

Merton Council

Planning Applications Committee

Membership

Councillors

Linda Kirby (Chair)
Najeeb Latif (Vice-Chair)
Philip Jones
Laxmi Attawar
Peter Southgate
Stephen Crowe
David Dean
Andrew Judge
Geraldine Stanford
Joan Henry

Substitute Members:

John Dehaney
Brenda Fraser
Daniel Holden
John Sargeant
John Bowcott

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

Date: 22 March 2018

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

22 March 2018

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting 1 - 8
- 4 Town Planning Applications
The Chair will announce the order of Items at the beginning of the Meeting.
A Supplementary Agenda with any modifications will be published on the day of the meeting.
Note: there is no written report for this item
- 5 Deacon House, 10 Atherton Drive, SW19 5LB 9 - 20
Application number: 17/P2878 Ward: Village

Officer Recommendation: GRANT Planning Permission subject to conditions
- 6 Garages RO 30-40 Barnes End, New Malden KT3 6PB 21 - 42
Application number: 17/P3989 Ward: West Barnes

Officer Recommendation: GRANT planning permission subject to conditions
- 7 Garages RO 49-55 Barnes End, New Malden KT3 6PB 43 - 62
Application Number: 17/P3991 Ward: West Barnes

Officer Recommendation: GRANT planning permission subject to conditions
- 8 7a Cannon Close, Raynes Park, SW20 9HA 63 - 70
Application Number: 18/P0235 Ward: West Barnes

Officer Recommendation: GRANT planning permission subject to conditions
- 9 Woodman, 222 Durnsford Rd, SW19 8DR 71 - 98
Application Number: 17/P4187 Ward: Wimbledon Park

Officer Recommendation: GRANT Planning Permission subject to S106 agreement and conditions.
- 10 24 The Grange, Wimbledon, SW19 4PS 99 - 110
Application Number: 17/P3581 Ward: Village

Officer Recommendation: GRANT Planning Permission subject to conditions

11	Dog & Fox, High Street Wimbledon, SW19 5DX Application Number: 17/P3255 Ward: Village Officer Recommendation: GRANT planning permission subject to s.106 agreement and conditions	111 - 144
12	Standor House, 284 London Rd, Mitcham Application Number: 17/P3923 Ward: Cricket Green Officer Recommendation: GRANT planning permission subject to the completion of a S106 agreement and conditions.	145 - 166
13	Phoenix Hotel, 123-125 Merton Rd, SW19 1ED Application Number: 17/P3551 Ward: Abbey Officer Recommendation: GRANT Outline Planning Permission subject to completion of a S.106 Agreement and conditions	167 - 178
14	49 Murray Rd, Wimbledon, SW19 4PF Application Number: 17/P2820 WardVillage Officer Recommendation: GRANT Planning Permission subject to conditions and no objection raised from the Council's Flood Risk Management Engineer	179 - 188
15	21 Rural Way, Streatham, SW16 6PF Application Number: 17/P3153 Ward: Graveney Officer Recommendation: GRANT planning permission subject to conditions.	189 - 202
16	Land RO 4-10 South Park Rd, Wimbledon, SW19 8ST Application Number: 18/P0351 Ward: Trinity Officer Recommendation: GRANT planning permission subject to s.106 agreement and conditions	203 - 230
17	The Pavilions, Watermill Way, SW19 2RD Application Number: 17/P0390 Ward: Colliers Wood Officer Recommendation: GRANT planning permission subject to the completion of a Section 106 Agreement/Obligation and conditions.	231 - 266
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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

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

PLANNING APPLICATIONS COMMITTEE

22 FEBRUARY 2018

(19.15 - 21.50 pm)

PRESENT Councillors Councillor Linda Kirby (in the Chair),
Councillor Najeeb Latif, Councillor Philip Jones,
Councillor Peter Southgate, Councillor Stephen Crowe,
Councillor David Dean, Councillor Andrew Judge,
Councillor Geraldine Stanford and Councillor Joan Henry and
Councillor John Dehaney

ALSO PRESENT Ward Councillors Suzanne Grocott and Michael Bull
Jonathan Lewis – Planning Team Leader
Tim Bryson – Planning Team Leader
Sarath Attanayake – Transport Planner
Lisa Jewell – Democratic Services Officer

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Laxmi Attawar.
Councillor John Dehaney attended as Substitutes for Councillor Attawar.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of pecuniary interest.

In the interest of openness and transparency Councillor David Dean declared that he would not vote on Item 10 – 579-589 Kingston Road as he had represented his ward residents in discussions with the applicant regarding a public exhibition.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 18 January 2018 are agreed as an accurate record.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

Supplementary Agenda: Amendments and modifications to the Officer's report were published in a Supplementary Agenda. This applied to items 5,7,9,10,11, and 15.

The Chair reminded the Committee that items 6 (Deacon House, Atherton Road) and 12 (49 Murray Road) had been removed from the Agenda

Order of the meeting – The Chair announced that the order of items taken at the meeting would be: 5, 10, 8, 11, 7, 9, and 13

5 18 ARRAS AVENUE, MORDEN, SM4 6DF (Agenda Item 5)

Proposal: Conversion of Wyvern Youth Centre into 6 x residential units (comprising 2 x 1 bed, 1 x 2 bed and 3 x 3 bed flats) involving re-roofing, installation of skylights, new door and window openings, with associated parking, refuse, landscaping and cycle storage.

The Committee noted the officer's report and presentation and additional information in the Supplementary Agenda. The Committee received verbal representations from two objectors to the application and the Agent to the application

The Objectors made points including:

- The application is against Council Policy
- The application is overdevelopment, providing 6 units
- It does not provide enough parking spaces in a low PTAL area
- The application is a security risk to neighbours
- The Council has an added responsibility to protect residents as the application building was previously Council owned
- The applicant made a false declaration on the application form by saying that there were no trees on the application site – 14 mature trees have not been included
- A full tree survey is required

The Agent for the application made points including:

- The existing building is an eyesore
- The 6 units will exceed space standards
- Fencing and landscaping have been re-worked to protect trees, trees are important and none are to be removed
- The applicant has worked with Case Officer to accommodate neighbour's points regarding trees and their protection
- The applicant has talked to The Scouts who have now withdrawn their objection

The Planning Team Leader confirmed that the applicant had remodelled the path to protect the existing trees. He confirmed that no trees on the application site would be removed. Members asked the applicant to confirm if any trees would be removed. The Agent replied that no trees on the application site would be removed - one tree currently on the pavement would be removed and replaced with all costs to the applicant

The Planning Team Leader explained that the number of parking spaces available was satisfactory under current guidance. He advised Members not to put undue weight on the fact that the scheme did not provide 1 space per unit as more up to date information was available on car ownership across the borough which showed that generally car ownership across all households was between 60 and 70%.

When asked about the possibility of making the development permit free via a s106 agreement, the Planning Team leader advised against this; as there was no current CPZ in the area and that there was currently some on-street capacity to park such an

agreement comprising a future restriction on occupiers should not be imposed on the developer.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

6 DEACON HOUSE, 10 ATHERTON DRIVE, WIMBLEDON SW19 5LB
(Agenda Item 6)

Item withdrawn from Agenda before meeting

7 27 BELVEDERE AVENUE, WIMBLEDON SW19 7PP (Agenda Item 7)

Proposal: Erection of ground, first and second floor front extensions, alterations to fenestration, including replacement of windows.

The Committee noted the officer's report and presentation and late representations in the Supplementary Agenda

Members noted that the amended plans issued showed the proposal in the context of it's neighbouring buildings. The amended plans were not consulted on as the scheme itself remained unchanged.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

8 8-10 EDWARD AVENUE, MORDEN, SM4 6EP (Agenda Item 8)

Proposal: Demolition of both detached properties and redevelopment of the sites to provide two semi-detached pairs of dwellings (total of 4 new dwellings), each comprising 4 bedrooms, 2 storeys, accommodation at roof level and onsite vehicle parking.

The Committee noted the officer's report and presentation and received a verbal presentation by an objector to the application and the applicant's agent.

The Objector raised residents' concerns, including:

- This area is prone to subsidence, there are ongoing subsidence claims for neighbouring properties
- Building work could affect foundations
- Object to windows on the side of the upper floor
- Concerned about drainage in the vicinity
- Will the trees be removed?
- Bungalows have 2 residents, these new houses will total 16 residents.

The Applicant's agent made points including:

- The proposal is designed to respect the character of the area
- Car parking spaces are provided
- The proposed houses exceed minimum space standards
- Most of the bungalows in the area are being enlarged and are not in their original state.
- None of the trees are to be felled. One tree on the pavement will be removed and replaced

The Planning Team Leader explained that in the context of any nuisance arising from water draining from one plot onto another, this was a civil matter, not a planning matter.

Members commented that this area was made up of individual plots and so did not have a distinctive character. The bungalows were vulnerable to development, but there were no laws, guidance or policies to protect them.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

9 GARAGES R/O INGLEMERE ROAD & GRENFELL ROAD, MITCHAM, CR4 2BT (Agenda Item 9)

Proposal: Demolition of existing garages and buildings rear of Inglemere Road and erection of 10 x residential dwellings and a part single part three storey block comprising 4 flats and the provision of associated landscaping and parking

The Committee noted the officer's report and presentation and the amended heads of terms presented in the Supplementary Agenda, that now contains reference to a review of the provision of affordable housing, and an undertaking to assist the current commercial occupants find alternative accommodation.

In answer to Members Questions, The Planning Team Leader made points:

- Access to backland sites is often a challenge. Rights of access have to be resolved between property owners and land owners.
- The Site is within a CPZ and the development is permit free
- Building Regs. will cover the installation of Fire Hydrants in the development
- Planning Policies do try to retain employment land but in this case an all housing development is a good deal

Members commented that this was an appropriate use of the site.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

10 579-589 KINGSTON ROAD, RAYNES PARK, SW20 8SD (Agenda Item 10)

Proposal: Demolition of existing buildings and redevelopment of site to provide offices (1,201 sq.m - class b1) and residential (99 units - class c3) accommodation in buildings of two - six storeys, provision of car parking (24 cars, 12 disabled spaces), cycle parking (224 spaces), vehicle access, landscaping, plant and associated works

The Committee noted the officer's report and presentation and additional information in the supplementary agenda including a statement from Children Schools and Families and a summary of late letters of representation. The Planning Team leader asked the committee to note that 10 late letters of representation had been received on the day of committee and placed on the planning explorer system one of these was in support of the application and 9 were objecting to the application.

The Committee received representations from two Ward Councillors.

Councillor Suzanne Grocott made points including:

- The housing is badly needed and pleased to see affordable housing
- But object to bulk and scale of this application
- It increases the flood risk, flooding is an annual event in this area
- 5 stories is overdevelopment
- It will overpower and overshadow The Apostles area, residents of this area are disappointed with the lack of time before committee.

Councillor Michael Bull made points including:

- Agreed with previous points about height and appearance, and flood risk
- Concern regarding infrastructure – Schools and Health provision
- A major concern for many local residents is that there are only 24 parking spaces for 99 properties, and that the local CPZ is only from 8.30am to 6.30pm. Predicted that many residents of the proposed building will park on local roads after 6.30pm.
- Need to consider the impact of the new Dundonald Church next to this and other new accommodation on the site of Southey Bowls Club

Members asked officers about the height of the proposal compared to the height of the previously allowed commercial block, and also if any part of the proposal was 7 storeys high?

The Agents were asked to answer these questions, and they confirmed that there was no part of the proposal that was 7 storeys – the wording in the report was an administrative error. Compared to the allowed commercial building the front of the proposal was a very similar height, within 1m.

The Agent also stressed that the front of the proposal was not one continuous block.

In reply to Member's questions about flooding, the planning team leader replied that the Council's Flood Risk Engineer, had assessed the application site as low risk of flooding but the surrounding roads were at medium risk of surface water flooding. Therefore a detailed drainage condition requiring a Sustainable Drainage system (SuDS) to remove surface water is attached to the recommendation.

Member's asked if officers agreed that the car parking spaces were sufficient given that car ownership across the borough was 0.67%, which would suggest that 67 spaces were needed at this site. The Planning Team Leader replied that car ownership across the borough was 64% for all types of properties and incomes. This development would have lower car ownership as it included affordable housing, was not all family housing and had a high PTAL score – all of which reduce car ownership. The permit free nature of the development would further reduce the demand for parking.

Members asked if there was any parking for the Businesses in the commercial section of the proposal. Officers noted that there would be loading bays across the Kingston Road frontage, as the building was set back there was sufficient space for these and a footpath .

Members asked if it could be conditioned that all parking spaces should have electric charging points. Officers replied that the application provides sufficient to meet London Plan standards and requiring additional charging points by condition would therefore be unreasonable and was not recommended.

