

Merton Council

Planning Applications Committee

Membership

Councillors

Linda Kirby (Chair)

Najeeb Latif (Vice-Chair)

Philip Jones

Andrew Judge

Laxmi Attawar

Peter Southgate

Geraldine Stanford

Stephen Crowe

David Dean

Jerome Neil

Substitute Members:

Joan Henry

Daniel Holden

John Sargeant

John Bowcott

Judy Saunders

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

Date: 18 July 2017

Time: 7.15 pm

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

This is a public meeting and attendance by the public is encouraged and welcomed. If you wish to speak please see notes after the list of agenda items. For more information about the agenda and the decision making process contact democratic.services@merton.gov.uk or telephone 020 8545 3356

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Planning Applications Committee

18 July 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

22 JUNE 2017

(7.15 pm - 9.50 pm)

PRESENT Councillor Linda Kirby (in the Chair), Councillor Najeeb Latif, Councillor Andrew Judge, Councillor Laxmi Attawar, Councillor Peter Southgate, Councillor Geraldine Stanford, Councillor Stephen Crowe, Councillor David Dean, Councillor Jerome Neil and Councillor Joan Henry

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Philip Jones, Councillor Joan Henry attended as his substitute.

The Vice-Chair apologised that he would be leaving the meeting at 9pm. He was present in the meeting for items 9, 10 and 5, but absent for 6,7 and 8

The committee welcomed Councillor Jerome Neil to the Planning Committee

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 25May 2017 are agreed as an accurate record.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

Before starting the meeting, the Chair asked all to join her in one minute silence in memory of those who lost their lives in Grenfell Tower.

Supplementary Agenda: A details of modifications for Items 5,6,8, and 9 were published as a supplementary agenda.

Order of the Meeting – The Chair announced that the order of items taken at the meeting would be: 9,10, 5, 8, 6, and 7

5 5-6 ALT GROVE, WIMBLEDON, SW19 4DZ (Agenda Item 5)

Proposal: Erection of a single storey residential unit

The Committee noted the officers report and presentation, and additional information in the Supplementary Agenda. The Development Control Manager informed members that the block of nine units on the site, allowed under prior approval, was not relevant to this application.

The Objector representing local landlords raised concerns including:

- This application is backfilling and contravenes council policy
- The proposal will result in a development which is too dense
- There will be overlooking into existing flats

The Objector representing a local business raised concerns including:

- Building work will disrupt the work of employees – noise and dust will be created.
- Trees have already been lost

The Agent to the application made points including:

- This application seeks a one bedroomed flat, that meets London plan standards in a highly sustainable location.
- Mature tree will be replaced
- The development is permit free
- Construction nuisance is not a planning consideration

In reply to members questions, the Development Control manager made the following points:

- There will be 10 permit free units on the site– so it is up to future residents how they arrange to use the remaining 2 parking spaces
- No reason to refuse this application on transport, parking, design, trees. Because of its siting overdevelopment would be difficult to justify. The prior approval of 9 units makes refusal difficult.
- Prior approval does not require affordable housing contribution, so the fact that there are 10 units is not relevant
- It could be termed an infill development but owing to its 'hidden away' siting it does no actual harm
- It exceeds the standards in the provision of amenity space
- Amenity space for 9 allowed under prior approval is not relevant

RESOLVED

The Committee voted to GRANT Planning Permission subject to Section 106 Obligation or any other enabling agreement and conditions

6 34 COTTENHAM PARK ROAD, WEST WIMBLEDON, SW20 0SA (Agenda Item 6)

Proposal: Demolition of the existing detached dwelling and the erection of a semi-detached pair of 5 bedroom dwellings including basement accommodation for both dwellings

The Committee noted the officers report and presentation and additional information in the Supplementary Agenda

The Objector raised residents' concerns including:

- The lack of time given to residents to respond to the consultation on the amended application
- Would like to defer this application to give residents a chance to negotiate with the applicant, residents do not object to the proposal in principle but want to talk to the applicant about some details

In response to Members questions the Development Control Manager made points including:

- Residents had commented on the original application. As this proposal was smaller than the original, and the changes minor, residents were only consulted as a courtesy. In this case the fact that the residents feel that they did not have time to reply is not a reason to defer, because we already have their comments on the previous scheme
- Engineers have checked the technical details of the basement design and found them to be satisfactory. The proposed methods of dealing with groundwater are standard and satisfactory.
- Amenity space at the rear is satisfactory

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

7 10-12 LEOPOLD ROAD, WIMBLEDON, SW19 7BD (Agenda Item 7)

Proposal: Change of use of No. 10 Leopold Road from retail use (Use Class A1) to restaurant (Use Class A3) and internal alterations in order to merge No. 10 Leopold Road with the existing restaurant that operates at Nos. 12 and 14 Leopold Road.

The Committee noted the officers report and presentation. The Development Control Manager asked members to note that this application was for change of use, and disturbance caused by an existing extractor was for Merton Council's Environmental Health team to consider, and was not a planning consideration.

The Objector representing Wimbledon East Hillside Residents' Association raised objections including:

- This application will have adverse affect on other businesses on Leopold Road.
- Already enough food and drink businesses on the road, and too many delivery scooters

The Objector representing residents whose gardens back onto the application site raised objections including:

- There are concerns regarding noise and air quality from the existing premises – concerned that the application premises would increase these nuisances
- There is a mechanical noise that is intrusive and disturbing
- Will there be a takeaway operation from the premises?
- Access of customers to outside space should be restricted

The applicant raised points including:

- Ambiance provides award winning food, and the new restaurant would provide a new 'salad and meze' menu – this would cause less cooking fumes
- There is a good balance of A3 restaurant units on Leopold Road
- Merton Council Environmental Health have assessed the current extractor and said that the noise levels are acceptable
- The Police can verify that there has been no shisha smoking on site for at least 3 years

The applicant's supporter, the owner of another business on Leopold Road raised points including:

- It is wrong to suggest that local business owners do not support Ambiance. It is wrong to suggest that the restaurant attracts anti-social behaviour
- It is a successful local independent business, It has lots of regular customers and is he epitome of a family run business

In response to Members questions, the Development Control Manager made points including:

- This application is for the change of use of 10 Leopold Road. Number 14 will still have restaurant class use.

- Any new extractor would require planning permission and decibel limits could be set for this. Conditions could be added to control noise level of any new or relocated extraction and cold units
- Rear space is very small and could be conditioned that it is never used by customers

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to the conditions in the report and two additional conditions to cover a ban on clients using the outside space at any time, and to cover noise created by new or relocated extraction units and cold storage units

8 17 MERTON HALL ROAD, WIMBLEDON SW19 1BQ (Agenda Item 8)

Proposal: Retention of an outbuilding for use as a summerhouse

The Committee noted the officers report and presentation which included plans and photographs of the impact of the outbuilding. Members noted the additional information provided in the Supplementary Agenda

The Objectors raised the concerns of residents of 96 Dundonald Road. The detailed version of these objections are published in the Supplementary agenda, the points made included:

- The outbuilding, by its proximity to the boundary and height causes a loss of sunlight, overbearing impact and visual intrusion to number 96 Dundonald Road.
- The 2011 application was not implemented within the statutory time limit and therefore only limited weight should be given to this permission. Also this 2011 permission was flawed.
- There is a lack of screening/planting
- The roof detailing on the built outhouse is more intrusive than that allowed in the 2011 permission
- The report to Committee is inaccurate and has omissions
- The Development and Control Manager did describe the outhouse as overbearing

The Applicant and her architect made points including:

- Did not realise that 2011 planning permission had lapsed, submitted a new planning application as soon as realised this. This was in 2016, Planning department have been very slow to bring to resolve
- Have tried to negotiate with neighbour regarding screening

- The current building is very similar to that given permission in 2011, and is not taller than allowed
- Similar buildings refused in the area have been in smaller gardens

In reply to members questions officers made points including:

- Officers view is that the 2011 permission is a relevant consideration, although policies had been updated since the general thrust of the relevant policies is still the same
- On an initial visit, the Development Control Manager did say that the outbuilding was overbearing but that was before going through detailed background, subsequently he did come to a different view
- The table in the report shows the differences between the 2011 permission and the application building. These include that the overall height of the new building is greater and the separation to the boundaries of 96 and 96a Dundonald Road are reduced in the new application.
- There have been significant delays in bringing this application to Committee, mainly owing to changes of Enforcement Officers.

The Chair commented that she had never met the applicant before, and had visited the site in her role as Chair of the Planning Committee, which she does with many application sites.

Members made comments for both sides saying that the variations were minimal, with other members saying that they understood the objection.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

9 HASLEMERE INDUSTRIAL ESTATE, RAVENSBURY TERRACE,
WIMBLEDON PARK (Agenda Item 9)

Proposal: Demolition of existing buildings and a phased redevelopment of site to provide; a part 4 and part 6 storey mixed use building, comprising 826 sqm GIA of commercial use and 79 residential units and a part single, part 2, part 3 and part 4 storey terrace of 50 residential units and 341.4 sqm GIA of commercial use (totalling 129 dwellings and 1,176.6 sqm commercial space within use Class B1) with the formation of a riverside park, car parking, servicing, access and landscaping

The Committee noted the officers report and presentation and additional information provided in the Supplementary Agenda

The Objector raised residents' concerns including:

- Not opposed to the principal of developing this site as recognise that housing is needed in this area
- This proposal is too high. Policy states that tall buildings are only appropriate in town centres
- Why is there no masterplan for this area given that two other large developments are planned? We need a masterplan to address the issues of impact on all local services
- Local schools are massively oversubscribed.
- Housing mix is not right – more 3 bedroomed family homes are needed
- Not enough affordable housing is provided

Planning Officers made the following points in answer to members questions:

- A 'pocket park' just means a small park
- There are currently 50 commercial parking spaces, this will reduce to 2 in the new development.
- The proposal offers 19% affordable housing which is below the Merton policy, but the viability assessment has shown that this 19% is the maximum this development can support.
- Although the housing mix does not meet that desired by guidance, it is recognised that there is a demand for all types of housing in the borough.
- Proposals for other nearby developments are well advanced.
- In the wake of the Grenfell Tower tragedy, materials are being looked at in great detail. Fire Safety is a matter for Building Control
- CIL is a specific calculation and is separate to provision of affordable housing
- CIL could provide funding towards pocket park and links to cycle route and recreation ground
- The application went to the DRP (Design Review Panel) at pre-application stage and they gave it an Amber. Given the amendments that have been made to this development it would now be closer to green

Members made comments for the application:

- Welcome the application it will be an asset to the community
- Like the design, following revisions the development is acceptable
- Like that this development maximises residential space whilst also providing employment space.

- Site is accessible to public transport and development will reduce heavy traffic in the area

Members made comments against the application:

- Application should be rejected on massing and bulk,
- The development proposed is not good enough

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

10 223 STREATHAM ROAD & 1 RIDGE ROAD, MITCHAM CR4 2AJ (Agenda Item 10)

Proposal: Demolition of buildings and redevelopment to provide 30 x residential units within a residential block of 2 and 3 storeys with a fourth storey set back, with associated access, car and cycle parking, landscaping and associated works. The ground floor will also provide 195 sq.m of flexible commercial floorspace for use within classes A1 (retail) and/or B1 (business) and/or D2 (assembly & leisure).

The Committee noted the officers report and presentation. The Planning Officer asked members to note that following the Committee's refusal of the previous scheme, the developers had made changes including reducing the commercial floorspace, reducing the height of the building, increasing parking spaces. This new scheme had fewer residential units and the viability study showed that affordable units could not be supported by the development. An s106 agreement was proposed that included a clawback mechanism if there was any uplift of property prices in the area.

In response to members questions. The Planning Team Leader replied:

- Viability studies are carried out by members of The Royal Society of Quantity Surveyors. This is a complex process but developers are allowed to make a profit of 17.5-20% before any contribution to affordable housing is triggered.
- Officers will strive to deliver developments that provide accommodation that is above minimum standards, but if developments meet, rather than exceed these standards this should be acceptable

Members commented that the applicant had made the changes that the committee had requested at the time of the refusal

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions and s106 agreement.

Councillor David Dean asked for his vote against the approval to be recorded.

11 PLANNING APPEAL DECISIONS (Agenda Item 11)

The Committee noted the report on recent Planning appeal decisions

12 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 12)

The Committee noted the report summarising current enforcement cases

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PLANNING APPLICATIONS COMMITTEE 18 JULY 2017

APPLICATION NO. DATE VALID

17/P1729 24/04/2017

Address/Site: Travelodge, 1B Amity Grove, Raynes Park, SW20 0LQ

Ward: Raynes Park

Proposal: Erection of bin storage area in car park to replace one parking space.

Drawing No's: Site location plan and drawing; 143 Rev A.

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 - 35
- Press notice - No
- Site notice - Yes
- External consultations – Nil
- Density - N/A
- Number of jobs created N/A

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

2.1 The application site is an 86 room Travelodge Hotel located on the west side of Amity Grove in Raynes Park. Whilst the hotel has access at ground floor level it is partially situated above a Post Office and a Co-Op Supermarket. An

associated car park extends between Amity Grove and its main entrance on Durham Road. Part of the car park area houses an existing bin storage area and electricity substation adjacent to the neighbouring residential properties at 1 and 3 Amity Grove. The existing refuse storage area for the Post office is situated under the main building.

- 2.2 The site is not within a conservation area, but is located within Raynes Park Town Centre where Public Transport Accessibility levels (PTAL level 6b) are excellent and it is close to Raynes Park train station which offers frequent services to Wimbledon and central London, as well as a number of bus routes. The site is not within a Controlled Parking Zone.

3. CURRENT PROPOSAL

- 3.1 The proposal involves the erection of a new bin storage area next to the existing bin storage area used by the hotel. The new bin storage area would be for the Post Office refuse paladins that are currently located under the building. The bin storage area would be designed to match the existing hotel refuse store.
- 3.2 The area currently used by the Post Office for refuse storage would then become a designated smoking area.

4. RELEVANT PLANNING HISTORY

- 4.1 11/P3312 Planning permission granted for Change of use from offices to an 86 bedroom hotel on part ground floor and upper floors 1-5 with a new extension on ground and upper floors 1-2 and infilling part of upper floor 5. External alterations to include over-cladding, replacement of all the windows, installing new insulated infill panels, rendering all existing concrete cladding panels, rationalizing and consolidating rooftop mobile telecommunications aerials and installation of new roof mounted flue.
- 4.3 12/P1817 Application for non-material amendments to LBM planning permission 11/P3312 (dated 11/05/2012) involving demolition of existing ground-level brick car park enclosure. Granted
- 4.4 13/P2626 Application granted for non-material amendments to planning application 11/P3312 relating to the relocation of bin store and cycle storage and retention of existing two storey entrance building (reduction from 3 stories approved)
- 4.5 14/P2319 Application granted for Non-Material Amendments to LBM planning permission 11/P3312 (dated 11/05/2012) involving the relocation of sub-station from within the building to the right hand side of the Amity Grove entrance with associated relocation of refuse storage and parking.

- 4.6 14/P4699 Application granted for non-material amendments to LBM planning permission 14/P2789 (dated 09/09/2014) relating to the inclusion of a gate in the approved boundary wall
- 4.7 15/P0427 Application granted for discharge of condition 6 -kitchen ventilation and 7- external lighting attached to LBM planning application 11/P3312
- 4.8 15/P2748 Application granted for discharge of condition 9 (disabled parking) attached to LBM planning permission 11/P3312
- 4.9 15/P2022 Application granted for non-material amendments to LBM planning permission 14/P2789 (dated 09/09/2014) relating to the side gate being moved closer to Durham Road and reduction of fencing rails

5. CONSULTATION

- 5.1 The application was advertised by means of neighbour notification letters and a site notice.
- 5.2 1 letter of objection and a petition signed by 11 persons been received raising the following concerns:-
- There have been issues with the hotel and noise from the bin stores.
 - There is a fire risk from bins of paper and food
 - The building has been clad and there is a fire risk from the smoking area under the hotel.
- 5.3 Transport planning had no objection to the loss of the parking space
- 5.4 Environmental Health had no objection but requested a condition be added to keep the refuse paladins locked to prevent risk of odours

6. POLICY CONTEXT

- 6.1 Relevant policies in the London Plan (March 2015) are, 5.3 (Sustainable design and construction), 6.3 (Assessing effects of development on transport capacity), 6.13 (Parking), 7.2 (Inclusive environment), 7.4 (Local character), 7.5 (Public realm) & 7.6 (Architecture).
- 6.2 Relevant policies in the Core Strategy (July 2011) are, CS 14 (Design), CS 17 (Waste management) & CS 20 (Parking servicing and delivery)
- 6.3 Relevant policies in the Adopted Sites and Policies Plan 2014 are DM D1 (Urban Design and the Public Realm), DM D2 (Design considerations in all developments), DM D3 Alterations and extensions to existing buildings, DM EP 2 (Reducing and mitigating against noise), DM EP4 (Pollutants), DM T2 (Transport impacts of development), DM T3 (Car parking and servicing standards).

