Plan and Merton planning policy DM D2 Design considerations in all developments).

Proposal	Type(b)bed (p) person	Proposed GIA	London Plan standards	Amenity Space (sq m)	Merton standards
House A	6b12p	365	129	280	50
House B	6b12p	398	129	205	50

3.1.5 Amendments

Following discussions with the applicant, the original submission has been amended as follows:

House A

Maximum depth of house reduced from 15.2m to 14.9m (0.3m reduction).
 North West Flank wall reduced from 13.4m to 12.7m (0.7m reduction).
 Ridge height lowered from 53.76 AOD to 53.61 AOD (0.15m reduction)
 Eaves height lowered on part of roof from 51.12 AOD to 49.76 AOD (1.36m reduction).

House B

Ridge height lowered from 54.46 AOD to 54.31 AOD (0.15m reduction), Eaves height lowered from 51.39 AOD to 51.34 AOD (0.05 reduction)

4. **PLANNING HISTORY**

- 4.1. 15/P2830 - Demolition of the existing house and erection of 2x two storey 5/6 bedroom semi-detached houses with accommodation at basement and roof levels – Refused by Planning Applications Committee on 21st April 2016 for the following reasons:

The proposed houses by reason of their design, height, massing and siting would be an overly dominant and overbearing form of development that fails to relate positively to the Lambourne Avenue street scene and would fail to either conserve or enhance the Wimbledon North Conservation Area which is a designated heritage asset, contrary to

policies DM D2 (Design considerations in all developments) and DM D4 (Managing heritage assets) of Merton's Adopted Sites and Policies Plan (July 2014), and CS14 - Design of Merton's adopted Core Planning Strategy (July 2011).

A subsequent planning appeal was dismissed by the Planning Inspector, ref APP/T5720/W/16/3152709, who stated as follows:

“Whilst the eaves of the proposal would be at a similar level above ground as the neighbouring properties, so that the stepping arrangement in the street would be maintained in this respect, this would not be the case with regard to the roof ridge which would only be marginally below that of No. 5. The principal frontage would be far wider than its neighbours as would the exposed side elevation. Although the proposal’s design would reflect the formal arrangement of No. 5, it would be far grander in terms of its scale and proportions than its neighbours”.

“Taken together, the matters outlined above would result in an overly dominate and prominent building that would be out of scale and out of keeping with its immediate context. I therefore conclude that, due to its size, siting and design the proposal would fail to preserve the character and appearance of this part of the Wimbledon North Conservation Area and would have an unacceptable effect on the street scene”.

“For these reasons the proposal fails to accord with Policy DM D2 of the Council’s Sites and Policies Plan (2014) (SPP) which, amongst other matters, seeks to ensure that new development relates positively and appropriately to the siting, rhythm, scale, density, proportions, height and massing of surrounding buildings. There is also conflict with SPP Policy DM D4 which states that proposals affecting a heritage asset or its setting should conserve and enhance the significance of the asset. The proposal is also contrary to the broad aims of Policy CS14 of the London Borough of Merton LDF Core Planning Strategy (2011)”.

- 4.2 WIM6953 - Erection of house and garage – Grant - 27/08/1963
- 4.3 WIM4240 - Formation of a new street and also to provide an additional building plot making a layout of 20 building plots – Grant - 19/03/1959.

5. **CONSULTATION**

- 5.1 The application has been advertised by standard site notice procedure and letters of notification to the occupiers of neighbouring properties.

5.2 In response to consultation, 10 letters of objection received to the original plans. The letters raise the following concerns:

Design

- The building is still massively increases the impact on the corner plot by comparison with the original house and neighbouring houses.
- New houses would dominate even from the top of the road.
- Wrong to allow the single dwelling character of Lambourne Avenue to be so radically changed.
- Gap between no 5 and no 7 is significant feature of Lambourne Avenue and must be preserved.
- Ridge height of house A does not respect the drop in the ground levels of the road. The road level has a fall of 0.89m in between houses no 5 and no 7 but the ridge level has fallen only by 0.74m. The house should be lowered to 54.31m to match the fall in the road.
- Although now two separate houses, instead of one mass containing two houses, they are still very large for the corner and have only marginally been reduced.
- The cars will be parked directly in front of the houses and directly in front of the pavement detracting from character and appearance of the street scene.
- The developers have squeezed a lot of windows into the building and front and rear elevations look odd. The rear dormer windows appear larger than their neighbour and out of scale.
- Ridge height is 1m higher than existing and only marginally lower than in the previous application that was rejected. Should be no higher than existing (as required for redevelopment of no 5)
- Detracts from the spacious open nature of the street scene

Basement

- Although the heights have been marginally lowered, concern that there will need to dig deeper into the ground for the basement. This is of concern for all surrounding homes and may have an impact on the integrity of the road surface and high level of risk associated with the proposed build.
- Basement impact on the stability of the land given its sloping nature.

Neighbour Amenity

- Loss of light to basement games room and kitchen at no 5

- Loss of views towards Wimbledon Park from no 5 due to 2m rearward projection beyond upper levels
- Visually oppressive and overbearing
- Disruption during construction

Highways

- Two additional houses will impact on the already low proportion of parking bays/numbers in this road. Loss of 2 CPZ parking places.
- The new house would extend significantly closer to the edge of the plot in comparison to the current house, with a negative impact on the street scene and the views towards Wimbledon Park.

Plans

- Outlined of the existing house should be shown on the plans.

5.3 In response to re-consultation, 10 letters of objection have been received. reiterating original objections and raising the following additional points:

- The bulk and mass of the houses has only been marginally reduced. House A on the corner is still very prominent and dominant . Although there have been minor changes, these houses still fail to preserve the character and appearance of Wimbledon North Conservation Area and the street scene.

5.3 Tree Officer – No objection subject to conditions

5.4 Future Merton – Transport Planning

- Each dwelling would have 2 of-street parking spaces, which is in accordance with London Plan maximum Parking Standards.
- The CPZ operates Monday – Friday 11.00am - 3.00pm. Outside these times parking is uncontrolled including the busier weekend periods
- Separate crossing applications would be required in accordance with Merton’s crossover guidance.
- The construction of the new crossovers would result in the loss of 2 existing on-street parking spaces . However, these could be relocated on the opposite side of the street.
- Whilst there would be an increase in the numbers of vehicle using Lambourne Avenue arising from the net increase of 1 dwelling this would not be significant and could therefore not be considered grounds for refusal.
- Two existing properties are already at various stages of construction/modification. It is therefore recommended that a

construction and logistic plan required by condition to help mitigate potential impacts during construction.

Overall there is no objection from a transport planning perspective.

5.5 Future Merton – Flood Officer – No objection subject to conditions

5.6 Councils Structural Engineer – No objection subject to conditions

6. **POLICY CONTEXT**

6.1 Merton Core Planning Strategy (July 2011)

CS8 – Housing Choice

CS9 – Housing Provision

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 T1 Support for sustainable transport and active travel

DM T2 Transport impacts of development

DM T3 Car parking and servicing standards

6.3 London Plan (July 2015) and Minor Alterations to the London Plan (March 2016)

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 Lambourne Avenue street scene and the Wimbledon North Conservation Area, the standard of accommodation provided, impact upon neighbouring amenity, trees and parking/highways considerations. The previous appeal decision and the findings of the appeal inspector are a strong material planning consideration.

7.2 Principle of Development

7.2.1 Planning policy DM D4 (Managing heritage assets) requires that development that affects a heritage asset or its setting will be required to conserve and where appropriate enhance Merton's heritage assets and distinctive character. The policy further states that loss of a building that makes a positive contribution to a conservation area or heritage site, should also be treated as substantial harm to a heritage asset. The existing dwellinghouse has little architectural merit and is not considered to make a positive contribution to the Wimbledon North Conservation Area. Therefore, in principle, the demolition of the existing house is considered acceptable, subject to the provision of a suitable replacement development.

7.2.2 The redevelopment of the site would create 2x 5 bedroom houses, which would result in a net increase of 1 unit on the site. The London Plan and the Council's adopted planning policies seek to increase housing provision where it can be shown that an acceptable standard of accommodation will be provided. The London Plan 2015 sets Merton a minimum target provision and the development would make a modest contribution to meeting that target.

7.2.3 In terms of providing two dwellings on this site, there is no principle objection subject to all other normal planning considerations. It is noted that neighbours have raised concerns regarding a covenant restricting development to one dwelling, however this is a civil matter and is not a planning consideration.

7.3 Design, Impact on the Street Scene and on the North Wimbledon Conservation Area and Relationship to Previous Appeal Decision

7.3.1 The current application has been submitted with the intention of overcoming the previous grounds on which the appeal in relation to the demolition of the existing house and replacement with a pair of semi-detached houses was dismissed (Appeal Ref; APP/T5720/W/16/3152709) following Planning Application Committee's refusal of LBM Ref 15/P2830.

7.3.2 The appeal decision letter notes that due to the marked downward slope of the cul de sac and the turning head at its end, next to the appeal site, *'the existing house occupies a particularly prominent, exposed and*

elevated position in the street scene’.

7.3.3 The Inspector notes that the front building line of the proposal would line through with that of its neighbours and also states that ‘an adequate gap would be maintained between the proposal and No. 5.’

7.3.4 The Inspector further notes that they are satisfied that the loss of on-street parking spaces and provision of additional off-street parking would not result in harm to highway safety or parking stress in the street, and also that the proposal would not result in unacceptable loss of light to the next door property.

7.3.5 The reason for dismissal of the appeal therefore relates solely to the impact on the Wimbledon North Conservation Area and the streetscene. The Inspector’s comments are as follows:

‘6. Whilst the eaves of the proposal would be at a similar level above ground as the neighbouring properties, so that the stepping arrangement in the street would be maintained in this respect, this would not be the case with regard to the roof ridge which would only be marginally below that of No. 5. The principal frontage would be far wider than its neighbours as would the exposed side elevation. Although the proposal’s design would reflect the formal arrangement of No. 5, it would be far grander in terms of its scale and proportions than its neighbours.

7. Taken together, the matters outlined above would result in an overly dominant and prominent building that would be out of scale and out of keeping with its immediate context. I therefore conclude that, due to its size, siting and design the proposal would fail to preserve the character and appearance of this part of the Wimbledon North Conservation Area and would have an unacceptable effect on the street scene.

8. For these reasons the proposal fails to accord with Policy DM D2 of the Council’s Sites and Policies Plan (2014) (SPP) which, amongst other matters, seeks to ensure that new development relates positively and appropriately to the siting, rhythm, scale, density, proportions, height and massing of surrounding buildings. There is also conflict with SPP Policy DM D4 which states that proposals affecting a heritage asset or its setting should conserve and enhance the significance of the asset. The proposal is also contrary to the broad aims of Policy CS14 of the London Borough of Merton LDF Core Planning Strategy (2011).

7.3.6 Comparison to Previous Application 15/P2830

7.3.7 The proposed development seeks to overcome the Planning Inspector’s previous grounds for dismissal by reducing the overall mass and

prominence of the new dwellings within the street scene by the following measures:

- replacement of the previously proposed semi-detached houses with two detached houses, separated by a 2m gap in the middle. This significantly reduces the overall bulk, particularly given the hipped roof form, breaks up the width of continuous front elevation and provides a gap between the two houses
- reduction in ridge and eaves height. The previous proposal had a main ridge height set down 0.35m below that of no 5, which the appeal Planning Inspector considered to be insufficient to reflect the characteristic stepping arrangement in the street. In the current application, House B has a ridge height set down 0.89m below that of no 5 and the ridge of House A is set 0.7m below that of House B. Although the Inspector did not have a concern about eaves height, they have also been set lower for both houses than the appeal proposal
- reduction in overall footprint
- staggering of the front building line, so that the corner house, House A, is set behind House B, and its front elevation is set back again adjacent to the corner
- subordinate design for House A on the corner by setting it lower within the site, staggering the flank elevation and setting the eaves down so that its width reduces in proximity to the side boundary.

7.3.8 Planning policy DM D2 (Design considerations in all development) seeks to achieve high quality design by relating positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscaping features of the surrounding areas.

7.3.9 Lambourne Avenue is characterised by detached houses with relatively deep setbacks from the road. The large detached houses at the northern end of this cul-de-sac are predominantly at a lower level than the road. As noted in the Character Assessment for the Sub-Area, this arrangement of highway and buildings

'combine to form a long wide gap when viewed from within Arthur Road. This allows an extensive view across wooded gardens to Wimbledon Park and beyond.'

The proposed houses do not sit any further forward on the plot than the existing house to be demolished or the adjoining house at no.5, therefore this long, wide gap which is a key characteristic of Lambourne Avenue in relation to the Conservation Area is considered to be maintained.

7.3.10 The houses on the eastern side of Lambourne Avenue follow the road contours with roofs and eaves heights stepping down to follow the

topography. This stepping down is maintained in the proposed development with a change of 0.7m between the ridge of house A and B and a 0.89m between House B and 5 Lambourne Avenue. The change in eaves levels between House A and B would be at least 0.6m and 0.9m between House B and 5 Lambourne Avenue.

7.3.11 In recognition of the fact that no 7 sits in an elevated position above the turning head and points made by the planning inspector, the applicant has reduced the dominance of the north east flank elevation of house A by lowering the building below natural ground level, having a stepped frontage and set down eaves. It is considered that House A would now have a much less imposing impact upon the street scene.

7.3.12 In terms of maintaining suitable gaps around buildings, a 4.272m gap exists between the upper floor elements of no.s 3 and 5, made up of the single storey garage belonging to no.3 and a 1m gap between the flank wall of the new house at no 5 and the boundary with no.3. A similar 4.266m gap is maintained between 5 and 7, made up of the single storey garage of no 5 and the 1m gap between the new house flank wall and the boundary with no. 5. The proposed development has also been amended to retain at least a 5m gap from the northern boundary, increasing to 6.7m. Whilst the two storey element of the proposed houses would be situated closer to number 5 Lambourne Avenue, resulting in a reduced gap between these neighbours, it would be similar to existing spacings and a large gap on the other side of the buildings would be retained in order to maintain a sufficiently green and open aspect at the corner. The Inspector considered the size of gap between 5 and the new development to be acceptable and this is maintained.

7.3.13 The combination of measures set out at 7.3.7 are considered to be sufficient to overcome the previous grounds for dismissal on appeal. The stepping down within the streetscene has been increased, the overall massing and dominance of the front elevation has been greatly reduced by the combination of splitting into two detached houses, staggering the building line and reducing ridge and eaves line. The existing house is of no architectural merit and the proposed design sits comfortably with neighbouring properties. It is considered to relate positively to the rhythm, proportion, height and massing of surrounding buildings in accordance with Policy DM D2 and conserve and enhance the character of the Conservation Area in accordance with policy DM D4.

7.4 Basement

7.4.1 The proposed basement would have a limited impact upon the visual amenities of the area with light wells being located at the rear and side of the houses. The light wells would be fitted with low-rise balustrades and

given their siting would have a limited impact upon the visual amenities of the street scene. There are no trees within close proximity of the proposed basement that would be affected by the deeper excavation of the land. Neighbours have expressed concerns in relation to the proposed basement and its impact upon land stability, impact upon adjacent properties and water table. The applicant has commissioned an independent structural engineer (RJC Structural Design) to produce a Basement Impact Assessment which explains the construction and detailing of the proposed basement. The Council's Structural and flood engineers have confirmed the acceptability of the proposed basement details subject to conditions. Separate building regulations approval would be required for the construction of the basement and the provisions of party wall legislation would apply.

7.5 Standard of Accommodation

7.5.1 The proposed houses would provide a good standard of accommodation for future occupiers. The proposed houses would easily exceed Merton and London Plan space standards. The layout of the houses shows that each room is capable of accommodating furniture and fittings in a satisfactory manner. Whilst it is noted that the bedrooms in the basements would have limited outlook and light, they do not form the main bedroom accommodation and are likely to be guest or additional ancillary accommodation. All the other habitable rooms have good levels of outlook, light and circulation areas. The houses would have direct access to a private rear amenity space well in excess of the Council's minimum standard of 50 square metres.

7.6 Neighbouring Amenity

5 Lambourne Avenue

7.6.1 The proposed house would be inset 1.1m from the boundary with this neighbour. The proposed houses would not project beyond the front elevation of no.5 and would be no further forward than the existing house. At the rear, the nearest element of no.5 is a single storey side addition which accommodates a garage and utility room, separating the main house at no.5 from the side boundary. The proposed rear building line of the houses would be slightly behind the ground floor rearward projection of the main part of the neighbouring house (1.1m beyond the upper floors), which is situated beyond the single storey side garage. There would be a separation distance of 4.2m between the flank wall of the proposal and this neighbour's main flank wall (main part of house). Given the siting and good level of separation between neighbours it is considered that there would be no undue loss of amenity. This is a

reduced depth compared to the appeal proposal, which the Inspector considered to be acceptable in relation to impact on the neighbour.

- 7.6.2 In order to ensure that there is no overlooking from the side windows and flat roof section of the proposed houses, obscured glazing and no use of the flat roofs can be secured via suitable planning conditions.

9 Lambourne Avenue

- 7.6.3 This neighbour site is orientated at a right angle to the application site and sits directly at the end of the garden of the application site. The proposed houses would be distanced approximately 25.6m from this neighbouring property. Upper floor windows looking towards the rear garden area would be over 18m away. Given the orientation of the neighbouring property and level of separation it is considered that there would be no undue loss of amenity. A new semi-mature tree will be planted adjacent to the boundary with no.9 and additional planting can be required adjacent to the boundary to soften views of the rear elevations.

7.7 Parking and Traffic

- 7.7.1 The site is in a controlled parking zone (P2(s)) with controls operating between Monday to Friday between 11am-3pm. The proposals show a double width hardstanding for each property, providing each house with 2 off street spaces. This level of parking provision is in line with the London Plan car parking standards.

- 7.7.2 The driveway/crossover for the northernmost property is positioned close to the corner of the road however traffic movements will be low in this cul de sac location and the positioning is therefore considered to be acceptable.