Members asked what would happen if Planning Permission was granted, with the proposed level of affordable housing, but the applicant were to sell the land on with the valid planning permission – could the new owner submit a new viability assessment supporting a lower level of affordable housing?
Officers replied that in such a situation the agreed heads of terms would form the starting point of negotiations with a new developer, but that all information submitted by a new developer would be scrutinised by Officers, and any such developer could not permit different occupation arrangements of the build without an amended S106 agreement being in place.

Members asked if the provision of cycle parking was correct and would the cycle parking be secure and noted that Officers reply that it met London Plan Standards and that by splitting up the cycle stores this was more likely to encourage their take up by residents.

Members commented that they liked the 'Build to Rent' plan for the development, with affordable housing peppered throughout, which is good news for key workers and will prevent units being left empty
Other members said that they were concerned about the parking provision being too low.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

Councillor David Dean did not vote on this item.

11 50 MARRYAT ROAD, WIMBLEDON SW19 5BD (Agenda Item 11)

Proposal: Demolition of existing building and erection of a three storey dwelling house with additional accommodation at basement level together with associated car parking, landscaping and front boundary treatment.

The Committee noted the officer's report and presentation and the information contained in the Supplementary Agenda.

The Committee received a verbal objection from an Agent acting on behalf of the residents at 48 Marryat Road, who raised points including:

- The Scale and massing of the proposal are too great
- The proposal will cause overlooking and loss of light to the neighbouring properties
- Mature Trees will be lost
- The Basement Method Statement submitted by the applicants does not meet Merton policy. This method statement is not site specific
- A review of the submitted sunlight and daylight study shows that the proposal will infringe 48 Marryat Road's right to light. This is not mentioned in the Officers report.

The Applicant made points including:

- The proposal will be an upgrade to the current house
- The mature tree was lost in August 2017 when it was de-rooted by a storm. It is incorrect to say that it was cut down
- The daylight and sunlight report is totally BRE compliant
- There is a technical basement report – but the document was too big to successfully load on the Council's planning portal
- The proposal is 1.20m from the fence to allow more light to the neighbours

The Planning Team Leader made comments including:

- The size of the basement in relation to the plot is policy compliant
- The proposal is larger than existing but most of this additional bulk is at the rear of the property
- There are properties of various scale on the street
- The Daylight and sunlight report shows a slight reduction in light to two side facing ground floor windows but these are in a dual aspect room.
- The Basement Method Statement has been informed by a detailed site visit

When asked about the actual reduction of daylight to the windows of the ground floor of No.48, the Planning Officer said he did not have the exact figures to hand but that 9 windows were tested. 7 passed BRE guidelines, and 2 did not meet the 20% target value. The officer's report does provide this information and right to light is not necessarily a planning issue.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

12 49 MURRAY ROAD, WIMBLEDON SW19 4PF (Agenda Item 12)

Item withdrawn from Agenda before meeting

13 37-39 ROOKWOOD AVENUE, NEW MALDEN, KT3 4LY (Agenda Item 13)

Proposal: Demolition of office building and erection of a new 3x bedroom house

The Committee noted the officer's report and presentation.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

14 PLANNING APPEAL DECISIONS (Agenda Item 14)

The Committee noted the report on recent Planning Appeals

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

The Committee noted the report on recent enforcement cases.

The Committee asked for clarification of the situation at 9 Albert Road Mitcham.

PLANNING APPLICATIONS COMMITTEE

22 MARCH 2018

APPLICATION NO. **DATE VALID**

17/P2878

02/08/2017

Address/Site Deacon House, 10 Atherton Drive, Wimbledon, SW19 5LB

Ward **Village**

Proposal: Erection of a new detached garage with basement car park and erection of a two storey side extension with basement games room.

Drawing Nos P01, P02, P04, P05, P06, P08, P09

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 – 14
- 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 detached two storey dwelling house situated at the southern end of Atherton Drive, a cul-du-sac accessed from Burghley Road. There is an existing detached garage to the side of the property

adjacent to the rear boundary with 21 Calonne Road. The application property is situated within a large garden screened by mature tree and shrub planting. The application site is within the Merton (Wimbledon North) Conservation Area and is adjacent to a Grade II Listed Building.

3. **CURRENT PROPOSAL**

- 3.1 The current proposal involves the erection of a detached garage building with basement car parking below and erection of a two storey extension to the existing dwelling house with games room below at basement level.
- 3.3 The proposed detached garage building would be 6.5 metres in width and 8.5 metres in length. The garage would have an eaves height of between 2.5 and 3.2 metres and would have a hipped roof with an overall height of between 4.1 and 5.5 metres. The garage would contain a car lift which would provide access to a basement car park that could accommodate 8 cars.
- 3.4 The proposed two storey extension would be sited on the south elevation of the existing dwelling house and would be 9 metres in width (at ground floor level) and 14 metres in length. The extension would have a 'cat slide' roof that would slope upwards from the boundary with 19 Calonne Road, with first floor accommodation provided within the roof space. Two dormer windows would be provided to the garden elevation and a single dormer window (to a bathroom) provided to the side elevation facing towards the boundary with 19 Calonne Road. Beneath the side extension a basement would be formed to provide a games room.

4. **PLANNING HISTORY**

- 4.1 In July 1989 planning permission was granted for the erection of a first floor side extension (LBM Ref.89/P0804).
- 4.3 In November 1995 planning permission was granted for the erection of a part single, part two storey detached house with accommodation within the roof and integral garage fronting Calonne Road and erection of a part single/part two storey detached dwelling with integral swimming pool, detached double garage with accommodation above with access from Atherton Drive involving the demolition of 10 and 12 Atherton Drive (LBM Ref.95/P0762).

5. **CONSULTATION**

- 5.1 The application has been advertised by site notice procedure and letters of notification to occupiers of neighbouring properties. In response 18 objections have been received. The grounds of objection are set out below:-

-The construction of an underground garage would cause problems with the water table cause disruption to traffic and cause problems of access to other houses.

-The proposed garage could result in a commercial activity taking place in a residential area.

- The proposed basement may affect nearby trees and result in loss of greenery.
- The large garage will result in noise and pollution.
- the basement may increase risk of flooding and have an adverse impact upon ground water.
- The excavation to build the underground garage would cause noise and nuisance.
- The garage will result in the loss of an orchard and garden area.
- Keeping cars underground would be a fire hazard.
- The garage and extension to the house would constitute overdevelopment of the site.
- The proposed two storey extension would face onto 19 Calonne Road and the window in the side elevation would result in overlooking.

In addition, reports have been submitted by Eric Cooper of Hydrock and Bartlett Tree Report, both making specific representation on the applicants submitted Basement Construction Method Statement and Tree Report.

5.2 Parkside Residents Association

The Parkside residents Association state that the proposed basement car park is disproportionately large, inappropriate and unsuitable for a residential location. The proposal will allow for the garaging of 12 cars on the site. This is excessive for a residential location. There are no properties in the area which offer garaging on such a scale. Driving vehicles in and out of the basement would generate numerous traffic movements along a quiet cul-du-sac and create disturbance. There are no details of the car lift and it must be demonstrated that this equipment will not cause undue noise. The storage of cars underground could be a safety risk. The proposal will also result in the loss of trees and the flood risk assessment and basement construction method statement provides little information on the impact of the development upon neighbour amenity. The first floor window in the two storey side extension would result in overlooking and loss of privacy to 19 Calonne Road.

5.4 Tree Officer

The tree officer has confirmed that the applicant has provided sufficient information to the proposed development in response to earlier concerns and the tree officer is now satisfied that the development can be implemented in a satisfactory manner subject to tree protection conditions being imposed on any grant of planning permission. The tree officer raises no objection to the trees proposed to be removed.

5.5 Flood Risk Management Engineer

No objection, subject to condition.

6. **POLICY CONTEXT**

6.1 Adopted Merton Core Strategy (July 2011)

CS14 (Design) and CS20 (Parking).

6.2 Sites and Policies Plan (July 2014)

D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings), DM D4 (Managing Heritage Assets) and DM T3 (Car Parking).

6.3 The London Plan (March 2016)

The relevant policies within the London Plan are 6.13 (Parking), 7.4 (Local Character) and 7.4 (Local Character).

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the impact on visual amenity, design and Conservation Area, setting of Listed Building, basement construction, neighbour amenity, trees and parking issues.

7.2 Design/Conservation Issues

The site lies within the Merton (Wimbledon North) Conservation Area (designated heritage asset). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. In accordance with this, Policy DM D4 outlines that development should preserve or enhance the significance of the heritage asset.

7.3 The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. The following considerations should be taken into account when determining planning applications.

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation; The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

7.4 According to Paragraph 129 of the NPPF, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

7.5 The site lies within the 'Wimbledon House' sub-area of the Conservation Area which is recognised for its former part of the Old Park, which was largely occupied by Wimbledon House and its grounds. The area is recognised for its harmonious designs and spacious plots, controlled over time through restrictive covenants.

- 7.6 The proposal involves the erection of a two storey extension to the existing house and the erection of a detached double garage building that would provide lift access to an underground car parking area. The proposed extension to the dwelling house has been designed to complement the design of the existing house and would incorporate a hipped roof and rendered wall. The detached garage building has also been designed to complement the design of the existing house. Once constructed, the basement parking area and games room would not be visible and would have no impact upon the character of the conservation area. The site is set in a backland position and therefore the new hardstanding leading up to the new garage would not have a wider visual impact on the surrounding area.
- 7.7 A number of trees are proposed to be removed to accommodate the proposed development. These are to be in the area where the proposed new hard surfacing and garage would be sited. The trees to be removed have been assessed with due regard to the guidelines contained in BS 5837:2012. The majority of the trees to be removed are in a condition where their long term retention would be called into question whether the proposed development was to proceed or not. The majority of the trees are in the lower section of the garden where the garage is proposed and the majority of the trees are substandard and offer little to the visual amenities of the area. The removal of trees would not adversely affect the character or appearance of the conservation area and it is proposed to undertake a comprehensive landscaping and tree planting scheme to enhance the setting of Deacon House which would also enhance the wider conservation area.
- 7.8 Overall the proposed garage and extension to the existing dwelling house have been sympathetically designed to complement the existing dwelling house and the proposal would not have a harmful impact upon the character or appearance of the Merton (Wimbledon North) Conservation area and its significance would be preserved. The proposal is therefore acceptable in terms of policies CS14, DM D2 and DM D4.

7.9 Setting of Listed Building

- 7.10 The statutory test for the assessment of proposals affecting listed buildings and their settings is contained in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
- 7.11 To the south of the site lies number 21 Calonne Road, a Grade II Listed Building. The listing description outlines:

Detached house. Dated 1909. Designed by R Baillie Scott. Brick, with some timber framing with plaster infill to central bay; steeply pitched tiled roof to eaves. 2 storeys plus roof storey. Irregular composition in Arts and Crafts manner. Garden front of 3 main bays, the outer bays projecting beneath gabled roofs with further hipped projections over paved terrace to right and

left; 3- light windows to right hand gabled wing and 4-light windows to left; timber mullions. Central bay recessed with exposed timber framing and 5-light windows to ground and first floors, the centre 3 lights of the latter breaking upwards to form a flat topped half dormer. 5-light corniced dormer window to centre. Tall chimneys to right and left. Interior remains largely intact with open well staircase, dado panelling to ground floor, wrought iron door and window fittings etc.

7.12 The listed building is adjoined by neighbouring detached residential plots to the east and west, and the site to the north. The setting of the listed building has already been affected by the built form on either side of this plot and the existing garage on the application site. The proposed garage and basement car park would be sited north-east of this building and due to the distance, it would not cause harm to the setting of the listed building. The proposed extension to the dwelling would extend west on site. This would add built form to the north of the boundary of the listed building. The design of the extension with a low eaves and roof structure to match the host dwelling ensures that the design would be in keeping with the existing dwelling. Although this would create additional built form beyond the north boundary of the listed building, it would not cause harm to the setting of the listed building due to its distance and scale.

7.13 Overall, the proposal would not cause harm to the setting of the listed building and is compliant with Policy DM D4 and the NPPF.

7.14 Basement Construction

7.15 A number of representations have been received concerning the impact of the proposed basement construction on trees and ground water. However, the applicant has provided a basement construction method statement prepared by a qualified structural engineer and the report concludes that based on the survey information the basements can be constructed in a safe and effective method without significant impact upon neighbouring properties. Further, the application has been accompanied with a Flood Risk Assessment which concludes that the risk of flooding is low and that the appropriate drainage strategy should be to utilise a sub-surface positive drainage system to the public sewer, as per the existing dwelling. The Council's Drainage Officer has no objections to the proposal subject to submission of surface water and foul water drainage scheme being imposed on any grant of planning permission. Officers have considered the reports by Eric Cooper of Hydrock, however, the technical information submitted with the application has been reviewed by the Council's Flood Risk Management Engineer who has recommended a prior to commencement of development condition. The proposed basement is therefore considered to be acceptable in term of policy DM D2.