7.0 PLANNING CONSIDERATIONS

- 7.1 The planning considerations in this case relate to the scale, design and positioning of the bin storage area and the impact on neighbour amenity and the appearance of the area.
- 7.2 Scale and design.
SPP policy DM D2 and Core Strategy Policy CS 14 requires well designed proposals to respect the siting, rhythm, scale, proportions, height, materials and massing of surrounding buildings. The proposed bin storage will be located in a relatively visually secluded rear car parking area will be designed in materials to match the existing refuse area and as such it would be in keeping with the existing building and its environs.
- 7.3 Neighbour amenity
SPP policy DM EP4 requires proposals not to have an adverse impact through noise and other pollutants such as odour. Objections have referenced concerns relating to noise and odour from refuse facilities being located on the site boundary. The additional refuse facilities will be for the Post Office use and as such should be paper and office supply based refuse as the Post Office does not sell perishable food stuffs, Therefore the likelihood that the Post Office refuse store would increase the incidence of odour pollution are negligible. The bins are only emptied once a week on a collection on Wednesdays during office hours with refuse only added during office hours by staff. Therefore noise pollution is also likely to be negligible. Consequently, in view of these factors, it is considered that positioning the refuse store for the Post Office use in the proposed location would have a negligible impact on the amenity of neighbours.
- 7.4 Objections also relate to fire risk from the bin storage and the smoking area. There is no evidence to suggest that the Post Office refuse paladins are any more susceptible to fire than other such refuse stores. In relation to the smoking area the space is enclosed on three sides by brickwork whilst the ceiling is a precast concrete floor with a screed on top all of which are suitably fire resistant. The building has had a small amount of non flammable cladding on the recessed top floor and other decorative panels added on lower floors . Consequently there is no evidence to suggest that the use of this space for a smoking area presents any risk to public safety. In any event , fire risk would be a matter covered by other legislation such as building control and fire safety legislation.
- 7,5 Currently the front undercroft and cycle storage areas have been used for an informal smoking area which does not improve the appearance and character of the building and the wider setting and has generated a number of noise complaints to the hotel. The new smoking area would be situated at the rear of the hotel and as such would not be readily visible from the public domain and its enclosed nature and positioning would combine to greatly reduce noise disturbance for local residents..

7.6 Traffic, highways and parking

The hotel currently provides 38 car parking spaces for guests, this proposal will reduce that capacity by one space. Transport planning offices have been consulted on the proposal and were of the opinion that this would have no impact on parking capacity in the vicinity.

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 proposals involve constructing a new refuse bin storage area adjoining the existing hotel refuse area in materials to match, consolidating refuse storage for the hotel and the Post Office. The space created by vacating the existing Post office refuse area will allow the relocation of the smoking area away from the public realm and in an area that does not present a risk of fire. The refuse from the Post Office does not include commercial food waste or other items likely to cause odour to the detriment of local residents and the bins are only collected once a week during office hours. The loss of one parking space is not considered to have a detrimental impact on parking in the locality.
- 9.2 In view of these factors officers consider that subject to the imposition of suitable conditions the new bin storage area could operate without having an adverse impact on the amenity and safety of local residents or the appearance and character of the wider area and consequently the proposal is recommended for approval subject to conditions.

10 RECOMMENDATION

- 10.1 Grant planning permission subject to conditions

Conditions

1. A.1 Commencement of development for full application
2. A.7 In accordance with the approved plans Site location plan and drawing; 143 Rev A.
3. B.3 External materials as specified

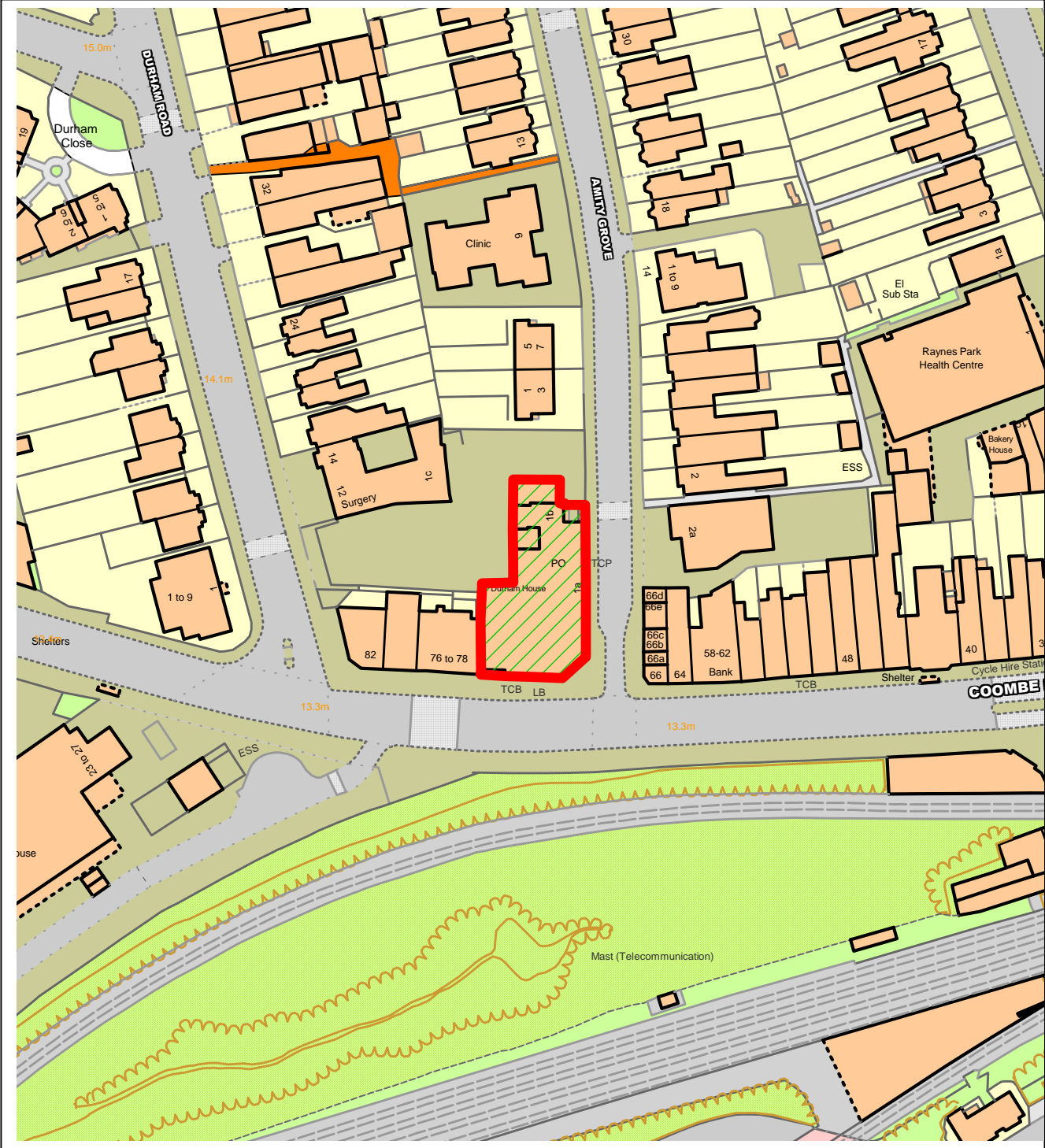
4. Non standard condition; All waste receptacles used shall be fitted with a functioning lockable lid and only filled to a level that enables the lid to be fully closed. The lid shall be kept locked except when the receptacle is being filled or emptied.

Reason: To protect the amenity of the local area in accordance with policy DM EP4 of the adopted Merton Sites and Policies Plan 2014.

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

Please note these web pages may be slow to load

NORTHGATE SE GIS Print Template



Travelodge, Durham House 1B Amity Grove, Raynes Park SW20 0LQ

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**PLANNING APPLICATIONS COMMITTEE
18 JULY 2017**

APPLICATION NO. **DATE VALID**
16/P2971 21.07.2016

Address/Site 260 Church Road, Mitcham, CR4 3BW

Ward Lavender Fields

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

Drawing No's: D1000 REV 00; D1100 REV 00; D1700 REV00; D4100
REV21; D4101 REV12; D4103 REV 12; D4104 REV03;
D4500 REV 03; D4700 REV 14; D4701 REV 29; D4702
REV 00; CGI 03; CGI 04; Existing & Additional Revised
Car Parking – Figure 3.1 REVD;

Documents: Design & Access Statement; Affordable Housing
Viability Assessment; Community Involvement
Statement; Marketing Report; Letter dated 24th March
2016; Letter dated 26th May 2016; Local Community
Infrastructure Report; Pre-Demolition Ground
Investigation Report; Daylight/Sunlight and
Overshadowing Report; Planning Statement; Transport
Statement;

Contact Officer: John Vale (020 8545 3296)

RECOMMENDATION

GRANT PERMISSION SUBJECT TO THE COMPLETION OF A SECTION
106 AGREEMENT AND CONDITIONS.

CHECKLIST INFORMATION.

- S106 Heads of agreement: Yes
- 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 – 101

- Press notice – Yes
 - Site notice – Yes
 - External consultations: Metropolitan Police, Thames Water
 - Number of jobs created – n/a
 - Public Transport Accessibility Level (PTAL): Level 2 TFL Information Database (On a scale of 1a, 1b, and 2-5, 6a, 6b where zone 6b has the greatest accessibility)
 - Flood Risk Zone 1
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1. INTRODUCTION

- 1.1 The application is being brought back before PAC following the deferral of the application at PAC in April 2017 and the request that the application is deferred pending comments from the Design and Review Panel. Members are also advised that the application was originally brought before PAC due to the level of objection to the proposal and for authority to enter into a section 106 agreement.
- 1.2 Following the decision of members of the PAC, the applicant requested that the application was withdrawn from the agenda for the Design and Review Panel. The applicant has subsequently submitted amended plans and elevations that have been the subject of re-consultation. The Council's Urban Design officer has considered the revised plans and elevations and is broadly supportive of the changes.

2. SITE AND SURROUNDINGS

- 2.1 The application site is located at 260 Church Road, which is on the north east corner of the junction of Church Road and Hawthorne Avenue. The site has approximately a 32m frontage along Church Road and an 18m frontage along Hawthorne Avenue.
- 2.2 The site is regular in shape and has an area of approximately 575sq.m. The site is currently occupied by a single storey light industrial factory building (Use Class B1(c)), that contains 8 x industrial units and ancillary offices; one of the units is in active use. The factory building is characterised by a series of pitched roofs with a central flat section of roof linking them. The existing building occupies the majority of the site, with a small gap retained on its northern boundary adjoining 272 Church Road. A 1.2m gap exists between the eastern site boundary and the western boundary of properties on Hawthorne Avenue. The building has existing vehicle access from a vehicle crossover on Hawthorne Avenue. An existing loading bay and 8.9m long parking bay are situated to the front of the site on Church Road.
- 2.3 The area is largely characterised by residential development with a parade of ground floor shops immediately to the south of the site with residential above. To the north of the site is a pair of semi-detached residential dwellings. To the east of the site are terraces of two storey buildings with pitched roofs. To the west of the site, on the opposite

side of Church Road, are modern three storey blocks of flats with steep sided pitched roofs.

- 2.4 The closest bus stop to the site is Mount Road/Church Road (approximately 140m to the north) which offers a single regular service (route no. 200). Additional bus stops are located approximately 1.1km to the north and 1.3km to the south of the site. In terms of railway accessibility, the nearest Tramlink service is Phipps Bridge Tramlink approximately 850m to the west. Colliers Wood underground station is approximately 1.1km to the north and national rail station Mitcham Eastfields station is approximately 1.9km to the southeast of the site. Given this the site has a public transport accessibility level (PTAL) of 2 which is defined as a poor level of access to local public transport infrastructure.
- 2.5 The site is not located within a Conservation Area. The site lies in Flood Zone 1 as defined by the Environment Agency. The site is located within the Wandle Valley Regional Park 400m buffer.

3. PROPOSAL

- 3.1 Planning permission is sought for the redevelopment of the site to include the demolition of 260 Church Road and the erection of 14 residential units in one block. The following table provides the breakdown of units:

Type	No. of bedrooms per unit	
	1-bed	2-bed
Private flats	5	6
Affordable rent		
Intermediate		3
TOTAL	5	9

- 3.2 The single block on Church Road/Hawthorne Avenue would read as part three/part four stories in height (maximum height of approximately 13.1m to the lift overrun). The block would be set back from its northern boundary by 1.4m and eastern boundary by a maximum of 5 m.
- 3.3 Private amenity space for each unit would be provided in the form of balconies and private terraces. The private amenity spaces to the ground floor will be surrounded by an approximately 2.2m high boundary wall. At first and second floor levels, it is proposed that windows on the rear elevation would be obscured glazed, this would be secured by condition. The first, second and third floor units would be accessed via the central core with an open walkway providing access to individual units. In response to the position of the walkway, part of the rear elevation would consist of cast glass privacy screens. The

detailing of the privacy screens on the rear elevation would be secured by condition. The third floor units would have access to private terraces. It is proposed that the terrace serving unit 3.1 (top floor flat nearest to the northern boundary) will incorporate a privacy screen on its north and east facing sides.

- 3.4 The scheme would involve the demolition of the existing building and its replacement with a building with street frontage onto Church Road and Hawthorne Avenue. The main entrance into the residential units would be provided from Hawthorne Avenue. A secure, dedicated residential refuse and recycling storage area would be provided with key fob access direct from Hawthorne Avenue, the detailing of which would be secured by condition.
- 3.5 The front elevation would consist of metal railings screening views into the flats from Church Road. At ground floor level, the metal railings would be divided by metal gates. The metal gates would provide a secondary form of access into the ground floor flats.
- 3.6 The block would be of a modern design. The proposed material palette would be a mixture of red and dark brick interspersed with aluminium framed windows and private amenity spaces framed by metal cladding. The roof would be flat and finished in metal cladding and would incorporate solar panels into the roof.
- 3.7 The proposals have no on-site parking. However, the scheme proposes 9 (7 new) on street parking bays on Church Road and Hawthorne Avenue. The parking bays would be delivered by altering the existing parking arrangements around the site, to be for the use of all, delivered as follows:
 - Four spaces outside the development on Church Road achieved by removing the existing loading bay and altering the curb;
 - Four spaces on the southern side of Hawthorne Road achieved by removing the waiting restriction (this would be subject of public consultation); and,
 - An existing parking bay on Church Road at the junction with Hawthorne Road extended to provide an additional parking bay.
- 3.8 As detailed in the supporting Transport Statement, twenty six cycle spaces would be provided at ground floor level within the site. Four visitor cycle spaces would be required at ground floor level on Church Road, the details of which would be secured by condition.
- 3.9 The applicant has submitted a statement of community involvement to accompany the application which, following a mail shot to 223 neighbouring addresses, elicited concerns regarding views, height and parking.

The submitted Local Community Infrastructure Report (July 2016) is considered to have demonstrated that the existing community facilities and services surrounding the site are capable of sustaining the current population and potential future demand (including from the application site).

The applicant has provided evidence of marketing of the site for over twelve months and shows no interest in the site for continued employment or community uses.

4. RELEVANT PLANNING HISTORY

4.1.1 MER117/71: USE FOR PANEL BEATING, SPAYING, AND LIGHT ENGINEERING – Planning Permission Refused.

4.1.2 MIT312/71: EXTENSION TO FACTORY – Planning Permission Refused.

4.1.3 MER1132/71: SECTION 43 DETERMINATION FOR USE FOR LIGHT INDUSTRIAL PURPOSES WITHIN CLASS III OF T AND C – Planning Permission not required.

4.1.4 MER65/72: ALTERATIONS TO ELEVATIONS TO EXISTING FACTORY PREMISES – Planning Permission Granted.

4.2 The above are various historic decisions relating to the current light industrial use of the site.

4.3 PREAPPLICATION

4.3.1 15/P3945 – PREAPPLICATION ADVICE FOR THE DEMOLITION OF EXISTING BUILDING AND THE ERECTION OF 12 X RESIDENTIAL UNITS COMPRISING OF 5 X 1 BEDROOM FLATS, 6 X 2 BEDROOM FLATS AND 1 X 3 BEDROOM FLAT. ADVICE PROVIDED MAY 2016.

5. CONSULTATIONS

5.1. The planning application was publicised by means of site and press notices, together with individual letters to 101 nearby addresses. One consultation and a reconsultation was undertaken following receipt of amended plans. In all 43 responses were received and a petition signed by 157 signatories. The letters and petition received raised the following issues:

- Concern that proposal would have a detrimental impact on number and quality of employment opportunities in the area;
- The proposal would be overdevelopment/over intensification
- Amended scheme did not mention affordable housing.
- Concern that the scheme does not include 3 bedroom units.

- Height, mass, scale, density of the proposed development is excessive and out of character with the nature of surrounding development and street patterns.
- The overall appearance and orientation is out of character.
- Lack of amenity space in the amended scheme designs.
- Proposal will lead to loss of daylight and sunlight and overshadow neighbouring properties.
- Proposal will result in an unacceptable loss of privacy and overlooking, and will create an unacceptable sense of enclosure to neighbouring residential property and existing private amenity spaces.
- Concern regarding impact of construction works on surrounding properties from noise, dust, vibration, traffic management, visual unsightliness and to pedestrians who use nearby pedestrian crossing.
- Errors in the submitted Daylight and Sunlight Report
- Concern about lack of car parking spaces as part of the proposal and that proposal will exacerbate lack of on street and off street car parking in the area.
- Proposal will result in an overall increase traffic and parking demands. The car parking survey is inadequate and concerns raised that there is no ability to limit car ownership of new residents.
- Proposed new parking spaces will affect visibility of crossing pedestrians.
- No contamination report submitted with the planning application.
- Lack of adequate consultation by the developer.