- 7.7.3 The proposal would result in the loss of 2 on street parking bays and will add to visitor demand. Although the provision of 4 off street parking bays will offset some of this impact, it is recommended that the development is permit free. Although this is unusual for a property in a PTAL 1b area it is recommended that this is required to mitigate against the reduced on street parking availability.

7.8 Trees

- 7.8.1 The applicant has submitted an arboricultural report which the Councils Tree Officer has confirmed is acceptable. The Councils Tree Officer has confirmed that she has no objection to the application subject to conditions relating to tree protection, site supervision and detail of landscaping.

8. Local Financial Considerations

- 8.1 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 1st 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.

9. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 9.1 The proposal is for minor residential development and an Environmental Impact Assessment is not required in this instance.
- 9.2 The development will be required to meet the equivalent of Code 4 for Sustainable Homes in terms of energy and water saving efficiency.

10. **CONCLUSION**

- 10.1 The proposed development will provide 2 new family dwellings which are considered to relate well to the context of the Lambourne Avenue street scene and would conserve the character of this part of the Wimbledon North Conservation Area. 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 and S106 agreement.

RECOMMENDATION

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

1. Designation of the development as permit-free and that on-street parking permits would not be issued for future residents of the proposed development.

2. 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 (porous or permeable)
5. B5 Details of boundary treatment
6. C01 No Permitted Development (Extensions)
7. No Permitted development (boundary treatment at front)
8. C02 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer, rooflight or door other than those expressly authorised by this permission shall be constructed in the upper levels of the flank elevations without planning permission first obtained from the Local Planning Authority.
9. C03 Before the development hereby permitted is first occupied, the upper floor windows in the South-West elevation shall be glazed with obscure glass and fixed shut and shall permanently maintained as such thereafter.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

10. C07 Refuse and Recycling (Implementation)
11. C06 Refuse and Recycling (details)
12. C08 No Use of Flat Roof
13. D11 Construction Times

14. F01 Landscaping/Planting Scheme
15. F02 Landscaping (Implementation)
16. F05 The details and measures for the protection of the existing retained trees as specified in the approved document 'Arboricultural Method Statement Impact Assessment and Tree Protection Report' reference: 'NvP3360-R1' and dated '16 November 2016' including the drawing titled: 'Tree Protection Plan' numbered 'NvP3360-R1' shall be fully complied with. The methods for the protection of the existing trees shall follow the sequence of events as detailed in the document.

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

17. F08 Site Supervision (Trees)
18. H07 Cycle Parking to be implemented
19. L2 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.

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.

20. Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface

water by means of a sustainable drainage system (SuDS), the scheme shall:

- i. Provide information about the design storm period and intensity, attenuation and control the rate of surface water discharged from the site to no more than 4l/s in total (2l/s sec max discharge from each dwelling);
- ii. Include a timetable for its implementation;
- iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

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

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

21. Demolition Method Statement
22. Construction Method Statement (produced by contractor)
23. Construction Drawings
24. Development carried out in accordance with the CMS

INFORMATIVES:

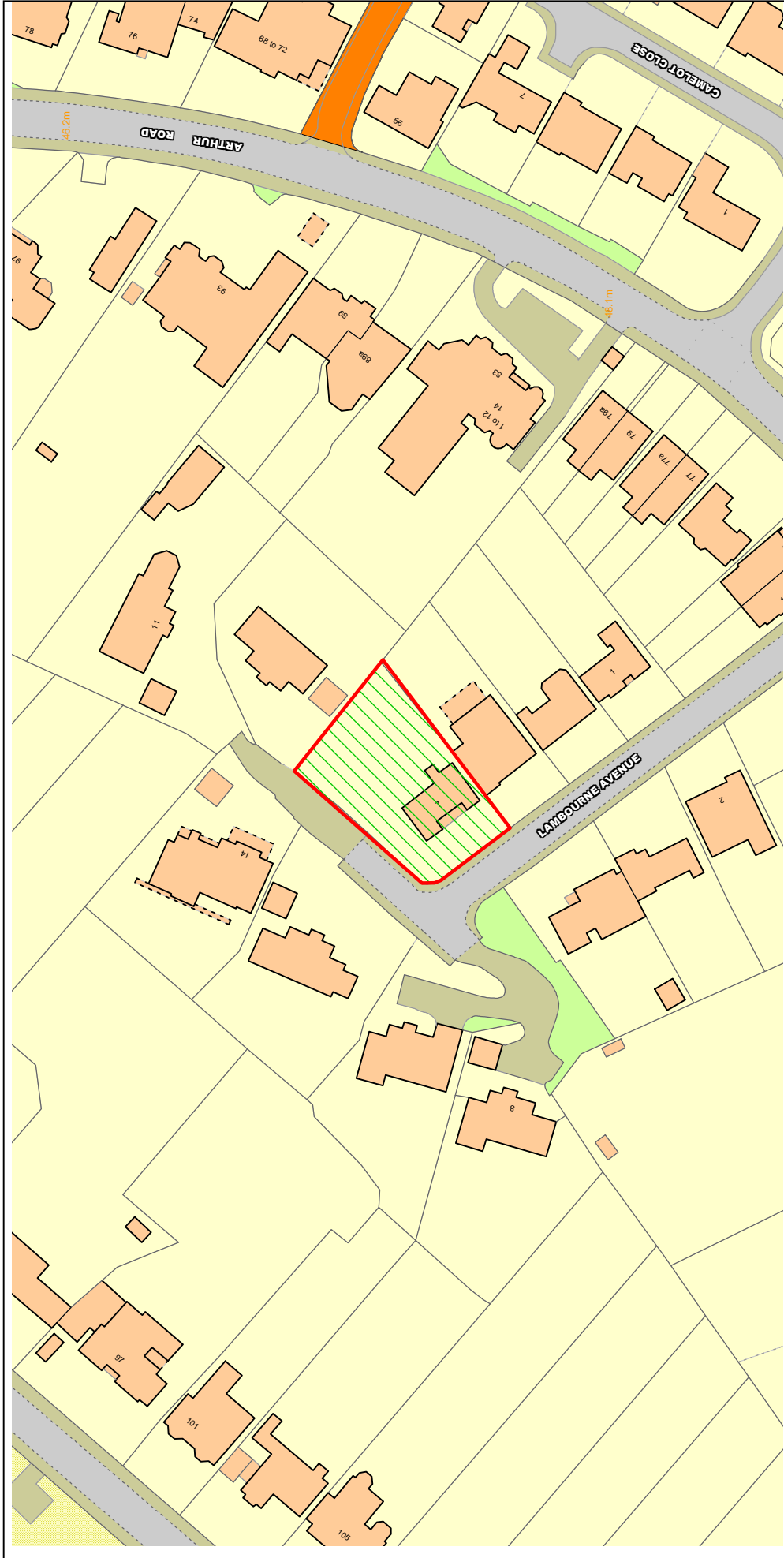
1. *It is the responsibility of the developer to make proper provision for drainage to ground, watercourses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or 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).*

2. *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.*
-

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

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NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE
25 May 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
17/P0706	10/03/2017
Address/Site:	91 The Quadrant, Wimbledon Chase, SW20 8SW
(Ward)	Dundonald
Proposal:	Erection of a single storey rear extension plus erection of a single storey self-contained dwelling to side of existing house
Drawing No's:	Site location plan, Design, Access and Planning Statement, 124/10B, 124/31 A, 124/32, 124/36, 124/38, 124/39.
Contact Officer:	Lucas Zoricak (0208 545 3112)

RECOMMENDATION

GRANT Permission subject to Conditions

CHECKLIST INFORMATION

- Heads of Agreement: None
- 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: 12
- External consultations: No
- Controlled Parking Zone: Yes (P1)

1. **INTRODUCTION**

This application is being brought to the Planning Applications Committee for determination at the request of Councillor Suzanne Grocott. .

2. SITE AND SURROUNDINGS

- 2.1 The application site relates to an end of terrace property on the north side of The Quadrant. The property dates from the 1930's and is of a mock Tudor design with front bay window and pitched roof. There is an existing detached garage and garden shed at the side of the property. The plot is triangular in nature and shares a boundary with the rear of 2-8 Merton Hall Gardens.
- 2.2 This site is not within a Conservation Area, but is within a controlled parking zone which operates Monday-Friday 8:30 – 18:30. It is not covered by any other relevant planning designation.

3. CURRENT PROPOSAL

- 3.1 This application proposes the demolition of the garage and the erection of a single storey self-contained studio dwellinghouse. A single storey extension to no.91 itself is also proposed.
- 3.2 The dwelling would have maximum measurements of 13.2m deep x 5m high (to the highest point) x 2.5m high (to eaves) x 2.2m wide at the front x 5.5m wide at the rear. This would be set back 1m from the front of the bay window of the main house.
- 3.3 The single storey rear extension would measure 3m deep x 6m wide x 3.82m high (to highest point) x 2.6m high (to eaves).
- 3.4 A 1m wide alley would be retained to allow access to the proposed self-contained unit and to the rear of no's 4-8 Merton Hall Gardens.

4. PLANNING HISTORY

4.1 91 The Quadrant

05/P2763 - Application for a Certificate of Lawfulness in respect of a proposed roof extension - Issue Certificate of Lawfulness - 10-01-2006.

07/P0884 - Erection of a single storey rear extension - Grant Permission subject to Conditions - 11-05-2007.

16/P3208 - Application for a Lawful Development Certificate for the proposed erection of a single storey rear extension - Issue Certificate of Lawfulness - 09-09-2016.

16/P3193 – Erection of a single storey (max height 5m) self-contained dwelling to side of existing house. Erection of a single storey rear extension to existing house – Granted - 12/10/2016.

4.2 Land Adjacent to 91 The Quadrant

07/P1091- Demolition of existing garage and garden shed and erection of a two storey dwellinghouse - Refuse Permission - 15-08-2007.

- The height, size and position of the proposed building would constitute a visually intrusive form of development that would be detrimental to the amenities of occupiers of residential properties in Merton Hall Gardens contrary to policies HS.1 and BE.15 of the Adopted Merton Unitary Development Plan (October 2003) and the Adopted Supplementary Planning Guidance - New Residential Development (September 1999).
- The proposed development would fail to secure a satisfactory environment for future residential occupiers arising from poor outlook and poor internal layout contrary to policies HS.1 and BE.15 of the adopted Merton Unitary Development Plan (October 2003).

08/P1142 - Demolition of existing garage and garden shed and erection of a single-storey dwellinghouse - Grant Permission subject to Conditions - 30-12-2008.

11/P1326 - Application for renewal of extant planning permission 08/P1142 (dated 30/12/2008) relating to the demolition of existing garage and garden shed and erection of a single-storey dwellinghouse - Grant Permission subject to Conditions 25-08-2011.

15/P2901 - Demolition of existing garage and erection of a single-storey dwellinghouse to side of 91 the quadrant - Withdrawn Decision - 04-07-2016.

5. CONSULTATION

5.1 Public consultation:

Standard 21-day site notice and individual letters to neighbouring occupiers. In response to the consultation, two representations have been received from the occupiers of 6 Merton Hall Gardens and from the Councillor Suzanne Grocott. The concerns of the objectors are noted and are set out below:

- Proposal is overly high and will block light into neighbouring gardens and properties
- Will be out of character with the locality
- Mezzanine likely to be added in the future
- Will reduce the width of the right of way to the rear of the properties on Merton Hall Gardens
- The proposed side access would have a negative impact on the safety and security of the neighbours.
- The proposal would be 0.5m deeper and would have an adverse impact on the neighbouring amenity
- Right of way

5.2 Internal consultation:

Designing Out Crime Officer has recommended that the front door (to a self-contained unit) should remain positioned facing each other allow neighbours to easily view their surroundings and thus make the potential offender feel vulnerable to detection.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2012)

London Plan (March 2015)

- 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
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture

6.2 Core Planning Strategy (July 2011)

- CS8 Housing choice
- CS9 Housing provision
- CS11 Infrastructure
- CS14 Design
- CS15 Climate Change
- CS17 Waste Management
- CS18 Active Transport
- CS19 Public Transport
- CS20 Parking, Servicing and Delivery

6.3 Plans and Policies Plan and Policies Map (July 2014)

- DMH2 Housing mix
- DMD1 Urban design and the public realm
- DMD2 Design considerations in all developments
- DMT1 Support for sustainable transport and active travel
- DMT2 Transport impacts of development
- DMT3 Car parking and servicing standards
- DMT5 Access to the Road Network

6.4 Supplementary planning considerations

London Housing SPG – 2012

Design SPG – 2004

Residential Extensions, Alterations, and Conversions SPG - 2001

6. PLANNING CONSIDERATIONS

Key planning considerations:

- Principle of development
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport and parking
- Sustainability

6.1 Principle of development

6.1.1 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.

6.2.2 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.

6.2.3 Residential gardens are not considered to be previously developed land and paragraph 53 of the NPPF notes that LPAs should consider whether to set out policies resisting inappropriate development of residential gardens. CS13(e) notes that new dwellings in [back] gardens should be justified in terms of local context and character, biodiversity, green corridors and islands and flood impact and climate change.

6.2.4 The site forms part of a residential area and the proposal would create an additional dwelling within this locality, with the London Plan supporting infill development in appropriate contexts. Furthermore the principle of development of a new property here has been accepted previously under permission 08/P1142 which was extended by permission 11/P1326. Subject to other material considerations which are addressed below, the principle of development on this site is considered acceptable.

6.2 Amendments

6.2.1 In comparison to the originally submitted and granted proposal ref. 16/P3193, the number of the rooflights was reduced from 3 to 2 (over the side element) and a new entrance / obscure glazed window is proposed to the side (east) elevation of the self-contained unit.

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

6.3.1 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 their surroundings.

6.3.2 The proposal is very similar to that approved under permission 08/P1142 with a pitched roof, which appears as a mono-pitch roof when viewed from the street. This would appear as an extension to the main house and would integrate with no.91 as it continues the timber clad and rendered finish. This would be stepped off the boundary by 1m for 8.2m of its depth and would then abut the boundary with no.4 Merton Hall Gardens with a low eaves height of 1.8m. Furthermore the new dwelling would be set back 1m from the front elevation of no.91 and this is considered to further the subordination of the proposal and would reduce the impact on the street scene.

6.3.3 At the rear the single storey extension to the main house would match that which was recently granted a Lawful Development Certificate in terms of design and scale and the pitched roof of the new dwelling would integrate with the mono pitch of this extension.

6.3.4 Both the new dwelling and the extension to the host property would feature bi-fold doors across their respective rear elevations.

6.3.5 With regard to the previously granted permission ref.09/P1142, the previous case officer noted that the 'building acknowledges the surrounding built environment in terms of the choice of finishes and response satisfactorily to the height, size, siting and scale of the surrounding buildings and is considered appropriate on a plot of this size.' Given the similarities between the two proposals it is not considered that there is a reason to differ from this view and in view of this it is not considered that the proposal would result in any undue harm to the character and appearance of the locality.

6.4 Impact upon neighbouring amenity

6.4.1 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.

6.4.2 The single storey rear extension extends 3m from the rear of the host property and matches the extension recently granted a Lawful Development Certificate. Given the projection and in light of the existing certificate it is not considered that it would result in any unacceptable harm to the residential amenities of the occupiers of no.89 that would warrant refusal of the application.

6.4.3 The new dwelling would extend 2.4m beyond the rear extension to no.91 and given this it is not considered that there would be any adverse impact on the residential amenities of the occupiers of no.91.

6.4.4 In terms of the properties at the rear along Toynbee Road there would be a minimum of 7.4m between the rear of the new dwelling and the intervening boundary fence, with the properties on Toynbee Road having rear gardens of roughly 10.5-11.5m in depth. Given this separation and the boundary fence it is not considered that there would be any undue impact on the residential amenities of privacy of the occupiers of these properties. Furthermore given the separation distance the proposal is not considered to be visually intrusive or overbearing.

6.4.5 In relation to no.6 Merton Hall Gardens, the existing attached garage is situated adjacent to about two thirds of this boundary. The proposal would have an eaves height of 2.5m here and would be stepped off the boundary by 1m. This property has a garden depth of about 10m (as it has an existing conservatory extension) and given this separation distance it is not considered that the proposal would result in any unduly adverse impact on the residential amenities of the occupiers of no.6.

6.4.6 The rear boundary of no.4 would be almost wholly covered by the built form of this proposal however the roof would pitch away from this boundary and would have a very low eaves height of 1.8m where it abuts the boundary. Given an outbuilding could be built here with a flat roof height of 2.5m, and as the roof pitches away it is not considered that there is any undue impact on the residential amenities of the occupiers of no.4 that would warrant the refusal of the application.

6.4.7 Furthermore the previous permission (ref. 08/P1142) was approved with a higher eaves height along this boundary with the case officer noting in that report that there 'would be no loss of neighbouring amenity' to the properties in Merton Hall Gardens given the depth of the gardens.

6.4.8 Concern has been raised regarding the forward facing window which looks towards The Quadrant which also looks down the access alleyway. However the rear gardens of the properties which back onto this have intervening boundary fences and given the size of the window and its siting it would not allow views into the rear gardens that would result in any undue harm to the privacy of the occupiers of these properties.

6.4.9 The proposed side facing window (at ground floor level) in the side (east) elevation would be obscure glazed and the roof lights are set within the roof slope which given their height and angle would not allow significant overlooking into neighbouring properties.

6.4.10 Concern has been raised regarding the proposed side entrance to the self-contained studio. The existing side passage way (approximately 1m side) is currently accessible and the rear boundary treatment of No.6 and No.4 Merton Hall Gardens form the boundary and enclose the passaway. The proposed window in the side (east) elevation would be obscure glazed. It is therefore considered that this change would not result in materially harmful additional impact on the amenity of No.6 and No.4 Merton Hall Gardens. It should also be noted that right of way is not a planning matter.

6.4.11 The Council's Designing Out Crime Officer has pointed out that the proposed self-contained unit should be accessible from the front as previously approved (ref.16/P3193) in order to allow neighbour to easily view their surroundings and make the potential offender feel vulnerable to detection.