7.16 Neighbour Amenity

7.17 The resident's concerns regarding the scale of the underground parking area are noted. However, the applicant collects classic cars and there are no objections to the construction of an underground parking area in principle as

once constructed the access would be via a conventional detached double garage. (A similar development was also recently approved at 28 Linfield Road LBM Ref.16/P0272). The underground garage can be conditioned to ensure that the parking of vehicles remains ancillary to the existing use of the site, which is a single residential dwelling. The proposed two storey side extension to the existing house (incorporating a basement games room) would be sited adjacent to the rear boundary with 19 Calonne Road. However, although two storey, the first floor would be within the roof space, with the hipped roof sloping away from the boundary with 19 Calonne Road. Although a side dormer window is proposed facing onto 19 Calonne Road, the window would be to a bathroom and would be obscure glazed, which can be controlled via condition. The proposed garage would be sited within the eastern corner of the large garden. The side elevation of the garage would be a minimum of 2 metres away from the side garden boundary with 25 Calonne Road and the rear elevation of the garage would be 4 metres from the rear boundary with number 25. The side elevation of the garage would be a minimum of 1 metre away from the side boundary of the garden of 8 Atherton Drive and the garage would have a hipped roof sloping away from each side boundary. Therefore the siting of the garage adjacent to neighbouring gardens would not have a harmful impact upon neighbour amenity and is therefore acceptable in terms of policy DM D2.

7.18 Trees

7.19 The Council's tree officer has been consulted on the proposals and is satisfied with the information contained within the amended Arboricultural Report which demonstrates that the trees on the site identified for retention are not at risk from the development. Although there are trees in garden of 19 Calonne Road, which are nearest the proposed basement, only 2 metres of the root protection area of these trees is within the application site, and the proposed basement is outside this distance. The tree officer has, however, recommended that appropriate planning conditions be imposed on any grant of planning permission to protect retained trees during construction works. The proposal is therefore considered to be acceptable in terms of policy DM DO2.

7.20 Parking

7.21 The existing access arrangements to the site are unaffected by the proposed development and the proposal would involve the provision of additional parking spaces at basement level for the owners' collection of classic cars. Therefore there are no planning objections to the proposed development.

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 two storey side extension to the existing dwelling house and the erection of the detached garage building are considered to be acceptable in design terms. Although the proposal involves the provision of basement car parking area accessed via a car lift and provision of a small basement beneath the two storey side extension, the applicant has provided a basement construction method statement demonstrating that the basements can be constructed in a safe manner. The proposal is considered to be acceptable in terms of neighbour amenity would not cause a harmful effect on the character or appearance of the (Wimbledon North) Conservation Area. Accordingly it is recommended that planning permission be granted subject to conditions.

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. C.2 (No Permitted Development –Door and Windows)
6. C.4 (Obscure Glazing-Side Dormer Window to Bathroom)
7. D.11 (Hours of Construction)
8. F1 (Landscaping)
9. F2 (Landscaping-Implementation)
10. F5 (Tree Protection)
11. The details of measures for the protection of existing trees as specified in the approved document BS 5873:2012 Arbouricultural Report Impact Assessment, Arbouricultural Method Statement and Tree Protection Plan dated August 2017 including drawing titled Tree Protection Plan dated 03/11/2017 shall be fully complies with. The methods for the protection of the existing trees shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report. The details of the measures as approved shall be retained and maintained until the completion of site works.

Reason for condition: to protect and safeguard the existing retained trees and those trees located in neighbouring amenity space in accordance with the following development Plan policies for Merton: Policy 7.21 of the London

Plan 2015, Policy CS13 of Merton's Core Planning Strategy 2011, and Policies DM D2 and DM O2 of the Adopted Merton Sites and Policies Plan 2015.

12. F.8 (Site Supervision – Trees)
13. F.6 (Design of Foundations insert 'within 11 metres of retained trees')
14. The existing ground levels within the root protection area of the existing retained Beech tree (referred to as T20) shall not be raised or lowered and shall remain as existing.

Reason for condition: To protect and safeguard the existing retained Beech tree in accordance with the following development Plan Policies for Merton: Policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011, and Policies DM D2 and DM O2 of the Adopted Merton Sites and Policies Plan 2015.

15. The new footpath shown on the approved drawing number P07 Rev A beneath the canopy of the Beech tree (referred to as T20) shall be constructed using no-dig construction as detailed in Arbouricultural Practice note 12.

Reason for condition: To protect and safeguard the existing retained Beech tree in accordance with the following development Plan Policies for Merton: Policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011, and Policies DM D2 and DM O2 of the Adopted Merton Sites and Policies Plan 2015.

16. F.1 (Landscaping Scheme)
17. Condition: Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:
 - i. Provide information about the design storm period and intensity, attenuation (no less than 27.4m³) and control the rate of surface water discharged from the site to no more than 5l/s;
 - ii. Include a timetable for its implementation;
 - iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

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

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

18. Prior to commencement of development a fully detailed Basement Construction Method Statement (including hydrogeology report) shall be submitted to and agreed in writing by the Local Planning Authority. The basement works shall be undertaken in accordance with the approved details.

Reason for condition: In the interest of neighbour amenity and to comply with policy DM D2 of the Adopted Merton Sites and Policies Plan (2014).

19. The garage and basement parking area shall be used for the parking of motor vehicles ancillary to the domestic use of Deacon House, 10 Atherton Drive SW19 5LB and for no other purpose without prior approval in writing from the Local Planning Authority.

Reason for condition: In the interest of neighbour amenity and to comply with policy DMD2 of the Adopted Merton Sites and Policies Plan (2014).

20. Prior to first use of the garage hereby permitted, details of the internal car lift structure and operating mechanism shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and thereafter retained.

Reason for condition: In the interest of neighbour amenity and to comply with policy DMD2 of the Adopted Merton Sites and Policies Plan (2014).

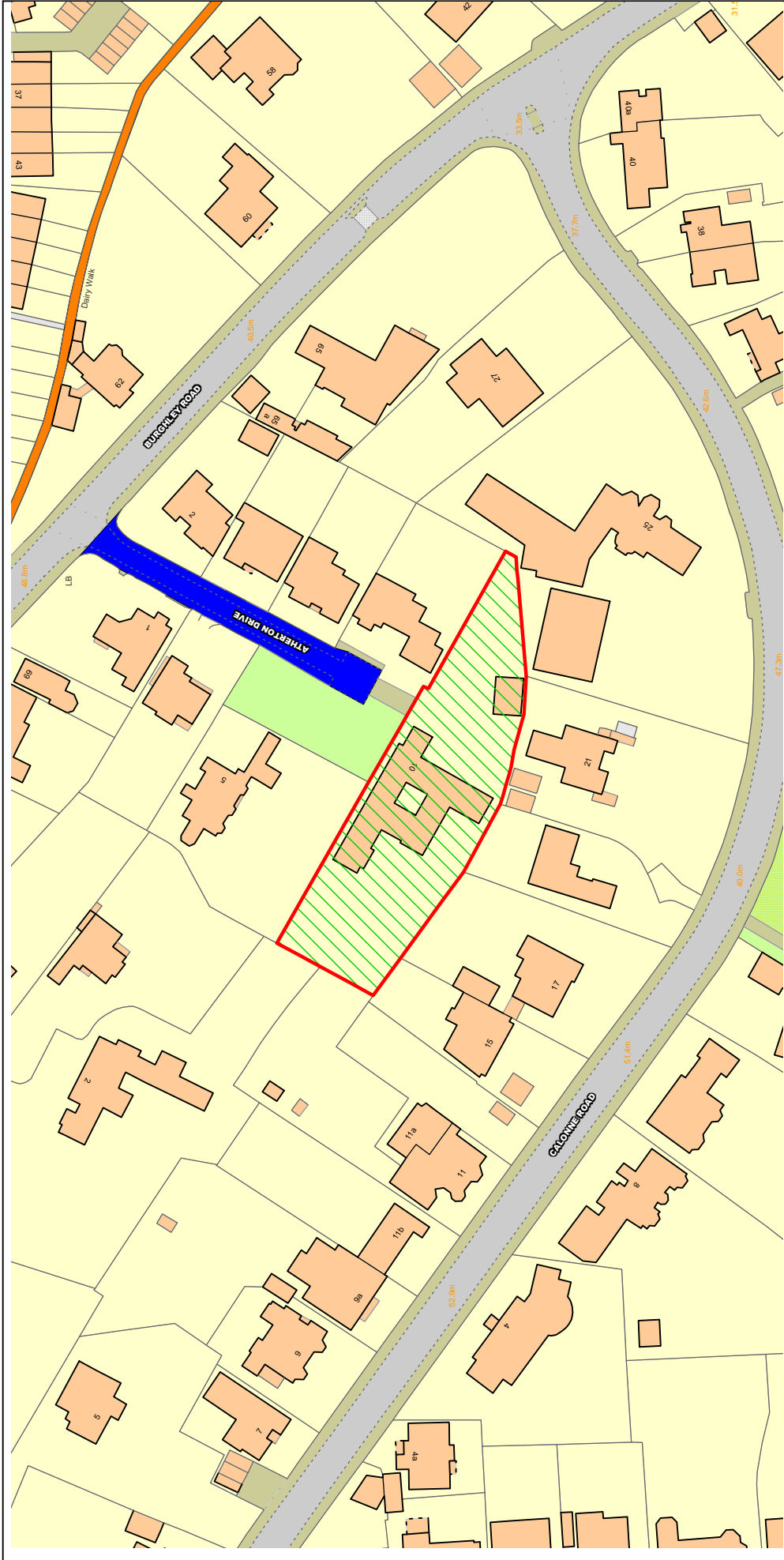
21. INF 1 (Party Wall Act)

22. 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).

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

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NORTHGATE SE GIS Print Template



Text Details **10 Atherton Road**

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PLANNING APPLICATIONS COMMITTEE

22 MARCH 2018

APPLICATION NO.

DATE VALID

17/P3989

30/11/2017

Address/Site: Garages rear of 30-40 Barnes End
New Malden
KT3 6PB

Ward: West Barnes

Proposal: DEMOLITION OF 24 GARAGES AND CONSTRUCTION
2 x NEW 3 BEDROOM DWELLINGS WITH
ASSOCIATED PARKING AND LANDSCAPING.

Drawing No.'s: B-01 Rev.D dated 29/01/2018 and B-02 Rev.B dated
26/10/2017

And supporting documents: 'Bat Roost & Barn Owl
Potential Building Assessment Report' Dated 12 October
2017, 'Daylight & Sunlight Report' Dated 6 November
2017, 'Design And Access Statement' Dated 31 October
2017, 'Flood Risk Assessment' Dated November 2017,
'Phase I Desk Study' Dated 01 November 2017,
'Transport Statement' October 2017 And 'Planning
Statement' Dated November 2017.

Contact Officer: Cameron Brooks (020 8545 3297)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- S106: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 55
- External consultations: 2
- Conservation area: No
- Listed building: No

- Tree protection orders: No
- Controlled Parking Zone: No
- Flood zone: Yes – zone 2 (in the area of proposed development)
- Archaeological priority zone: No

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site is a broadly triangular parcel of land (approximately 793sq.m) located to the rear of nos. 38 & 40 Barnes End and is bounded on all sides by the rear gardens of adjacent properties. Access is via a turning head at the end of Barnes End, a cul-de-sac which is separated from the adjacent road, Cobham Avenue by a 2.1m high brick wall.

- 2.2 The site is entirely surfaced with concrete with no soft landscaping. The existing garages form part of the boundaries of the site. Surrounding properties are generally large two-storey semi-detached dwellings with walls of red brick or render with some tile-hanging and predominately hipped tiled roofs. The site cannot be seen directly from any of the surrounding public roads.

- 2.3 The site has a PTAL (public transport accessibility level) of 2 which is considered to be poor (1 being very poor and 6 being excellent).

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the demolition of 24 garages and the construction of 2, 2 storey, 3 bed semi-detached dwellings with accommodation at roof level, access from Barnes End, and extensive landscaping to the remainder of the site. The proposed building would have a footprint of approximately 150sq.m. The semi-detached buildings will be mirror images of each other.

- 3.2 The site would retain vehicle access from Barnes End with 2 parking spaces being provided for each dwelling onsite. The footprint of the two buildings would be irregular in shape and would be set in from the site boundaries. Landscaping has been proposed within the private rear garden areas and the shared front garden area.

- 3.3 Plot 1 is located on the southern portion of the subject site. The proposed dwelling would be located approximately 1m from the shared southern boundary at its closest point, increasing to approximately 2.8m; it would be set back from the south-eastern boundary by approximately 10.89m at its closest point and it would be set in from the north-western boundary by approximately 10.9m.