The application has been the subject of a further 14-day consultation on the amended plans and drawings submitted by the applicant. In all 11 responses have been received that raise the following issues:

- Concerns in relation to the consideration of the position of the main entrance on Hawthorne Avenue.
- The proposed development is a tall building and should be subject to an assessment on the basis of the Council's tall building policies
- The impact on Hawthorne Avenue and the wider terraces not properly considered.
- The original officer's report fails to address daylight and sunlight loss and there are errors.
- No mention of independent assessment report of applicant's daylight and sunlight report.
- The site was not properly advertised for renting.

External consultees.

- 5.2. Metropolitan Police (Designing out crime unit): Advised that the following matters should be considered: Installation of lockable gate to

the front elevation; installation of dividing fences between front gardens; passive surveillance through positioning of active rooms on the front elevation; communal entrance video access controlled; cycle storage details; position of refuse door re-orientated; all lighting should be to British Standards. All of the matters raised have been addressed by the applicant.

5.3 Environment Agency: The site is in Flood Risk Zone 1 and no requirement to consult the Environment Agency.

5.4 Thames Water: No objection. Advised conditions required relating to piling.

Internal Consultees

5.5 Transport/Highways officers: The highway proposals (for on street parking bays) will mitigate the future impact of over spill parking generated by the development. Subject to the provision of 9 on street parking bays, the proposals will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users. Refuse storage is appropriately located (both for residents and Council). Advised the parking provisions represent an increase in parking opportunities. Cycle parking provision in line with London Plan minimum levels.

5.6 Flood Risk Engineer: No objection. Advised that the site is at low risk of flooding, however surrounding roads are at medium risk of surface water flooding. The application was submitted with a drainage strategy that identifies sustainable drainage system (SuDS) measures. The final drainage scheme, identifying SuDS measures, should be secured by planning condition.

5.7 Environmental Health Officer: No objection. Advised conditions to mitigate the impact of noise, light spill/pollution, odours, impacts during construction and highlighted the need for contamination investigations and remediation strategies.

5.8 Urban Design Officer: The following comments were made on the original design: , the officer comments in bold ?? respond to amended drawings submitted by the applicant:

- i) The main amenity space for ground floor units at the front elevation would be improved if it was moved to the rear. Associated raised planter requires further consideration.
- ii) Design and appearance of the southern and northern elevations requires further consideration.

consider that whilst there could be improvements to the appearance of the southern elevation, the overall design is supported.

- iii) The building has a top-heavy appearance. The ground floor front elevation appears squat and the second floor too tall. The key is the weak definition between the changes in brick colour from ground to first floors.
- iv) The rear of the building is suitable for a form of deck access in order to create dual aspect units, however needs to be balanced with this site's particular overlooking issues.

Following receipt of further plans and elevations the following comments have been made:

- The north elevation is improved and the changes strengthen the vertical feel and give better coherence to the elevation
- A number of architectural changes have been made and collectively these effectively change the visual emphasis from horizontal to vertical
- There are minor improvements that could be made to the front elevation at ground floor level, including the provision of a lower boundary wall and improving the spacings between the railings

5.9 Waste Management (refuse): No objection.

5.10 Climate Change Officer: No objection. Advised the proposed development should achieve a 35.7% improvement on CO2 emissions on Part L 2013 requirements which meets relevant policy requirements. Recommended a condition requiring evidence that the proposed improvements, along with relevant water consumption standards, are achieved prior to occupation. The scheme was validated prior to 1st October and therefore Zero Carbon target (introduced by the London Plan on major application received after that date) is not applicable.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2012)

The following principles are of particular relevance to the current proposals:

- At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking;
- The NPPF states that local authorities should act to boost significantly the supply of housing and use their evidence base to ensure that Local Plan documents meet the full, objectively assessed needs for market and affordable housing;
- Proactively drive and support sustainable economic development to deliver homes, business and industrial units, infrastructure and

thriving local place 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;

- Encourage the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value;
- Planning policies should avoid the long term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities;
- Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development and should look for solutions rather than problems. Planning should not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve the places in which people live their lives
- Good design is a key aspect of sustainable development and it should contribute positively to making places better for people

Others sections of NPPF of relevance:

4. Promoting sustainable transport
6. Delivering a wide choice of quality homes.
7. Requiring good design.
10. Meeting the challenge of climate change/flooding

6.2 London Plan (2016) relevant policies include:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 3.12 Negotiating affordable housing
- 3.13 Affordable housing thresholds
- 4.4 Managing industrial land and premises
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction

- 5.7 Renewable energy
 - 5.9 Overheating and cooling.
 - 5.10 Urban greening
 - 5.11 Green roofs.
 - 5.13 Sustainable drainage
 - 5.15 Water use and supplies.
 - 5.17 Waste capacity
 - 6.3 Assessing the effects of development on transport capacity
 - 6.9 Cycling
 - 6.11 Smoothing traffic flow and easing congestion
 - 6.12 Road network capacity
 - 6.13 Parking
 - 7.1 Lifetime neighbourhoods
 - 7.2 An Inclusive environment
 - 7.3 Designing out crime
 - 7.4 Local character
 - 7.5 Public realm
 - 7.6 Architecture
 - 7.7 Location and design of tall and large buildings
 - 7.14 Improving air quality
 - 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
 - 8.2 Planning obligations
 - 8.3 CIL
- 6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy) relevant policies include:
- CS 8 Housing choice
 - CS 9 Housing provision
 - CS 12 Economic development
 - CS 13 Open space, leisure and nature conservation
 - CS 14 Design
 - CS 15 Climate change
 - CS 18 Transport
 - CS 19 Public transport
 - CS 20 Parking servicing and delivery
- 6.4 Merton Sites and Policies Plan – 2014 (SPP) relevant policies include:
- DM H2 Housing mix
 - DM H3 Support for affordable housing
 - DM D1 Urban Design
 - DM D2 Design considerations
 - DM E1 Employment areas in Merton
 - DM E3 Protection of scattered employment sites
 - DM E4 Local employment opportunities
 - DM O1 Open space
 - DM O2 Trees, hedges and landscape features
 - DM EP2 Reducing and mitigating noise
 - DM T1 Support for sustainable travel and active travel
 - DM T2 Transport impacts of development

DM T3 Car parking and servicing standards
DM T4 Transport infrastructure

- 6.5 Supplementary guidance.
DCLG Technical Housing Standards - 2015
London Housing SPG – 2016
Merton Design SPG – 2004
New Residential Development - 1999

7. PLANNING CONSIDERATIONS

7.1 The main planning considerations include assessing the following:

- Loss of existing scattered employment site
- Principle of redevelopment for residential land use
- Affordable housing
- Standard of accommodation
- Design, including layout, scale and massing and impact on locality and neighbouring amenity
- Housing Mix
- Access
- Transport
- Sustainable design and construction and energy
- Technical issues including flooding, air quality, and contamination.
- Planning obligations

Demolition of existing building and loss of existing scattered employment site

7.2 SPP policy DM E3 is concerned with the protection of scattered employment sites. The policy defines those employment uses to be those with Use Class B1 (a), (b) & (c) B2 & B8 as well as appropriate sui generis uses. The light industrial use of the site, being B1 (c) would therefore fall within this policy.

7.3 Sites and Policies Plan policy DM E3 Protection of scattered employment sites seeks to ensure that there is a diverse mix of size, type, tenure and location of employment facilities which can support a range of employment opportunities within the borough.

7.4 Applications proposing a loss of a scattered employment site will have to show that full and proper marketing has been undertaken to demonstrate that employment uses are no longer viable on the site. Applicants will have to demonstrate that:

- the site has been marketed for 30 months unless otherwise agreed with the council;
- Site is in a predominantly residential area;
- Size, configuration and access make it unsuitable and financially unviable for whole site employment use;

- the site has been marketed using new (on the internet) and traditional marketing tools available; and
 - the site has been marketed at a price which is considered reasonable (based on recent and similar deals or transactions).
- 7.5 The site applicant has provided the following information to demonstrate that they have been marketing the site on their website, via open days and an advertising board since April 2016 for a commercial use (ongoing):
- Marketing Report – Goodsir Commercial
 - Market Analysis - Goodsir Commercial
 - Marketing Report – Hubert Rex & Partners
- 7.6 The supporting information also documents that the site was marketed prior to 2008. Since April 2016, despite limited interest (75 enquiries) there have been no offers for the site for a commercial use.
- 7.7 In addition, the applicant has assessed existing supply and demand for community uses to ascertain whether an alternative use of the site for a community use is a realistic prospect. The submitted Local Community Infrastructure Report (July 2016) is considered to have demonstrated that the existing community facilities and services surrounding the site are capable of sustaining the current population and potential future demand (including from the application site).
- 7.8 Further representations have been received regarding the marketing of the site. Officers have considered these representations and still consider that on the basis of the information submitted the applicant has complied with policy DM E3. Furthermore, the existing building has no statutory or local protection and is considered to be of little architectural merit or worthy of retention. The principle of the loss of this scattered employment site is therefore consistent with the Council's planning policies.

Principle of redevelopment for housing

- 7.9 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. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2012 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.

- 7.10 The site has a PTAL rating of 2 which is considered to be poor; however, the site is a 6 minute bus trip or a 13 minute walk from Colliers Wood Underground Station, thus the rating may not be representative of the true accessibility level at this location. The site is an underutilised brownfield site which is considered to be suitable for redevelopment. It is further noted that the site is surrounded by residential development. The proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of brownfield sites.

Residential density

- 7.11 The area has a public transport accessibility level (PTAL) of 2 which is considered to be a poor level of accessibility. It is considered that the site is located within an urban area.

- 7.12 The resultant density is calculated to be as follows:

Units per hectare:

$1/0.06 \text{ ha (site area)} \times 14 \text{ (number of units)} = 241 \text{ units per hectare.}$

Habitable rooms per hectare:

$1/0.06 \text{ ha (site area)} \times 38 \text{ (assumed No. of habitable rooms)} = 633 \text{ habitable rooms per hectare.}$

- 7.13 Table 3.2 of the London Plan 2016 advises that sites with a PTAL rating of 2 within a suburban setting should provide for a density range of between 50-95 units/ha and 150-250 habitable rooms/ha.

- 7.14 The figures above illustrate that the proposed development would provide for a density that far exceeds the recommended density range provided in the London Plan, for both units and habitable rooms. However, in terms of PTAL, the closest bus stop to the site is Mount Road/Church Road (approximately 140m to the north) which offers a single regular service. Additional bus stops are located approximately 1.1km to the north and 1.3km to the south of the site. In terms of railway accessibility, the nearest Tramlink service is Phipps Bridge Tramlink approximately 850m to the west. Colliers Wood underground station is approximately 1.1km to the north and national rail station Mitcham Eastfields station is approximately 1.9km to the southeast of the site. Thus the rating may not be representative of the true accessibility of this location.

- 7.15 In addition, while density is a material consideration, it is not the overriding factor as to whether a development is acceptable. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, amenity, including both neighbour and future occupier amenity, and the desirability of protecting and enhancing the character of the area and the relationship with neighbouring sites.

- Design and impact upon the character and appearance of the area
- 7.16 The NPPF, London Plan policies 7.4, 7.6 and 7.7, Core Strategy policy CS14 and SPP Policy DM D2 require well designed proposals which make a positive contribution to the public realm, are of the highest quality materials and design and which are appropriate in their context, thus they must respect the appearance, materials, scale, bulk, proportions and character of their surroundings. Policy 7.7 of the London Plan relates to the location of a tall or large buildings. Tall and large buildings are defined as those that are substantially taller than their surroundings, cause a significant change to the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor.

Massing and height.

- 7.17 It is considered that a suitable approach to massing has been proposed which responds well to the surrounding context. The massing of the building would be focussed toward the western side of the site (Church Road), away from residential properties on Hawthorne Avenue, with similar heights to the buildings directly opposite the site, taking advantage of the wide streetscape, corner position, no established building line and the meeting point of two distinct street frontages. The applicant was advised at the pre-application stage that the distinct site characteristics provide a degree of flexibility in the footprint and orientation of the building; however they were also advised to include setbacks from the northeast and southeast corners (setback from the rear elevation), to ensure sense of enclosure as viewed from the rear of No. 2 Hawthorne Avenue is reduced and to reduce the apparent bulk when travelling westward along Hawthorne Avenue.
- 7.18 The approach to the massing of the building results in a building that has a maximum height in alignment with the height of buildings immediately opposite the site (No. 261 Church Road – Noble Court) (existing height of 12.7m vs proposed 12.3m or 13.1m if lift overrun is included) that are three storeys with steeply pitched roofs. Specific concerns have been raised that the proposal has not been assessed in accordance with the development plan policies relating to tall and large buildings. Officers consider that whilst these policies are relevant to the assessment of a tall and large building, defined as one that is substantially taller than their surroundings, cause a significant change to the skyline or are larger than the threshold sizes set for the referral of planning applications to the Mayor, they are not considered to be relevant to the assessment of this proposal. As is defined above, the finished height (excluding lift overrun) would be lower than the existing height of buildings immediately opposite the site. Officers do not consider that the proposal building is substantially taller than its surroundings.

- 7.19 The fourth floor of the proposal has been specifically designed to lessen the visual impact of the bulk by setting it back from the front and both sides, using a different type of material and colour to appear subordinate, break up the bulk and more readily blend in with the sky. Given the separation distance between the buildings on Church Road and the reduced bulk of the recessed fourth floor, it is considered that the development constitutes an appropriate addition to the street scene and reflects the height of No. 261 Church Road (Noble Court) immediately to the west. Indeed, the proposal is approximately 0.6m lower in height (excluding lift overrun). It is noted that the lift overrun is located centrally within the site, set well back from the street elevations, and would not be visible from the street level.
- 7.20 The building would provide a suitable transition in height from four storeys (with setback) to the neighbouring two storey residential development on Hawthorne Avenue and Church Road by reinforcing the separation between buildings. The proposed building would have a maximum separation distance of approximately 6.3m from the eastern boundary with Nos. 2a and 2b Hawthorne Avenue and terrace beyond, a distance of 4.8m to the side elevation of No. 262 Church Road and 12.8m to the side elevation of properties on the corner of Church Road and Hawthorne Avenue. Concerns have been raised with respect to the impact of the development on those properties on Hawthorne Avenue and the wider surrounding 'grid iron' terrace. The 'grid iron' terraces to which the representations refer are situated to the south of Hawthorne Avenue whilst the application site itself is considered to present different characteristics and positioned in a different character area. The massing of the building has been designed to ensure that it is concentrated towards Church Road, with which it shares a long boundary, and away from properties on Hawthorne Avenue. Officers consider that in conjunction with the separation distance the height is considered to be acceptable and the building is positioned sufficiently far away from the 'grid iron' terrace to the south of Hawthorne Avenue that it would have no significant impact.
- 7.21 Given the under-utilised nature of the site, the presence of 3 storey buildings with steep sided pitched roofs directly opposite the site on Church Road, the width of Church Road, recessed fourth floor, and separation from residential properties to the east of the site, it is considered that the maximum height of the building would be acceptable in townscape terms..

Layout

- 7.22 The footprint is considered to make effective use of the site, utilising the ground floor level whilst retaining appropriate separation distances to adjoining boundaries. The proposal takes a perimeter block approach and provides generous active frontage to Church Road and Hawthorne Avenue. Whilst there is no consistent building line, the footprint is an opportunity to introduce a new building footprint that introduces direct overlooking onto Church Road from recessed

balconies and overlooking from secondary windows and active frontage from the communal entrance on Hawthorne Avenue.

- 7.23 The main entrance into all of the residential units is provided from the communal entrance on Hawthorne Avenue, near the junction with Church Road. The placement ensures the entrance is positioned away from traffic of Church Road, while still being highly visible.
- 7.24 The ground floor units have secondary access direct from Church Road via gates. The ground floor units would incorporate a suitable setback providing defensible space, which creates an important delineation between public realm and private property; this would be further enforced by the presence of a metal gate and railing. The entrance doors into units 1.1, 1.2, 2.1, 2.2, 3.1 and 3.2 on the first, second and third floors respectively, are accessed from a 1.7m wide corridor on the eastern side of the building, open on one side. To ensure that there is no direct overlooking into neighbouring gardens from the corridor, the open side would be screened by glass privacy screens, the details of which would be secured by condition.
- 7.25 It is considered that the proposed layout is well thought out and based on sound urban design principles, the layout provides an inclusive design and promotes natural surveillance; when compared the current extensive length of inactive frontage along Church Road and Hawthorne Avenue it is considered the approach will enhance the character and vitality of the area.