6.4.12 Given the siting of the new dwelling it is not considered that there would be any unduly adverse impact on the residential amenities of the occupiers of no.8 or no.2 Merton Hall Gardens.

6.5 Standard of accommodation

6.5.1 Policy 3.5 of the London Plan 2015 states that housing developments should be of the highest quality internally and externally. The London Plan has recently been altered through a minor alteration to incorporate the national described space standards.

6.5.2 A studio dwelling with one bed space requires a minimum internal floor area of 39sqm. The proposal would have an internal floor area of 40, which would meet the standard. As this is a studio flat there is no 'bedroom' as such, however the bed/living/dining area is 28sqm which is considered acceptable.

6.5.3 Policy DMD2 seeks to ensure that all new houses have a minimum garden area of 50sqm, whilst new flats should have a private amenity area of 5sqm. The proposed new dwelling unit would have a garden area of 41sqm and no.91 would retain a garden of 63sqm. Whilst the new dwelling would not meet the requirements for a house, it would have a substantial garden for a studio unit and far exceeds that required for a flat. Given this it is considered acceptable and would result in the provision of an acceptable standard of living for both the new unit and the occupiers of no.91.

6.5.4 A 1.8m high fence would be erected between no.91 and the new property which would ensure sufficient levels of privacy between the two properties. This can be secured by condition.

6.5.5 Representations have noted that the main living area of the proposal would be adjacent to the kitchen in the existing house. However this is a similar situation found in many existing properties and given they would be separated by what is now an external wall, it is not considered that there would be any undue noise and disturbance between the two rooms which would impact on the living conditions of the occupants of the proposal new unit.

6.6 Transport and parking

6.6.1 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.

6.6.2 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. London Plan Policy 5.17 and Core Strategy policy CS17 seek to secure waste/recycling storage at new developments where appropriate.

6.6.3 The site has a PTAL of 2 and as noted above is within a Controlled Parking Zone. The proposal would result in the loss of the garage. There would be some space in front of the proposal, although this is unlikely to be wide enough to accommodate a vehicle parking given the need to retain the 1m wide access along the rear boundaries of the properties along Merton Hall Road.

6.6.4 However, the previous permission noted that it is not currently possible to ensure that any vehicles at no.91 are parked off street and given this the lack of off street parking spaces was in this case not a reason for refusal which could be justified. Furthermore the Councils Transport Planner noted that the bin storage was acceptable, cycle parking could be secured by condition and that whilst there is no off street parking, given the small scale of development it is likely to result in a single additional vehicle which is unlikely to result in an unacceptable increase in parking stress within the locality. On this basis they raised no objection to the proposal. Moreover given the low PTAL it would not be justifiable to request a permit free agreement.

6.7 Sustainability

6.7.1 In light of the changes to the national planning framework it is recommended that conditions are attached requiring the proposed dwellings are designed and constructed to achieve CO2 reduction standards and water consumption standards equivalent to Code for Sustainable Homes Level 4.

6.8 Other Matters

6.8.1 Given the nature of the site it is considered reasonable to remove permitted development rights for further extensions or alterations to the resultant property, including the installation of additional internal floorspace via a mezzanine. In relation to the representation raising concern about the reduction in the width of the right of way, this is retained as existing and the bin/cycle store has been moved following the receipt of amended plans.

6.8.2 There are trees in the rear gardens of the properties on Merton Hall Road, however these are set away from the boundary and in the context of the scale of development and the existing built form near the boundary it is not considered that the proposal would have any adverse impact on the adjacent trees.

6.9 Developer Contributions

6.9.1 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. CONCLUSION

It is considered that the principle of development is acceptable as is the layout, height, scale and design and resultantly the proposal would preserve the character and appearance of the main property and the locality. It is not considered there would be any undue harm to the residential amenities of neighbouring residents that would warrant refusal of the application and the new unit would provide good quality living accommodation for future occupants. The proposal would not have an unacceptably detrimental impact on highway safety. The proposal would result in an additional residential unit and increased density in line with planning policy. The proposal would accord with the relevant National, Strategic and Local Planning policies and guidance.

8. RECOMMENDATION

Grant permission subject to conditions.

1. Commencement of development
2. Approved plans
3. Details of surface treatment
4. No permitted development (extensions)
5. Obscure glazing (opening windows and doors)
6. No permitted development (windows and doors)
7. No use of flat roof
8. Refuse and recycling (Implementation)

9. Non-standard condition:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking and re-enacting that Order with or without modification) no additional internal floor space, via the construction of a mezzanine floor, shall be built within the new residential unit without the express consent of the Local Planning Authority.

10. Non-standard condition:

No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority demonstrating that the development has achieved not less than CO₂ reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and initial water usage (WA1) (150 litres/per/day) standards equivalent to Code for Sustainable Homes Level 4.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the

following Development Plan policies for Merton: policy 5.2 of the London Plan 2015 and policy CS15 of Merton's Core Planning Strategy 2011.

11. Non-standard condition:

Prior to the first occupation of the new dwelling unit hereby approved, the 1.8m high timber fence shown on drawing 124/39 shall be erected.

Reason:

To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2011, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

12. Non-standard condition:

Prior to the first occupation of the new dwelling unit hereby approved the rear extension to no.91 The Quadrant, which also forms part of this application, shall have begun construction.

Reason:

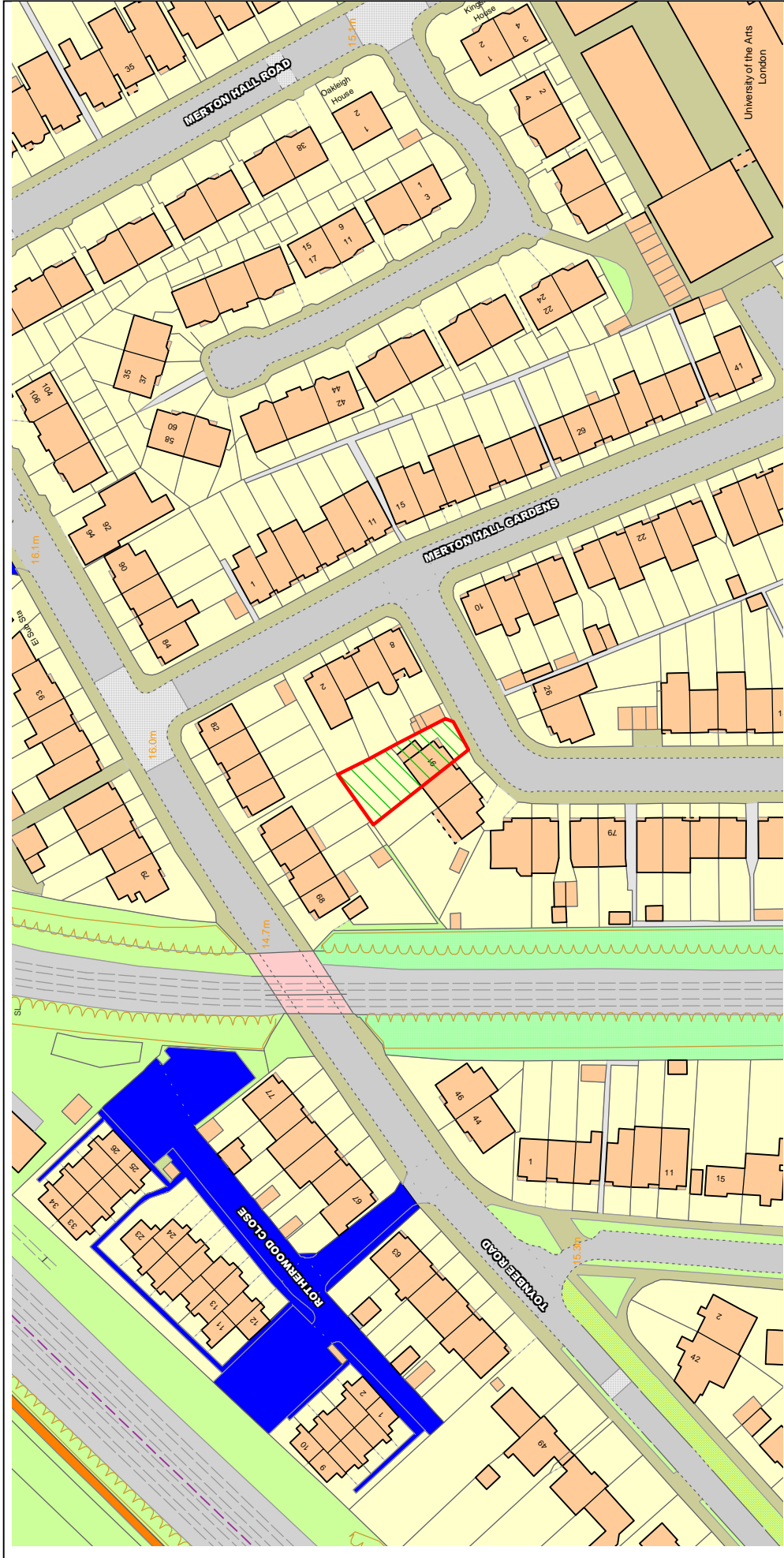
To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2011, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

13. Informative – Party Walls Act

[Click here](#) for full plans and documents related to this application.
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NORTHGATE SE GIS Print Template



Text Details **91 The Quadrant**

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**PLANNING APPLICATIONS COMMITTEE
25 MAY 2017**

APPLICATION NO. DATE VALID

17/P0913 28/02/2017

Address/Site 8 St Mary's Road, Wimbledon SW19 7BW

Ward Village

Proposal: Application for variation of Conditions 2 (Approved Plans) and 14 (Landscaping) attached to LBM Planning Permission Ref.15/P3969 (Dated 25/02/2016) relating to the demolition of existing dwelling and erection of a new four storey dwelling house comprising a basement level and landscaping (Amendments to approved scheme comprising additional oval window to front elevation, revisions to design of dormer windows, removal of rear lantern light, revisions to fenestration, roof light to rear bedroom omitted and roof light facing 10 St Mary's Road omitted and roof light facing 6 St Mary's Road repositioned, together with revisions to landscaping scheme).

Drawing Nos 598/P01 Rev H, 598/P02 Ref F, 610/P10 and Landscape Concept Plan (Rev A – 09/05/2017).

Contact Officer: Richard Allen (8545 3621)

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 comprises a new build two storey detached house (with accommodation at basement level and within the roof space) situated on the north-east side of St. Mary's Road at the junction with Church Hill. The adjacent site at 10 St Mary's Road is currently being redeveloped by the erection of a three storey detached dwelling house. To the south of the application site is 6 St Mary's Road, a large three storey detached dwelling. The application site is not within a conservation area but is close to the boundary with the Merton (Wimbledon North) Conservation Area.

3. **CURRENT PROPOSAL**

- 3.1 The current Application seeks a for variation of Condition 2 (Approved Plans) and 14 (Landscaping) attached to LBM Planning Permission Ref.15/P3969 (Dated 25/02/2016) relating to the demolition of existing dwelling and erection of a new four storey dwelling house comprising a basement level and landscaping (Amendments to approved scheme comprising additional oval window to front elevation, revisions to design of dormer windows, removal of rear lantern light, revisions to fenestration, roof light to rear bedroom omitted and roof light facing 10 St Mary's Road omitted and roof light facing 6 St Mary's Road repositioned, together with revisions to landscaping scheme). Full details of the revisions are set out below:-

Front elevation

- New decorative (gauged header) oval window and stone band added.
- Roof to dormers changed to decorative lead roofs at front and flat lead to side elevations.

Rear elevation

- Lantern light omitted.
- Sizes of windows altered some reduced one enlarged.
- The side elevations denote the change in the second floor plan (swapping side of previously approved roof light).
- The rear elevation itself remains unchanged.

Side elevation viewed from number 10

- Lantern omitted
- Size of windows altered, one window omitted.
- Dormer roof changed to flat lead.
- Roof light omitted.

Side elevation viewed from number 6

- Lantern omitted
- Size of opening in dining area reduced.
- Two windows and side door omitted.
- Roof light moved.

The above changes are set out on drawing 598/P02 Rev F.

3.2 Revisions to landscaping

The previously submitted and approved landscaping plan (Drawing 598/EW 01) has been enhanced with a more detailed landscaping by Anthony Paul Landscaping Design (Rev A -09/05/2017). The plan introduces a timber decking area instead of paving to the terrace adjacent to number 10 and additional soft landscaping introduced on the frontage together with a sliding gate.

4. **PLANNING HISTORY**

- 4.1 The original house dates from 1955. A garage extension was approved in May 1969 (MER 291/69).
- 4.4 In June 1977 a single storey rear extension was approved (MER 328/77).
- 4.3 In June 1978 a dustbin store was approved (MER 163/78).
- 4.4 In March 2002 planning permission was granted for the erection of a part single/part two storey front extension (LBM Ref.01/P2125). July 2007 an application (07/P0369) was submitted to renew this permission. However, the application was withdrawn.
- 4.5 In August 2007 planning permission was granted for the erection of a new bathroom at first floor level and change of use of garage to sitting room at ground level and installation of new roof light to existing bathroom at first floor level (LBM Ref.07/P1853).
- 4.6 In May 2011 Planning permission was granted for the erection of an extension at first floor level and change of use of garage to sitting room at ground level, new roof light to existing bathroom at first floor level (Resubmission of previous lapsed permission 07/P1853) (LBM Ref.11/P0585).
- 4.7 In April 2015 a pre-application meeting was held to discuss the redevelopment of the site by the erection of a replacement dwelling house (LBM Ref.15/P1368).
- 4.8 In November 2015 planning permission was refused by the Planning Applications Committee for the demolition of the existing house and the erection of a new dwelling house (LBM Ref.15/P2556). Planning permission was refused on the grounds that:-

'The proposed dwelling would, by reason of its bulk, massing and siting constitute an overdevelopment of the site, that would be oppressive and overbearing and would have an unacceptable impact on the amenities of the occupiers of number 6 St Mary's Road, contrary to Policy DM D2 of the Merton Sites and Policies Plan (July 2014) and Policy CS14 of the Merton LDF Core Planning Strategy (July 2011).

- 4.9 In February 2016 planning permission was granted for the demolition of existing dwelling and erection of a new four storey dwelling house (including accommodation at basement level and within the roof space) together with associated landscaping and provision of parking (LBM Ref.15/P3969).
- 4.10 6 St Mary's Road
Planning permission was granted in October 2001 for the redevelopment of the site by the erection of a detached dwelling house (LBM Ref.01/P1438).
- 4.11 10 St Mary's Road
It should be noted that a similar redevelopment proposal has been undertaken at 10 St Mary's Road involving demolition of the existing dwelling house and erection of a new detached dwelling house (with basement and accommodation within the roof space) and associated parking and landscaping (LBM Ref.13/P3848 amended by LBM Ref.14/P2534).
- 4.12 In January 2017 a planning application was submitted for the construction of a detached single storey pool house building and open air swimming pool (15m x 2.5 m) part of the rear garden (including part of the former garden of 8 St. Mary's Road) (LBM Ref.17/P0276). This application is currently undetermined.

5. CONSULTATION

- 5.1 The application has been advertised as 'affecting adjacent Conservation Area'. In response 9 letters of objection has been received from local residents. The grounds of objection are set out below:-

- What appear to be small variations to an existing planning permission can have unforeseen consequences to a plan that was carefully considered by the Local planning Authority.
- The proposed new windows will overlook the garden of number 6 St Mary's Road.
- The swimming pool proposed for the garden of 10 St Mary's Road (using part of the former garden of 8 St Mary's Road) will affect trees.
- The site is already fully developed and the shortend garden constitute further over development.
- Planning permission for changes should not be given unless occupiers of properties both sides of the application site agree to the changes.
- The oval window is out of character.
- The roof light adjacent to 6 St Mary's Road and 1 Church Hill will cause overlooking.

- The repositioned dormer window would overlook 6 St. Mary's Road and 1 Church Hill.
- The application will result in a reduction in the size of the garden.
- There is an on-going boundary dispute between the owners of 4 St Aubyn's Avenue and the application site and no decision should be made until the dispute is resolved as the construction of the new brick wall cannot be undertaken until the boundary dispute is settled.

5.2 Tree Officer

The Tree Officer has been consulted and states that it is proposed to erect a 1.8 metre boundary wall at the rear of the property. As this construction shall take place within the root protection area (rpa) of the protected Oak tree located in the neighbouring garden, the tree officer would have expected to have seen an Arboricultural Method Statement and Tree Protection plan submitted with the planning documents. In response to the tree officers concerns the 1.8 metre high brick boundary wall originally proposed has been replaced with a 1.8 metre high close boarded fence to avoid the need for any deep excavation within the root protection zone of the trees.

6. **POLICY CONTEXT**

6.2 Adopted Merton Core Strategy (July 2011)

CS8 (Housing Choice), CS9 (Housing Provision), CS13 (Open Space, Nature Conservation, Leisure and Culture), CS14 (Design), CS15 (Climate Change) and CS20 (Parking)

6.3 Sites and Policies Plan (July 2014)

DM H2 (Housing Mix), DM H4 (Demolition and Redevelopment of a Single Dwelling house), DM 02 (Nature Conservation, Trees, Hedges and Landscape Features), DM D2 (Design Considerations in all Developments), DM D4 (Managing Heritage Assets), DM F2 (Sustainable Urban Drainage Systems) and DM T4 (Car Parking and Servicing Standards).

6.4 London Plan (March 2015)

3.8 (Housing Choice), 5.1 (Climate Change Mitigation), 5.3 (Sustainable Design and Construction), 7.6 (Architecture),

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the design of the proposed revisions to the approved scheme and their impact upon the adjacent conservation area together with neighbour amenity and tree issues.

7.2 Design Issues

The repositioning of the roof light, revisions to the design of the dormer windows and fenestration are considered to be acceptable in design terms and the proposal complies with the aims of policies CS14, DM D2 and DM D3.

7.3 Impact upon Conservation Area

The application site is close to the boundary with the Merton (Wimbledon North) Conservation Area (the CA boundary is opposite the site). The revisions to the approved scheme are of a relatively minor nature. The proposal would not therefore, affect the character or appearance of the adjacent conservation area and is acceptable in terms of policy DM D4.