- 3.4 Plot 2 is located to the north-east of Plot 1. The proposed dwelling would be located approximately 1.2m from the shared north-eastern boundary at its closest point, increasing to approximately 3.5m; it would be set back from the

south-eastern boundary by approximately 10.89m at its closest point and it would be set in from the north-western boundary by approximately 10.8m.

- 3.5 The main building envelope would be irregular in shape with a dual pitched roof. The ground floor is proposed to be faced in a high quality multi-stock facing brick and the first floor finished in a natural hidden fixing timber weatherboard. The main pitched roof is tiled in red smooth-faced clay tiles. Projecting from the north-eastern face of Plot 2 and the south-western face of Plot 1 will be a single storey element with a flat roof. The installation of a roof garden will be on the abovementioned flat roofs has been proposed. The roof will have a catslide to the rear (with 2 large and 4 small roof lights) enabling a reduction in the height of the main roof.
- 3.6 The proposed dwellings will be symmetrical and would have the following key dimensions:
- Main dwelling:
 - 11.6m deep/long;
 - 11.1m wide;
 - 3.0m high to the eaves on the south-eastern face;
 - 6.1m high to the eaves on the south-western and north-eastern faces;
 - 6.1m high to the eaves on the south-western and north-eastern faces;
 - 5.3m high to the eaves on the north-western face;
 - 9.36m maximum height.
 - Single storey projection:
 - 4.65m deep/long;
 - 2.58m wide;
 - 2.87m maximum height.
- 3.7 Following the initial submission of the drawings, safety and traffic concerns were raised by residents and the Metropolitan police regarding the proposed Barnes End and Cobham Avenue pedestrian/cycle connection. In light of the concerns raised, the applicant has removed the above mentioned connection.

4. PLANNING HISTORY

4.1 Relevant planning history is summarised as follows:

4.2 17/P2185: PRE APPLICATION ADVICE FOR THE PROPOSED CONSTRUCTION 3 X NEW DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING.

4.3 17/P3991: DEMOLITION OF 9 GARAGES AND CONSTRUCTION 1 X 2 BEDROOM DWELLING HOUSE WITH ASSOCIATED PARKING AND LANDSCAPING. – Pending.

5. CONSULTATION

5.1 Public consultation was undertaken by way of site notice along with letters sent to 55 neighbouring properties. The outcome of the consultation process is summarised as follows:

5.2 35 letters of objection which are summarised as follows:

- Adverse flooding impacts;
- Reduced access to sunlight/daylight on adjacent properties;
- Adverse impacts on outlook, loss of existing views and loss of privacy of adjacent properties;
- Security, traffic and parking issues associated with the opening of the party wall between Barnes End and Cobham Avenue;
- The loss of the garage/storage space will have adverse traffic and parking issues on the local area;
- Trees or large shrubs will not be practical between buildings due to shrinkable clay soils;
- The proposal may damage the existing historic wall;
- The materials and modern design proposed is not consistent with the area and are inappropriate;
- Health and safety, noise and dust pollution effects due to construction of the development close to adjacent properties and gardens;
- The proposal will have a significant visual impact and the bulk and mass will dominant the area;
- The proposal will erode the existing character of the area;
- Increased vehicle and pedestrian movements will have an adverse impact on the existing character of the area and the noise associated will impact the amenity and privacy of adjacent properties;
- Emergency service vehicles and waste/refuse collection could be difficult given the narrow accessway;
- The narrow streets combined with on street parking will restrict access for construction vehicles and plant required for development;
- The proposal will devalue adjacent properties;
- The proposal will destroy the sense of community in the area;
- Part of the proposed access runs across privately owned land, the owner of which has not provided their consent;
- The proposed density is not suitable for the subject site;
- The subject site should be developed into a carpark for the local residents use;
- Residents will no longer be able to store their possessions in the garages;
- The proposed development may damage fences, gardens and structures of adjacent properties.

Internal:

5.3 Environmental Health Officer: No objection subject to conditions. Conditions are recommended relating to noise mitigation and the potential for contamination to be found on-site.

5.4 Flood Risk Engineer: No objection subject to conditions. The site is in flood zone 2 and within a Critical Drainage Area (CDA 001). The application is supported by a detailed Flood Risk Assessment (FRA), the FRA state the proposed finished floor level of the dwellings are to be sited below the flood level (1 in 100 year +35% climate change event) however, the a FRA proposes flood risk resistance and resilience measures to mitigate the risk.

In terms of surface water drainage, the proposed scheme will reduce runoff

rates to lowest practical levels at 2l/s and therefore requires 33m³ of attenuation to accommodate all events up to and including 1 in 100 year+ 40% climate change. This is proposed to be contained within the permeable paving sub-base. Green roofs are proposed to cover some part of the dwellings. Conditions are recommended relating to drainage scheme details and detailed design of green roofs.

- 5.5 Transport/Highways Officer: No objection subject to conditions. The proposed parking provisions are in line with London Plan standards. Proposed cycle storage is in line with London Plan standards. Conditions are recommended relating to a construction logistics plan, details of refuse and vehicle access.

External:

- 5.6 Environment Agency: No objection subject to a condition requiring the development to follow the measures detailed in the Flood Risk Assessment submitted with this application are implemented.
- 5.7 Metropolitan Police – Designing out Crime Officer: Objection to the proposed removal of the wall separating Barnes End and Cobham Avenue. Metropolitan Police have advised that they believe the proposed link would make the area more susceptible to crime and anti-social behaviour.

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;
- Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks
- 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;

- 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.

Other NPPF sections 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
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.17 Waste capacity
- 5.21 Contaminated land
- 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
- 7.14 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 14 Design

CS 15 Climate change
CS 17 Waste management
CS 18 Transport
CS 19 Public transport
CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

DM H2 Housing mix
DM D1 Urban Design
DM D2 Design considerations
DM EP2 Reducing and mitigating noise
DM EP3 Allowable solutions
DM EP4 Pollutants
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T4 Transport infrastructure

6.5 Supplementary planning considerations

London Housing SPG – 2016
Merton Design SPG – 2004
Technical Housing Standards – Nationally described space standard 2015

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development.
- Design and impact upon the character and appearance of the area.
- Impact upon neighbouring amenity.
- Standard of accommodation.
- Transport, highway network and parking.
- Refuse storage and collection.
- Sustainable design and construction.
- Flooding and sustainable urban drainage.
- Contamination
- Developer contributions

Principle of development

7.2 Policy 3.3 of the London Plan 2016 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.

- 7.3 The site is within a residential area and is considered to be an underutilised brownfield site which is considered to present opportunities for a more intensive residential development. The proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of brownfield sites.
- 7.4 Given the above, it is considered the proposal is acceptable in principle; subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

Design and impact upon the character and appearance of the area

- 7.5 The NPPF, London Plan policies 7.4 and 7.6, 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.
- 7.6 Paragraph 1.3.60 of the London Plan Housing SPG 2016 states that while Policy 3.4 resonates with section 7 of the NPPF, it does not seek to *'impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or style'*. The proposed semi-detached dwelling will be located at the end of a cul-de-sac and down a shared driveway (approximately 20m). The backland nature of the site, along with the distance from the street and the screening provided by the surrounding dwellings will obstruct the vast majority of the proposed dwellings from the public when viewed from the street. While parts of the proposal may be visible when viewed from the gaps between the dwellings along Barnes End, it is considered that such vantage points will be limited and confined to the end of a cul-de-sac with minimal public movement and no through traffic. In light of the above, it is considered that a more contemporary approach to design and materials used can be afforded for the subject site. Therefore, while the materials proposed (the ground floor is proposed to be faced in a high quality multi-stock facing brick and the first floor finished in a natural hidden fixing timber weatherboard) will not be consistent with the surrounding dwellings, in this situation, the proposal is considered acceptable in terms of design and materials.
- 7.7 One of the clear design features of the proposed semi-detached dwelling is the catslide on the south-eastern face. The catslide to the rear (with 2 large and 4 small roof lights) has been introduced in order to allow a reduction in the height of the main roof and associated reduction in adverse impacts on adjacent properties. It is noted that this is not an uncommon feature in the area, with the several dwellings along Barnes End having a catslide on the street facing elevations.
- 7.8 The building is set in from all boundaries and it is considered to fit comfortably within the site. Considering the existing built environment, the proposed 2

storey building is considered to be well justified in terms of bulk and height and that it would sit comfortably within its context. In addition, the massing approach, which focuses the bulk toward the centre of the site and away from the shared boundaries, while reducing in bulk toward the rear, is considered to be appropriate. Given the above, the footprint and layout of the building is considered to be well thought out and appropriate for the site.

- 7.9 As viewed holistically, it is considered that the proposal would constitute a high quality scheme, responding appropriately to the surrounding context in terms of massing, heights, layout, architectural cues and materials.

Impact upon neighbouring amenity

- 7.10 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:

- 7.11 Light spill from the proposal is not expected to be significant given the scheme is entirely residential.

Privacy:

- 7.12 The primary outlook would be provided to the front (north-west) and rear (south-east) of the subject site.
- 7.13 With regards potential overlooking impacts on adjacent properties to the north-west (15, 11, 9, 7, 5, 3 and 1 Blakes Terrace) it is noted that the proposed dwellings will be located approximately 26m from the closest adjacent building which is considered to be more than enough separation distance to maintain appropriate levels of privacy.

With regards potential overlooking impacts on adjacent properties to the south-west and north-east (447, 449, 451, 453, 455 West Barnes Lane and 24, 26, 28, 30, 32, 34, 36, 38 and 40 Barnes End), the scheme proposes minimal glazing and a combination of obscure glazed and fixed shut windows at the first floor level on the south-western and north-eastern faces. It is noted that the irregular shape of the site, the orientation of the proposed dwellings and the orientation of the adjacent dwellings have allowed the applicant to provide the rear with directional outlook, to avoid directing overlooking the adjacent dwellings. While the proposal may increase the level of potential overlooking on adjacent rear gardens, it is noted that the only windows at first floor level will be associated with roof lights. It is acknowledged that due to the low ceiling height caused by the catslide, some of the roof lights will allow a certain level of overlooking when viewed from the bedrooms. However, given the separation distances from the shared boundaries and the existing level of overlooking from adjacent properties, the proposed increase in overlooking/loss of privacy is not considered to be of a level that is

inconsistent with an urban area or would be of a level that would warrant refusal.

Visual intrusion:

- 7.14 Given the proposed buildings would be 2 storey in height and would be replacing single storey garages, visual intrusion should be closely scrutinised.
- 7.15 With regard to 34 to 36 Barnes End and 38 to 40 Barnes End (dwellings to the north-east): it is noted that the primary outlook is directed toward the street front and the rear of the property. The rear outlook will generally face the proposed accessway and parking space of Plot 2; in addition, the two storey section of the building is setback from the adjacent building by approximately 12m.
- 7.16 With regard to 32 to 30 Barnes End and 28 to 26 Barnes End (dwellings to the east): it is noted that the primary outlook is directed toward the street front and the rear of the property. The rear outlook will be orientated towards the proposed rear garden of Plot 2; in addition, the two storey section of the building is setback from the adjacent building by approximately 9m.
- 7.17 With regard to 447, 449, 451, 453, 455 West Barnes Lane (dwellings to the south and south-west): it is noted that the primary outlook is directed toward the street front and the rear. The rear outlook will be orientated towards the proposed building, however it is noted that the two storey section of the building will be located approximately 24m away from the closest adjacent building in addition.
- 7.18 To further mitigate the impact of visual intrusion, the proposed building would utilise a dual pitched roof, that will reduce in height the closer it gets to the shared boundaries and trees would be planted along the southern, south-eastern, eastern and western boundaries in order to reduce the visual impact of the proposal.

Loss of daylight and sunlight:

- 7.19 The developer has provided a detailed daylight and sunlight assessment in support of the proposal which has been undertaken in accordance with BRE guidelines; the methodology used is the vertical sky component (VSC) and annual probable sunlight hours (APSH) for sunlight. Habitable rooms from surrounding dwellings have been assessed.
- 7.20 With regard to 34 to 36 Barnes End and 38 to 40 Barnes End (dwellings to the north-east) the report states the following:
- 7.21 Daylight to existing surrounding buildings
- These properties form semi-detached, two storey houses at the south corner of Barnes End. They are split in to ground and first floor flats which look on to the proposed development site.

- All of the windows and rooms will satisfy the BRE guidelines for VSC and daylight distribution. For the VSC, the windows either retain over 0.8 factor of former values or obtain VSC levels in excess of 27%. The rooms tested for daylight distribution have no reduction at all when compared against the existing condition.
- All of the rooms assessed will still receive good levels of daylight after the proposed development has been completed, with the majority of windows and rooms tested having no reduction in daylight at all.