Design and appearance

- 7.26 As has been outlined, the applicant has made further amendments to the scheme. The changes are considered to have effectively changed the visual emphasis of the building from horizontal to vertical and addressed concerns that the building had too strong a horizontal emphasis.
- 7.27 Concerns were previously raised by officers in respect of the appearance of the western, northern and southern elevations. The applicant has made further minor changes to the western and northern elevations and officers consider that the further changes are an improvement and can be supported. In terms of the southern elevation, the applicant has made further minor changes to the appearance by increasing the area of blue tiling, removing the semi-open brick grille to the amenity space serving the ground floor unit and integrating building signage, officers welcome these changes. Officers consider that this is an important corner and have encouraged the appearance to be amended. Given the diverse appearance of buildings in the locality it is considered that on balance delaying determination any further or refusing the scheme on this basis alone would be unreasonable.
- 7.28 The design approach to the external appearance of the development,

which includes the use of a pallet of materials influenced in part by the character of the wider area is supported, although as has been identified, the appearance of the ground floor front and side (southern) elevations could be improved. The use of textured and coloured bricks, textured metal, glass privacy screens, recesses and horizontal separation between floors, and false windows have improved the appearance of individual facades. However, the success would be very much dependant on the exact materials used; therefore, a condition is recommended requiring samples of materials to be submitted for approval prior to the commencement of the development.

- 7.29 It is considered that whilst the development would introduce a modern design, the replacement of a dilapidated industrial building is supported, and would successfully harmonise with, and enhance the character of the surrounding area.

Unit size, mix and affordable housing

- 7.30 The development proposed 14 residential units with the following size mix: 5 x 1 bed 2 person, 1 x 2 bed 3 person and 8 x 2 bed 4 person which equates to 36% 1 bed and 64% 2 beds. Policy DM H2 of the SPP seeks to create socially mixed communities by providing a range to dwelling sizes, the policy indicates a borough wide housing mix of 33% 1 beds, 32% 2 beds and 35% 3 beds to be appropriate.
- 7.31 2011 Census data for the Merton area identifies the following unit size mix 7.1% 1 bed, 14.4% 2 bed and 78% 3 bed. There is a very high proportion of larger dwellings in Merton, thus the proposal would contribute to balancing the housing choice in Merton as a whole.
- 7.32 Policies 3.5 and 3.8 of the London Plan 2015 state that housing developments are to be suitably accessible and 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). Policy DM D2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of privacy, sunlight and daylight and quality of living conditions for future occupants.

Unit Number	GIA Floorspace (sqm)	Policy Standard	Amenity Space (sqm)	Policy Standard	Compliant
G.1 (WA)	79	70	40	7	Yes
G.2 (WA)	91	70	16	7	Yes
G.3	74	61	32	6	Yes
1.1	75	70	8	7	Yes
1.2	51	50	5	5	Yes
1.3	51	50	5	5	Yes
1.4	75	70	8	7	Yes
2.1	75	70	8	7	Yes
2.2	51	50	5	5	Yes
2.3	51	50	5	5	Yes
2.4	75	70	8	7	Yes
3.1	72	70	34	7	Yes
3.2	51	50	12	5	Yes
3.3	72	70	34	7	Yes

- 7.33 As demonstrated by the table above, all units either meet or exceed London Plan standards. All habitable rooms are serviced by windows which are considered to offer suitable natural light, ventilation and outlook to prospective occupants.
- 7.34 Dual aspect units are encouraged given the higher standard of living they offer, which includes better ventilation, increased daylight, increased sunlight hours and the ability to choose which side of the unit to open windows (when noise, odour or other nuisance is being generated on a particular side). Ten of the 14 units would offer dual aspect units. This is a very high proportion of dual aspect units for a scheme of this size. Of the remaining four units, two units (G.2 and 3.2) would offer private amenity space in excess of the minimum standards.
- 7.35 In accordance with the London Housing SPG, policy DMD2 of the SPP states that there should be 5sq.m of external space provided for 1 and 2 person flats with an extra square metre provided for each additional occupant. All units are provided with either private balconies or terraces, the sizes of which all meet or exceed the relevant standards. The scheme does not provide communal amenity space. Following negotiation with the applicant, it was considered that the location was more appropriate for 1 and 2 bedroom flats, as opposed to family sized accommodation. As such, it was not felt necessary to provide on-site amenity space. Rather, officers have secured the provision of generous private amenity space for the ground floor, shared ownership units.
- 7.36 It is noted that a lift serves all floors providing step free access and that 10% of units meet M4(3) of the building regulations in accordance with

London Plan policy 3.8. The two wheelchair accessible units will be provided at ground floor level (units G.1 and G.2).

- 7.37 As outlined above, the scheme is considered to offer a high standard of living for prospective occupants.
- 7.38 London Plan policy 3.12 requires that in making planning decisions a maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed-use schemes. Decision makers are required to have regard to factors including current and future requirements for affordable housing at local and regional levels and affordable housing targets adopted in line with policy.
- 7.39 The London Plan requires that negotiation on sites should take account of their individual circumstances including development viability, the availability of public subsidy, the implications of phased development including provisions for reappraising the viability of schemes prior to implementation and other scheme requirements.
- 7.40 Having regard to characteristics such as financial viability issues and other planning contributions Core Strategy policy CS 8 states that for developments providing 10 or more units 40% of the new units should meet this provision and be provided on site. The LDF notes that where a developer contests that it would not be appropriate to provide affordable housing on site or wishes to deviate from the affordable housing requirements set out in the policy, the onus would lie with the developer to demonstrate the maximum amount of affordable housing that could be achieved on the site viably.
- 7.41 The developer has provided a financial viability appraisal (FVA) with the application which finds that the scheme as proposed would be unable to deliver both the target (40%) affordable housing contribution and a reasonable profit margin. An independent assessment of the FVA was undertaken which agreed that the scheme could not support an onsite affordable housing provision of 40% while achieving a suitable profit margin, albeit it found that the scheme could provide 3 x on-site shared ownership units (21% affordable housing) if the developer accepted a small loss. The developer has confirmed that they will accept a small loss and officers welcome the offer of the provision of 3 x on-site shared ownership units. Following further discussion with the applicant, officers have accepted that in the event a registered housing provider has not purchased the affordable units within six months of at least 75% of the market units being occupied, a cash in lieu payment shall be provided.

Impact upon neighbouring amenity

- 7.42 London Plan policies 7.14 and 7.15 along with SPP policy DM D2 state 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 light spill/pollution, loss of light, quality of living conditions, privacy, visual intrusion and noise.

Light spill

- 7.43 Light spill from the proposal is not expected to be significant given the scheme is residential. However, there are external amenity spaces at ground floor which would likely require lighting, this space is adjacent to the rear gardens of the dwellings to the east and could impact upon their rear windows. As such, it is recommended to include a condition which would require details of external lighting to be submitted to, and approved prior to occupation.

Visual intrusion and loss of light

- 7.44 Given the building would be a maximum of four storeys in height (with setback) and would be replacing single storey structures, visual intrusion and loss of light are of particular concern. To mitigate these affects, the proposal has been designed to shift the massing toward Church Road, away from the dwellings to the east and north.
- 7.45 The developer has provided a detailed daylight/sunlight and overshadowing report in support of the proposal which has been undertaken in accordance with BRE guidelines; the methodology used is the vertical sky component (VSC) and no sky line (NSL) for daylight and annual probable sunlight hours (APSH) for sunlight. In addition a sun on the ground analysis has been undertaken in accordance with BRE guidelines. Habitable rooms from all immediately surrounding dwellings have been assessed, including Nos. 2 and 2A Hawthorne Avenue, No.262 Church Road, and Noble Court (No. 261 Church Road), the blocks of flats located opposite the site.
- 7.46 The daylight and sunlight assessment finds the following:
- In relation to the daylight assessment, the effect on VSC is within the 80% guidance value in 99% of cases (159 out of 160 windows assessed), thus the impact will be minimal. In terms of the No Skyline form of daylight assessment 100% of the rooms assessed meet the BRE guidelines recommendations.
 - In relation to sunlight 100% (99 out of 99) of the individual windows relevant for sunlight assessment meet the BRE guidelines recommendations.
 - The impact on the amenity space of surrounding properties will be negligible.
- 7.47 As identified above, following a VSC daylight analysis only one window, a ground floor, south facing window of No.262 Church Road demonstrates a technical breach of the BRE guidelines. However, the analysis presented considers that the window is a secondary window in a room that retains very good daylight potential. The sunlight analysis for this property also shows compliance with the guidelines recommendations.

- 7.49 In conclusion, the daylight and sunlight assessment is considered to be robust and reasonable; as such, it is not considered the proposal would unduly impact upon neighbouring amenity in terms of loss of light.
- 7.50 In addition to the above, particular attention should be paid to No.2a Hawthorne Avenue and 262 Church Road in terms of overshadowing as these are the dwellings closest to the development.

No. 2a Hawthorne Avenue

- 7.51 In accordance with BRE guidelines, at least 50% of any amenity area should receive at least two hours of sunlight on 21st March. In respect of No. 2a Hawthorne Avenue, the analysis shows that 50% of the garden will receive at least two hours of sunlight, and would meet the BRE guidelines.
- 7.52 The existing garden of Nos. 2a and 2b Hawthorne Avenue has a separation distance of 1.2m from the existing one storey building. Where the rear garden runs parallel with the proposal building, an increase in the separation distance to 6.3m is proposed. This separation distance is maintained along the shared boundary for approximately 14m. At fourth floor (setback) level, the building has been setback on the north eastern and south eastern corners and this has reduced the height to 9.7 m. Officers consider that these mitigation measures, set against a proposed building height of 12.3m (including set back) along the shared boundary, would ensure the proposal is not unduly visually intrusive.

No. 262 Church Road

- 7.53 In accordance with BRE guidelines, at least 50% of any amenity area should receive at least two hours of sunlight on 21st March. In respect of No. 262 Church Road the analysis shows that 6.23% of the garden will receive at least two hours of sunlight, and would meet the BRE guidelines.
- 7.54 As the building approaches No. 262 Church Road from the south it steps down in height from four to three storeys and the whole building would set back from the shared boundary by approximately 1.5m. A 2.2m high boundary fence would be positioned along the shared boundary. The stepped massing of the building and setback from the shared boundary is such that officers consider the proposals would not appear unduly intrusive.

Privacy

- 7.55 The Merton SPG New Residential Development (1999) states that the design and layout of residential development should ensure that adequate privacy is provided for the residents of the new development and for the residents or occupiers of existing properties adjoining the site. In order to achieve satisfactory privacy between the windows of habitable rooms and all kitchens, it is normal to rely on distance

separation. The minimum distance required for this purpose is 20 metres for two-storey dwellings. Where either or both dwellings facing each other are three or more storeys, the distance separation should be greater.

- 7.56 The front (western) elevation is directed towards the eastern elevation of Noble Court (261 Church Road). There is a separation distance of approximately 21 m between the windows and this meets Merton's separation distance standards.
- 7.57 The side elevation (northern) is directed towards part of the side elevation of 262 Church Road, there would be no direct overlooking into the rear garden. There are no windows in the ground floor units on the northern elevation. At second and third floor levels, the proposed windows serve bedrooms and provide a secondary window to living room. At setback roof level, overlooking from the proposed outdoor amenity space would be addressed by the introduction of a privacy screen, the details of which have not been supplied. As such, it is recommended to include a condition which would require details of screening to be submitted to, approved and implemented prior to first occupation.
- 7.58 The rear elevation (eastern) is directed towards the rear gardens of properties on Hawthorne Avenue. The applicant has considered the potential for overlooking from this elevation and has set back the northeast corner of the building at third floor level. At setback roof level, overlooking from the proposed outdoor amenity space would be addressed by the introduction of a privacy screen, the details of which have not been supplied. It is considered that the proposed methods could suitably address any overlooking concerns. As such, it is recommended to include a condition which would require details of screening to be submitted to, approved and implemented prior to first occupation.
- 7.59 Open walkways have been proposed to facilitate dual aspect units in the middle of the building on the eastern elevation. This part of the building has been set back from the shared boundary with Nos. 2a and 2b Hawthorne Avenue by a maximum of 6.3m. The applicant has proposed the use of cast glass privacy screens at all levels to ensure that overlooking is addressed. Furthermore, the two windows serving the halls of flats 1.1 and 2.1 will be obscure glazed. It is considered that the proposed methods could suitably address any overlooking concerns. To ensure compliance, it is recommended to include a condition which would require details of screening to be submitted to, approved and implemented prior to first occupation.
- 7.60 It is not considered the proposal would unduly impact upon the privacy of neighbouring properties.

Noise

- 7.61 There is the potential for noise from construction and it is recommended to include a suitable condition. It is considered that the impact of noise from the residential use is expected to be comparable to the surrounding development and as such can be suitably addressed by way of conditions.

Construction phase

- 7.62 The development has the potential to adversely impact neighbouring residents during the construction phase in terms of noise, dust and other pollutants. As such, it is recommended to include conditions which would require a detailed method statement to be submitted to, and approved by, Merton Council prior to the commencement of the development.

Transport, highway network, parking and sustainable travel

- 7.63 London Plan policies 6.3 and 6.12, CS policies CS20 and CS18 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management; in addition, there is a requirement to submit a Transport Assessment and associated Travel Plan for major developments. London Plan policies 6.9, 6.10 6.13, CS policy CS20 and SPP policies DM T1 and DM T3 seek to promote sustainable modes of transport including walking, cycling, electric charging points, the use of Travel Plans and by providing no more vehicle parking spaces than necessary for any development.

Vehicle parking provisions

- 7.64 No off street parking is proposed in connection with the development. However, the applicant proposes that by altering the existing parking arrangements around the site a maximum of 9 on street parking bays can be provided which will be for the use of all.
- 7.65 Four of the nine on street parking bays can be achieved by removing the existing loading bay and altering the curb outside the development on Church Road. The works to alter the existing curb will be the subject of a condition and an agreement under the Highways Act.
- 7.66 It is considered that by altering the waiting restrictions on the southern side of Hawthorne Road a further 4 on street parking bays could be provided. Finally, an additional on street parking bay could be provided by extending the existing parking bay to the south of the site on the western side of Church Road at its junction with Hawthorne Avenue. The altering of the waiting restrictions would be the subject of public consultation. The costs of the public consultation and altering of waiting restrictions will be paid for by the applicant via a condition and an agreement under the Highways Act.
- 7.67 Officers acknowledge that while there is some capacity locally to accommodate extra parking pressure any parking pressure generated

by the proposals is likely to be displaced into neighbouring roads thereby impacting on existing residents. Officers therefore consider that it would be prudent given the major nature of the scheme to secure measures to increase on street capacity in the immediate vicinity of the site so as not to increase pressure that might impact more noticeably on existing parking in side roads.

- 7.68 In terms of further initiatives to improve parking stress in the area, typically free car club membership would be requested for a development of this nature to reduce the likelihood of car ownership by future residents. However the nearest car club bay is approximately 1100m away and it is considered unreasonable to request a contribution from the developer on this basis.

Delivery, servicing and the highway network

- 7.69 The Transport Assessment suggests that in terms of service and refuse generation, there would be 1 vehicle movements associated with the residential component these would be predominantly light goods vehicles. It is considered that the highway network can comfortably accommodate these vehicles. Where possible, deliveries for the residential component would take place via the kerbside around the site. Refuse stores are considered to be suitably located to allow collection.

- 7.70 Given the above, it is considered the development would be acceptable in terms of its impact upon the highway network.

Sustainable Travel

- 7.71 In accordance with London Plan policy 6.9 and table 6.3, 26 long term cycle storage spaces have been proposed for the residential component, as confirmed in the submitted Transport Statement. Four short term visitor cycle spaces are also required to ensure compliance with London Plan minimum standards. The provision of visitor cycle spaces (although not identified on plan), in addition to details of short term cycle spaces shall be secured by condition.

Refuse storage

- 7.72 Appropriate refuse storage must be provided for developments in accordance with policy 5.17 of the London Plan and policy CS 17 of the CS.

- 7.73 The location of the refuse storage is considered to be appropriate and easily accessible by residents and Council (for collection). The developer has confirmed that the storage area proposed for refuse can accommodate the storage capacity requirements of Merton Council. As such, it is considered the a condition could reasonably be added requiring details of refuse storage to be submitted to, and approved by, Merton Council prior to occupation.

Sustainability

- 7.74 London Plan policy 5.3 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water. London Plan policy 5.2 now sets a zero carbon target for residential development, whereas non-residential development remains at a 35% improvement on Part L of the Building Regulations 2013.
- 7.75 The developer has submitted an Energy and Sustainability Statement (revised and dated December 2016) in support of the application which states the development could achieve a 35.7% improvement on Part L 2013, incorporating SUDS and solar panels, which is compliant with policies 5.2 of the London Plan and CS15; the statement is considered to be robust and reasonable.
- 7.76 It is recommended to include a condition which would require evidence to be submitted to, and agreed by, Merton Council which confirms that water consumption standards will not exceed 105 litres per person per day. Subject to compliance with the above condition, it is considered the proposal would be policy compliant in terms of sustainability.

Other matters

Flooding and sustainable urban drainage

- 7.77 London Plan policies 5.12 and 5.13, CS policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.
- 7.78 The site is not considered to be at risk of flooding; however Hawthorne Avenue and part of Church Road is at medium risk of surface water flooding. The scheme proposes to limit runoff rates to no more than 4.02 l/s, which is acceptable.
- 7.79 It is recommended to include a condition which requires details of drainage, attenuation and management to be submitted to, and approved by Merton Council prior to the commencement of development.