7.4 Neighbour Amenity Issues

The concerns of the neighbours are noted. However, the proposal would result in the removal of a roof light facing 10 St Mary's Road and repositioning a roof light from behind the chimney to the rear recessed section of the roof facing 6 St Mary's Road. The repositioned roof light would face onto the roof of 6 St Mary's Road and the internal height of the roof light would prevent any overlooking. The revisions to the design of the dormer windows and fenestration would also not affect neighbour amenity. The proposal is therefore considered to be acceptable in terms of policy DM D2.

7.5 Trees

Although there are no existing trees on the site that are protected by tree preservation order (TPO), the application originally proposed a 1.8 m high brick boundary wall at the rear of the garden that would be within the roof protection area of the Oak tree (protected by a TPO) situated within the rear garden of number 10 St Aubyn's Avenue. However, in order to protect the Oak tree the brick wall originally proposed has been replaced with a 1.8 metre high close boarded fence.

SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

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

10. **CONCLUSION**

10.1 The concerns of the neighbours have been noted. However, the proposed amendments are of a minor nature and are considered to be acceptable in terms of neighbour amenity and the proposed revisions would preserve the character and appearance of the adjacent Merton (Wimbledon North) Conservation Area. Accordingly, it is recommended that a variation of Condition 2 (Approved Plans) be granted.

RECOMMENDATION

GRANT VARIATION OF CONDITION

1. Condition 2 of LBM Planning permission Ref.15/P3969 (Dated 25/2/2016) be varied as follows:-

'The development is undertaken in accordance with the following approved plans 598/P01 Rev H, 598/P02 Ref F, 610/P10 and Landscape Concept Plan (Rev A – 09/05/2017).

Reason: In the interest of proper planning'.

and that:-

2. Condition 14 (Landscaping Scheme) be varied as follows:-

The landscaping scheme shall be undertaken in accordance with the details set out on unnumbered Landscape concept Plan (Dated 14 February 2017) produced by Anthony Paul Landscape Design unless otherwise agreed in writing by the Local Planning Authority and the landscaping works shall be implemented in accordance with the approved details.

Reason for condition: To ensure a satisfactory appearance to the completed development and to comply with policy DM O2.

3. INFORMATIVE

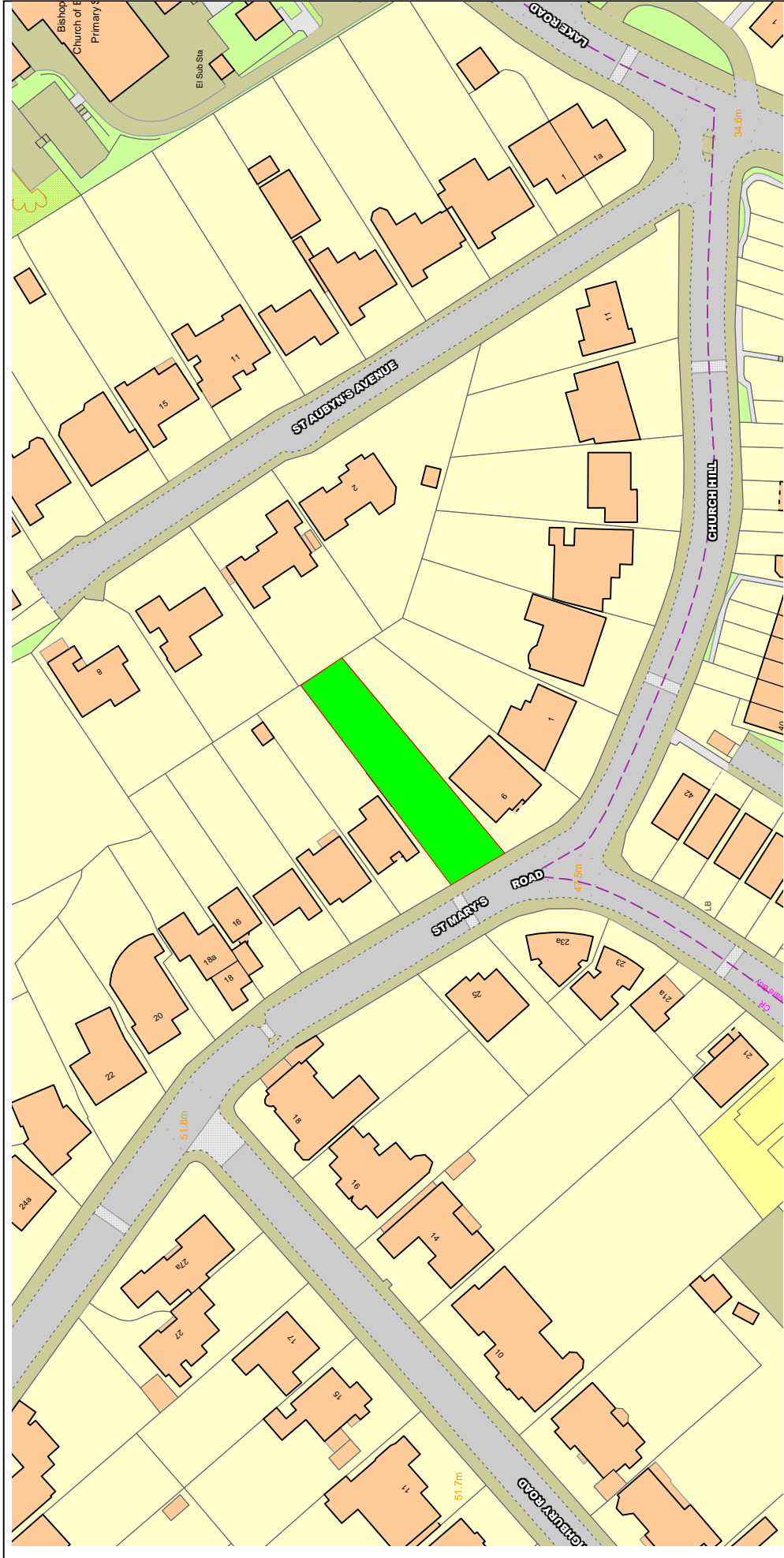
The applicant is hereby informed that planning conditions attached to LBM Planning permission Ref. 15/P3969 (dated 25/2/2016) continue to apply.

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

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NORTHGATE SE GIS Print Template



Text Details **8 St Marys Rd**

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PLANNING APPLICATIONS COMMITTEE 25th May 2017

APPLICATION NO. DATE VALID

16/P4418

11/11/2016

Address/Site: 23 Streatham Road, Mitcham, CR4 2AD

Ward Figges Marsh

Proposal Demolition of existing building and erection of a single storey Lidl foodstore with associated car parking, cycle parking and landscaping.

Drawing No's Site location plan and drawings; 010041 Rev 11, 010042 Rev 3, 010043 Rev 2, 010044 Rev 5, 020041 Rev 6, 020051 Rev A, 020052 Rev A, 1214 Rev C, 900300 Rev 1, 17/0301/SK04 Rev C & 17/0301/TK07 Air quality assessment by Syntegra Consulting ref 16-2728 February 2017, Noise Impact assessment report by Acoustic Consultants Ltd ref 6527/BL/cg February 2017

Contact Officer Leigh Harrington (020 8545 3836)

RECOMMENDATION

GRANT PLANNING PERMISSION subject to 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 - 137
- Press notice - Yes
- Site notice - Yes
- External consultations – Transport for London, Metropolitan Police
- Density - N/A
- Number of jobs created 10 Full time, 30 Part time

1. INTRODUCTION

- 1.1 This application is brought before the Planning Applications Committee due to scope and level of objection.

2. SITE AND SURROUNDINGS

- 2.1 The application site (0.65 hectares) is situated on the south east side of Streatham Road to the east of the junction with Graham Avenue which runs along one side of the site. Part of the site is currently occupied by a vacant Halfords store and associated parking area. The site also includes a vacant area of open land with mature trees to the rear adjacent to Tudor House and an area of vacant hard standing to the east behind a garage and adjacent to Coast House and Beaulieu Close. Neither of these parcels of land is afforded any protection from development by way of planning policy or specific designation in the Merton Sites and Policies plan. The front of the site opens onto Streatham Road with Figges Marsh open space beyond that. A number of mature trees are located on the corner of Streatham Road and Graham Avenue including three which are the subject of a Tree Preservation Order. Three trees to the rear of the site on the Graham Avenue elevation are also subject of the same TPO.
- 2.2 The site is not within either an Archaeological Priority Zone (APZ), Controlled Parking Zone (CPZ) or Conservation Area and is not shown to be at risk of flooding. Streatham Road is a London Distributor Road carrying heavy traffic loads. The site enjoys above average access to public transport with a PTAL level of 4.

3. CURRENT PROPOSAL

- 3.1 The proposal involves the demolition of the vacant Halfords unit (1394 sq.m). Once cleared there would be an expanded area of parking located in front of the new supermarket building (2152 sq.m GIA – plot ratio of 0.33 to 1) which would extend back 76.5m to incorporate the vacant area of open land to the rear of the site whilst the existing vacant hardstanding area would be utilised to provide an additional parking area.
- 3.2 The 33m wide glazed frontage of the supermarket would face Streatham Road with a corner entrance in the north east corner of the building. The building would feature a sloping roof with a height of 7.56m along the eastern elevation sloping down to 5.26m along most of the Graham Avenue elevation. The building would feature exposed brickwork to a height of around 4m along each of the other three elevations with a light coloured cladding finished area up to the roof slope. Servicing and deliveries would take place at the rear of the store within a flat roofed enclosed section with a 4.41m roof height. The store will include a bakery area as well as chiller and freezer sections and have a total GIA of 2,236m² with a sales area of 1352m². Plant and machinery for the freezers and chillers will be located on a mezzanine level above that equipment.

3.3 Externally the store will provide 93 parking space, two trolley bays, cycle parking and boundary landscaping. To improve access to the store and not to impact on traffic movement there will be alterations to the road layout through new road marking and traffic island placement on Streatham Road with details to be agreed between the Council and the applicant under the Highways Act. An advertising totem would be situated on the Streatham Road elevation by the entrance and would be subject to a separate consent under the Advertisement Regulations.

4. PLANNING HISTORY

4.1 05/P0035 Planning permission granted for the change of use from retail store for the sale of cycle and vehicle parts, accessories and associated products together with mot and service bay facilities to use as a non-food retail warehouse within class A1.

4.2 92/P0565 Advertising consent granted for retention of three forecourt light-column

4.3 90/P0197 Advertising consent granted for display of internally illuminated signs to Streatham Road elevation.

4.4 89/P0532 Planning permission refused but allowed on appeal for erection a of retail store for the sale of cycle and vehicle parts and accessories with mot bay five vehicle service bays and associated car parking.

5. CONSULTATION

5.1 The application was advertised by means of neighbour notification letters, Major Application Press Notice and a site notice.

5.2 5 letters of objection have been received from local residents and supported by Councillor Stanford raising the following concerns:-

- The position of the building is too far back from Streatham Road impacting views from the houses opposite There should be a screen along the Graham Avenue elevation.
- The proximity of the new building impacts views and causes loss of light and outlook from Tudor House whilst the access to the service area will present problems of noise and pollution from HGV traffic. There should be no night time deliveries.
- Proposed level of parking is excessive and will cause issues of tailbacks along Streatham Road, increased noise and disturbance.
- There should be no access from Graham Avenue.
- No new low walls that will encourage Anti-social behaviour.

- No need for another Lidl so close to other stores.
- Will increase litter and anti-social behaviour.
- The car parks need to be properly secured to prevent unauthorised use.
- Loss of the ivy along Graham Avenue, no details of green walls.
- There was no meaningful response to neighbour comments from the public consultation.

5.3 Highways officers raised no objection subject to conditions.

5.4 Transport planning were satisfied that sufficient vehicle and cycle parking facilities were provided and that the revised road layout for site access was acceptable.

5.5 Transport for London were consulted on the proposals following concerns that the proposals might lead to traffic reaching the Figges Marsh roundabout. Following discussions with the applicant they are satisfied with the revised access design.

5.6 Future Merton Policy officers raised no objection to the proposals.

5.7 Metropolitan Police Designing out Crime Officer.

Detailed concerns raised regarding security measures including improving proximity of cycle stores to store, the need to widen a pedestrian route to the store, lighting levels to be to British Standard and vehicle gates to car park to prevent out of hours use.

5.8 Climate change officers were satisfied that the development should achieve BREEAM 'Very good' and that the proposals were policy compliant..

5.9 Environmental Health officers were consulted and as a result further information was provided relating to noise impacts and subject to conditions there were no objections to the proposals.

5.10 Flood Risk Management considered the submitted SUDS proposals and raised no objections subject to conditions.

5.11 Trees officer raised no objection following the submission of revised landscaping proposals.

6. POLICY CONTEXT

6.1 London Plan (March 2015).

4.7 (Retail and town centre development), 5.2 (Minimising CO2 emissions), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.15 (Water use and supplies), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.13 (Parking), 7.2 (Inclusive environment), 7.4 (Local character), 7.5 (Public realm), 7.6 (Architecture), 7.19 (Biodiversity and access to nature).

6.2 Merton LDF Core Planning Strategy (July 2011).

CS 2 (Mitcham Sub Area), CS 7 (Centres), CS 11 (Infrastructure), CS 12 (Economic Development), CS 14 (Design), CS 15 (Climate Change), CS 17 (Waste management), CS 18 (Active Transport), CS 19 (Public Transport) & CS 20 (Parking servicing and delivery)

6.3 Merton Sites and Policies Plan (2014)

DM D1 (Urban Design and the Public Realm), DM D2 (Design considerations in all developments), DM D3 Alterations and extensions to existing buildings, DM EP 2 (Reducing and mitigating against noise), DM EP4 (Pollutants), DM F2; Sustainable urban draining systems (SUDS), DM O2 (Nature conservation), DM R2 (Development of town centre type uses outside town centres), DM T1 (Support for sustainable transport and active travel), DM T2 (Transport impacts of development), DM T3 (Car parking and servicing standards).

6.4 National Planning Policy Framework (2012)

Key planning objectives for local planning authorities relevant to the application.
Overarching objectives.

- To proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- To recognise town centres as the heart of their communities and pursue policies to support their viability and vitality;

Retail impact.

- When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold

Transport impact and accessibility.

- All developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.
- Safe and suitable access to the site can be achieved for all people; and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

- Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to: accommodate the efficient delivery of goods and supplies; give priority to pedestrian and cycle movements, and have access to high quality public transport facilities; create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones; incorporate facilities for charging plug-in and other ultra-low emission vehicles; and consider the needs of people with disabilities by all modes of transport.

Design.

- It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes.
- Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.

Sustainability.

- To support the move to a low carbon future, local planning authorities should: plan for new development in locations and ways which reduce greenhouse gas emissions; actively support energy efficiency improvements to existing buildings; and when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards.

Environmental impacts.

- Mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions; recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established

Proactive negotiation and decision making.

- Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

7.0 PLANNING CONSIDERATIONS

7.1 The main planning considerations include the principle and impact of re-developing the site for a discount retailer, neighbour amenity, traffic highways and parking, design and appearance, biodiversity and sustainability.

7.2 The retail impact of the supermarket use.

The existing lawful use of the site falls within Use Class A1, the same Use Class as this proposal, albeit the former use was a non-food retail use. The store will be operated by Lidl whose business model is that of an identified group of retailers known as Limited Assortment Discounters (LAD) who typically stock less than 1000 items compared to 5-10,000 items in a comparable mainstream supermarket. The shops do not offer concessions such as pharmacies, opticians, cold meat counters etc and so offer less competition to smaller local businesses. The consequence of this is that this form of retail is acknowledged to have a different impact on other retailers and the wider area than mainstream operators. The applicants have submitted a Retail Impact Assessment and Sequential test information which has been considered by the Council's retail policy officers who were of the opinion that provided the operator remained an LAD then there would not be an unacceptable impact on local retail services and that the proposals would therefore accord with relevant out of centre retail policies. A condition to this effect is recommended.

7.3 Neighbour amenity

The application was extensively consulted on by letter, press notice and site notice and there were concerns raised relating to the impact on neighbour amenity and in particular for the occupiers of Tudor House. As the area of open land to the rear of the current site will be developed as part of the application it will result in the delivery bay being located 6m from Tudor House. However the height of the works are such that the proposal would meet the 25 degree eye line test and therefore visual intrusion and loss of outlook would not be such as to justify a refusal of planning permission.

7.4 With regards to light, the application was supported by a Daylight, Sunlight and Overshadowing report which assessed the impact of the proposals on the closest residential properties at 8 Harbour Close (Coast House), 3 Graham Avenue. (Tudor House) and 6-28 Graham Avenue. In relation to daylight the report concluded that the impact as defined by the BRE was negligible. For sunlight, only relevant windows in two premises received direct sunlight and the impact on them was also within the negligible category. In terms of overshadowing the impact on all three sites was also negligible. Consequently the impact of the proposals on neighbour amenity in relation to light is considered to be acceptable in terms of BRE guidance.

7.5 Noise impact and Air quality assessments accompanied the application. The Council's Environmental Health officers have considered the documents and

were of the opinion that if the recommendations were incorporated into the development there would be no harmful impact on the amenity of neighbours. Therefore in order to protect neighbour amenity from noise and air pollution, relevant planning conditions are recommended that the report findings be implemented. Additionally a 2.4m high acoustic fence along the boundary would further assist in mitigating the impact and the delivery loading bay is now to be enclosed. Stores of this size typically receive two deliveries a day and conditions regulating their hours should further mitigate the impact on neighbour amenity.

7.6 Traffic, highways and parking

When the application was originally submitted officers raised concerns regarding access to and from the site and the impact of cars queuing to enter the site on the smooth operation of the highway. Following discussions with officers from LBM and TfL a scheme to reposition the traffic island and create a waiting zone for 5 cars waiting to turn right into the site is considered adequate to prevent tailbacks having a clogging effect on the Figges Marsh roundabout and further impact traffic in Mitcham. A yellow box junction across the entrance will prevent the entrance becoming blocked. A condition requiring these works to be carried out before the store becomes operational is recommended.