7.22 Sunlight to existing surrounding buildings

- All the windows which face 90 degrees of due south adhere to the BRE guidelines, either meeting or exceeding the annual sunlight target of 25% APSH and winter sunlight provision of 5% APSH.
- The windows for the 34 to 40 Barnes End will still be well served by sunlight after the proposed development has been built.

7.23 As confirmed by the developer's submitted daylight and sunlight assessment, the properties tested demonstrate that all the windows and rooms fully satisfy the BRE guidelines for daylight and sunlight, showing no noticeable reduction in light. The neighbouring properties will also maintain good levels of daylight and sunlight after the proposed development is completed.

Standard of accommodation

7.24 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.

Plot No.	Unit Size/ Type	Required Area	Proposed Area	Compliant
1	3b4p	84	112.4	Yes
2	3b4p	84	112.4	Yes

Where b = beds (no. of bedrooms) and p = persons (maximum occupancy)

7.25 As demonstrated by the table above, both dwellings 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. In addition, both units are considered to be suitably private.

7.26 In accordance with the London Housing SPG, policy DMD2 of the SPP states that for all new houses, the council will seek a minimum garden area of 50sqm as a single usable regular shaped amenity space. Both dwellings will provide at least 56.5sq.m to the rear of the site which would be supplemented by at least 60sq.m of garden to the front and side. Given the proposal will

provide well in excess of the minimum private amenity space, it is considered that the level of amenity space proposed would be acceptable.

Transport, highway network, parking and sustainable travel

- 7.27 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. 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 and to provide parking spaces on a restraint basis (maximum standards).
- 7.28 Transport for London along with the London Borough of Merton Transport Planner and Highways Officer have reviewed this application; their comments are integrated into the assessment below.
- 7.29 The site has a PTAL of 2 which is considered to be poor, thus onsite parking is considered necessary. The proposal would provide 2 parking spaces per dwelling which is considered to be adequate and in line with London Plan standards. The submitted Transport Statement advises that the development would not have a severe impact on the local highway network, including on-street parking. The findings of the Transport Statement are considered to be fair and reasonable; it is not considered that the proposal would have an undue impact upon the highway network in terms of parking, performance or safety.

Refuse storage

- 7.30 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.
- 7.31 The proposed refuse storage provisions are in line with Merton requirements and the collection location is considered to be appropriate.

Sustainability

- 7.32 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.
- 7.33 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. The submitted energy statement indicates that the proposed development could achieve a 42% improvement on Part L which far exceeds the minimum policy requirements. It is recommended to include a condition which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

Site contamination

- 7.34 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.
- 7.35 Due to the potential for ground contamination on site, 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.

Developer contributions

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

8. CONCLUSION

- 8.1 The proposal is considered to be acceptable in principle, increasing residential density in line with planning policy. The proposal is considered to be well designed, appropriately responding to the surrounding context in terms of massing, heights, layout, architectural cues and materials.
- 8.2 The proposal is not considered to unduly impact upon neighbouring amenity in terms of visual intrusion, loss of privacy or loss of daylight/sunlight. The proposal would offer a high standard of living for prospective occupants. The proposal would not unduly impact upon the highway network or surrounding parking provisions. The proposal would achieve suitable refuse provisions and cycle storage. It is considered that the proposal would achieve appropriate levels of sustainability.
- 8.3 The application is therefore recommended for approval on balance, subject to appropriate conditions.

RECOMMENDATION

Grant planning permission subject to the following conditions.

Conditions:

1. Standard condition [Commencement of development]: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. Standard condition [Approved plans]: The development hereby permitted shall be carried out in accordance with the following approved plans: [Refer to the schedule on page 1 of this report].

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

3. Standard condition [materials to be approved]: No works above foundation level shall take place until details of particulars and 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. Standard condition [Green roof Condition]: Before development commences, the detailed design, specification and planting scheme for a green roof shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved, retained and maintained in perpetuity thereafter.

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.

5. 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.

6. 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: It is necessary for the condition to be discharged prior to the commencement of development ensure vehicle and pedestrian safety and to protect 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.

7. Standard condition [Refuse]: The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plan B-01 Rev.D have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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.

8. Non-standard condition [Sustainability]: No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions not less than a 19% improvement on Part L of the Building Regulations 2013 and internal water usage of not more than 105 litres per person per day.

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

9. Amended standard condition [Use of flat roof]: Access to the flat roof of the development hereby permitted, shall be for maintenance or emergency purposes only, and these areas shall not be used as a roof garden, terrace, patio or similar amenity area.

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

10. Amended standard condition [Hardstandings]: Notwithstanding the approved plans, the hardstandings hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use.

Reason: To reduce surface water run-off and to reduce pressure on the surrounding drainage system in accordance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2015, policy CS16 of Merton's Core Planning Strategy 2011 and policy F2 of Merton's Sites and Policies Plan 2014.

11. Non-standard condition [Contamination investigation]: Prior to the commencement of development, An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of

any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

12. Non-standard condition [Contamination remediation]: Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In order to protect any controlled waters and human health 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.

13. Non-standard condition [Contamination remediation] Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect any controlled waters and human health 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.

14. Non-standard condition [Contamination remediation]: Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: In order to protect any controlled waters and human health 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.

15. Non-standard condition [Unexpected contamination]: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing

immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority

16. Non-standard condition [Construction Method Statement] No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

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

Reason: To protect the amenities of future occupiers and those in the local vicinity.

17. Standard condition [Landscaping]: Prior to the use or occupation of the development hereby approved, full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies 5.1, 7.5 and 7.21 of the London Plan 2015, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, F2 and O2 of Merton's Sites and Policies Plan 2014.

18. Amended Standard condition [Cycle storage]: The development hereby permitted shall not be used or occupied 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 comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

19. The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (FRA) November 2017 / 5825 Issue 3 / Cole Easdon Consultants Ltd and the following mitigation measures detailed within the FRA:

1. Finished floor levels are set no lower than 15.25m above Ordnance Datum (AOD).

The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

20. Non-standard condition [Details of drainage]: Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:

- i. Provide information about the design storm period and intensity, attenuation (no less than 33.5m³) and control the rate of surface water discharged from the site to no more than 2l/s;
- ii. Include a timetable for its implementation;
- iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

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

Reason: To reduce the risk of surface and foul water flooding and to ensure the scheme is in accordance with the drainage hierarchy of London Plan

policies 5.12 & 5.13 and the National SuDS standards and in accordance with policies CS16 of the Core Strategy and DMF2 of the Sites and Policies Plan.

Informative

1. Demolition of buildings and tree felling should avoid the bird nesting and bat roosting seasons. Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use, or who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981. Buildings and trees should be inspected for bird nests and bat roosts prior to demolition or felling by an appropriately qualified person. If bats are found, Natural England should be contacted for advice.
2. 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).

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

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NORTHGATE SE GIS Print Template



Text Details **Garages RO 30-40 Barnes End**

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PLANNING APPLICATIONS COMMITTEE

22 MARCH 2018

APPLICATION NO.

17/P3991

DATE VALID

30/11/2017

Address/Site: Garages rear of 49-55 Barnes End
New Malden
KT3 6PB

Ward: West Barnes

Proposal: DEMOLITION OF 9 GARAGES AND CONSTRUCTION 1
x NEW 2 BEDROOM DWELLINGS WITH ASSOCIATED
PARKING AND LANDSCAPING.

Drawing No.'s: E-02 Rev.E, E-03 Rev.D, E-04 Rev.D and E-05 Rev.D

And supporting documents: 'Bat Roost & Barn Owl
Potential Building Assessment Report' Dated 12 October
2017, 'Daylight & Sunlight Report' Dated 6 November
2017, 'Design And Access Statement' Dated 31 October
2017, 'Flood Risk Assessment' Dated November 2017,
'Phase I Desk Study' Dated 01 November 2017,
'Transport Statement' October 2017 And 'Planning
Statement' Dated November 2017.

Contact Officer: Cameron Brooks (020 8545 3297)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- S106: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 55
- External consultations: 2
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: No

- Flood zone: Yes – zone 2 (in the area of proposed development)
- Archaeological priority zone: No

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site is a broadly triangular parcel of land (approximately 335sq.m) located to the rear of nos. 49 & 55 Barnes End and is bounded on all sides by the rear gardens of adjacent properties. Access is via a turning head at the end of Barnes End, a cul-de-sac which is separated from the adjacent road, Cobham Avenue by a 2.1m high brick wall.
- 2.2 The site is entirely surfaced with concrete with no soft landscaping. The existing garages form part of the boundaries of the site. Surrounding properties are generally large two-storey semi-detached dwellings with walls of red brick or render with some tile-hanging and predominately hipped tiled roofs. The site cannot be seen directly from any of the surrounding public roads.
- 2.3 The site has a PTAL (public transport accessibility level) of 2 which is considered to be poor (1 being very poor and 6 being excellent).

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the demolition of 9 garages and the construction of 1 single storey detached residential dwelling, access from Barnes End, and extensive landscaping to the remainder of the site. The proposed building would have a footprint of approximately 118sq.m and a total GIA of 100.7m.
- 3.2 Following initial concerns regarding the proposal for a two storey dwelling, the applicant has amended the proposal to a single storey, 2 bedroom, 2 person residential dwelling.
- 3.3 The site would retain vehicle access from Barnes End with 1 parking space being provided for each dwelling onsite. The footprint of the building would be irregular in shape and would be set in from all the site boundaries except the north-eastern boundary. Landscaping has been proposed within the private rear garden areas. All public hard and soft landscaping will be maintained and a management strategy will be put in place to continue maintenance in perpetuity.
- 3.4 The proposal will consist of two connected rectangles. Rectangle 1 will be located along the north-eastern boundary and will have a maximum height of 3.725m (includes a parapet of 0.4m), a width of 5.09m and a length of 13m.
- 3.5 Rectangle 2 will be located to the south-west of rectangle 1 and will have a maximum height of 3.5m (includes a parapet of 0.25m), a width of 5.7m and a length of 8.9m.

- 3.6 The proposed dwelling would be located approximately 4.2m at its closest point from the north-western boundary, increasing to approximately 7m; the north-eastern face of the proposed; the proposed dwelling would be located approximately 5m at its closest point from the south-eastern boundary, increasing to approximately 6.1m; The proposed dwelling would be located approximately 1.2m at its closest point from the south-western boundary, increasing to approximately 7m.
- 3.7 Following the initial submission of the drawings, safety and traffic concerns were raised by residents and the Metropolitan police regarding the proposed Barnes End and Cobham Avenue pedestrian/cycle connection. In light of the concerns raised, the applicant has removed the above mentioned connection.

4. PLANNING HISTORY

- 4.1 Relevant planning history is summarised as follows:
- 4.2 17/P2185: PRE APPLICATION ADVICE FOR THE PROPOSED CONSTRUCTION 3 X NEW DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING.
- 4.3 17/P3991: DEMOLITION OF 24 GARAGES AND CONSTRUCTION 2 x NEW 3 BEDROOM DWELLINGS WITH ASSOCIATED PARKING AND LANDSCAPING. – Pending.

5. CONSULTATION

- 5.1 Public consultation was undertaken by way of site notice along with letters sent to 57 neighbouring properties. The outcome of the consultation process is summarised as follows:
- 5.2 34 letters of objection which are summarised as follows:
- Adverse flooding impacts;
 - Reduced access to sunlight/daylight on adjacent properties;
 - Adverse impacts on outlook, loss of existing views and loss of privacy of adjacent properties;
 - Security, traffic and parking issues associated with the opening of the party wall between Barnes End and Cobham Avenue;
 - The loss of the garage/storage space will have adverse traffic and parking issues on the local area;
 - Trees or large shrubs will not be practical between buildings due to shrinkable clay soils;
 - The proposal may damage the existing historic wall;
 - The materials and modern design proposed is not consistent with the area and are inappropriate;
 - Health and safety, noise and dust pollution effects due to construction of the development close to adjacent properties and gardens;
 - The proposal will have a significant visual impact and the bulk and mass will dominant the area;
 - The proposal will erode the existing character of the area;
 - Increased vehicle and pedestrian movements will have an adverse impact

- on the existing character of the area and the noise associated will impact the amenity and privacy of adjacent properties;
- Emergency service vehicles and waste/refuse collection could be difficult given the narrow accessway;
 - The narrow streets combined with on street parking will restrict access for construction vehicles and plant required for development;
 - The proposal will devalue adjacent properties;
 - The proposal will destroy the sense of community in the area;
 - Part of the proposed access runs across privately owned land, the owner of which has not provided their consent;
 - The proposed density is not suitable for the subject site;
 - The subject site should be developed into a carpark for the local residents use;
 - Residents will no longer be able to store their possessions in the garages;
 - The proposed development may damage fences, gardens and structures of adjacent properties.