Site contamination

- 7.80 London Plan Policy 5.21 and SPP policy DM EP4 state that developments should seek to minimise pollutants, reduce concentrations to levels that have minimal adverse effects on human or environment health and to ensure contamination is not spread.
- 7.81 In light of the former commercial uses on the application site, there is a potential for the site to suffer from ground contamination. Planning

conditions are recommended that seek further site investigation work and if contamination is found as a result of this investigation, the submission of details of measures to deal with this contamination.

Landscaping/Open Space

- 7.82 NPPF section 11, London Plan policies 7.5 and 7.21, CS policy CS13 and SPP policies DM D2 and DM O2 seek to ensure high quality landscaping to enhance the public realm, protect trees that significantly improve the public realm, to enhance biodiversity, encourage proposals to result in a net gain in biodiversity, where appropriate within the Wandle Valley Regional Park, to incorporate physical connections that will encourage pedestrian and cycle accessibility, and to discourage proposal that result in harm to the environment, particularly on sites of recognised nature conservation.
- 7.83 The application proposal includes the provision of private balconies /terraces at all levels and defensible space on the ground floor that would include space for planting. Furthermore, the application includes the provision of 26 cycle parking spaces and 4 visitor cycle spaces on Church Road (not shown on plan). It is considered that this will encourage the use of bicycles thereby improving cycle accessibility.
- 7.84 The works to extend the existing parking bay and repositioning /extension of the kerb in front of the site on Church Road will be in close proximity to the existing tree at the southern end of the site on the pedestrian footway. It is recommended that street tree protection measures are covered under the condition requiring changes to existing parking bays under the Highways Act.

Developer contributions

- 7.85 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).
- 7.86 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development;
 - fairly and reasonably related in scale and kind to the development.
- 7.87 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.
- 7.88 In this instance the delivery of affordable housing would be secured via a S106 agreement.

- 7.89 The developer has agreed to meet the Council's reasonable costs of preparing and monitoring the Section 106 Obligations. S106 monitoring fees would be calculated on the basis of the advice in the Council's adopted Supplementary Planning Guidance (2006) and legal fees would need to be agreed at a later date.
- 7.90 Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by Merton's Community Infrastructure Levy.
8. CONCLUSION
- 8.1 The proposals have been developed reflecting both engagement by the applicant with local residents and from discussions between the applicant and Council officers. The application presents opportunities in the form of the delivery of much needed housing and affordable housing on a site where evidence would suggest little interest in continued use for employment generating purposes.
- 8.2 Overall it is considered that the scheme responds positively to the surrounding context in terms of massing, heights and layout, although officers consider that the design of the southern and western elevations could be improved upon. This does not amount to a reason for refusal on its own however and it is considered that the proposal makes a positive contribution to the streetscene.
- 8.3 The financial viability appraisal determined that the development would generate a marginal deficit but that a developer would still proceed with the development on this basis. The developer has offered approximately 21% of units as affordable housing units, which would be delivered on the basis of the developer conceding a reduced profit margin; this offer is welcomed by officers as is the delivery of 14 residential units.
- 8.4 The proposal has been sensitively designed to ensure it would not unduly impact upon neighbouring amenity. It is acknowledged that the scheme has not been presented to the DRP as requested by PAC, however it must also be acknowledged that the applicant has made significant design changes in an effort to improve the scheme's visual appearance. The proposal would offer good living standards for prospective occupants. The proposal would not unduly impact upon the highway network and it would promote and facilitate sustainable travel. The proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate levels of sustainability. The proposal would accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations, which would warrant a refusal of the application.

- 8.5 The application is therefore recommended for approval subject to appropriate conditions and s106 agreement.

RECOMMENDATION

Grant planning permission subject to s106 agreement and the following conditions.

S106 legal agreement:

1. The provision of 3 (2 x 2 bed and 1 x 1 bed) 'shared ownership' affordable housing units on-site OR a cash in lieu payment of £312,000 to provide affordable housing elsewhere in the borough. The applicant shall provide the council with the cash in lieu payment in the event a registered housing provider has not purchased the affordable units within six months of at least 75% of the market units being occupied, during that period the units identified as affordable units shall not be let, sold or otherwise occupied unless to a registered housing provider;
2. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations [agreed by developer];
3. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [agreed by developer].

And the following conditions:

Time Limits

- 1 The development to which this permission relates must be begun not later than the expiration of three years beginning from the date of this decision notice. Reason: To comply with the provisions of Section 91(1) (a) of the Town and Country Planning Act 1990 and Section 51 of the Town and Country Planning Compulsory Purchase Act 2004.

Approved Plans

- 2 The development hereby permitted shall be carried out in complete accordance with the approved plans and drawings listed in this decision notice, other than where those details are altered pursuant to the conditions of this planning permission. Reason: For the avoidance of doubt and in the interests of proper planning

Design

- 3 Standard condition [materials to be approved]: No development shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted,

including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: 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.

- 4 No development above ground shall take place until drawings to a scale of not less than 1:20 and samples and/or manufacturer's specifications of the design and construction details listed below have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out solely in accordance with the approved details.
- i) metal, glass and wood work including private amenity spaces, balustrades to balconies showing glass to flats;
 - ii) all external window and door systems (including technical details, elevations, plans and cross sections showing cills and reveal depths);
 - iii) copings and soffits and junctions of external materials;
 - iv) rain water goods (including locations, fixings, material and colour)

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.

- 5 Non-standard condition [Security measures]: Prior to first occupation of any part of the development details of the positioning and operational management of any associated on site security system shall be submitted to and approved in writing by the Local Planning Authority and be installed and operational and shall thereafter be retained and maintained.

Reason: To ensure a safe and secure layout in accordance with policy DM D2 of the Merton Adopted Sites and Policies Plan 2015.

Highways

- 6 Standard condition [Timing of construction]: No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

- 7 Amended standard condition [Working method statement]: Prior to the commencement of development [including demolition] a working method statement shall be submitted to and approved in writing by the Local Planning Authority that shall include measures to accommodate: the parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of dust, smell and other effluvia; control of surface water run-off. No development shall be take place that is not in full accordance with the approved method statement.

Reason: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan.

- 8 Standard condition [Construction logistic plan]: 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 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: 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.

- 9 No development shall commence until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to safeguard the existing retained trees to comply with the following Development Plan policies for Merton: policies 6.13 and 7.21 of the London Plan 2015, policies CS18 and CS13 of Merton's Core Planning Strategy 2011 and policies DM T1 and DM O2 of Merton's Sites and Policies Plan 2014.

- 10 No flat shall be occupied until the applicant has entered into an agreement under the relevant provisions of the Highways Act in order to provide for changes to loading and unloading restrictions and parking restrictions on Church Road and Hawthorne Avenue and to provide 4 x visitor cycle parking spaces on Church Road, including any traffic management orders and any associated highways works to reinstate and/or remodel kerbs, along with street tree protection measures. No flat shall be occupied until the changes as may be provided for under such an agreement are implemented, unless otherwise agreed in writing by the Local Planning Authority.

Reason. In order to ensure that the implementation of the development does not give rise to additional parking pressure and a harmful impact on the operation of the surrounding highway and to ensure the safety of pedestrians, cyclists, vehicles and others using the highway and to comply with policy CS.20 of the Merton LDF Core Planning Strategy (2011) and policy DM.T2 of the Merton Sites and Policies Plan (2104).

Amenity

- 11 Non-standard condition [Details of external lighting]: Prior to first occupation of the development details of external lighting shall be submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and shall be permanently retained as such thereafter.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and to protect nature conservation in the area, in accordance with policies DM D2 and DM EP4 and DM O2 of Merton's Sites and Policies Plan 2014.

- 12 Amended standard condition [Screening]: Before the development hereby permitted is first occupied, details of screening of the balconies, windows, terraces and walkways shall be submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied unless the scheme has been approved and implemented in its approved form and those details shall thereafter be retained for use at all times from the date of first occupation.

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.

- 13 Amended standard condition [Obscure glazing]: Before the development hereby permitted is first occupied, the windows and balconies on the north and east facing elevations to be obscure glazed

as shown on the approved plans shall be glazed with obscured glass and shall be 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.

- 14 Prior to the commencement of the development details of noise attenuation and noise management methods to mitigate against the likely impact of the existing noise environment on the development shall be submitted to and approved by the local planning authority. The approved methods shall be implemented in strict accordance with the approved details prior to the first occupation of the development

Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

Refuse and Recycling

- 15 Amended standard condition [Details of refuse]: Prior to first occupation of the development a scheme for the storage of refuse and recycling shall be submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2015, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

Surface Water/Drainage/Contamination

- 16 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 4.02l/s and 19m³ of attenuation. 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 reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

- 17 Non-standard condition [Contamination investigations]: Prior to the commencement of development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A site investigation scheme, based on the PRA, to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 2) The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 3) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

Reason: In order to protect controlled waters and 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.

- 18 Non-standard condition [Contamination construction phase]: If, during development, contamination not previously identified is found to be

present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved, verified and reported to the satisfaction of the Local Planning Authority.

Reason: In order to protect controlled waters and 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.

- 19 Non-standard condition [Contamination verification]: Prior to occupation of the development, a verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan, if appropriate, and for the reporting of this to the local planning authority. Any long-term monitoring and maintenance plan shall be implemented as approved.

Reason: In order to protect controlled waters and 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.

- 20 Non-standard condition [Piling] Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater. The development shall be carried out in accordance with the approved details.

Reason: In order to protect controlled waters and 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.

INFORMATIVES

- 1 No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
- 2 The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.
- 3 The applicant is advised to contact the Council's Highways team on 020 8545 3151 before undertaking any works within the Public Highway in order to obtain the necessary approvals and/or licences.
- 4 A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will undertake to minimise groundwater discharges into the public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwriskmanagement@thameswater.co.uk. Application forms should be completed on line via www.thameswater.co.uk/wastewaterquality
- 5 With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses 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 groundwater. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. The contact number is 0800 009 3921.
- 6 There are public sewers crossing or close to your development. In order to protect public sewers and to ensure that Thames Water can

gain access to those sewers for future repair and maintenance, approval should be sought from Thames Water where the erection of a building or an extension to a building or underpinning work would be over the line of, or would come within 3 metres of, a public sewer. Thames Water will usually refuse such approval in respect of the construction of new buildings, but approval may be granted for extensions to existing buildings. The applicant is advised to visit thameswater.co.uk/buildover.

- 7 Thames Water recommend the following informative be attached to this planning permission. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
- 8 No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
- 10 The applicant is advised to contact Thames Water Developer Services on 0800 009 3921 to discuss the details of the piling method statement.

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

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**PLANNING APPLICATIONS COMMITTEE
18 JULY 2017**

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
17/P1556	02/05/2017
Address/Site:	6 Greenoak Way, Wimbledon, SW19 5EN
Ward	Village
Proposal:	Erection of a single storey rear extension
Drawing No's:	Site location plan, 6.OAK.P4.101, 6.OAK.P4.102 REV A, 6.OAK.P4.102 REV B, 6.OAK.P4.103, 6.OAK.P4.104.
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: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 6
- External consultations: No
- Controlled Parking Zone: Yes

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

- 2.1 The application property is a detached house on the corner of Greenoak Way and Calonne Road, Wimbledon.

- 2.2 The application site property is angled towards and sits to the west of Langholm Cottage.
- 2.3 The property has been extended to the rear and to the side. The existing single storey rear extension has a maximum height of 2.94m (2.48m from the ground floor level to underside of fascia and 2.94m to top).
- 2.4 The surrounding area is characterised by sizeable detached houses.
- 2.5 The application site adjoins the Wimbledon North Conservation Area boundary.

3. **CURRENT PROPOSAL**

- 3.1 This application proposes the erection of a single storey rear extension to form a new study.
- 3.2 The proposed single storey rear extension would be located to the rear of the property, would be attached to the main dwelling house and would marry up with the existing single storey rear extension.
- 3.3 The proposed single storey rear extension would have a maximum height of 2.94m (2.94m is the current maximum height of the existing single storey rear extension comprising 0.46m high fascia), a depth of 2.96m and a width of 4.28m.
- 3.4 The proposed materials would match the existing (render finish).

4. **PLANNING HISTORY**

6 Greenoak Way:

17/P1176 - ERECTION OF A SINGLE STOREY SIDE GARAGE – Refused - 15-06-2017.

Reason for refusal:

The proposal by reason of its height, siting, scale and design would result in overdevelopment of the site in terms of scale of built form that would block the gap between the host building and Langholm Cottage and would fail to preserve / enhance the character and appearance of the adjacent conservation area. The proposal would therefore be contrary to the principles of policies DMD2 and DMD4 of the Adopted SPP 2014, CS 14 of the LBM Core Strategy 2011 and 7.4, 7.6 and 7.8 of the London Plan 2015.

17/P1099 - REPLACEMENT OF EXISTING WINDOWS AND RENDERING TO FACADES. – Granted 15-05-2017

17/P0611 - EXISTING BOUNDARY HEDGE TO BE REPLACED WITH NEW LOW-LEVEL BRICK WALL WITH BRICK PIERS, STONE PIER CAPS AND STEEL RAILINGS, FRONTING CALONNE ROAD. – Granted 29-03-2017

08/P1733 - RETENTION OF ALTERATION AND EXTENSION WORKS TO MAIN ROOF INCLUDING INSERTION OF THREE REAR ROOF WINDOWS, ONE FRONT DORMER WINDOW, AND TWO FRONT ROOF WINDOWS, PLUS ALTERATIONSTO GARAGE TO FORM FAMILY ROOM, INVOLVING ALTERATIONS TO ELEVATIONS AND FORMATION OF NEW ROOF Approved Nov 2008 (permitted development rights removed)

07/P0262 - CERTIFICATE OF LAWFULNESS FOR AN EXISTING SINGLE STOREY REAR EXTENSION - Issue Certificate of Lawfulness 15-03-2007

06/P0510 - ALTERATION AND EXTENSION OF ROOF, INCORPORATING TWO REAR DORMER WINDOWS AND ONE SIDE DORMER, A TWO STOREY FRONT EXTENSION INCORPORATING ONE DORMER WINDOW, A TWO STOREY REAR EXTENSION, AND ALTERATIONS TO EXISTING GARAGE TO FORM FAMILY ROOM INVOLVING ALTERATIONS TO ELEVATIONS AND FORMATION OF NEW ROOF WITH FRONT DORMER WINDOW. - Decision Quashed 27-02-2008

04/P0505 - ALTERATIONS AND EXTENSIONS TO THE HOUSE INVOLVING A PART SINGLE-STOREY AND PART TWO-STOREY REAR EXTENSION; A TWO-STOREY FRONT EXTENSION; DORMER WINDOWS TO THE FRONT, REAR AND SIDE AND A TWO-STOREY SIDE EXTENSION. - Refuse Permission 07-05-2004

04/P0810 - ALTERATIONS AND EXTENSIONS TO THE HOUSE INVOLVING A PART SINGLE-STOREY AND PART TWO-STOREY REAR EXTENSION, A TWO-STOREY FRONT EXTENSION, RECONSTRUCTION OF THE ROOF WITH DORMER WINDOWS TO THE FRONT, REAR AND SIDE AND A TWO-STOREY SIDE EXTENSION. - Grant Permission subject to Conditions 21-07-2005 Decision quashed.

06/P0178 - ERECTION OF 1.8m HIGH RAILINGS AND GATES ON GREENOAK WAY FRONTAGE OF PROPERTY WITH 2m HIGH STONE CAPPED BRICK PIERS - Grant Permission subject to Conditions 12-04-2006

03/P0858 - ALTERATIONS AND EXTENSIONS TO THE HOUSE: A TWO-STOREY EXTENSION TO THE FRONT; A TWO-STOREY SIDE EXTENSION INVOLVING DEMOLITION OF THE EXISTING GARAGE; A PART SINGLE-STOREY AND PART TWO-STOREY REAR EXTENSION; DORMER WINDOWS TO THE FRONT, REAR AND SIDE AND ALTERATIONS TO THE ELEVATIONS OF THE HOUSE. - Refuse Permission 13-08-2003

03/P1316 - ALTERATIONS AND EXTENSIONS TO THE HOUSE INVOLVING A PART SINGLE AND PART 2 STOREY REAR EXTENSION; A 2 STOREY FRONT EXTENSION; DORMER WINDOWS TO THE FRONT, REAR AND SIDE; AND A SINGLE STOREY SIDE EXTENSION. - Grant Permission subject to Conditions 11-12-2003 Discrepancies were subsequently noticed on the drawings and the agent was advised by letter that these discrepancies would need to be corrected and approved prior to implementation of any part of that permission.

02/P1942 - ALTERATIONS AND EXTENSIONS TO THE HOUSE: A TWO-STOREY EXTENSION TO THE FRONT; A TWO-STOREY SIDE EXTENSION INVOLVING ALTERATIONS TO THE EXISTING GARAGE; A PART SINGLE-STOREY AND PART TWO-STOREY REAR EXTENSION; DORMER WINDOWS TO THE FRONT AND REAR AND ERECTION OF A DETACHED GARAGE BUILDING AT THE SIDE. - Refuse Permission 25-10-2002

02/P2533 - APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR A PROPOSED GROUND FLOOR REAR EXTENSION. - Issue Certificate of Lawfulness 16-01-2003

Langholm Cottage:

17/P0450 - ERECTION OF A FIRST FLOOR SIDE EXTENSION INCORPORATING FRONT DORMER, A TWO STOREY REAR EXTENSION AND ALTERATIONS TO MAIN REAR ROOF – Granted - 26/04/2017.