- 7.7 The proposal will provide 93 parking spaces in two areas of the site. The 28 space area in front of the site includes 10 accessible spaces and 5 parent and child spaces. In the larger 65 space car park 2 rapid charging bays will be provided with 8 spaces ready for future connection. 24 cycle spaces will be provided for customers at the front of the store and 12 to the rear for staff. The council's transport officer has confirmed that this meets London Plan standards. Vehicle tracking diagrams demonstrate that the delivery bay can be accessed by HGVs. Pedestrian access would be to the east of the site with a walkway leading to a marked crossing leading to the store entrance. A knee high fence along the Graham Avenue and Streatham Road elevations will channel pedestrians in through the main Streatham Road entrance.

Design/Appearance and Impact on the streetscene

- 7.8 London Plan policies 7.4 to 7.6, Core strategy policy CS14 and SPP policies DMD1 and D2 provide an overarching framework for delivering a high quality public realm, high quality design and ensuring that development proposals respect the appearance, materials, scale bulk, proportions and character of the surroundings. The proposed building will be of a functional design.
- 7.9 The layout, which develops the site at a plot ratio of only 0.33 to 1, reproduces that of the Halfords store to be removed insofar as it places a large area of car parking to the front rather than enabling the building to be drawn closer towards Streatham Road and extends the blank elevation along Graham Avenue rather than introducing other uses that might be suitable to a residential street such as housing.

- 7.11 The placing of a large retail “shed” set behind forecourt parking on Streatham Road with an elevation that does not address Graham Avenue, has previously been deemed acceptable on the site following an appeal decision.
- 7.12 With regards to the impact on the Streatham Road frontage arising from the redevelopment, the light coloured cladding reduces the visual impact of the roof and the front elevation is predominantly glass to create the effect of light and space and will be set behind and enclosed within improved landscaping so as not to jar with views from Figges Marsh. The proposals, while incorporating green walls features, would extend a similar “blank” elevation onto Graham Avenue further southwards.
- 7.13 While alternative forms of development of the site might offer greater opportunity for enhancing the public realm along both Streatham Road and Graham Avenue and creating a greater level of interaction with the street, with uses, in the case of Graham Avenue, suitable to a residential street, planning decision making is based not on whether alternative development options might be pursued but very much on whether the merits of the current proposals outweigh harm that might arise.
- 7.14 The proposals would not improve the public realm by placing a building in a location that enhances the level of more immediate interaction between pedestrians and the building. However, the net effect of the proposals on Streatham Road is somewhat neutral in this respect while the impact on Graham Avenue would consolidate and expand a design approach which has previously been deemed acceptable on appeal. On balance it may be considered that the delivery of an employment generating use appropriate to its location and not likely to have harmful impact in other respects may be supported.
- 7.13 Concerns have been raised regarding the impact of the loss of the ivy clad walls of the existing building on the views from the houses opposite the site. The proposals were to replace this wall with 2x purpose built green wall sections. The use of natural climbing ivy walls was suggested by officers however the applicant states that there is insufficient space on the Graham Avenue elevation to provide space for the ivy planting beds other than at the rear of the site by Tudor House. Consequently this elevation would feature a green wall, the three existing trees towards the centre of the site and ivy planting behind planting beds near Tudor House. The maintenance of these features is recommended to be secured by condition.
- 7.14 Biodiversity and Trees

The application was submitted with an ecology habitat report that stated ‘The nature of the proposed development, its location and the relatively small size of the site are all factors which will combine to result in no adverse impacts upon

surrounding habitats, protected species and wildlife in general'. The report did however recommend types of nesting spaces that should be provided on the new development and that restrictions should be placed on demolition times in order to minimise any impact on the fauna that does inhabit the site. There is a low risk of Bats roosting on site but the wording of the condition requiring a demolition and construction method statement requires a soft strip of the roof under the supervision of a suitably qualified ecologist.

The existing mature ivy supports nesting sites for a number of birds and in addition to the re-provision of ivy planting to the rear of the site, the wall along the elevation will be built incorporating a number of purpose built nesting spaces designed for bird species that nest in that manner. It is recommended that a condition be attached to the permission that requires the design and positioning of these bird nesting spaces to be approved prior to the opening of the new store.

7.15 The site features four trees subject of Tree Preservations Orders which will not be affected by the proposals. Two trees of lower quality would be removed from the junction of Streatham Road and Graham Avenue including one that is protected (T1 of TPO-700 – a small oak tree) whilst a new specimen will be planted at the rear to replace the removal of a further protected tree (T6 of TPO-700- a horse chestnut). 4 further trees will be planted as part of the proposals along the boundary with Beaulieu Close resulting in a net increase in trees on the site.

7.16 The design has also been amended to provide more openness on the Graham Avenue elevation and the level of planting has been increased around the site in response to the concerns of officers. Notwithstanding the loss of protected trees it is considered that the proposed planting would mitigate for the impact of their loss and overall the proposals would not conflict with the objectives of adopted policy DM.O2 which while seeking to safeguard trees of amenity value acknowledges that a degree of flexibility should be applied to their protection which the benefits of a development outweigh amenity considerations. Suitable conditions are recommended to ensure the protection of the retained trees on site during the construction process and to delivering the proposed landscaping.

7.17 Sustainability and construction

Merton Core strategy policy CS15 sets minimum sustainability requirements for major developments and the Council's climate change officer has confirmed that the proposals are compliant with the relevant policy requirements. A condition to ensure the development achieves a Breeam "Very Good" rating is recommended.

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

- 9.1 The proposal will introduce a new Limited Assortment Discount retailer which will occupy the site with a new supermarket, ancillary car parking and landscaping. In order to facilitate the anticipated increased level of customer traffic the proposals will also involve alterations to the highway layout of Streatham Road.
- 9.2 Officers have considered the accompanying information that was submitted with the application and consider that subject to the imposition of suitable conditions the new store could operate without having an adverse impact on the retail hierarchy in the area, the amenity of neighbouring occupiers, the effective operation of the highway or local biodiversity.
- 9.3 The plain and simple shop design would not appear unattractive when viewed from Figges Marsh and from the north. The placing of a large retail “shed” with a large area of forecourt parking and an elevation, that does not address Graham Avenue, has previously been deemed acceptable on the site following an appeal. While alternative forms of development of the site might offer greater opportunity for enhancing the public realm along both Streatham Road and Graham Avenue and creating a greater level of interaction with the street, planning decision making is based not on whether alternative development options might be pursued but very much on whether the merits of the current proposals outweigh harm that might arise. Members may reasonably conclude in this case, notwithstanding the shortcomings of the design, and having regard to the earlier appeal decision, that on balance the proposals may be approved.

RECOMMENDATION

Grant planning permission subject to conditions

1. A.1 Commencement of development for full application
2. A.7 In accordance with the approved plans Site location plan and drawings; 010041 Rev 11, 010042 Rev 3, 010043 Rev 2, 010044 Rev 5, 020041 Rev 6, 020051 rev A, 020052 Rev A, 1214 Rev C, 900300 Rev 1, 17/0301/SK04 Rev C, 17/0301/TK07 Air quality assessment by Syntegra Consulting ref 16-2728 February 2017, Noise Impact assessment report by Acoustic Consultants Ltd ref 6527/BL/cg February 2017

3. B.3 External materials as specified.
4. B.4 Details of site/surface treatment to be approved.
5. B.5 Details of walls/ fences and security gates to be approved.
6. C.6 Details of refuse storage to be approved.
7. Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until a Post-Construction Review Certificate issued by the Building Research Establishment or other equivalent assessors confirming that the non-residential development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good' has been submitted to and acknowledged in writing by the Local Planning Authority. The submission shall also include confirmation that the development will deliver the carbon savings outlined with the approved energy strategy (ACL-4101-03-02 – Energy Statement rev1.pdf, 07-02-2017). 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.
8. No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period. The Statement shall provide for:
 - hours of operation;
 - confirmation that works will be undertaken outside of the bird nesting season unless in the supervision of a qualified ecologist and that the demolition of the roof shall be undertaken as a soft strip demolition under the supervision of a suitably qualified ecologist.
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding including decorative -displays and facilities for public viewing, where appropriate
 - wheel washing facilities
 - measures to control the emission of noise and vibration during construction.
 - measures to control the emission of dust and dirt during construction/demolition
 - a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason; To safeguard the amenities of the area, the occupiers of neighbouring properties and the protection of wildlife and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Polices Plan 2014.

9. The noise mitigation measures as recommended in the Noise Impact Assessment report by Acoustic Consultants Ltd ref 6527/BL/cg February 2017 shall be implemented before commencement of the use hereby approved. 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 policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Polices Plan 2014.
10. D.5 Soundproofing of Plant and Machinery. Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery associated with the development shall not exceed LA90-10dB at the boundary with the closest residential or noise sensitive property.
11. D.8 Deliveries No servicing of (including waste service collections) or deliveries to the retail premises shall take place other than between the hours of 07:00 and 23:00.
12. D. 11 Hours of construction
13. The air quality mitigation measures as proposed in the air quality assessment by Syntegra Consulting ref 16-2728 February 2017 shall be incorporated into the development. Details of these measures shall be submitted to the local planning authority for approval before the development is implemented and such details as are approved shall be implemented before commencement of the use hereby approved. 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 policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Polices Plan 2014.
14. D.10 External lighting
15. F2 Landscaping implementation All hard and soft landscape works shall be carried out in accordance with the approved details as shown in drawings-- 020052 Rev A, 020052 Rev A & 1214 Rev C. 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 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.

16. F5 Tree protection
17. Prior to first occupation of the development hereby approved the applicant shall have entered into and completed an agreement under s278 of the Highways Act with the Local Highways Authority to secure the repositioning of highway furniture and the remarking of the highway and the provision of access to the site as may be required and as shown on the drawings 17/0301/SK04 Rev C & 17/0301/TK07 Reason. To ensure the safe and efficient operation of the public highway in accordance with policies CS 20 of the Core Strategy 2011 and DM T2 of the Adopted Merton Sites and Policies Plan 2014.
18. Prior to the commencement of the use the car parking spaces, including 10% of the spaces for persons with disabilities to serve the development together with 10% of the spaces provided with facilities to charge electric vehicles plus a further 10% providing passive provision shall be provided and thereafter shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose for the lifetime of the development. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan.
19. H.6 Cycle Parking design of secure cycle stores
20. H.7 Cycle storage provision
21. H.12 Delivery and Servicing Plan (including details of the size of service vehicles and timing of deliveries)
22. H 13 Construction logistics plan
23. M.1 Contaminated Land – Site investigation. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11 and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.
24. M.2 Contaminated Land – Remedial measures Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning

Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

25. M.3 Contaminated Land – Validation report. Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.
26. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Reason: In order to protect the health of future occupiers of the site and adjoining areas in accordance with the following Development Plan policies for Merton: policy 5.21 of the London Plan 2015 and policy DM EP4 of Merton's Sites and Policies Plan 2014.
27. Non-standard condition [Details of drainage]: Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:
 - i. Provide information about the design storm period and intensity, attenuation (attenuation volume to be provided is no less than 317m³) and control the rate of surface water discharged from the site to no more than 7.9l/s;
 - ii. Include a timetable for its implementation;
 - iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

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

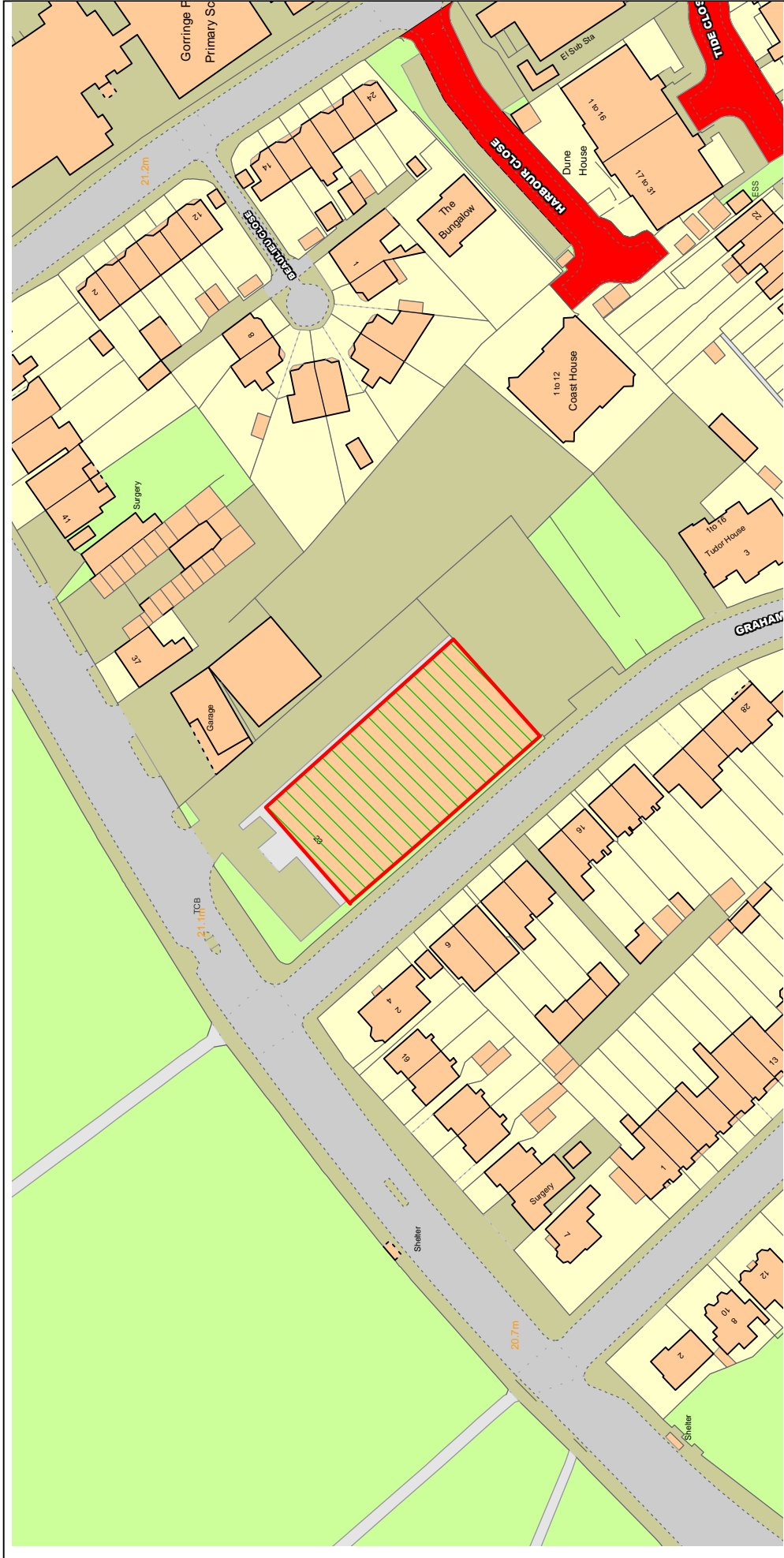
Reason: To reduce the risk of surface and foul water flooding and to ensure the scheme is in accordance with the drainage hierarchy of London Plan 2015 policies 5.12 & 5.13 and the National SuDS standards and in accordance with policies CS16 of the Core Strategy and DMF2 of the Sites and Policies Plan.

28. Non standard condition No more than 1,352 sq.m of the total retail floor space hereby approved shall be used for the sale of convenience goods and no more than 423 sq.m shall be used for the sale of comparison goods and the retail unit hereby approved shall offer for sale no more than 2,500 individual product lines. Reason: The Local Planning Authority would wish to retain control over any further change of use of these premises in the interests of safeguarding the vitality and viability of nearby town centres in accordance with the applicant's retail impact assessment to ensure compliance with the following Development Plan policies for Merton: policy 4.7 of the London Plan 2015, policy CS 7 of Merton's Core Planning Strategy 2011 and policy DM R2 Merton's Sites and Polices Plan 2014.
29. Commencement of the use shall not take place until full details of the method of design and construction of the living wall including a long term planting strategy and plant specification of the size, species and density of the proposed plants, including an irrigation rig & system, and a long term maintenance regime for the whole of the living wall has been submitted to and approved in writing by the Local Planning Authority. Such details shall include management responsibilities for the maintenance of the living wall. The living wall shall be installed in accordance with the approved details and shall be maintained thereafter in accordance with the approved scheme unless otherwise agreed in writing by the Local Planning Authority. Reason: To enhance the appearance of the development and to ensure the development is maintained in the interest of the amenities of the area and to comply with the following Development Plan policies for Merton.
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PLANNING APPLICATIONS COMMITTEE
25th May 2017

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
17/P0903	08/03/2017	
Address/Site:	Wellington House, 60 – 68 Wimbledon Hill Road, Wimbledon, SW19 7PA	
Ward	Hillside	
Proposal:	Refurbishment of the existing commercial building including the recladding of the exterior of the building, erection of one additional floor and infilling of the surface level car park to create an additional 1,795sqm Gross Internal Area (GIA) (1,935sqm Gross External Area (GEA)) of office use (Class B1). Amalgamation of two ground floor class A2 units into a single class A2 unit. Reduction in the number of on-site car parking spaces from 34 to 7 and reduction in number of on-street parking bays currently located outside Mansel Court on Mansel Road from 4 to 3. Terrace to be located at level 4.	
Drawing Nos:	064-A-11-09(K), 10(L), 11(H), 12(G), 13(C), 14(H), 15(I), 064-A-16-01(F), 02(E), 03(A) 064-A-17-01(G), 02(H), 03(E), 04(E), 05(E) & 06(F)	
Contact Officer:	David Gardener (0208 545 3115)	

RECOMMENDATION

GRANT Planning Permission Subject to Conditions and S106 Agreement

CHECKLIST INFORMATION

- Heads of agreement: Short stay cycle parking contribution, S278 Agreement, Carbon Emissions Offset Contribution, permit free
- 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: Yes (at pre-application stage)
- Number of neighbours consulted: 354
- External consultations: None

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a four storey (plus plant room) mixed use building with a gross internal floor space (GIA) of 2475sqm. The building is located on the corner of Wimbledon Hill Road and Mansel Road on the edge of the designated Wimbledon Town Centre area.
- 2.2 At ground floor level, facing Wimbledon Hill Road, it comprises 2 estate agents and 1 letting agency (A2 financial and professional services) and 1 restaurant (A3 café / restaurant). The 3 floors above are in office use (Use Class B1) served by an entrance lobby on Mansel Road. Adjacent to the entrance lobby on Mansel Road is a surface car park and refuse storage area with a ramped access down to a basement car park. There are 7 parking spaces at surface level and 27 at basement level.
- 2.3 Mansel Court, which is a recently remodelled and extended five and six-storey office building, sits adjacent to the site on Mansel Road, separated by the car park. 58 Wimbledon Hill Road is a four storey building attached to Wellington House on the Wimbledon Hill Road frontage comprising restaurant use at ground floor level with office above. Forming part of the redevelopment of 58 Wimbledon Hill Road is a four storey element at the rear comprising six self-contained residential flats on its first, second and third floors. This element is known as 58 Worple Road Mews.
- 2.2 Wellington House is located in the Merton (Wimbledon Hill Road) conservation area. The immediate area comprises an eclectic mix of building styles and sizes. Wellington House on one side of Wimbledon Hill Road and Melbury House, a modern four-storey building on the opposite side (on the corner of Wimbledon Hill Road and Woodside) replace earlier terraces. Traditional Victorian terraces comprising commercial uses at ground floor level and a mixture of office and residential uses above are located on the application site of Wimbledon Hill Road. On the opposite side, south of Alwyne Road, are the highly ornate Jacobean style 'Bank Buildings' of 37-47 Wimbledon Hill Road.
- 2.3 Mansel Road is a predominantly residential street running between Wimbledon Hill Road and Raymond Road to the south. Towards Wimbledon Hill Road the residential terraces give way to larger office, school and church buildings that mark the start of the town centre area. The boundary lies between the office building known as Mansel Court and the neighbouring nursery use. Trinity Church and Hall is a grade II listed building from 1885, built in a Gothic style of red brick and stone dressing and is located further along Mansel Road. There are a further eleven locally listed buildings along

Mansel Road that are considered to contribute to the character and appearance of the conservation area.