Internal:

5.3 Environmental Health Officer: No objection subject to conditions. Conditions are recommended relating to noise mitigation and the potential for contamination to be found on-site.

5.4 Flood Risk Engineer: No objection subject to conditions. The site is in flood zone 2 and within a Critical Drainage Area (CDA 001). The application is supported by a detailed Flood Risk Assessment (FRA), the FRA state the proposed finished floor level of the dwellings are to be sited below the flood level (1 in 100 year +35% climate change event) however, the a FRA proposes flood risk resistance and resilience measures to mitigate the risk.

In terms of surface water drainage, the proposed scheme will reduce runoff rates to lowest practical levels at 2l/s and therefore requires 33m³ of attenuation to accommodate all events up to and including 1 in 100 year+ 40% climate change. This is proposed to be contained within the permeable paving sub-base. Green roofs are proposed to cover some part of the dwellings. Conditions are recommended relating to drainage scheme details and detailed design of green roofs.

5.5 Transport/Highways Officer: No objection subject to conditions. The proposed parking provisions are in line with London Plan standards. Proposed cycle storage in is in line with London Plan standards. Conditions are recommended relating to a construction logistics plan, details of refuse and vehicle access.

External:

5.6 Environment Agency: No objection

5.7 Metropolitan Police – Designing out Crime Officer: Objection to the proposed removal of the wall separating Barnes End and Cobham Avenue. Metropolitan Police have advised that they believe the proposed link would make the area more susceptible to crime and anti-social behaviour.

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;
- Planning policies should protect and enhance public rights of way and access. Local authorities should seek opportunities to provide better facilities for users, for example by adding links to existing rights of way networks
- 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;
- 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.

Other NPPF sections 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
- 5.1 Climate change mitigation

- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.17 Waste capacity
- 5.21 Contaminated land
- 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
- 7.14 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 14 Design
- CS 15 Climate change
- CS 17 Waste management
- CS 18 Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

- DM H2 Housing mix
- DM D1 Urban Design
- DM D2 Design considerations
- DM EP2 Reducing and mitigating noise
- DM EP3 Allowable solutions
- DM EP4 Pollutants
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

6.5 Supplementary planning considerations

- London Housing SPG – 2016
- Merton Design SPG – 2004
- Technical Housing Standards – Nationally described space standard 2015

7. **PLANNING CONSIDERATIONS**

7.1 Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development.
- Design and impact upon the character and appearance of the area.
- Impact upon neighbouring amenity.
- Standard of accommodation.
- Transport, highway network and parking.
- Refuse storage and collection.
- Sustainable design and construction.
- Flooding and sustainable urban drainage.
- Contamination
- Developer contributions

Principle of development

7.2 Policy 3.3 of the London Plan 2016 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.

7.3 The site is within a residential area and is considered to be an underutilised brownfield site which is considered to present opportunities for a more intensive residential development. The proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of brownfield sites.

7.4 Given the above, it is considered the proposal is acceptable in principle; subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

Design and impact upon the character and appearance of the area

7.5 The NPPF, London Plan policies 7.4 and 7.6, 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.

7.6 Paragraph 1.3.60 of the London Plan Housing SPG 2016 states that while Policy 3.4 resonates with section 7 of the NPPF, it does not seek to *'impose architectural styles or particular tastes and should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or style'*. The proposed detached dwelling will be

located at the end of a cul-de-sac and down a driveway (approximately 26m). The backland nature of the site, along with the distance from the street and the screening provided by the surrounding dwellings will obstruct the vast majority of the proposed dwelling from the public when viewed from the street. Furthermore, the proposed dwelling will be single storey with a maximum height of 3.725m. While parts of the proposal may be visible when viewed from the gaps between the dwellings along Barnes End, it is considered that such vantage points will be limited and confined to the end of a cul-de-sac with minimal public movement and no through traffic. In light of the above, it is considered that a more contemporary approach to design and materials used can be afforded for the subject site. Therefore, while the materials proposed (stock brick and cooper cladding) will not be consistent with the surrounding dwellings, in this situation, the proposal is considered acceptable in terms of design and materials.

- 7.7 The building is considered to fit comfortably within the existing site. Considering the existing built environment, the proposed single storey building, is considered to be acceptable in terms of bulk and height and that it would sit comfortably within its context. Given the above, the footprint and layout of the building is considered to be well thought out and appropriate for the site.
- 7.8 As viewed holistically, it is considered that the proposal would constitute a high quality scheme, responding appropriately to the surrounding context in terms of massing, heights, layout, architectural cues and materials.

Impact upon neighbouring amenity

- 7.9 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:

- 7.10 Light spill from the proposal is not expected to be significant given the scheme is entirely residential.

Privacy:

- 7.11 The primary outlook would be provided to the front (north-west) and rear (south-east) of the subject site.
- 7.13 With regards to potential overlooking impacts on adjacent properties at 90 to 106 Barnes End (dwellings to the north-east) the applicant has proposed a 2.4m brick wall along the northern and north-eastern shared boundary and no windows are proposed along this boundary. The remaining boundaries will have a 1.8m high timber fence. It is noted that the proposal is only a single storey residential dwelling. While the proposal may increase the level of potential overlooking on adjacent rear gardens and buildings, given the

separation distances from the shared boundaries and the existing level of overlooking from adjacent properties, the increase in overlooking/loss of privacy caused by one additional dwelling, is not considered to be of a level that is inconsistent with an urban area or would be of a level that would warrant refusal.

Visual intrusion:

- 7.13 With regard to 90 to 106 Barnes End (dwellings to the north-east): the primary outlook is directed toward the street front and the rear of the property. The rear outlook of these dwelling will face a 2.4m high brick wall along the shared boundary. In addition to this wall, the proposed building will be a 3.725m high, therefore there a section of the wall (approximately 13m in length) will appear as 3.725m. It is noted that the existing garages were built along this shared boundary and had a maximum height of approximately 3m. Furthermore, the adjacent dwellings will be located approximately 13.7m from the proposed boundary at its closest point.
- 7.14 With regard to 45-55 Barnes End (dwellings to the south-east and south-west): the primary outlook for is directed toward the street front and the rear of the property. The rear outlook will be orientated towards the proposed rear garden and south-western face of the proposed dwelling. The proposed building is setback from the adjacent buildings by approximately 6.5m at its closest point with 49 and 51 Barnes End; 11.5m from 53 and 55 Barnes End and 8.4m from 45 and 47 Barnes End.
- 7.15 With regard to 85 Cobham Avenue (dwelling to the west): the primary outlook for is directed toward the street front and the rear of the property. The rear outlook is not orientated towards the subject site and the proposed building will be located approximately 8m from the adjacent building at its closest point.
- 7.16 To further mitigate the impact of visual intrusion, the proposed building would utilise a flat roof, thus reducing the overall height and trees would be planted in the southern and western corners of the site to help obscure the proposal.

Loss of daylight and sunlight:

- 7.17 The developer has provided a detailed daylight and sunlight assessment in support of the proposal which has been undertaken in accordance with BRE guidelines; the methodology used is the vertical sky component (VSC), daylight distribution and average daylight factor (ADF) for daylight and annual probable sunlight hours (APSH) for sunlight. Habitable rooms from all immediately surrounding dwellings have been assessed. As confirmed by the developer's submitted daylight and sunlight assessment, the properties tested demonstrate that all the windows and rooms fully satisfy the BRE guidelines for daylight and sunlight, showing no noticeable reduction in light. The neighbouring properties will also maintain good levels of daylight and sunlight after the proposed development is completed.

- 7.18 It is noted that the above study was based on the original design, which included a two storey dwelling with a maximum height of 6.2m. Given the proposed dwelling will have a maximum height of 3.725m, the conclusion is still considered relevant as the proposal will have significantly reduced impact with regards to loss of daylight and sunlight.

Standard of accommodation

- 7.19 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 No.	Unit Size/ Type	Required Area	Proposed Area	Compliant
1	2b2p	70	100.7	Yes

Where b = beds (no. of bedrooms) and p = persons (maximum occupancy)

- 7.20 As demonstrated by the table above, the dwelling will 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
- 7.21 In accordance with the London Housing SPG, policy DMD2 of the SPP states that for all new houses, the council will seek a minimum garden area of 50sqm as a single usable regular shaped amenity space. The proposed dwelling will provide at approximately 67sq.m to the rear of the site which would be supplemented by at least 20sq.m of garden to the front. Given the proposal will provide well in excess of the minimum private amenity space, it is considered that the level of amenity space proposed would be acceptable.

Transport, highway network, parking and sustainable travel

- 7.22 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. 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 and to provide parking spaces on a restraint basis (maximum standards).
- 7.23 Transport for London along with the London Borough of Merton Transport Planner and Highways Officer have reviewed this application; their comments are integrated into the assessment below.
- 7.24 The site has a PTAL of 2 which is considered to be poor, thus onsite parking is considered necessary. The proposal would provide 1 parking space which

is considered to be adequate and in line with London Plan standards. The submitted Transport Statement advises that the development would not have a severe impact on the local highway network, including on-street parking. The findings of the Transport Statement are considered to be fair and reasonable; it is not considered that the proposal would have an undue impact upon the highway network in terms of parking, performance or safety.

Refuse storage

- 7.25 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.
- 7.26 The proposed refuse storage provisions are in line with Merton requirements and the collection location is considered to be appropriate.

Sustainability

- 7.27 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.
- 7.28 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. The submitted energy statement indicates that the proposed development could achieve a 42% improvement on Part L which far exceeds the minimum policy requirements. It is recommended to include a condition which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

Site contamination

- 7.29 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.
- 7.30 Due to the potential for ground contamination on site, 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.

Developer contributions

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

8. CONCLUSION

- 8.1 The proposal is considered to be acceptable in principle, increasing residential density in line with planning policy. The proposal is considered to

be well designed, appropriately responding to the surrounding context in terms of massing, heights, layout, architectural cues and materials.

- 8.2 The proposal is not considered to unduly impact upon neighbouring amenity in terms of visual intrusion or loss of privacy. The proposal would offer a high standard of living for prospective occupants. The proposal would not unduly impact upon the highway network or surrounding parking provisions. The proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate levels of sustainability.
- 8.3 The application is therefore recommended for approval on balance, subject to appropriate conditions.

RECOMMENDATION

Grant planning permission subject to the following conditions.

Conditions:

1. Standard condition [Commencement of development]: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. Standard condition [Approved plans]: The development hereby permitted shall be carried out in accordance with the following approved plans: [Refer to the schedule on page 1 of this report].

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

3. Standard condition [materials to be approved]: No works above foundation level shall take place until details of particulars and 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. Standard condition [Green roof Condition]: Before development commences, the detailed design, specification and planting scheme for a green roof shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved, retained and maintained in perpetuity thereafter.

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.

5. 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.

6. 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: It is necessary for the condition to be discharged prior to the commencement of development ensure vehicle and pedestrian safety and to protect 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.

7. Standard condition [Refuse]: The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plan E-02 Rev.E have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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.

8. Non-standard condition [Sustainability]: No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions not less than a 19% improvement on Part L of the Building Regulations 2013 and internal water usage of not more than 105 litres per person per day.

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

9. Amended standard condition [Use of flat roof]: Access to the flat roof of the development hereby permitted, shall be for maintenance or emergency purposes only, and these areas shall not be used as a roof garden, terrace, patio or similar amenity area.

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

10. Amended standard condition [Hardstandings]: Notwithstanding the approved plans, the hardstandings hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use.

Reason: To reduce surface water run-off and to reduce pressure on the surrounding drainage system in accordance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2015, policy CS16 of Merton's Core Planning Strategy 2011 and policy F2 of Merton's Sites and Policies Plan 2014.

11. Non-standard condition [Contamination investigation]: Prior to the commencement of development, An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

12. Non-standard condition [Contamination remediation]: Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under

Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: In order to protect any controlled waters and human health 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.

13. Non-standard condition [Contamination remediation] Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to protect any controlled waters and human health 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.

14. Non-standard condition [Contamination remediation]: Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: In order to protect any controlled waters and human health 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.

15. Non-standard condition [Unexpected contamination]: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority

16. Non-standard condition [Construction Method Statement] No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;

- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- wheel washing facilities;
- measures to control the emission of noise during construction;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;

Reason: To protect the amenities of future occupiers and those in the local vicinity.

17. Standard condition [Landscaping]: Prior to the use or occupation of the development hereby approved, full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies 5.1, 7.5 and 7.21 of the London Plan 2015, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, F2 and O2 of Merton's Sites and Policies Plan 2014.