09/P0954 - ERECTION OF A FIRST FLOOR SIDE EXTENSION INCORPORATING FRONT DORMER, A TWO STOREY REAR EXTENSION AND ALTERATIONS TO MAIN REAR ROOF – Granted - 25/06/2009.

06/P2128 - ERECTION OF A TWO STOREY SIDE EXTENSION (RENEWAL OF PLANNING PERMISSION LBM REF.02/P0567 DATED 16/8/02) – Granted - 19/01/2007.

02/P0567 - ERECTION OF A TWO STOREY SIDE EXTENSION – Granted - 16/08/2002.

5. **CONSULTATION**

The application has been advertised by press notice, site notice and letters of notification to the occupiers of neighbouring properties. A number of representations were received from the occupiers of Langholm Cottage. The concerns of the objectors are noted and are set out below:

- No.6 has been overdeveloped
- The distance between the proposed extension at No.6 and the boundary with Langholm Cottage should be 7 meters
- The proposed single storey rear extension would be facing a conservation area
- The proposal would enclose Langholm Cottage
- The proposal would result in visual and noise intrusion to the occupiers of Langholm Cottage
- The floor plans do not show a rising staircase
- The roof plan is not showing the currently existing roof
- The proposal would create further bulk and massing to No.6
- The proposed height of 2.94m should be reduced to 2.55m

- The submitted plans are incorrect

6. **POLICY CONTEXT**

6.1 London Plan 2015 policy:

- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology

6.2 Merton Sites and Policies Plan July 2014 policies:

- DMD2 Design considerations in all developments
- DMD3 Alterations and extensions to existing buildings
- DMD4 Managing heritage assets

6.3 Merton Core Strategy 2011 policy:

- CS 14 Design

6.4 Merton Council Supplementary Planning Guidance:

- Residential Extensions, Alterations, and Conversions (2001)

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations are visual amenity, impact on nearby residential amenity and impact on the adjoining Wimbledon North Conservation Area.

7.2 **Visual Amenity and Impact on the Conservation Area**

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

7.4 Policy DMD4 seeks to conserve and where appropriate enhance Merton's heritage assets and distinctive character. Additionally the Council has a statutory requirement under Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 to pay special attention to the desirability of preserving or enhancing the character or appearance of conservation areas.

7.5 The proposed single storey rear extension would be subordinate to the main core of the existing house and therefore is acceptable in terms of the design, sitting, height, scale, bulk and mass. The proposal would feature a flat roof, would marry up the existing single storey rear extension (2.94m high comprising 0.46m high fascia) and would be sympathetic to the host building. The rear elevation would be adjusted to include two horizontal windows. The proposed material would match the existing render.

7.6 The proposal would be located to the rear of the property and would not be visible from the public domain. The proposed development would therefore does not affect the appearance or character of the adjoining conservation area.

7.4 In light of the above, the proposed development is considered to be acceptable in terms of its design, sitting, height, scale, bulk, mass, and would not have any impact on the character and appearance of the adjoining Wimbledon North Conservation Area, in line with policies DM D2 (Design considerations in all development), DM D4 (Managing Heritage Assets), 7.4, 7.6, 7.8 and policy CS.14 Design.

7.6 **Impact on Residential Amenity**

7.7 The provisions of policy DM D3 and the relevant Supplementary Planning Guidance's (SPGs) require there would not be a detrimental impact on the residential amenities of the occupiers of the adjoining properties as a result of a proposed development.

7.8 The subject property and the neighbouring properties are detached dwelling houses. The proposed single storey rear extension would be a minor addition to the original dwelling house and would be set away from the boundary with Langholm Cottage and No.5 Greenoak Way and behind the existing approximately 2.5m high boundary wall.

7.9 Given the scale, sitting and separation from the boundary with the neighboring properties, it is considered that the proposed single storey rear extension would not result in any material harmful impact to any neighboring occupiers and the proposal accords with policy DM D3 (Alterations and extensions to existing buildings) and the Council's SPG (Residential Extensions, Alterations, and Conversions).

8. **CONCLUSION**

8.1 It is considered that the proposed single storey rear extension is acceptable in terms of the visual amenity, neighboring amenity and the impact on the adjoining conservation area. As such, the proposed works comply with the aims of the relevant policies and SPGs. Accordingly; it is recommended that planning permission be granted.

RECOMMENDATION

GRANT PERMISSION

Subject to the following conditions:

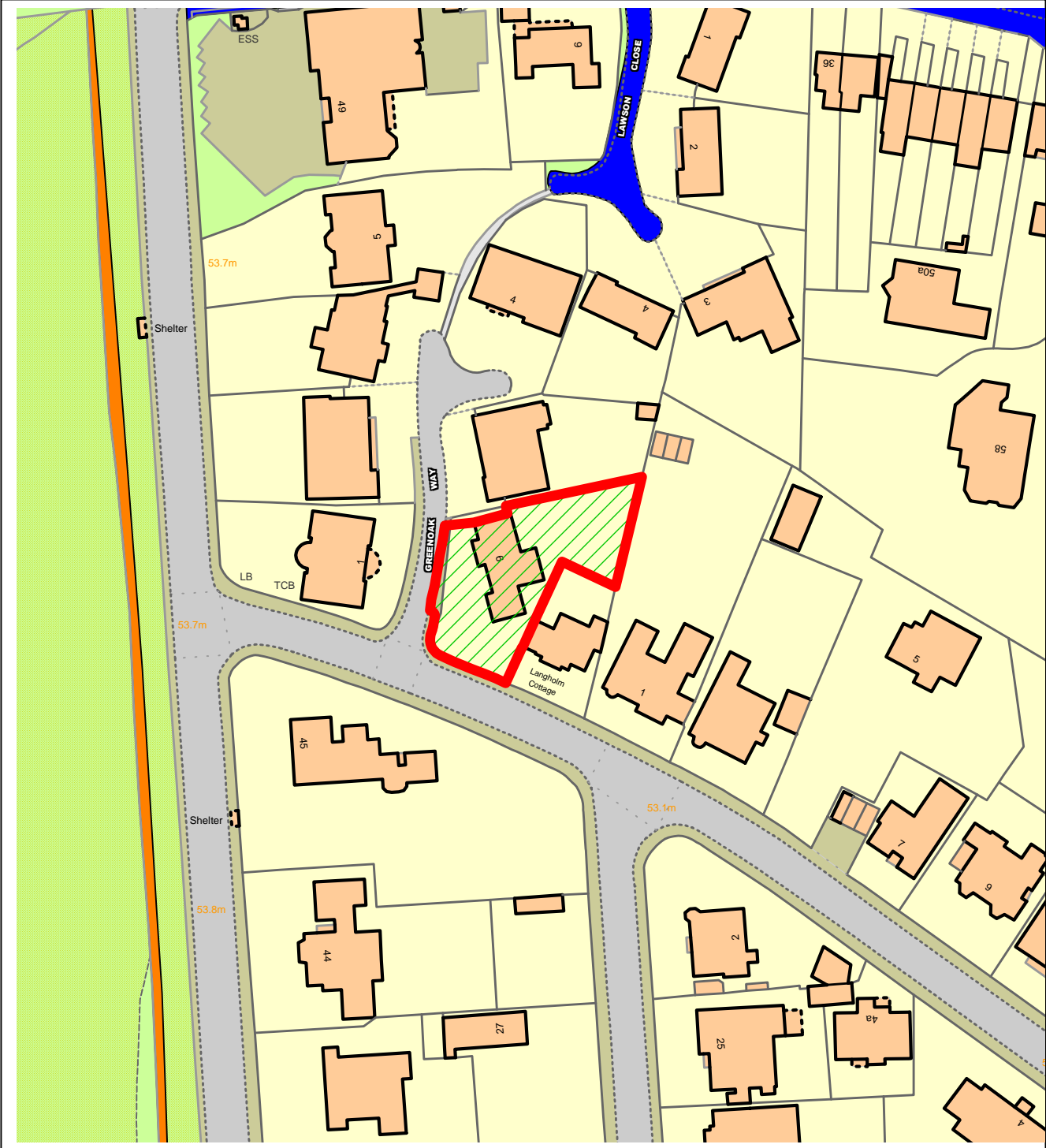
1. Commencement of development
 2. Approved plans
 3. External materials as specified
 4. No permitted development (Windows and doors)
 5. No use of flat roof
 6. Construction times
-

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

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PLANNING APPLICATIONS COMMITTEE 18 JULY 2017

APPLICATION NO. DATE VALID

17/P1116

17/03/2017

Address/Site 5 Rushmere Place, Wimbledon Village SW19 5RP

(Ward) **Village**

Proposal: Reconstruction of roof involving increasing the roof pitch from 40 to 50 degrees and ridge height by 300mm and installation of two roof lights to rear roof elevation (as approved by LBM Planning Permission Ref.16/P2487 dated 30/11/2016) with the addition of roof lights to side elevation, access door and new window to garage, provision of porch, refuse store and installation of air conditioning units.

Drawing Nos 1704, 1704/202, 1504/405, 1704/402 Rev E, 1704/501/PA Rev A and Design and Access Statement

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 – 6
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: No

1. INTRODUCTION

- 1.1 Planning permission was granted on 30 November 2016 by the Planning Applications Committee for the reconstruction of the roof involving increasing the roof pitch from 40 to 50 degrees and the ridge height by 300mm and

installation of two roof lights to rear roof elevation (LBM Ref.16/P2487). The current application seeks amendments to the previously approved scheme and the 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 comprises a two-storey detached dwelling house located on the northern side of Rushmere Place, a small development of houses located off Marryat Road. The application property has previously been extended by the erection of a single storey rear extension. The application site is within the Merton (Wimbledon North) Conservation Area.

3. **CURRENT PROPOSAL**

- 3.1 The current application seeks amendments to LBM Planning Permission Ref.16/P2487 (Dated 30/11.2016) that approved the reconstruction of the existing roof, with a new roof with the pitch increased from 40 to 50 degrees and the ridge height increased by 300mm. The new roof would allow the provision of a guest bedroom and bathroom in the roof space lit by two roof lights on the rear roof elevation. The existing cupola feature would be erected on the new roof. The proposed changes to the approved scheme are set out below:-

- The installation of 2 x roof lights to the rear roof elevation and 2 x roof lights to the side roof elevation.
- Alterations to existing garage to provide a new round window at high level.
- New entrance porch.
- Provision of new bin store.
- Installation of air conditioning units to retaining wall on west boundary.

4. **PLANNING HISTORY**

- 4.1 In June 2008 planning permission was granted for the erection of a single storey rear extension (LBM Ref.08/P0436). This permission has been implemented.
- 4.2 In April 2016 planning permission was refused under delegated powers for the erection of a roof extension involving increasing the ridge height and alterations to roof pitch and erection of dormer windows to front roof elevation, erection of first floor rear extension and alterations to doors and windows (LBM Ref.15/P4747). Planning permission was refused on the grounds that:-

'The proposed roof extension, would by virtue of its height, alterations to the roof pitch, rearward projection and front dormer windows, constitute a visually intrusive form of development that would be out of scale with neighbouring dwellings within the Rushmere Place development and would fail to complement the design of the original building or the Merton (Wimbledon North) Conservation Area contrary to policy CS14 (Design) of the Adopted

Merton Core Planning Strategy (July 2011) and policies DM D3 (Alterations and Extensions to Buildings) and DM D4 (Managing Heritage Assets) of the Adopted Merton Sites and Policies Plan (July 2015).'

- 4.3 In November 2016 planning permission was granted by the Planning applications Committee for the reconstruction of the roof involving increasing the roof pitch from 40 to 50 degrees and the ridge height by 300mm and installation of two roof lights to rear roof elevation (LBM Ref.16/P2487).

5. **CONSULTATION**

- 5.1 The application has been advertised by site notice procedure and letters of notification to occupiers of neighbouring properties. In response 5 letters of objection and 3 letters commenting on the proposal have been received. The representations are set out below:-

-The Rushmere Place development was an award winning design and the proposed alterations are unsuitable in scale and design.

-The introduction of a door and window to the garage appear to herald a change of use to living accommodation. Internal works to the garage have already been carried out. Conversion of the garage would be out of keeping with the estate where each house has its own garage.

-The introduction of air conditioning units may result in noise and nuisance.

-Roof lights will result in overlooking and loss of privacy.

-No other property in Rushmere Place has roof lights.

5.2 Conservation Officer

The Conservation Officer has confirmed that the alterations to the roof would not have a negative impact upon the conservation area or other houses in Rushmere Place.

6. **POLICY CONTEXT**

- 6.1 Adopted Merton Core Strategy (July 2011)
CS14 (Design).

- 6.2 Sites and Policies Plan (July 2014)
DM D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings) and DM D4 (Managing Heritage Assets).

- 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 7.4 (Local Character) and 7.6 (Architecture).

7. **PLANNING CONSIDERATIONS**

- 7.1 The main planning considerations concern the design/conservation and neighbour amenity issues.

7.2 Design/Conservation Issues

Planning permission has already been granted by the Planning Applications Committee for the alterations to the roof comprising an increase in the ridge height by 300mm and the pitch of the roof altered from 40 degrees to 50 degrees. The original cupola would be retained and reinstated on the new roof. A number of representations have been received concerning the proposed alteration to the roof form. However, Rushmere Place is a development of mainly terraced houses with a mix of pitched and hipped roofs. The application property is however detached and sited adjacent to the entrance archway into the development and is set back from the main 'mews style' of the terraced housing that forms the majority of houses within Rushmere Place. The alterations to the roof (including the additional roof lights) and the alterations to the garage and erection of a porch and installation of air conditioning plant are considered to be acceptable in terms of their appearance and therefore comply with policy DM D4.

7.3 Neighbour Amenity Issues

A number of representations have been made from local residents concerned at the impact of the proposed roof alterations upon the character and appearance of Rushmere Place. The increase in the pitch and ridge height of the roof have previously been approved and the proposed additional roof lights would not result in any overlooking and/or loss of privacy due to their height above finished floor level. The proposed alterations to the garage and erection of a porch canopy would also not affect neighbour amenity. The proposals also involve installation of air conditioning plant which would be sited at the rear of the property. A condition limiting noise levels from the air conditioning plant is however considered to be appropriate in this instance in the interest of neighbour amenity. The proposal is therefore considered to be acceptable in terms of policy DM D2.

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 proposed revisions to LBM Planning Permission Ref.16/P2487 are considered to be acceptable. The proposed alterations to the roof of the building would also not result in any loss of light or result in any increase in overlooking and/or loss of privacy to occupiers of neighbouring properties. The proposal would also preserve the character and appearance of the Merton (Wimbledon North) Conservation Area. Accordingly it is recommended that planning permission be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION

and subject to the following conditions:-

1. A.1 (Commencement of Development)
2. A.7 (Approved Drawings)
3. C.2 (Restriction on Permitted Development-No roof lights other than those Approved).
4. B.1 (Approval of Facing Materials)
6. D.11 (Hours of Construction)
5. D.4 (Soundproofing of Plant and Machinery)
6. D.11 (Hours of Construction)
7. The existing cupola shall be retained and reinstated on the replacement roof within two months of completion of the new roof.

Reason for condition: To ensure a satisfactory appearance to the completed development and to protect the character and appearance of the Merton (Wimbledon North) Conservation Area and to comply with policies DM D3 and DM D4.

7. The roof lights shall be of the conservation type and be installed at a height of at least 1.7 metres above finished floor level.