- 2.4 The application site has excellent public transport links (PTAL rating of 6b) being sited in very close proximity to Wimbledon tube, railway and tram station and a number of bus routes.

3. CURRENT PROPOSAL

- 3.1 This is the second planning application for the refurbishment and extension of the current building following the refusal of the previous application (LBM Ref: 16/P2942). The proposal is for the refurbishment of the existing building with significant changes to the external appearance of its principal street elevations, including recladding of the existing concrete frame with new patterned brickwork, creating a curved corner with glazing panels, new shopfronts, alterations to the principal street elevations, reconfiguration of internal spaces and erection of one additional floor. It is also proposed to amalgamate the two A2 units closest to the junction into a single A2 unit.
- 3.2 An infill building is proposed in the location of the surface car park with the total number of car parking spaces reduced, from 34 (basement and ground level) to 7 ground level spaces which will include one blue badge holder space. Plant and 64 long stay cycle spaces with shower and locker facilities would be located at basement level.
- 3.3 A total of 1,795sqm of GIA (Gross Internal Area) additional office space is proposed which means the GIA of the proposed extended building would be 4,270sqm. The new office floor plates would be high quality 'A' grade office.
- 3.4 The building will have a maximum height of approx. 17.04m to the top of level 4 and 19.05m to the top of the roof plant. The building would have a terrace at level 4. A link element between the main element of the building and the side boundary with Mansel Court would be set back approx. 6m behind the main element of the building. Facing materials would include red brick with profiled pattern to main façade, double glazing and powder coated aluminium framed windows and glazed green tiled retail cornice to the main façade. The link element and the section of level 4 which is set back from the buildings Mansel Road frontage would comprise a powder coated aluminium framed curtain wall system.
- 3.5 An on-site loading area for small to medium sized vehicles is now provided within the ground level car parking area, with larger vehicles loading on-street. In the case of on-street loading and unloading, the vehicle would be required to park in front of Mansel Court although part of the vehicle would be able to park in front of the basement access. The proposed on street loading arrangement would be facilitated by re-locating and re-configuring four existing on-street parking bays, with the loss of one bay but an improvement in their dimensions.

- 3.6 The key differences between the current and previous applications (LBM Ref: 16/P2942) are:
- A one storey increase in storey height instead of a two storey increase
 - Use of coloured glazed tiling to retail frontages
 - Reduction in the number of on-site car parking spaces from 11 to 7
 - It is no longer proposed to change the use of the amalgamated A2 unit into an A3 unit. This unit would remain in A2 use.
 - Medium sized delivery vehicles would now be able to park within the proposed car parking area. It was originally proposed that these vehicles would park in front of the car access

4. PLANNING HISTORY

The following planning history is relevant:

- 4.1 MER676/76 - Retention of a 4 storey building with 4 shops on ground floor, showrooms on 1st floor, and offices on 2nd and 3rd floors with a basement car park. Granted - 07/02/1977
- 4.2 MER109/77 – Change of use to offices. Granted - 14/04/1977
- 4.3 95/P0177 - Enclosure of 1 car parking space in basement area to provide covered area for power supply system. Granted - 05/05/1995
- 4.4 02/P1940 - Installation of a two metre high sliding security gate and railings to the Mansel Road frontage of the rear service yard. Granted - 11/11/2002
- 4.5 16/P2942 - Recladding of the exterior of the building, erection of a 2 storey roof extension and infilling of the surface level car park to create 2055sqm (GIA) of B1 use, including the change of use and amalgamation of 2 x class A2 units into a single A3 use on the ground floor. Terraces to be located at levels 4 and 5. Refused, 25/01/2017 for the following reason:

“ The proposal by reason of its excessive height, bulk and massing would relate poorly to the scale, height, and massing of surrounding buildings to the detriment of the Wimbledon Hill Road/Mansel Road street scenes whilst also failing to conserve or enhance the Merton (Wimbledon Hill Road) conservation area contrary to policies DM D2, DM D3 and DM D4 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).”

5. POLICY CONTEXT

- 5.1 The following policies from the Adopted Sites and Policies Plan and Policies Maps (July 2014):
- DM D1 (Urban design and public realm), DM D2 (Design considerations in all developments), DM D3 (Alterations and extensions to existing buildings), DM D4 (Managing heritage assets), DM E1 (Employment areas in Merton), DM E2 (Offices in town centres), DM R1 (Location and scale of development in Merton’s town centres and neighbourhood parades), DM R4 (Protection of

shopping facilities within designated shopping frontages), DM R5 (Food and drink/leisure and entertainment uses), DM T1 (Support for sustainable transport and active travel)

- 5.2 The relevant policies in the Adopted Core Strategy (July 2011) are: CS.6 (Wimbledon Town Centre), CS.7 (Centres), CS.12 (Economic development), CS.14 (Design), CS.15 (Climate Change), CS.18 (Active Transport), CS.19 (Public Transport), CS.20 (Parking, Servicing and Delivery)
- 5.3 The relevant policies in the London Plan (July 2011) are: 4.2 (Offices), 5.2 (Minimising carbon dioxide emissions), 5.6 (Decentralised energy in development proposals), 5.3 (Sustainable Design and Construction), 5.9 (Overheating and cooling), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.13 (Parking), 7.2 (An inclusive environment), 7.4 (Local character), 7.6 (Architecture), 7.7 (Location and design of tall and large buildings), 7.8 (Heritage Assets and Archaeology)
- 5.4 National Planning Policy Framework (NPPF)
- 5.5 Wimbledon Hill Road Character Assessment 2006

6. CONSULTATION

- 6.1 The application was originally publicised by means of a site notice and individual letters to occupiers of neighbouring properties. In response, 8 letters of objection were received, 3 letters of and 1 letter of comment. The letters of objection are on the following grounds:
- The extended building would be too high with its bulk and massing out of proportion with the scale and height of neighbouring buildings. Too bulky, Detrimental impact on conservation area. The amount of floorspace proposed is excessive and driven by revenue
 - Inappropriate encroachment of B1 use into residential area
 - Increase in heavy goods vehicle traffic and danger this would pose. Removal of parking spaces would increase on-street car parking spaces. Concerns to whereabouts of visitor parking
 - Disruption from construction would not be acceptable
 - Reference to car lift in design and access statement
 - Lack of public consultation prior to submission of the application
 - Roof terrace
 - Unacceptable loss of privacy and daylight/sunlight. The proposal would also result in an unacceptable level of enclosure and visual intrusion.
- 6.2 The letters of support include a letter of support from the Wimbledon E Hillside Residents' Association (WEHRA) and are summarised below:
- Well thought out design that has addressed most objections from the previous proposal
 - Significant improvement to current building

- Previous concerns about entrance to a restaurant on Mansel Road and the removal of the traffic islands on Mansel Road have now been dropped which is supported

6.3 Wimbledon E Hillside Residents' Association (WEHRA)

6.3.1 Overall, WEHRA are pleased with the proposal and amendments, and as a result are fully supportive of the application. It is considered that the design is strong and suited to the Conservation Area. WEHRA also support a financial contribution from the developer for the refurbishment/enhancement of the southernmost portion of a small green space on the east side of Wimbledon Hill Road at the junction with Woodside so this can be used by employees of the proposed development. This green space has been neglected over the years and its improvement would greatly encourage walking.

6.4 Design and Review Panel – (Pre-application submission – 25th January 2017)

6.4.1 The Panel was clear in commending the high quality of the proposed building, the range of relatively minor alterations since the last review, making all the difference. It was felt to be an appropriate and well considered design that was now much more convincing. The corner, top floor step down, detailing, materials and a range of other aspects to the building were commended. The Panel particularly liked the way the applicant had embraced the idea of including some elaborate ornamentation and had now begun to give it some distinctiveness that could be related to its Wimbledon location. The glazed brick was particularly commended.

6.4.2 It was considered that 5 storeys of brick on the corner was appropriate and that the Mansell Road gap was executed better and on balance, the loss of the air gap was acceptable to ensure other aspects of the design were got right. It is important that the detailing will be well executed and appropriately conditioned with planning permission. The top level set-backs still showed some bare flank walls, though it was not clear how prominent they would be from the street. A small cut-out was suggested, just to provide some 3D relief and it also provided opportunity for a little whimsical decoration for the observant to notice.

6.4.3 The Panel recommended that the design was shown to be robust in accommodating shop-fronts and all their signage and did not allow the quality to be undermined by unsympathetic designs or inappropriate advertising. It was also noted that the surrounding road junction suffered from a lot of street clutter and it was suggested the applicant consider helping the council to undertake a local de-cluttering exercise that could include provision of more cycle parking in the central island. The Panel were clear in their verdict.

VERDICT: **GREEN**

6.5 Future Merton - Urban Design

6.5.1 Fully support proposal.

6.6 Future Merton - Transport Planning

6.6.1 The site has a PTAL of 6b (excellent) with bus, train, tube and tram available within the PTAL calculation area, it is also located within a designated town centre area and W1 controlled parking zone. Given these factors future users of the development should be exempt from applying for parking permits. There are three car club bays/ vehicles within 700m of the site, car club usage by offices of sets residential car club demand. Given the good provision of vehicles it thought that car club membership should be provided for future users of the development.

6.6.2 The site currently has 34 car parking spaces provided at ground floor and basement level. The proposed development will not have the use of the basement car parking area and will provide seven spaces at ground floor. The proposed provisions represents a significant reduction and is in line with London Plan maximum parking levels (between one space per 100sqm and 600sqm). The reduction in car parking provision will significantly reduce trip generation by the development. Disabled car parking has been incorporated in to the ground floor car parking area, the proposed bay is located within an immediate proximity to the access to the cores.

6.6.3 The proposed ground floor car park will also provide an off street loading area. A car parking management plan will be required to ensure that these two uses do not conflict and generate an impact on the surrounding highway network from on street loading or vehicles waiting on the highway to enter the site. Given the make-up of the highway network on Mansell Road waiting vehicles immediately outside the development will impact on the operation and safety of this section of Mansell Road and the junction of Mansell Road and Wimbledon Hill Road.

6.6.4 Active travel infrastructure surrounding the development is of a good quality, as such active travel to and from the development will be extensively used. London Plan stated minimum cycle parking levels suggest that a development of this nature should provide 42 cycle parking spaces. This development proposes 64 cycle spaces which is in excess of London plan levels and end of journey cycle facilities have been proposed including lockers and showers. It is considered that these types of facilities will provide a genuine modal shift toward cycling and this is welcomed. A travel plan has been submitted which has a number of initiatives to promote a shift toward sustainable and active travel. The travel plan has a monitoring structure in place and targets. As part of the monitoring procedure it's suggested that the demand for cycle parking is monitored and should there be a significant increase in demand further cycle parking is provided to cater for this demand.

6.6.5 Refuse stores have been provided within a suitable proximity of the rear entrance of the development for the use by future operators of the site. The

bin stores are also a reasonable proximity from the public highway and can be easily accessed by refuse operatives. Given the height of the proposed vehicular access a refuse vehicle cannot enter the site. The applicants have proposed that the parking bays to the west of the developments vehicular access on Mansell Road are re arranged and double yellow lines are extended to provide an informal loading facility for the use of refuse vehicles. This was part of the previous application and did not generate a cause for concern. Refuse vehicles are thought to stop there for approximately 20 minutes a maximum two to three times a week, and it is considered that this level of usage will not generate a significant level of conflict or impact on the operation or safety of the surrounding highway network. A service management plan will ensure that loading by other service vehicles i.e. light vans, will take place off street. Swept paths and trip generation figures have been submitted to show that all associated vehicles can enter under the access and are able to enter and exit in a forward gear.

6.6.6 It is therefore considered that the proposals will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users and as such a recommendation for approval is supported.

6.7 Future Merton - Climate Change

6.7.1 The BREEAM design stage assessment provided by the applicant indicates that the development should achieve an overall score of 61, which meets the minimum requirements to achieve BREEAM 'Very Good' in accordance with Merton's Core Planning Strategy Policy CS15 and Policy 5.2 of the London Plan 2015.

6.7.2 The BRUKL output documentation submitted for the proposed development indicates that it should achieve a 25% improvement in CO2 emissions on Part L 2013. This fails to meet the 35% improvement over Part L required for major developments under Policy 5.2 of the London Plan (2015). The applicant has however engaged the council at an early stage (prior to the submission of full application) in order to explore on-site and near-site emissions savings and should be commended for their highly proactive approach to tackling the emissions shortfall. On the councils request the applicant has explored the potential of utilising highly efficient triple glazing, however this intervention was not deemed to be feasible as the level of saving achieved is relatively low (3%) for the potential cost increase. This is because improved insulation in winter is offset by increased cooling requirements in the summer. The applicant has explored the potential of utilising roof space on other building in the area owned by the applicant that could potentially house solar PV however this has not proved possible. As such the applicant has fulfilled the requirements to investigate on-site and near-site emissions reductions opportunities. The emissions shortfall of 8.13 tCO2 per year has been identified and can be offset via a cash in lieu S106 payment of £14,634 which unless agreed in writing should be paid upon commencement of the development.

6.7.3 Despite failing to meet the emissions reductions targets the energy strategy and proactive approach taken in efforts to identify additional carbon reductions measures is compliant with all local and regional sustainability policy's and it is recommended that this application is granted permission.

7. PLANNING CONSIDERATIONS

7.1 Principle of Development

7.1.1 The Council supports the development of major offices in Wimbledon town centre, which is defined in Policy DM R1 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) as offices with more than 1,000sq.m. of floorspace. Policy CS.7 of the Core Planning Strategy states that in Wimbledon Town centre the council will support high quality offices, especially major development. Policy DM E1 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals relating to employment sites will only be supported that (subject to Policy DM E2 and DM E3), retain existing employment land and floor space. The Council will support proposals for the redevelopment of vacant and underused existing employment land and floor space for employment use and proposals for large and major offices (B1(a) use class) in town centres. Policy DM E1 notes that as Wimbledon town centre is tightly bound by residential areas, the possibilities for growth include increasing density on existing sites. This policy states that the council will work with landowners to meet market demand for high quality, well designed large floorplate offices commensurate with Wimbledon's status as a major centre and to take advantage of the internationally recognised Wimbledon 'brand'.

7.1.2 At a regional and national level it should be noted that Policy 4.2 of the London Plan states that the Mayor will encourage renewal and modernisation of the existing office stock in viable locations to improve its quality and flexibility. Paragraph 19 of the NPPF states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.

7.1.3 The applicant has submitted a market overview and summary which demonstrates that there is a significant shortage of office space in Wimbledon town centre with total stock levels recorded at circa 1.8m sq. ft. with current availability being limited to only two buildings with over 5,000 sq. ft. This represents only 1% of total stock and is considered to be exceptionally low. There is potentially a further 10,000 sq. ft. of space coming through on the ground floor of Wimbledon Bridge House when Unibet move into the refurbished Pinnacle House building on completion of works. The applicant has advised that they are in early discussions with a party in respect to the possible signing of a lease on the whole of the office component.

7.1.4 Wellington House is located in Wimbledon Town centre and has excellent transport links (PTAL rating of 6b), which means it is a highly suitable location for a major office development. It is considered that the proposal would comply with local, regional and national planning policies by providing a modernised and sustainable office building with well-designed large floorplates commensurate with Wimbledon's status as a major centre.

7.2 Design, Impact on Streetscene and Wider Conservation Area

7.2.1 Policy CS.14 of the Core Planning strategy promotes high quality sustainable design that improves Merton's overall design standard. Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be expected to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings.

7.2.2 Wimbledon is the borough's largest town centre, identified as a major centre in the London Plan. The centre has the highest level of public transport accessibility in the borough and this makes the centre a sustainable location for a development of this scale. The proposal is also located in the Merton (Wimbledon Hill Road) conservation area so there needs to be careful consideration of its wider impact on the conservation area.