18. Amended Standard condition [Cycle storage]: The development hereby permitted shall not be used or occupied 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 comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

Informative

1. Demolition of buildings and tree felling should avoid the bird nesting and bat roosting seasons. Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use, or who kills, injures or disturbs bats,

obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981. Buildings and trees should be inspected for bird nests and bat roosts prior to demolition or felling by an appropriately qualified person. If bats are found, Natural England should be contacted for advice.

2. 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).

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

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NORTHGATE SE GIS Print Template



Text Details **Garages RO 49-55 Barnes End**

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**PLANNING APPLICATIONS COMMITTEE
22 MARCH 2018**

APPLICATION NO.
18/P0235

DATE VALID
15/12/2017

Address/Site: Sustha, 7a Cannon Close, Raynes Park SW20 9HA

Ward: West Barnes

Proposal: ERECTION OF A FIRST FLOOR AND TWO STOREY SIDE EXTENSION.

Drawing No.'s: 13 Rev.E, 14 Rev.E and 15 Rev.C

Contact Officer: Cameron Brooks (020 8545 3297)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 7
- External consultations: 0
- Controlled Parking Zone: No

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination at the request of Councillor Gilli Lewis-Lavender and due to the number of the objections received.

2. SITE AND SURROUNDINGS

- 2.1 The application site is a single storey detached bungalow (with loft level). The subject site is situated at the end of a cul-de-sac on the southern side of Cannon Close and is the only detached dwelling. The adjacent properties located on the western and eastern sides of Cannon Close are blocks of terrace dwellings, and the dwellings to the south being large semi-detached dwellings. The subject site is approximately 407sq.m.

The application site is not within a Conservation Area.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the erection of an additional floor (bringing the dwelling to two storeys) and a two storey side extension.
- 3.2 Additional Level: Maximum height 7.75m (increased from 5.67m) and an eave height of: 5.5m (increased from 2.42m). It is noted that the additional level will be within the existing foot print of the existing dwelling.
- 3.3. The proposed two storey side extension would have the following dimensions: Maximum height 7.4m, an eave height of 5.5m and side extension 3m width and 5.4m depth. The side extension will be setback from the front façade by 1m and will have a tapered roof which is set down from the main ridge line of the host dwelling by 0.47m. The extension would maintain a minimum setback from the front (northern) boundary of 3.3m, the rear (southern) boundary by 5m and the side (eastern) boundary of 12m.

4. PLANNING HISTORY

18/P0222: APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE IN RESPECT OF THE PROPOSED ERECTION OF A SINGLE STOREY SIDE EXTENSION – Issue Certificate.

MER164/79: DOUBLE GARAGE– Granted.

5. CONSULTATION

Public:

- 5.1 Public consultation was undertaken by way of post sent to neighbouring properties – 9 objections were received, the summary of objections is as follows:

- The proposal will dominate the skyline
- Loss of light to adjacent properties.
- Would like it to remain as a single household occupancy.
- Overlooking and loss of privacy
- Increased traffic and parking issues
- Adversely impact adjacent outdoor amenity space
- Inconsistent with the existing character
- The proposal will dominate the existing site and adjacent properties
- Adverse impact on value/rent ability of properties
- Possible negative stormwater and wastewater drainage effects

Councillors:

- 5.2 Councillor Gilli Lewis-Lavender – requests the application be determined at Planning Applications Committee due to the number and nature of the objections.

6. POLICY CONTEXT

- 6.1 NPPF - National Planning Policy Framework (2012):
Part 7 Requiring Good Design

- 6.2 London Plan Consolidated 2016:
7.4 Local character

7.6 Architecture

6.3 Merton Sites and Policies Plan July 2014 policies:
DM D2 Design considerations in all developments
DMD3 Alterations and extensions to existing buildings

6.4 Merton Core Strategy 2011 policy:
CS 14 Design

7. **PLANNING CONSIDERATIONS**

7.1 The planning considerations for an extension to an existing building relate to the impact of the proposed extension on the character and appearance of the host building along with the surrounding area and the impact upon neighbouring amenity.

Character and Appearance

7.2 London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policies DMD2 and DMD3 require well designed proposals that are of the highest architectural quality and incorporate a design that is appropriate to its context, so that development relates positively to the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings, thus enhancing the character of the wider area.

7.3 The proportions, massing and bulk of the additional level is not considered to be excessive for the plot, or to result in an excessively dominant or overbearing addition to the street scene. In addition, it is recommended to include a condition requiring external materials of the development to match those of the host dwelling.

Neighbouring Amenity

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

7.5 The proposal will include windows at the first floor level, which may give rise to an increase in overlooking potential and loss of privacy to adjacent properties. With regards to the eastern face, the applicant has proposed a large window at the first floor level. However, the window will be located approximately 11m from the eastern boundary and more than 25m from the adjacent property. Regarding the western elevation, there will be a single window at the first floor level and the bottom of the window will start at 1.7m thereby eliminating direct overlooking. The southern elevation will have three windows at the first floor level and the bottom of the windows will also start at 1.7m. The northern face will have a number of windows, however these windows will be street facing. In light of the above it is not considered that the proposal will have an adverse impact on the adjacent properties in terms of overlooking and loss of privacy.

7.6 Given the proposal would increase the existing dwelling from single storey to

a 2 storey dwelling, visual intrusion should be assessed. With regards to 9 to 15 Heath Drive (dwellings to the south) the proposal will be located approximately 23m away from the closest dwelling. With regards to 7 Cannon Close Heath Drive (dwelling to the north-west) the proposal will be located approximately 7m away from the dwelling. It is noted that the applicant has setback the first floor level on the western face therefore the first floor will be located approximately 9m from the adjacent dwelling. With regards to 8 Cannon Close Heath Drive (dwelling to the north-east) the proposal will be located approximately 6.3m away from the dwelling. It is noted that all of the adjacent buildings are two storey in height so the proposed resulting building would be an appropriate addition to the street scene.

- 7.7 The application site has a large garden area and the extension would not dominate the outdoor amenity space to an unacceptable degree. The proposal will retain approximately 230sq.m of outdoor amenity space.
- 7.8 Given the scale, setback from the boundaries and adjacent properties and positioning of the proposal, it is not considered that the proposal would unduly impact upon neighbouring amenity.

Other matters

- 7.9 It is noted that the narrow nature of the cul-de-sac and the potential impact the construction phase upon highway safety and parking provisions. As such, in this instance it is considered to be appropriate to include a condition which would require details of vehicle parking and (un)loading to be submitted to, and approved by, Merton Council in accordance with policies 6.3 and 6.14 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

8. CONCLUSION

The scale, form, design, positioning and materials of the proposed extensions are not considered to have an undue detrimental impact upon the character or appearance of the area, the host building or on neighbouring amenity. Therefore, the proposal complies with the principles of policies DMD2 and DMD3 of the Adopted SPP 2014, CS14 of the LBM Core Strategy 2011 and 7.4 and 7.6 of the London Plan 2016. It is not considered that there are any other material considerations that would warrant refusal of this application.

It is therefore recommended to grant permission subject to conditions.

9. RECOMMENDATION

Grant planning permission

Subject to the following conditions:

1. A1 Commencement of Development
2. A7 Approved Plans
3. B3 Matching Materials
4. H09 Construction Vehicles: The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the

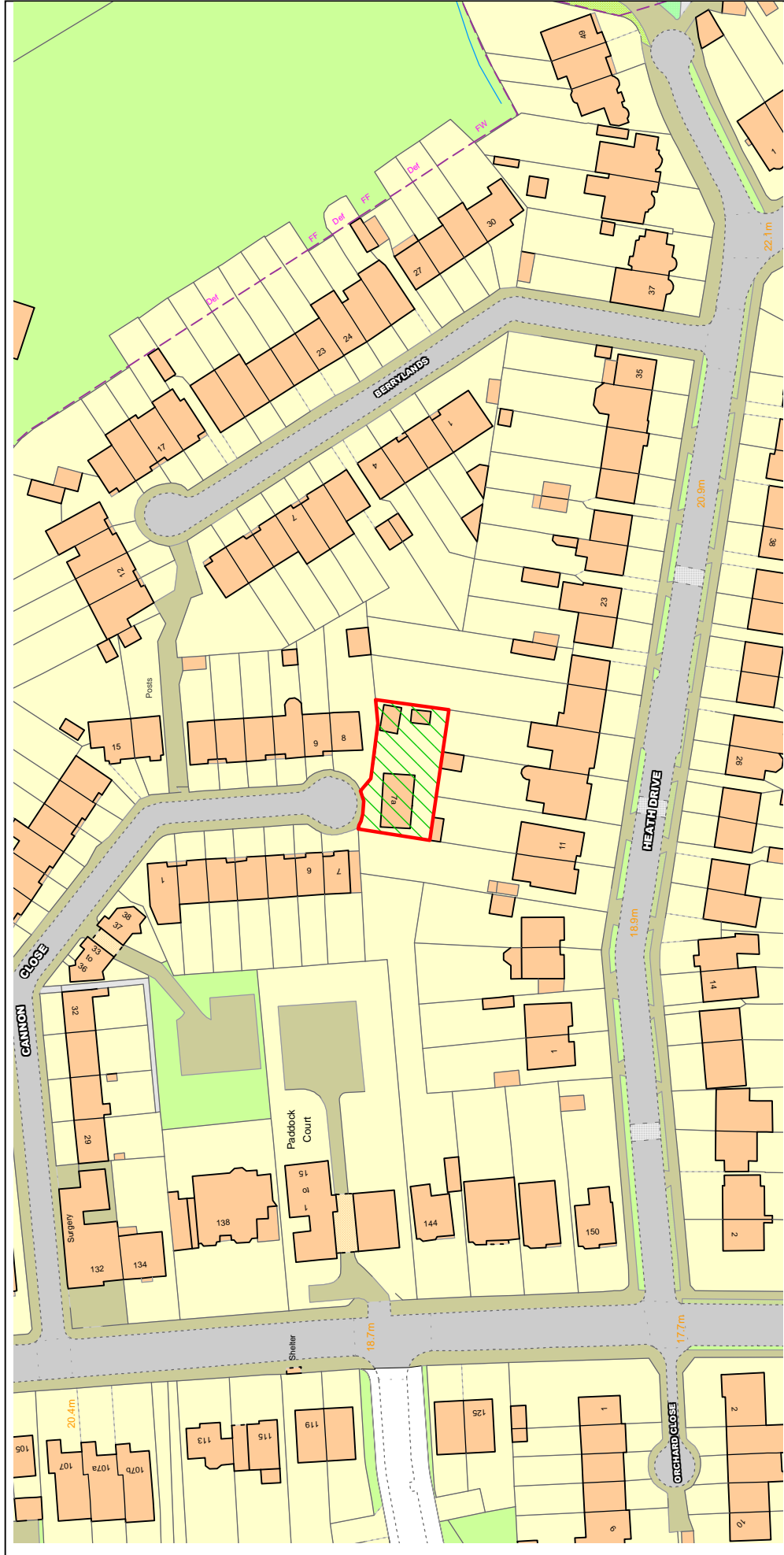
construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

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

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NORTHGATE SE GIS Print Template



Text Details **7a Cannon Close**

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**PLANNING APPLICATIONS COMMITTEE
22 MARCH 2018**

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
17/P4187	15/11/2017
Address/Site	Woodman Public House, Durnsford Road, SW19 8DR
Ward	Wimbledon Park
Proposal:	Refurbishment of existing public house including new garden area following demolition of single storey side and rear extensions. Creation of 18 new residential units, comprising the erection of two storey buildings with accommodation within the roof space fronting the crescent (7 houses) and erection of a 3 storey block of flats fronting Durnsford Road (11 x 1 bedroom flats), and associated car parking, landscaping and alterations to the highway.
Drawing Nos	001, 002 A, 100, 110, 111, 112, 113, 114 A, 115 and 200
Contact Officer:	Stuart Adams (0208 545 3147)

RECOMMENDATION

GRANT Planning Permission subject to S106 agreement and conditions.

(Recommendation subject to the applicant providing evidence of contact with at least three Registered Providers (RP's) relating to the 7 shared ownership units during S106 drafting/discussions)

CHECKLIST INFORMATION.