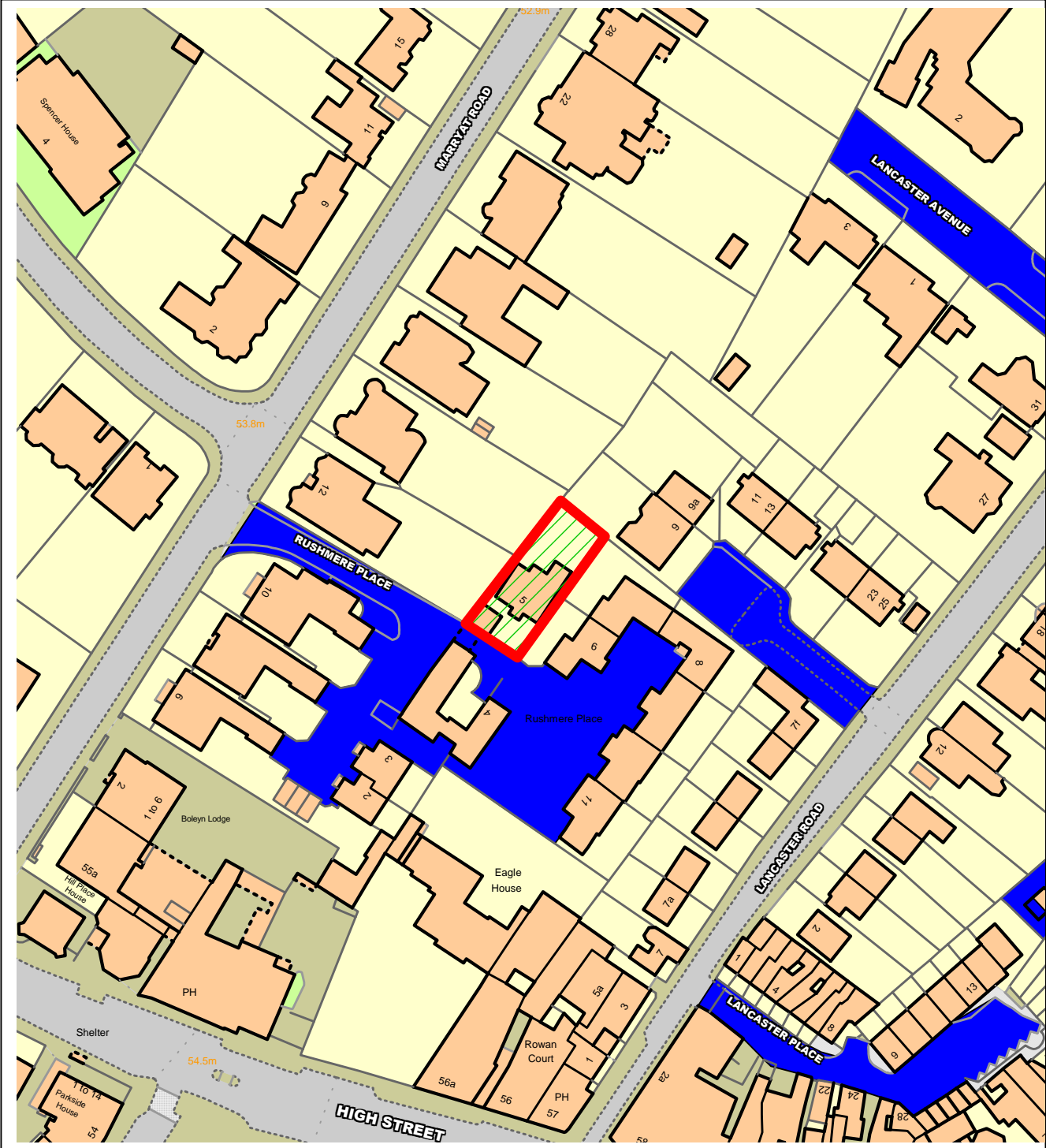
Reason for condition: In the interest of neighbour amenity and to protect the character and appearance of the Merton (Wimbledon North) Conservation Area and to comply with policies DM D2 and DM D4.

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PLANNING APPLICATIONS COMMITTEE 18 JULY 2017

APPLICATION NO. DATE VALID

17/P1086

31/03/2017

Address/Site 12 St Mary's Road, Wimbledon SW19 7BW

(Ward) **Village**

Proposal: Erection of a 4 bedroom detached dwelling house with accommodation at basement level and within the roof space together with the provision of associated car parking and landscaping and front boundary wall/railings and gates.

Drawing Nos 205/P(2) 001, 002, 003, 004, 005, 010, 011, 020, 021, 022, 023, 024, 025, 026, 030, Ground Investigation Report, Basement Impact Assessment, Assessment for Flood Risk, Hydrogeological Assessment and Site Investigation, Surface Water Management Plan and Arboricultural Assessment.

Contact Officer: Richard Allen (8545 3621)

RECOMMENDATION

GRANT Planning Permission subject to 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- Yes
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted – 8
- 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 comprises a vacant plot formerly occupied by a two storey detached dwelling house situated on the north eastern side of St Mary's Road. The land falls away to the south, which leads to changing eaves and overall roof heights along this section of the road. Most of the properties in the vicinity of the application site are detached with a variety of architectural styles. The application site is not within a conservation area, but adjoins the Wimbledon North Conservation Area. The site is also within a Controlled Parking Zone (Von).

3. **CURRENT PROPOSAL**

- 3.1 The current proposal involves the erection of a detached 4 bedroom dwelling house with accommodation at basement level and within the roof space together with associated car parking, landscaping and front boundary wall/railings and gates.
- 3.2 The proposed building would be set back from the site frontage by between 8.3 and 8.7 metres and would be 9.2 metres in width and 17.8 metres in overall length (at ground floor level). The proposed house would have an eaves height of between 7 and 7.5 metres (due to the sloping nature of the site) and would have a 'mansard' style roof with an overall height between 9.5 and 10 metres. The proposed house would be sited 1 metre away from the boundary with 10 St Mary's Road and 1.3 metres away from the boundary with 14 St. Mary's Road.
- 3.3 Internally, at basement level a TV room, utility, plant and storage rooms would be provided. At ground floor level an entrance lobby, study and kitchen/ living/dining room would be provided. At first floor level two bedrooms would be provided and at second floor level to further bedrooms would be formed within the roof space.
- 3.4 A traditional design approach has been adopted for the proposed house which would have rendered walls, tiled roof and timber windows.
- 3.5 Off-street parking would be provided within the front garden for two cars within the front garden and new boundary walls and railings and gates would be erected.

4. **PLANNING HISTORY**

- 4.1 In October 2015 a planning application was submitted for the demolition of the existing house and erection of a new dwelling house with a basement level and rooms within the roof space (LBM Ref.15/P3782/NEW). However, the application was withdrawn by the applicant prior to determination.
- 4.2 In December 2015 a planning application was submitted for the demolition of the existing dwelling house and erection of a new 5 bedroom detached

dwelling house with basement (LBM Ref.16/P0155). This application is currently undetermined.

- 4.3 In November 2016 planning permission was refused for the demolition of the existing dwelling and erection of a replacement 4 bedroom dwelling house with basement (LBM Ref.16/P3714). 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, visually intrusive and overbearing and would have an unacceptable impact on the amenities of the occupiers of neighbouring properties. Furthermore, the front boundary treatment would look incongruous and imposing treatment which would be harmful to the character and appearance of the street scene. The proposal is therefore contrary to polices DM D1 and DM D2 of the Sites and Policies Plan (2014), Policy CS14 of the Core Planning Strategy, Polices 7.4 and 7.6 of the London Plan and relevant policies of the National Planning Policy Framework.

- 4.4 In January 2017 Prior Approval was granted for the demolition of the existing dwelling house (LBM Ref.16/P4227). The dwelling house has since been demolished and the site cleared.

5. **CONSULTATION**

- 5.1 The application has been advertised by site notice procedure and letters of notification to occupiers of neighbouring properties. In response 11 objections have been received. The grounds of objection are set out below:-

- The proposal is similar to the previously refused scheme 16/P3714 and is much larger than the original dwelling at number 12.
- The proposal will result in the loss of privacy to number 14 St Mary's Road and 6 and 8 St Aubyn's Avenue.
- The developments at 8 and 10 St Mary's Road already impact upon the amenities of 4 St Aubyn's Avenue.
- Another case of an inappropriate development on a small plot.
- The proposed building extends much further into the rear garden than the demolished house and beyond the rear building line of number 10.
- The front of the building is further forward than its neighbours at 10 and 14.
- The foot print of the building has only been changed slightly.
- The first and second floors are not cut back as in the previous application.
- Both side elevations include false windows.
- The proposal would affect light to 10 and 14 St Mary's Road.
- The proposal would result in the loss of sunlight to number 14.
- Basement construction may cause problems.
- Trees have been removed from the front and rear gardens.
- The bulk and massing is disproportionate for a plot of this size.

- The height is excessive and the development would visually intrusive and overbearing
- 5.2 Two letters of support have been received in respect of the current application. The occupiers of number 10 St Mary's Road state that the proposed house is an attractive, high quality building sympathetic to its surroundings and will greatly improve the street scene. The proposal would provide sufficient gaps between properties, offers sensible front and rear projections, has a reasonable footprint compared to other properties in St Mary's road and Church Hill. The Belvedere Estates Residents Association state that the new building would be an attractive addition to the neighbourhood and a lot of thought appears to have been given to the landscaping.
- 5.3 Historic England (Archaeology)
The Greater London Archaeological Advisory Service (GLAAS) advise that a condition requiring details of a written scheme of archaeological investigation be approved prior to commencement of the development.
- 5.4 Tree Officer
The tree officer has no objections to the proposed development subject to the existing (neighbouring) trees being protected during the development.
- 5.5 Highways
The proposals will not generate a significant negative impact on the performance and safety of the surrounding highway network or its users, as such a recommendation for approval is supported.

6. **POLICY CONTEXT**

- 6.1 Adopted Merton Core Strategy (July 2011)
CS8 (Housing Choice), CS9 (Housing Provision), CS14 (Design), CS15 (Climate Change), CS18 (Active Transport) and CS20 (Parking).
- 6.2 Sites and Policies Plan (July 2014)
DM H2 (Housing Mix), DM O2 (Nature Conservation, Trees, Hedges and Landscape features), DM D1 (Urban Design), D2 (Design Considerations in all Developments), DM T1 (Support for Sustainable transport and Active Travel) and DM T3 (Car Parking).
- 6.3 The London Plan (March 2015)
The relevant policies within the London Plan are 3.3 (Increasing London's Housing Supply), 3.4 (Optimising Sites Potential), 3.5 (Quality and Design of Housing), 3.8 (Housing Choice), 5.2 (Climate Change Mitigation), 5.3 (Sustainable design and Construction), 5.7 (Renewable Energy), 6.9 (Cycling), 6.13 (Parking), 7.4 (Local Character) and 7.4 (Local Character).

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the design, standard of accommodation, basement construction, neighbour amenity, tree, parking and sustainability issues.

7.2 Design Issues

The current application has been submitted following the refusal of application LBM Ref.16/P3714. The main changes to the design of the house are, an overall reduction in the ridge height and parapet height, the rear projection set back at first floor level and the rear elevation straightened, the rear dormer removed and rear elevation redesigned and the single storey rear projection reduced in height. The flank walls have also been redesigned. The proposed house has an asymmetrical foot print to provide visual interest to the street elevation. Although the front elevation of the proposed house projects forward of 10 St. Mary's Road, the front elevation is in the same position as the house that previously occupied the site. There have been a number of new build houses in this part of St. Mary's Road and the street is largely defined by large detached properties constructed in vernacular materials with pitched roofs, gables and bay windows. There are also properties with mansard roofs and parapets in the locality. The scale and massing of the proposed house is considered to be acceptable and the proposed house would relate to its neighbours in a satisfactory manner. The proposal is therefore considered to be acceptable in terms of policies CS14 and DM D2.

7.3 Standard of Accommodation

The proposed four bedroom house has a satisfactory internal layout and all rooms exceed the minimum requirements as set out in the London Plan. The majority of the existing rear garden would remain and the amenity space provision is considered to be acceptable for a house of this size. The proposal is therefore considered to be acceptable in terms of policies CS8 and DM H2.

7.4 Basement Construction

The proposal includes a basement and the applicant has submitted a Basement Construction Method Statement in accordance with Adopted Merton sites and Policies Plan policy DM D2 which requires the developer to demonstrate that basements can be constructed in safe manner. The submitted report and supporting documents demonstrate that the basement can be constructed safely. It should also be noted that the basement construction is also subject to approval under the Building Regulations.

7.5 Neighbour Amenity

A number of objections have been received concerning the potential impact of the proposed development on the amenities of occupiers of neighbouring properties. However, the proposed house would have a similar foot print to number 10 St Mary's Road albeit that the proposed house would be sited forward of number 10 St Mary's Road with the front elevation sited in the same position as the house that formerly occupied the site. The rear elevation of the house would be set back slightly from number 10 St Mary's Road although the single storey section of the house would project 3 metres beyond the main house. Although the proposed house would project beyond the rear elevation of 14 St Mary's Road, there would only be a 3 metre section of the

building a full height adjacent to 14 before the building reduces in height to single storey. Although windows are proposed with the side elevations, two windows at ground floor level and one window at first floor level facing 10 St Mary's Road would be obscure glazed. Three 'false window' recesses would add interest to the side elevation. On the side elevation facing number 14 St Mary's road a single window would be formed at ground level which would be obscure glazed. Five 'false windows' recesses would also be formed to provide visual interest to the side elevation facing number 14 St Mary's Road. Dormer windows would also be provided to front and rear elevations of the mansard roof. The dormer windows would face over St Mary's Road or towards the rear of the garden. A small balcony would be provided at first floor level on the front elevation facing onto St Mary's Road. Given that the windows within the side elevation would be obscure glazed the proposed development would not give rise to any overlooking and/or loss of privacy and the proposed development is considered to be acceptable in terms of policy DM D2.

7.6 Trees

The tree officer has no objections to the proposed development subject to conditions being imposed on any planning approval to protect neighbouring retained trees during construction works. Therefore the proposal is considered to be acceptable in terms of policy DM O2.

7.7 Parking

The Council's highways officer has stated that the proposal will not generate a significant increase in trip generation. The proposal also provides cycle storage and refuse storage areas have been provided. Overspill parking would be minimal as two parking spaces have been provided.

7.8 Sustainability

The applicant has stated that the proposed house will be thermally insulated and sealed to a high of air tightness, with ventilation provided by high efficiency mechanical heat recovery units. The applicant has also indicated that a ground source heat pump would be used for heating and hot water and a Photovoltaic Array would be installed. Supplementary heating would be provided by a gas fired boiler. The applicant has also submitted an Energy Report that demonstrates that the development would exceed the CO₂ emissions reductions required by Part L of the Building Regulations and would exceed the requirements of the former Code Level 4 of the now defunct Code for Sustainable Homes. The proposal is therefore considered to be acceptable in terms of policy CS15.

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 current application has been submitted following the refusal of application LBM Ref.16/P3714. The proposed house subject to the current application has been designed to address the reasons for refusal of the previous application. The design of the proposed house is considered to be acceptable and the eaves and ridge height relate to neighbouring houses in a satisfactory manner. Windows within the side elevation of the building would be obscure glazed to maintain privacy the occupiers of neighbouring properties. Accordingly it is recommended that planning permission be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION

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.1 (No Permitted Development – Extensions)
7. C.2 (No Permitted Development –Door and Windows)
8. C.6 (Refuse and Recycling)
9. D.11 (Hours of Construction)
10. F1 (Landscaping)
11. F2 (Landscaping-Implementation)
12. F5 (Tree Protection)
13. No development shall take place until a written scheme of investigation (WSI) has been submitted to and been approved by the Local Planning Authority in writing. For land that is included within the WSI, no development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organisation to undertake the agreed works

B. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

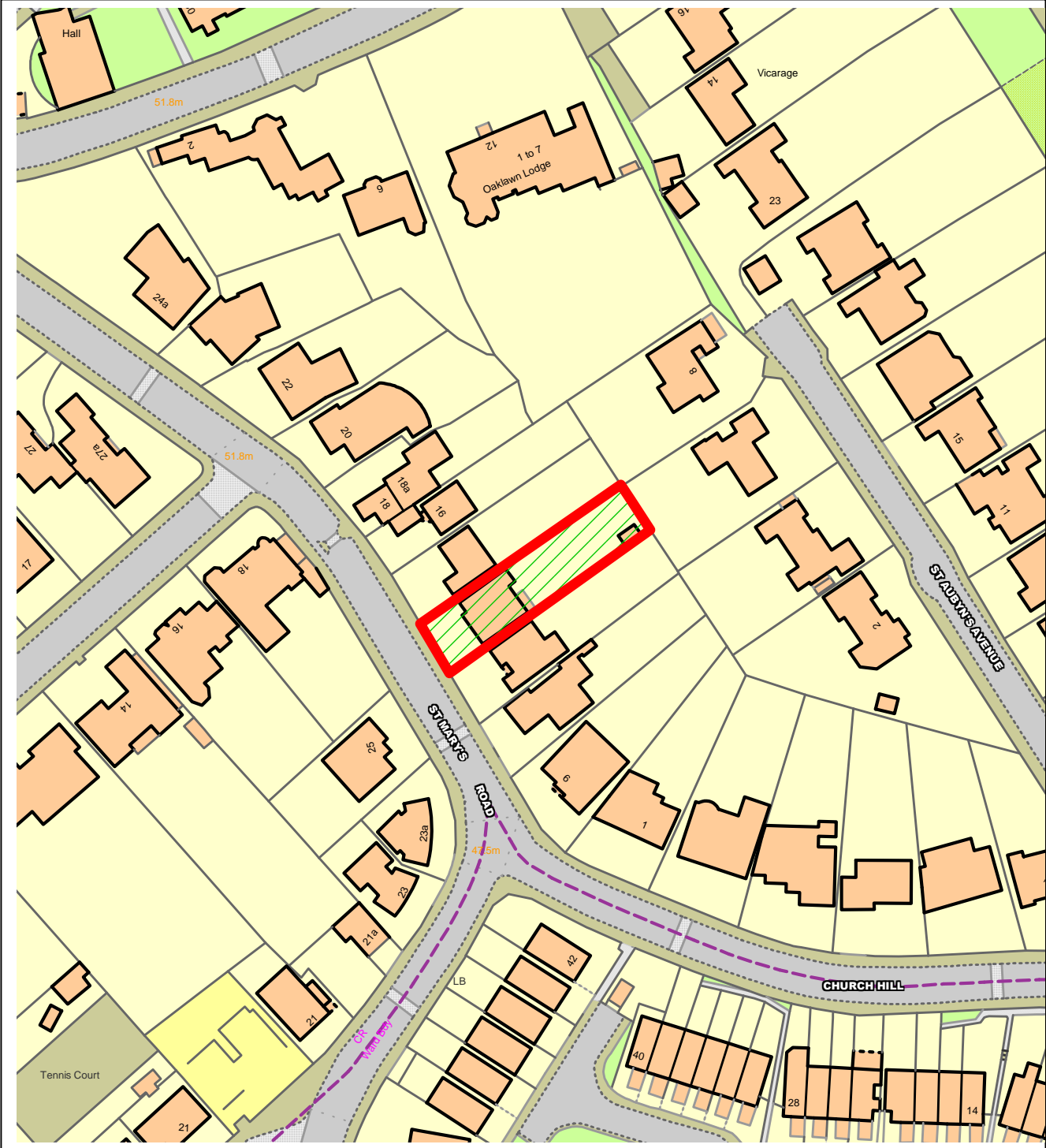
INFORMATIVE

The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of the Town and Country planning (Development Management Procedure) (England) Order 2015.