7.2.3 The previous application (LBM Ref: 16/P2942) was refused at Planning Applications Committee in January 2017 because it was considered that the excessive height, bulk and massing of the extended building would relate poorly to the scale, height, and massing of surrounding buildings. To address this concern the top floor has been removed which means the extended building would be five rather than six storeys. This would result in the height of the building being significantly reduced from the 20.22m (22.7m to top of roof plant) proposed previously to the 17.04m (19.05m to the top of the roof plant) now proposed. In addition, the façade design has been developed and refined resulting in enhancements such as the introduction of horizontal ornate, yet contemporary cornice details, alignment of the retail signage band with No.58 and introduction of coloured glazed tiles to the ground floor retail frontages.

7.2.6 The Design and Review Panel, which gave the previous refused application a RED verdict, gave the current proposal a GREEN verdict at pre-application stage. The Panel commended the high quality of the proposed building, advising that the range of alterations since the last review made all the difference. It was felt to be an appropriate and well considered design and the corner treatment, top floor step down, detailing, materials and a range of other aspects to the building were particularly praised. The Panel liked the way the applicant had embraced the idea of including some elaborate ornamentation which gave it some distinctiveness that could be related to its Wimbledon location. The glazed brick was particularly commended. It was considered that 5 storeys of brick on the corner was appropriate and that the Mansell Road gap was executed better and on balance, the loss of the air gap was acceptable to ensure other aspects of the design were got right. They

emphasised the importance that the detailing be well executed and appropriately conditioned.

- 7.2.7 The applicant has made some further amendments in response to comments received from the Design and Review Panel at pre-application stage with the introduction of detailing to the flank wall when viewed up Wimbledon Hill Road and the integration of retail signage into the façade design to de-clutter the retail frontages.
- 7.2.8 The current building has been identified in the Wimbledon Hill Road character assessment as making a negative contribution to the conservation area and to fund the quality of improvements to the office space and the architecture of the building; value has to be created through some growth and intensification. This proposal represents a viable and acceptable level of intensification and it is considered that extending this building by only a single storey to five storeys is not excessive and addresses the concerns from the previous application. It is considered that the removal of the top floor significantly improves the appearance of the scheme in terms of its height, bulk and massing in relation to surrounding buildings and from longer views along Wimbledon Hill Road and the wider conservation area.
- 7.2.9 The building is not considered excessively tall for its location and shouldn't be a 'shouty' or dominant landmark. The proposals are respectful to the neighbouring context whilst achieving a measure of growth. Whilst the building extends taller than the adjacent buildings on this side of Wimbledon Hill road, it does not do so significantly and can still be read as part of the terrace of shops going up the hill. The corner of the building with increased height and curved wraparound begins to mark the building as a local landmark. However, it reads primarily as simply a way the building turns the corner. This curved hinge is in part dictated by the existing floor-plates and column positions, but presents a more rounded, softer corner – again, referencing the larger curves of Melbury House as it turns into Woodside opposite.
- 7.2.10 The proposal extends onto the rear car park. Whilst this fills in a gap, the natural end to the commercial uses on this street is west of the adjacent office building of Mansel Court. This urban form is replicated to a degree on the other side of the street, with the elevations of the school buildings (sitting higher up the hill), and it is not until further along Mansel Road that the character becomes strongly residential. This infilling is considered sensible and appropriate, particularly as the current view between the buildings is of the less attractive service areas, backs of buildings and blank flank wall of Mansel Court. The proposed development is also an appropriate way to fill an urban block, and is one of the few ways a site can achieve an intensification of use in this part of Wimbledon town centre.
- 7.2.11 As the building is a recladding, the rhythm and proportions are largely inflexible at the large scale. The effect of this is that the building does not have the opportunity to step up the hill bay-by-bay, as the older buildings do. This loses a degree of grain to the building, but does clearly mark the

difference in use – as an office, and this is not inappropriate given the site constraints. There is an understated and restrained simplicity in these proposals, when viewed from a distance, and up-close the extremely detailed brickwork becomes the point of interest and adds a layer of quality and texture to the building.

7.2.12 The proposed material of brick is clearly appropriate for this type of building and location in Wimbledon and fits in well with the local context. The detailing in the brick, with the angled brick texture (borrowed from Mansell Road Church) moulded frieze and spandrel panel, introduce an exceptional level of detail, texture and human scale that is clearly of high quality and is a level of craftsmanship often lacking in many modern buildings. The proposed red brick would fit in with the Bank Buildings and Melbury House and it is considered to be a good contemporary interpretation of some local vernacular. It is also considered that the decorative brickwork which has been added to the flank wall on Wimbledon Hill Road offers 3D relief. In addition, the current proposal also includes glazed brick to the facades of the ground floor commercial units which gives the building a distinctiveness that could be related to its Wimbledon location. This element was particularly commended by the Design and Review Panel. It should also be noted that the use of polyester powder coated (PPC) external materials on part of the the upper floor as well as the link which is set back from the buildings Mansel Road elevation is also the same external material used on much of the refurbished and extended Mansel Court which is considered to be an excellent recent example of an extension and refurbishment of an office building.

7.2.13 In terms of the wider conservation area Grade II listed Trinity Church which was erected between 1885 and 1891 is located further along Mansel Road. It is considered that the building would have little impact on the setting of Trinity Church given the existing limited relationship between the church, an appreciation of its heritage interest and the application site. It is considered to experience the historical and architectural interest of the church one must stand facing the church with the application site behind at relatively close range. Likewise views from the vicinity of the church looking away from it are filtered by trees along Mansel Road and the existing and the proposed buildings do no form a dominant visual presence within the setting of the church. Further afield there will be no views of the church spire that will be obscured by the proposed development, which sits on the same building line as the existing building. There are currently no opportunities to see the spire where the additional height would prevent a view of the spire. Glimpsed kinetic views of the church spire along Woodside to the north-east would see a very slight change as a result of the additional bulk proposed, but the spire would remain entirely visible above the tree line with the proposed building to the left of the view, just beyond the existing dome of Melbury House and there would be no effect on significance.

7.2.14 Overall, it is considered that the proposal is an imaginative design that responds well to its surrounding context, contributing positively to the Merton (Wimbledon Hill Road) conservation area and the Wimbledon Hill Road and Mansel Road streetscene. It has benefited from the Council's design review

process and the Council's Urban Design officer is fully supportive of the scheme. The removal of a storey height and the further refinement of the façade is a positive response to the previous concerns expressed by Planning Applications Committee and residents and is considered by officers to represent a very substantial improvement to the appearance of the existing building in this key town centre gateway location.

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 A block of six self-contained flats known as 58 Worple Road Mews are located to the rear of No.58 Wimbledon Hill Road. The flats are arranged over the first, second and third floors and abut the southern corner of the application site. The occupiers of the flats have access to a rear courtyard area, which is located at first floor level to the rear of No. 58 Wimbledon Hill Road. Mansel Court, which is a recently refurbished office building, is located immediately to the southeast, whilst Wimbledon High School is located on the other side of Mansel Road. Melbury House, which is a four storey commercial building, is located on the opposite side of Wimbledon Hill Road at the junction with Woodside.
- 7.3.3 No. 58 Worple Road Mews comprises two, one bedroom flats on each floor at first, second and third floor levels with each of the flats being dual aspect. The proposed development would only be visible from the rear of these flats. Three of the flats feature a bedroom window and three of the flats feature a kitchen window in the rear elevation.
- 7.3.4 The applicant has submitted a daylight and sunlight assessment which assesses the impact of the proposed development on No.58 Worple Road Mews. The Vertical Sky Component (VSC) is a measure of the skylight reaching a point from an overcast sky. This test shows that all but one of the windows to habitable rooms in the rear elevation of No.58 would experience no more than a minor adverse impact with only one window featuring substantial loss. However, it is important to note that the VSC is a simple geometrical calculation which provides an early indication of the potential for daylight/sunlight entering the space. It does not assess or quantify the actual daylight levels inside the rooms. In this instance, the close juxtaposition of buildings requires a more detailed approach and therefore the Average Daylight Factor (ADF) is calculated. This uses the VSC calculation in order to confirm the angle of obstruction and visible sky, but goes on to consider the area of glass receiving light and the transmittance qualities of the glass. This is then related to the surface area and reflectance value, of the room beyond. This provides a far more comprehensive review of daylight and is judged against the room's use. The British Standard sets the minimum diffuse

daylight levels that should be available to the main habitable room windows, such as bedrooms, living rooms and kitchens. The following minimum average daylight factors should be achieved in the main habitable room: 1% in bedrooms, 1.5% in living rooms and 2% in kitchens. In this instance all but one of the habitable room windows would fully comply with BRE guidance, with only the bedroom window of one of the first floor flats failing. However, it is considered that this is considered to be acceptable given this window already fails the average daylight factor measurement, which means this bedroom already receives a limited amount of daylight/sunlight. It should also be noted that the living room windows to each of these flats are located to the front of the building and would not be impacted at all by the proposed development.

- 7.3.4 There would be some loss of outlook from the flats at No.58 Worple Road Mews due to the filling of the gap between the current building and Mansel Court. However, it is considered that given the application site is located in Wimbledon Town Centre, where more dense development is expected and encouraged it is considered that the proposal in this instance would not be visually intrusive or overbearing when viewed from these properties. It should be noted that the rear elevation of these properties already directly face the rear elevation of No. 58 Wimbledon Hill Road, which itself is a four storey commercial building. To further mitigate the impact of the extension on these properties the southeast facing rear wall would be located approx. 5m from the side boundary the application site shares with No.58 with level 4 stepped further back.
- 7.3.5 In terms of privacy, it should be noted that the building would comprise two terraces, which would be located at level 4 on the front of the building facing Wimbledon Hill Road and at level 5 on the southeast facing side of the building. It is considered that given their location there would not be any impact in terms of privacy. The rear of the building would feature windows that directly face the courtyard area and bedroom windows of three of the flats of No.58 Worple Road Mews. It is considered that given there would only be a separation distance of between 14.5m and 17.5m between the southeast facing windows and the bedroom windows of three of the flats at No.58 that it would be necessary to attach a condition requiring these windows are obscure glazed and fixed shut below 1.7m internal floor height.
- 7.3.6 It is considered that given the above considerations that the proposal would not be visually intrusive or overbearing when viewed from surrounding residual properties, or result in an unacceptable level of daylight/sunlight or privacy loss. The proposal would therefore accord with policies DM D2 and DM D3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) and is acceptable in terms of residential amenity.

7.4 Parking and Traffic

- 7.4.1 Policy 6.1 of the London Plan (2015) supports development which generates high levels of trips at locations with high levels of public transport accessibility and improves the capacity and accessibility of public transport, walking and

cycling. At a local level Policy CS.18 promotes active transport and encourages design that provides attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers). Policy CS.20 of the Core Planning Strategy states that the Council will require developers to demonstrate that their development will not adversely affect pedestrian and cycle movements, safety, the convenience of local residents or the quality of bus movement and/or facilities; on-street parking and traffic management. Developments should also incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway.

- 7.4.2 The current proposal, which includes swept path analysis, provides an off-street loading facility suitable for small to medium delivery vehicles (height less than 2.8m and length less than 6m) by utilising the proposed car parking area. Refuse vehicles and occasional larger delivery vehicles would make use of a new section of double yellow line waiting restriction adjacent to the site in front of Mansel Court. This can be achieved by relocating the adjacent on-street car parking bays westwards a short distance. Given these bays are considered to be too short for modern vehicles (approx. 4.4m to 5.4m), three longer bays of between 5 and 6m in length will be re-provided. In response to concerns raised in the previous application regarding the safety of children attending Wimbledon High School a condition will be attached requiring that deliveries are not carried out between the hours of 8am and 9.30am, and 3pm to 5pm Monday to Friday to further mitigate this impact in respect to the movement specifically of school children.
- 7.4.3 The applicant has submitted a Construction Management Plan which shows that the existing cycle lane in Mansel Road will be retained during construction works together with the two traffic islands. It is not however possible for a vehicle to park adjacent to the site in Mansel Road and for another vehicle to pass which means a Temporary Traffic Order for the closure of Mansel Road will be required during the loading and unloading of vehicles. Prior to the construction phase and the implementation of the temporary road closures the developer will advertise when the temporary road closures would take place. Deliveries will also be programmed to avoid the peak travel periods and arrival and departure of pupils at Wimbledon High School. The proposed delivery times, which would be secured by a planning condition, would not take place before 9am or between 2:45pm and 4:45pm Monday to Friday.
- 7.4.4 The applicant has submitted a transport statement and Travel Plan demonstrating that the transport impacts associated with the proposals can be accommodated within the surrounding transport network. The proposal includes reducing the number of car parking spaces from 34 to 7 spaces including one Blue Badge parking space which will be located at ground level with high quality cycle parking provision also provided. This is considered to be acceptable as it encourages sustainable travel in this highly accessible location. Wellington House is well connected and has excellent public transport links (PTAL rating of 6b).

7.4.5 The London Plan expects outer London Centres that have high PTALs to have cycle parking standards to match those of inner/central London (1 space per 90sqm). The proposed development would have a total ground floor area of approx. 4,270sqm and will provide 64 long stay cycle spaces at ground floor level which means it would comply with London Plan standards. It is also considered that this element of the proposal would comply with Policy CS.18 of the Core Planning Strategy as the cycle storage would also be secure, covered and other facilities such as showers and lockers would be provided. The London Plan also requires a development of this size to provide 8 short stay cycle spaces (first 5,000sqm: 1 space per 500sqm, thereafter: 1 space per 5,000sqm). Given the constraints of the site the proposal would not provide any short stay cycle spaces. As such, the applicant will be required to provide a financial contribution of £2400 (8 x £300 per short stay cycle space) for short stay cycle provision in the local area.

7.5 Sustainability and Energy

7.5.1 The BREEAM design stage assessment provided by the applicant indicates that the development should achieve an overall score of 61, which meets the minimum requirements to achieve BREEAM 'Very Good' in accordance with Merton's Core Planning Strategy Policy CS15 and Policy 5.2 of the London Plan 2015.

7.5.2 The BRUKL output documentation submitted for the proposed development indicates that it should achieve a 25% improvement in CO2 emissions on Part L 2013. This fails to meet the 35% improvement over Part L required for major developments under Policy 5.2 of the London Plan (2015). The applicant has however engaged the council at an early stage (prior to the submission of full application) in order to explore on-site and near-site emissions savings and should be commended for their highly proactive approach to tackling the emissions shortfall. On the council's request the applicant has explored the potential of utilising highly efficient triple glazing, however this intervention was not deemed to be feasible as the level of saving achieved is relatively low (3%) for the potential cost increase. This is because improved insulation in winter is offset by increased cooling requirements in the summer. The applicant has explored the potential of utilising roof space on other buildings in the area owned by the applicant that could potentially house solar PV however this has not proved possible. As such the applicant has fulfilled the requirements to investigate on-site and near-site emissions reductions opportunities. The emissions shortfall of 8.13 tCO2 per year has been identified and can be offset via a cash in lieu S106 payment of £14,634 which unless agreed in writing should be paid upon commencement of the development.

7.7 Green Space Improvement on Wimbledon Hill Road

7.7.1 There is limited open space in the near vicinity for office workers to use and as such the applicant has agreed to make an £8,000 financial contribution for enhancements to the green space on Wimbledon Hill Road at the junction with Woodside. It is possible to make up to three project specific financial contributions without falling foul of Community Infrastructure Levy regulations

and a clawback mechanism would be put in place requiring the council refunds the payment to the developer if it has not been spent within three years of the date of the permission.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 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 a Community Infrastructure Levy (CIL). The funds will be spent on the Crossrail project, with the remainder spent on strategic infrastructure and neighbourhood projects.

10. CONCLUSION

- 10.1 Wellington House is located in Wimbledon Town centre and has excellent transport links (PTAL rating of 6b), which means it is a highly suitable location for a major office development. The proposal would provide an enlarged, modernised and highly sustainable office building with well designed large floorplates commensurate with Wimbledon's status as a major centre. It is considered that the proposal would respect its context in terms of its height, scale and massing, would be of a high quality design which contributes to local distinctiveness, and would be a very significant improvement in design terms compared to the tired and dated existing building. The applicants have responded positively to previous concerns about height and massing, with both a reduction of one storey in height and a refinement and enhancement of the facade treatment. The impact on residential amenity and transport and highways is considered to be acceptable subject to the imposition of suitable conditions. It is therefore recommended that planning permission be granted subject to the conditions and heads of terms set out below.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the completion of a S106 agreement covering the following heads of terms:

- 1) Carbon emissions offset contribution (£14,634)
- 2) S278 agreement to be entered into covering the following:
 - Footway reconstruction;
 - Relocation of ground level access on Mansel Road;
 - Modification to existing waiting restrictions/parking bay layout on Mansel Road including traffic management order and access area
- 3) Financial contribution for cycle parking in the local vicinity (£2400)

- 4) Financial contribution for improvements to green space on Wimbledon Hill Road (£8,000)
- 5) Permit free (Office and amalgamated A2 unit only)
- 6) Paying the Council's legal and professional costs in drafting, completing and monitoring the legal agreement.

And subject to the following conditions:

1. A.1 (Commencement of Development)
2. A.7 (Approved plans)
3. B.1 (External Materials to be Approved)
4. C.3 (Obscured Glazing (Fixed Windows))
5. C.7 (Refuse and Recycling (Implementation))
6. C.8 (No use of flat roof)
7. C.9 (Balcony/Terrace (Screening))
8. D.10 (No external lighting)
9. D.11 (Construction Times)
10. H.4 The disabled parking space shown on the approved plan 064-A-11-10(K) shall be provided and demarcated as disabled parking spaces before first occupation of the extended office building and shall be retained for disabled parking purposes for occupiers and users of the development and for no other purpose.