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

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PLANNING APPLICATIONS COMMITTEE 18 JULY 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
17/P1569	10/04/2017
Address/Site:	Middleton Court, 152-154 Worple Road, Raynes Park, London, SW20 8QA
Ward	Hillside
Proposal:	Erection of electrical substation and changes to the landscaping to the rear of the building
Drawing No's:	Site location plan, Ground Mounted Unit Distribution Transformers details, Environmental Noise Impact assessment, Electric and Magnetic Fields Report, 401, 402, 403, 404, 197.
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: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 15
- External consultations: No
- Controlled Parking Zone: No

1. INTRODUCTION

This application is being brought to the Planning Applications Committee for determination at the request of Councillor Daniel Holden and due to the number of the objection letters received.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site is located on the south west side of Worple Road in Raynes Park. The site has now been redeveloped with a new part four, part five storey residential block of flats.
- 2.2 The front of the site faces Worple Road, the eastern boundary faces residential properties in Worple Road, the western boundary is faces properties in Worple Road and Lower Downs Road and the southern boundary faces properties in Ethelbert Road.
- 2.2 The application site is not located within a Conservation Area.

3. **CURRENT PROPOSAL**

- 3.1 This application comprises the erection of a single storey brick built electrical substation and changes to the landscaping to the rear of the existing building.
- 3.2 The proposed electrical substation would be constructed near the south boundary to the rear of the existing building and would be set back 1.888m from the boundary with No.39 Ethelbert Road.
- 3.3 The proposal would feature a flat roof, would have a height of 2.7m, a depth of 4.04m and a width of 4.6m. The proposed material would comprise brickwork.
- 3.4 Access to the substation would be gained via the existing access from Worple Road.
- 3.5 It is proposed to plant the area between the substation and the boundary with No.39 Ethelbert Road with trees and install 0.5m high trellis to the existing 2m high boundary fence (southern boundary).
- 3.6 It is also proposed to create a service area parking positioned to the side (east elevation) of the proposed substation.

4. **PLANNING HISTORY**

16/P1213 - APPLICATION TO VARY CONDITION 2 ATTACHED TO LBM PLANNING PERMISSION 14/P0126 (DATED 31/03/2014) RELATING TO APPROVED DRAWINGS. THE FACING MATERIAL ON THE REAR ELEVATIONS IS TO BE CHANGED FROM BRICK TO RENDER (RAL COLOUR 9001 - TO MATCH THE MELAMINE PANELS ON THE BALCONIES) – Grant Variation of Condition - 17-06-2016.

16/P4090 – APPLICATION FOR DISCHARGE OF CONDITIONS 7 (landscaping), 16 & 23 (surface water drainage) ATTACHED TO LBM PLANNING APPLICATION 14/P0126 RELATING TO The demolition of the existing vacant building that previously provided a 24 bedroom hostel and the erection of new part four, part five storey building comprising 18 x self-

contained flats (10 one bedroom, 7 two bedroom and 1 three bedroom) with car parking at the rear of the site and adjacent to the front boundary providing a total of 11 car parking spaces and 19 cycle parking spaces - Grant Discharge of Conditions 07-12-2016.

16/P0047 - APPLICATION TO REMOVE CONDITION 17 (CODE FOR SUSTAINBLE HOMES) AND VARY CONDITION 18 (CODE LEVEL) ATTACHED TO LBM PLANNING PERMISSION 14/P0126 (DATED 31/03/2014) RELATING TO:- The demolition of the existing vacant building that previously provided a 24 bedroom hostel and the erection of new part four, part five storey building comprising 18 x self-contained flats (10 one bedroom, 7 two bedroom and 1 three bedroom) with car parking at the rear of the site and adjacent to the front boundary providing a total of 11 car parking spaces and 19 cycle parking spaces - Grant Variation of Condition 26-02-2016.

15/P4771 - APPLICATION FOR DISCHARGE OF CONDITIONS 4 AND 5 ATTACHED TO LBM PLANNING APPLICATION 14/P0126 DATED 31/03/2014 RELATING TO THE The demolition of the existing vacant building that previously provided a 24 bedroom hostel and the erection of new part four, part five storey building comprising 18 x self-contained flats (10 one bedroom, 7 two bedroom and 1 three bedroom) with car parking at the rear of the site and adjacent to the front boundary providing a total of 11 car parking spaces and 19 cycle parking spaces - Grant Discharge of Conditions 18-02-2016.

14/P0126 - The demolition of the existing vacant building that previously provided a 24 bedroom hostel and the erection of new part four, part five storey building comprising 18 x self-contained flats (10 one bedroom, 7 two bedroom and 1 three bedroom) with car parking at the rear of the site and adjacent to the front boundary providing a total of 11 car parking spaces and 19 cycle parking spaces - Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 31-03-2014.

5. **CONSULTATION**

Public:

The application has been advertised by press notice, site notice and letters of notification to the occupiers of neighbouring properties. 46 representations were received from the occupiers of:

- 36 Westmout Close
- 24 Thurleston Avenue
- 41 Ethelbert Road
- 39 Ethelbert Road
- 37 Ethelbert Road
- 37 Kohat Road
- 43 Parkside, flat 3
- 57 Tobenbee Road
- 2 The Drive, Ruskin House

- 83 Merton Hall Road
- 14 Parkwood Road
- 50 Cannon Hill Lane
- 34 Ethelbert Road
- 172 Coombe Lane West
- 1 Felgate Mews
- 5 Hailsham Avenue, Saltdean
- Church Road, Great Yeldham, Halstead
- The Coach House, Mill Lane, Windsor
- 66 Cottenham Park Road
- 8 Ryfold Road
- 9 York Court, Morebridge Road, Maidenhead
- 42 Traps Lane
- 147 Rutland Drive
- 11 Dunmore Road
- 21 Leeward Gardens
- 22 Bourne End Road, Northwood
- 3 London Road, Wick, South Glos
- 42 Dunmore Road
- 33 The Quadrant
- 2 Melbourne Road
- 93 Arthur Road
- 102 Consfield Avenue
- 18 The Cliffs, Dawlish, Devon
- 394 Wimbledon Park Road
- 377A Durnsford Road
- 8 Aston Road
- 86 Grasmere Avenue
- 7 Woodland Way
- 6 Leonard Avenue
- 75 Florence Road
- 55 Ethelbert Road
- 7 Rostrevor Road
- 28 Ethelbert Road
- 1 The Green
- 1 Helme Close
- 41A Ethelbert Road

The concerns of the objectors are noted and are set out below:

- The proposal would be visually intrusive
- The proposal would give out dangerous electrical waves
- The proposal would generate noise
- The proposal would cause electromagnetic pollution
- The proposed substation should be located closer to the existing building on site
- The substation would be better served at the front of the property with direct access from the highway

- The substation should provide for 24hr access from the public highway
- The substation should be at or near the electrical load centre of the network to be supplied
- The proposal would encourage criminal and anti-social activity
- The proposed trellis to the back boundary fence is not sufficient enough to diminish the visual intrusion of the proposal
- The proposed trees would not solve the visual intrusion immediately
- The close presence of a substation could reduce the number of potential buyers and make properties harder to sell

One representation was received from The Wimbledon Society. The concerns of the objectors are noted and are set out below:

- Submitted documentations and details are not sufficient

Internal:

The Council's **Environmental Health section** (no objection) was consulted and recommended the following condition:

The submitted documents include a short report on sound levels assessing any noise impact the substation may have. The report suggests that the noise levels would be well within permitted British Standards and World Health Organisations recommendations for noise levels, although the noise report levels are based on predicted levels.

I would recommend that a condition is incorporated that the noise levels predicted from the proposed substation shall not exceed those confirmed in the report submitted by Venta Acoustics dated 7 June 2017 referenced VA1845.170606.I1.1.

The applicant has submitted reference papers regarding electric substations and electromagnetic fields. In brief, the document is produced by Energy Networks Association and is part of the UK electricity industry and also referenced by Government backed Stakeholder Advisory Group for EMF's. The International Commission on Non-Ionizing Radiation Protection, ICNIRP, the reference levels for public exposure of 100 microteslas. Small electricity substations can produce up to 2 microteslas which fall away rapidly within 1 – 2 metres to confirm this I would also recommend a follow up test of the substation confirms this with additional mitigation installed to confirm the levels fall within current safe limits.

6. **POLICY CONTEXT**

6.1 London Borough of Merton's Local Plan - Sites and policies plan and policies maps (9th July 2014):

DM D2 (Design considerations in all development)
DM D3 (Alterations and extensions to existing buildings)

6.2 The relevant policy in the Adopted Core Strategy (July 2011) is:

Policy CS.14 (Design)

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations are visual impact and impact on nearby residential amenity.

7.2 **Visual Amenity**

7.3 Policies DM D2 of the SPP and CS 14 of the LDF require that development should be designed to minimise impacts upon existing levels of daylight and sunlight, and it should seek to avoid being unduly visually intrusive in relation to neighbouring properties.

7.4 The structure in terms of the size is modest and positioned to the rear (not visible from the public realm) of the existing building in the south west corner and would be screened by trees to the south from the residents at 37 and 39 Ethelbert Road.

7.5 In light of the above, the proposed development is considered acceptable in terms of the design and appearance and is appropriate for the site without harming its appearance or being visually intrusive. Accordingly, the proposal accords with policies DM D2 (Design considerations in all development) and CS 14 (Design).

7.6 **Impact on Residential Amenity**

7.7 The provisions of policy DM D3 require that there would not be a detrimental impact on the residential amenities of the occupiers of the adjoining properties as a result of a proposed development.

7.8 Environmental Health officers have no objection to the proposed works subject to the imposition of a condition to ensure that noise emissions do not exceed a suitable and appropriate level that is not considered harmful to the amenity of neighboring occupiers.

7.9 The proposed electric substation would be set back 1.88m from the rear boundary with No.39 and No. 41 Ethelbert Road and 3m from the side boundary with No.1A Lower Downs Road. As such it is considered the proposal would not cause any unreasonable impacts on the neighbouring properties.

7.9 In light of the above, the proposal would not result in a detrimental impact on the amenity of neighbouring properties and the proposal accords with policy DM D3 (Alterations and extensions to existing buildings).

8. **CONCLUSION**

- 8.1 It is considered that the proposed electrical substation is acceptable in terms of the visual amenity and would not result in a detrimental impact on the residential amenities of the occupiers of the adjoining properties. Accordingly, it is recommended that planning permission be granted (subject to conditions).

RECOMMENDATION

GRANT PERMISSION

Subject to the following conditions:

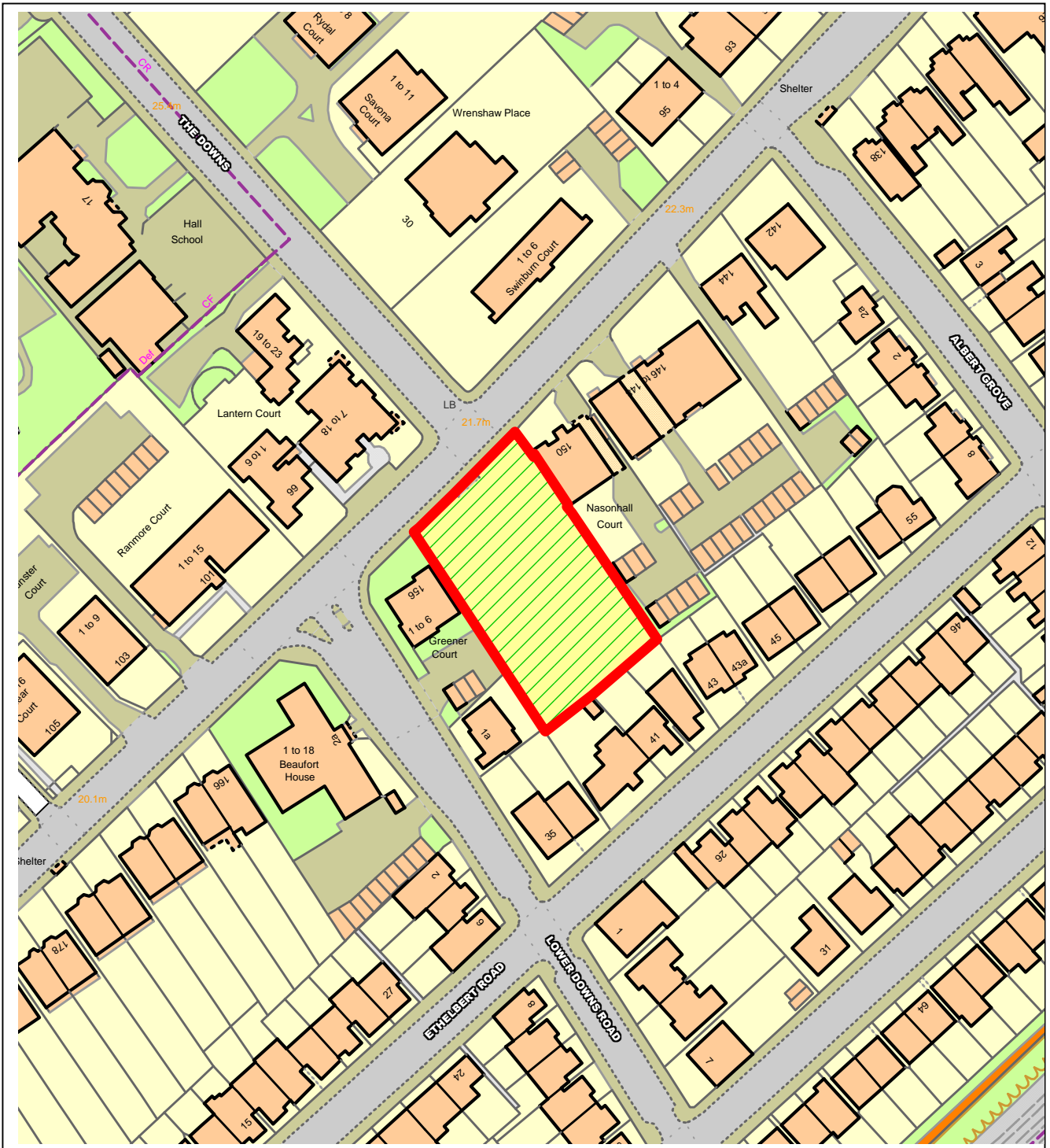
1. Commencement of development
 2. Approved Plans
 3. External material as specified
 4. Construction times
 5. Follow up electromagnetic fields report
 - 6 Non-standard condition: noise not to exceed level in the submitted report
-

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

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Committee: Planning Applications

Date: 18 July 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/P3135**
Site: Park Gate House, 356 West Barnes Lane KT3 6NB
Development: Extension to create 6 x additional self-contained flats
Recommendation: Recommended Refusal (Refused at Committee)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 30th June 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000094000/1000094883/16P3135_Appeal%20Decision.pdf

Application Number: 16/P3254 and 16/P3252 (linked appeals)
Site: 218 Morden Road, South Wimbledon SW19 3BY
Development: Demolition of garages and erection of 4 x two storey houses
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 14th June 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000095000/1000095002/16P3254_Appeal%20Decision.pdf

Application Number: 16/P3376
Site: 163 Seely Road, Tooting SW17 9QX
Development: Erection of rear roof extension, raising ridge height
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 13th June 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000095000/1000095118/16P3376_Appeal%20decision.pdf

Application Number: 16/P3643
Site: 63 St Helier Avenue, Morden SM4 6HY
Development: Replacement of single garage with new double garage
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 4th July 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000095000/1000095372/16P3643_Appeal%20Decision.pdf

Application Number: 16/P3754
Site: 78 Dundonald Road, Wimbledon SW19 3PN
Development: Erection of a rear roof extension
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 22nd June 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000095000/1000095478/16P3754_Appeal%20Decision.pdf

Application Number: 16/P4420
Site: 50 Wimbledon Hill Road SW19 7PA
Development: Installation of new shopfront
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 3rd July 2017

Link to Appeal Decision

http://planning.merton.gov.uk/MVM.DMS/Planning%20Application/1000096000/1000096102/16P4420_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.