Reason: In order to comply with the requirements of Section 76 of the Town and Country Planning Act 1990 which relates to the provision of satisfactory access to buildings for people with disabilities and to ensure compliance with policy CS20 of the Adopted Merton Core Planning Strategy 2011.

11. H.7 The development hereby permitted shall not be occupied until the cycle parking, washing and locker facilities shown on the approved plan 064-A-11-09(K) have been provided 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 the provision of satisfactory facilities to promote sustainable modes of transport and to comply with Policy CS18 (Active Transport) of the Adopted Merton's Core Planning Strategy 2011

12. H.8 (Travel Plan)

13. Development shall not commence until a Delivery and Servicing Plan (the Plan) has been submitted in writing for approval to the Local Planning Authority. The Plan shall include details of loading and unloading arrangements. The plan shall also include any necessary works to the highway to be carried out prior to occupation of the extended building. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained.

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 policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.

14. Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures which shall include the retention of the two traffic islands on Mansel Road shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

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 Policies Plan 2014.

15. Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until a Post-Construction Review Certificate issued by the Building Research Establishment or other equivalent assessors confirming that the non-residential development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good'

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

16. Unless otherwise agreed in writing 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 CO2 reductions of not less than a 25% improvement on Part L Regulations 2013, in line with the approved plans.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply the

following Development Plan policies for Merton: policy 5.2 of the London Plan 2011 and policy CS15 of Merton's Core Planning Strategy 2011

17. Before the commencement of the development, details of the proposed green/brown roofs (including: species, planting density, substrate, a section drawing at scale 1:20 demonstrating the adequate depth availability for a viable green/brown; and a maintenance plan) shall be submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented in accordance with the approved details and be permanently retained as such.

Reason: In order to conserve and enhance biodiversity and wildlife habitats in accordance with the provisions of policy CS.13 of Merton's Core Planning Strategy 2011.

18. No external windows and doors shall be installed until detailed drawings at 1:20 scale of all external windows and doors, including materials, set back within the opening, finishes and method of opening have been submitted to and approved by the local planning authority. Only the approved details shall be used in the development hereby permitted.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

20. No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority and in consultation with Thames Water. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. Provide information about the design storm period and intensity, the method employed to delay and control the rate of surface water discharged from the site to no more than 7.3l/s. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. Include a timetable for its implementation;
- iii. Provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime;
- vi. All sewer diversions and any new connections are undertaken to the satisfaction of Thames Water.

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 Policies Plan 2014.

21. All deliveries, loading, unloading or other servicing activities shall take place outside the hours of 8am and 9.30am, and 3pm to 5pm Monday to Fridays.

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 policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.

22. The plant and machinery shown on the approved plans shall not be installed unless or until details of sound insulation/attenuation measures have been submitted to and approved by the local planning authority which ensure that any noise from the plant and machinery (expressed as the equivalent continuous sound level) LAeq (10 minutes), from shall not exceed LA90-10dB at the boundary with the closest residential property. The plant shall be installed in strict accordance with the approved sound insulation/attenuation measures prior to first occupation of any of the residential units hereby approved and shall thereafter be retained. No plant other than that shown on the approved plans shall be installed without the prior written approval of the local planning authority.

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 policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.

23. No works shall commence on site until a design code for the advertisement signage on the retail frontage has been submitted to and approved by the Local Planning Authority. Any subsequent advertisement consent applications shall also strictly adhere to the approved code.

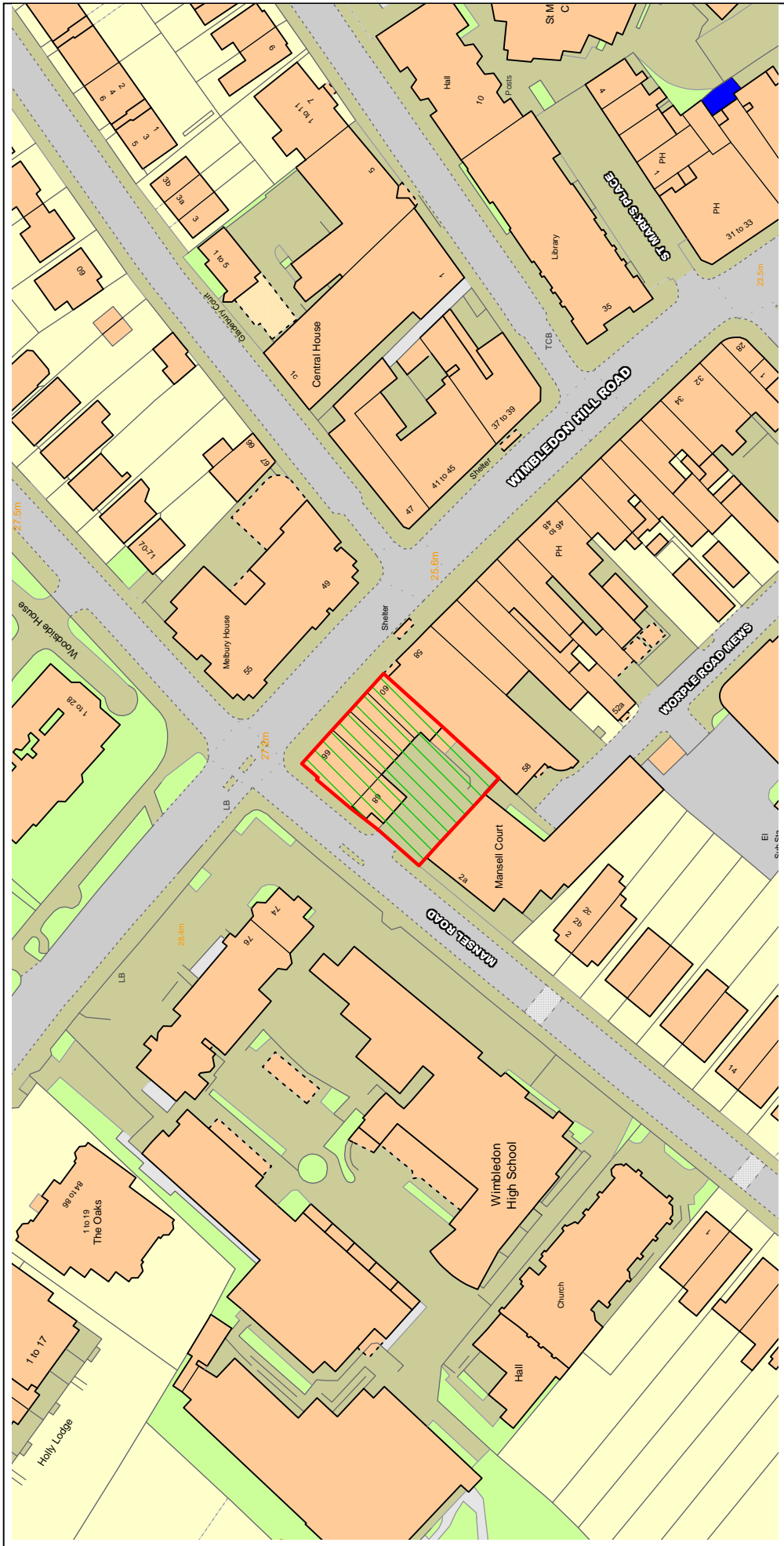
Reason: To ensure a satisfactory appearance of the development and to comply with policy DM D5 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

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

Please note these web pages may be slow to load

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NORTHGATE SE GIS Print Template



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Committee: Planning Applications

Date: 25 May 2017

:

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

DETAILS

Application Numbers: **16/P4194**
Site: 20 Cranleigh Road, Merton Park SW19 3LU
Development: Lawful Development Certificate for proposed garden outbuilding
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 13 April 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000095000/1000095891/16P4194_Appeal%20Decision.pdf

Application Number: 16/P3231
Site: 20 Cranleigh Road, Merton Park SW19 3LU
Development: proposed garden outbuilding
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 13 April 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000094000/1000094980/16P3231_Appeal%20Decision.pdf

Application Number: 16/P3855
Site: 66 Laburnum Road, Wimbledon SW19 1BQ
Development: Conversion of garden outbuilding into self-contained annexe
Recommendation: Refuse (Committee Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 27 April 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000095000/1000095574/16P3855_Appeal%20Decision.pdf

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: 25th May 2017

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 Ray Littlefield: 0208 545 3911
Ray.Littlefield@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.

Current staffing levels in the Planning Enforcement Section.

It should be noted that this section currently comprises of:

The Deputy Planning Enforcement Manager (full time).

Two Planning Enforcement Officers (full time) one position currently vacant.

Two Tree Officers (one full time one part time).

The Planning Enforcement Manager resigned in February 2017 and this position is not being filled as the team has been reduced from four to three Planning Enforcement Officers in the recent round of savings.

Current Enforcement Cases:	568	¹ (542)	New Appeals:	1	(1)
New Complaints	41	(42)	Instructions to Legal	1	(0)
Cases Closed	15	(28)	Existing Appeals	2	(2)
No Breach:	11		<hr/>		
Breach Ceased:	4		TREE ISSUES		
NFA ² (see below):	-		Tree Applications Received	75	(54)
Total	15	(28)	% Determined within time limits:	95%	
New Enforcement Notices Issued			High Hedges Complaint	0	(0)
Breach of Condition Notice:	0		New Tree Preservation Orders (TPO)	2	(1)
New Enforcement Notice issued	1	(2)	Tree Replacement Notice	0	
S.215: ³	0		Tree/High Hedge Appeal	0	
Others (PCN, TSN)	2	(0)			
Total	3	(2)			
Prosecutions: (instructed)	1	(0)			

Note (*figures are for the period (7th April 2017 – 17th May 2017)*). The figure for current enforcement cases was taken directly from M3 crystal report.

¹ Totals in brackets are previous month's figures

² confirmed breach but not expedient to take further action.

³ S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

2.00 New Enforcement Actions

- **28 Byards Croft.** On 8th May 2017 the Council issued an Enforcement Notice requiring the demolition of detached out building. The Notice will come into effect on 16th June 2017 with a compliance period of one month, unless an appeal is lodged.
- **12A Commonside West.** On 06/03/17 the council issued an enforcement notice against the unauthorised erection of a single storey rear outbuilding. The notice will come into effect on 15/4/17 unless an appeal is made prior to that. The compliance period is one month. An appeal has now been lodged, awaiting a start date.
- **36 Biggins Avenue, Mitcham, CR4 3HN.** The Council issued an enforcement notice on the 18th January 2017 for 'the single storey front extension and the created balcony on the first floor of the property. The notice requires the structures to be demolished and took effect on 1st March 2017, as no appeal had been submitted. Prosecution proceedings are under consideration.

18 Warminster Way, Mitcham, CR4 1AD. The council issued an Enforcement Notice on the 20th March 2017 for 'erection of a single storey rear extension on the Land. The notice requires the structure to be demolished and would take effective on 27th April 2017. An appeal has now been lodged, awaiting a start date.

Some Recent Enforcement Actions

- **55-61 Manor Road, Mitcham** An enforcement notice was issued on 3rd August 2016 against the unauthorised change of use of the land from a builder's yard to use as a scrap yard and for the storage of waste and scrap metals, scrap motor vehicles and waste transfer. The notice came into effect on 2/9/16 no notification of an appeal was received. The requirement is to cease the unauthorised use and remove any waste and scrap materials including scrap and non-scrap vehicles from the site by 8/10/16. Following a site inspection, the occupier was reminded of the enforcement action and advised that as he failed to comply with the notice, the Council was progressing prosecution proceedings. However, the owner stated that the Notice would be complied with by 21st April 2017. However the Notice was not complied with and prosecution proceedings have now been instigated.
- **117 Haydons Road South Wimbledon SW19.** The Council reserved an Enforcement Notice on 9th February 2016 against the unauthorised conversion of the former public house into eight self-contained flats. The notice came into effect on 18th March 2016 as there was no appeal prior to that date and the requirement is to cease using the building as eight self-contained flats within 6 months. Six of the flats are vacant and the owners have instructed builders to remove all kitchens units. Court action is currently on-going to repossess the remaining two flats.
- **Burn Bullock, 315 London Road, Mitcham CR4.** A Listed Buildings Repair Notice (LBRN) was issued on 27th 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 3rd March 2015 to cover the required works which include the roof, rainwater goods, masonry, chimney render repairs, woodwork, and glazing. An inspection of the building on Friday 29th April 2016 concluded that the required works have mostly been carried out to an acceptable standard.

The Council has now been provided with a copy of the archaeological survey report officers will be reviewing and making their recommendations. Case to be re-allocated to a new officer but kept under re-view.

A pre-app has been submitted which covered converting the upper floors to residential and proposal for new development at the rear and at the side. Proposals included improvements to the cricket pavilion. A pre-app report has been made.

At the site visit it was observed that there is a new ingress of water from the roof. This was pointed out to the owner asking for immediate action. The property has again been occupied by squatters. Steps have been taken to remove them.

- **13 Fairway, Raynes Park SW20.** On 2nd December 2016, the Council issued an amenity land notice against the untidy front and rear gardens of the property to require the owner to trim, cut back and maintain the overgrown bushes, weeds and trees. The compliance period is within one month of the effective date. No action has been taken by the owner. The Next step is to either take direct action or prosecution. This case is now to proceed to prosecution.
 - **58 Central Road Morden SM4.** An Enforcement Notice was issued on 10th January 2017 for the demolition of an outbuilding. The Notice takes effect on the 15th February 2017, requiring the demolition of the outbuilding to be carried out within 2 months. An appeal has now been lodged, and started.
 - **14 Tudor Drive SM4.** An Enforcement Notice was issued on the 9th February 2017 to cease the use of the land (outbuilding and garden) from residential (Class C3) to storage (Class B8). The Notice took effect on the 15th February 2017, no appeal was made. Compliance with the Notice is expected at the end of March 2017. Site visit to be undertaken to check for compliance.
- 25 Craven Gardens SW19.** An Enforcement Notice was issued on 3/05/16 for the erection of a front bike shed. An appeal was received on 13/06/16. The appeal's decision was received on 02/03/17. The appeal was dismissed. A letter was sent to the owners on 03/03/17 giving a month to remove the bike shed as stated in the Enforcement Notice. The bike shed has now been removed, and the Enforcement Notice complied with.

3.00 New Enforcement Appeals

- **34 St Barnabas Road, Mitcham.** On 30th August 2016, the council issued an enforcement notice against the unauthorised increase in depth of the single storey rear extension from 5 meters to 8.4 metres. The notice with a 3-month compliance period would have taken effect on 18/10/16 but an appeal has been received. An appeal statement has been submitted to the inspectorate and we are awaiting a site visit date by the inspectorate.
- **2 and 2A Elms Gardens, Mitcham.** An enforcement notice was issued on 12th January 2017 against the erection of a single storey bungalow at the rear of the property. The notice would have come into effect on the 18th February 2017 but an appeal has been submitted. The Appeal start date was 19th March 2017 and a statement has been sent. We are awaiting a site visit date by the inspectorate.
- **218 Morden Road SW19.** An Enforcement Notice was issued on 23rd January 2017 for the demolition of the current roof to its original condition prior to the breach in planning control or construct the roof pursuant to the approved plans associated with planning permission granted by the Council bearing reference number 05/P3056. The Notice would have taken effect on the 28th February 2017, giving two months for one of the options to be carried out. An appeal against this Notice has now been submitted. We are awaiting Start Letter.

3.1 Existing enforcement appeals

- **18 Morton Road Morden SM4** the council issued an enforcement notice on 3rd October 2016 against the unauthorised change of use of an outbuilding to self-contained residential use. The notice would have taken effect on 10/11/16 but the Council was notified of an appeal. The compliance period is two calendar months. We are awaiting the outcome of this appeal.
- **3.2 Appeals determined**
 - **3 Aberconway Road Morden SM4** - The Council served an enforcement notice on 4th 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 owner is required to remove the extension and associated debris within one month of the effective date. The appeal was dismissed on 1/12/16 and the owners

have to demolish the extension by 1/1/17. Case to be re-allocated to a new officer. Structure still present.

•**21 Merton Hall Road, Morden.** The Council issued an enforcement notice on 9/8/16 against the unauthorised erection of a wooden bike shelter. The notice would have come into effect on 15th September 2016 but the Council has been notified of an appeal. The requirement is to remove the shed within a month. Appeal dismissed. Structure remove, Case closed.

. **Swinburn Court, 32 The Downs SW19.** The Council served an enforcement notice on 15th March 2016 against the erection of a single storey outbuilding (garden shed) in the front/side garden of the block of flats. The requirement is to demolish the structure within three months of the effective date. The appeal was dismissed on 10/1/17 and the appellant had three months to comply. This case is to be re-allocated to a new officer.

Land at Wyke Road, Raynes Park SW20. The Council issued an enforcement notice on 4th July 2016 against the unauthorised material change in the use of the land for car parking. The notice would have come into effect on 10/08/16 but an appeal was submitted. 11th April 2017 Appeal dismissed and Notice upheld. The compliance date was 12th May 2017, however additional time has been agreed to allow for an acceptable scheme to be submitted for consideration.

3.3 Prosecution cases.

- **170 Elm Walk Raynes Park** The council issued a S215 notice on 4th August 2016 to require the owner to repair and paint or replace windows and doors to the property as well as clear the weeds and cut back on overgrown bushes in the front and rear gardens. The notice came into effect on 1/9/16 as there was no appeal and the compliance period is one month. A site visit on 4th October 2016 confirmed that the notice has not been complied with and prosecution documents have been forwarded to Legal Services for further action. This case is to be re-allocated to a new officer.
- **Land, at 93 Rowan Crescent Streatham, SW16 5JA.** The council issued a S215 notice on 29th July 2016 to require the following steps to trim and cut back overgrown bushes from the front and rear gardens, tidy the site, clean, repair and paint the front windows and repaint the front of the proper. The notice came into effect on 28/08/16 and the compliance period expired on 23/09/16. As the notice has not been complied with, a prosecution document has been forwarded to Legal Services for legal proceedings to be instigated. The front garden has been cleared, however the bulk of the requirements of the Notice have not been complied with. Direct action is now under consideration.

3.4 Requested update from PAC

None

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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