Heads of agreement: - Permit Free Development, Car Club & Affordable Housing (plus Affordable Housing Review), Travel Plan, Car Club, Carbon Offset & Land Transfer

Is a screening opinion required: No

Is an Environmental Statement required: No

Has an Environmental Impact Assessment been submitted – No

Press notice – Yes

Site notice – Yes

Design Review Panel consulted – No

Number of neighbours consulted – 154
External consultations – No.
PTAL score – 3
CPZ – P1

1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee for consideration due to the number of objections received against the application and officer recommendation to grant permission subject to conditions and S106 agreement.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a broadly rectangular plot of land fronting onto Durnsford Road and backing onto The Crescent. It is currently occupied by the former Woodman Public House, car park and ancillary areas. The 30 space car park is accessed from Durnsford Road at the point where the road starts to rise over the railway lines to the south. There is also a vehicular access on The Crescent to the rear of the pub. On The Crescent street frontage there is currently no built development on this side of the site.
- 2.2 The surrounding area is characterised by residential and commercial uses. Traditional two storey terraced residential streets are located to the west of the site in The Crescent and Crescent Gardens. To the north and northwest of the application site is Arthur Road High Street which comprises a mix of commercial and residential units. To the east and south of the application site are commercial uses.
- 2.3 The application site has a PTAL score of 3 (moderate) with Wimbledon Park Underground Station on the District line being 200m from the application site and there is a northbound bus stop directly outside the site on Durnsford Road.
- 2.4 The application site is located within Flood Zone 1, the Woodman Public House is locally listed and there is a Tree Preservation Order on the site – Merton (No710) Tree Preservation Order 2017.

3. **CURRENT PROPOSAL**

- 3.1 Refurbishment of existing public house including new garden area following demolition of single storey side and rear extensions. Creation of 18 new residential units, comprising the erection of two storey buildings with accommodation within the roof space fronting the crescent (7 houses) and erection of a 3 storey block of flats fronting Durnsford Road

(11 x 1 bedroom flats), and associated car parking, landscaping and alterations to the highway.

Layout

- 3.2 The proposal seeks to retain a Public House and provide 18 new residential units. The redevelopment of the site would be achieved by the removal of the pub's ground floor rear/side extension, omission of the 30 space car parking area to the south and reduced sized amenity space (only on the south side of the site).
- 3.3 The new public house and block of flats (containing 11 studio flats) would be directed onto Durnsford Road and would be accessed via pedestrian accesses only. The 7 houses in the form of a terrace and one detached house would be directed onto The Crescent.
- 3.4 The existing vehicle crossover on The Crescent would be removed and replaced by a new crossover to the south which would serve the 8 on-site car parking spaces. The car park would be accessed via a undercroft within the terrace. There would be eight parking spaces, one for each of the houses, two of which would be disabled spaces and one disabled space for the flats. Secure provision would be made for cycle parking in the rear gardens of the houses and communally for the apartments.

Refurbishment of Public House

- 3.5 The former public house on the site closed in April 2017. The proposed development involves partial demolition of the ground floor of the public house and remodelling and refurbishment of the existing building to provide a new Public House with outside seating to the east and south. The new Public House will provide ground floor bar, restaurant and kitchen accommodation, with ancillary residential space and function room to the first floor.

Houses

- 3.6 Seven, 4 bedroom, two storey houses with accommodation within the roof space would be provided along The Crescent street scene. The houses would have their refuse storage within a part soft landscaped front garden enclosed by a low boundary wall with railings above. Each one of the houses would have an allocated onsite car parking space. The houses would have a traditional design approach with red multi stock facing brick, fibre cement slate tiles, timber fascia board, stone detailing and hardwood front doors.

Flats

- 3.7 Eleven studio flats within a three storey, detached block would be provided along the Durnsford Road street scene. The flats would have a communal entrance to the north side of the building with an enclosed rear

staircase and open landings at each floor. Refuse storage would be provided from the front of the building via a communal bin store. The flats would have a modern design approach with London stock facing brick, fibre cement slate tiles, grey windows, perforated metal cladding and glass balustrades to balconies.

4. **PLANNING HISTORY**

- 4.1 17/P4186 - Outline permission (landscaping, layout and scale) for the refurbishment of existing public house including new garden area following demolition of single storey side and rear extensions. creation of 18 new residential units, comprising the erection of two storey buildings with accommodation within the roof space fronting the crescent (7 houses) and erection of a 3 storey block of flats fronting durnsford road (11 x 1 bedroom flats), and associated car parking, landscaping and alterations to the highway – Pending decision.
- 4.2 96/P0399 - Installation of two externally illuminated fascia signs and one flag sign, with lantern illumination, and replacement hanging sign – Grant - 96/P0399.
- 4.3 MER686/86 - Erection of a new conservatory together with a single storey extension to licensed premises to form enlarged bar area – Grant - 05/08/1986
- 4.4 MER260/73 - Display of illuminated fascia name board and a non-illuminated sign board – Grant - 11/05/1973
- 4.5 MER803/72 - Alterations & extension & formation of car park – Grant - 18/09/1972.

5. **CONSULTATION**

- 5.1 The application has been advertised by major press notice procedure and letters of notification to the occupiers of neighbouring properties.
 - 5.1.1 In response to the consultation, 7 letters of objection, 17 letters of support and 3 letters of comment were received.

The letters of objection raise the following points:

Design

- Large scale of development on a small site
- The 3 storey houses will superimpose on the existing houses and will mar the aesthetics of the surrounding houses. Therefore, only two storey houses should be built, which should not be facing The

Crescent.

- The 7 houses with an oversize front of the buildings will certainly not add to the aesthetics of the area. The joined houses would look odd and superimpose the existing houses which have adequate spaces between them which is not being followed in the proposed development

Highways

- The development must be permit free
- Parking in the area is already tight.
- The parking survey notes that utilization of the Crescent and Crescent Gardens was between 75% and 90% and there are many occasions when even 90% is exceeded.
- The controlled hours for parking Zone P1 should be extended to protect residents against pub customers parking in the roads. Previously the Woodman had its own on-site customer parking, but this is taken up by housing in the proposed development.
- The applicants traffic survey data is not site specific.
- Alternative parking solutions should be explored (underground, less development etc).
- History of overflow car parking from pub onto surrounding streets.
- Concern with serving of the pub from a small area fronting Durnsford Road right at the point the traffic is stopping for the junction and where the existing bus stop is located.
- Entrance of the site should be continued from Durnsford Road rather than shift it to The Crescent.
- Opening a new vehicle entrance will compound the parking problems and increase traffic activity at the configuration of the two roads

Public House

- Taking away the entire parking and re-furbishing the Woodman Pub would not achieve any positive viable results.
- Under no circumstances should barriers be placed by Goldcrest land to make it unattractive to lessees so that Goldcrest can re-develop the pub into houses/apartments. The pub is an important and necessary part of the community and Goldcrest have promoted the development of the remainder of the site on the basis that they will retain an operating pub of similar size.
- Supportive of the application but concerns relate to ensuring the viability of the Pub.

Neighbour Amenity

- Loss of privacy to 33 Crescent Gardens and its rear garden from proposed houses
- A full and appropriate sun and daylight assessment has not been

conducted on 33 Crescent Gardens. Loss of light to the nine windows, door and garden area

- Do not support the reopening of the pub as this has caused years of noise and disruption to neighbours
- Loss of open view from 33 Crescent Gardens

Other

- The proposed development because of its size, design, siting, bulk and massing would result in an unduly prominent development, with a cramped and unsatisfactory standard of residential accommodation.
- Would rather see more affordable housing and parking, rather than the pub re-opening.
- The development would lower the value of the neighbourhood and 33 Crescent Gardens

5.1.2 The 17 letters of support raise the following points:

- Retaining the Woodman pub is worthwhile. This is the only pub in the Wimbledon Park area. Its re-opening as a family friendly pub would bring great benefit to the area
- The proposal is modest, considering development of family homes, with off street parking, for Wimbledon Park, a short walk from the underground.
- Scale and appearance of the proposed two storey houses facing The Crescent is reasonable
- 33% of the scheme will be 1 bed starter homes to local people
- Provision of one on-site parking place per house combined with a prohibition of on-street permits means it will not make the current parking problems in The Crescent and Crescent Gardens any worse.
- The pavement on Durnsford Road will be widened and improved, leading to increased pedestrian safety.
- The proposal will significantly improve the soft landscaping, with extensive planting and new trees.

5.1.3 The 3 letters of comment (including one CAMRA & Merton Green Party) raises the following points

- While supporting the application there are the following issues they make comment on.
- CAMRA's support for this application is predicated on the retention of the A4 ancillary accommodation, and they therefore oppose any subsequent planning application for change of use of the A4 accommodation.
- Disabled access to the Woodman Public House. Parking for wheelchair users is available on site with 3 disabled parking bays within the parking court, but it is not clear whether these parking

spaces are available to wheelchair using the pub customers, or solely for use by the newly built residential accommodation.

- We ask the Council to insist that the 40% affordable housing target be met, in terms of providing units which are either social rented or intermediate.
- Request that the applicant's viability assessment and that to be commissioned by the Council be made public, so that others with an interest can see the evidence on this vital issue.
- The applicant has agreed to make a gesture through a number of start homes but no details of the level of discount.
- Request to know the level of rent assumed for the pub. The applicant states that the pub will be completed to shell and core only which will mean an incoming tenant will need significant capital for fit out, in addition to rent. It is doubtful if this would make it affordable.
- A suggestion would be to forego the starter homes and instead apply a discount to the pub. Market the pub at 50% discount to market value for 5 years which would give the opportunity for a local brewer or social enterprise to raise the necessary funds.
- There is no mention made of the need to improve the junction arrangement of Arthur Road and Durnsford Road for pedestrians.
- Any CIL being paid should be directed towards improving the public realm and accessibility at this dangerous corner.

5.2 Transport For London – Confirmed that the application site relates to land outside the limits of land subject to consultation by the Crossrail 2 Safeguarding Direction.

5.3 Tree Officer – No objection subject to conditions

5.4 Flood Officer – No objection subject to conditions

5.5 Transport Officer – No objection subject to conditions and S106 agreement.

6. **POLICY CONTEXT**

6.1 Adopted Sites and Policies Plan (July 2014)

DM H2 Housing Mix

DM H3 Support for affordable housing

DM R5 Food and drink /leisure and entertainment uses

DM D1 Urban design and the public realm

DM D2 Design considerations in all developments

DM D3 Alterations and extensions to existing buildings

DM D4 Managing heritage assets

DM O2 Nature conservation, trees, hedges ad landscape features

- DM EP2 Reducing and mitigating noise
 - DM EP4 Pollutants
 - DM F1 Support for flood risk management
 - DM F2 Sustainable urban drainage systems (SUDS) and; wastewater and water infrastructure
 - DM T1 Support for sustainable transport and active travel
 - DM T2 Transport impacts of development
 - DM T3 Car parking and servicing standards
 - DM T4 Transport infrastructure
 - DM T5 Access to the Road Network
- 6.2 Adopted Core Planning Strategy (July 2011)
- CS 6 Wimbledon Town Centre
 - CS8 – Housing Choice
 - CS9 – Housing Provision
 - CS14 - Design
 - CS15 – Climate Change
 - CS18 – Active Transport
 - CS19 – Public Transport
 - CS20 - Parking, Servicing and Delivery
- 6.3 The Relevant policies in the London Plan (July 2016) are:
- 3.3 (Increasing Housing Supply),
 - 3.4 (Optimising Housing Potential),
 - 3.5 (Quality and Design of Housing Developments),
 - 3.8 (Housing Choice),
 - 5.1 (Climate Change Mitigation),
 - 5.3 (Sustainable Design and Construction).
 - 7.3 (Designing Out Crime)
 - 7.4 (Local Character)
 - 7.6 (Architecture)

7. **PLANNING CONSIDERATIONS**

7.1 The principle planning considerations in this instance relate to the principle of development, design of development, impact upon neighbouring amenity, highways and parking, standard of residential and commercial accommodation, trees, sustainability and flooding.

7.2 Principle of Development

Residential

7.2.1 The requirement for additional homes is a key priority of the London Plan and the recently published Further Alterations to the London Plan (FALP) seeks to significantly increase the ten year minimum housing target across

London from 322,100 to 423,887 (in the period from 2015 to 2025), and this equates to an associated increase in the annual monitoring target across London to 42,389. The minimum ten year target for Merton has also increased by more than 30% to 4,107, with a minimum annual monitoring target of 411 homes per year. The delivery of 18 new residential units at this site will contribute to meeting housing targets and the mix of unit sizes will assist in the delivery of a mixed and balanced community in a sustainable location. New housing is considered to be in accordance with the objectives of the NPPF, London Plan targets, and LBM policy.

Commercial

- 7.2.2 Planning policy DM R5 (Food and drink/leisure and entertainment uses) states that the Council will resist the loss of public houses as they serve a community role (for example, by providing space for clubs, meetings or performances). The pub would have a reduced sized floor area (from 595 to 424 sqm) and would remove on-site car parking. However, the proposal seeks to retain and refurbish the existing pub on the site. The changes focus on improving the interior of the building and bringing the first floor as a function room and letting rooms or ancillary staff accommodation. The garden space for the pub would be moved to the south of the building with new doors leading out to a garden area which includes a play area. The principle of development is therefore welcomed by the Council as it would retain an important community facility. This is particularly important given the national trend of losing Public Houses.

7.3 Design & Layout

- 7.3.1 Planning policy DM D2 (Design considerations in all development) seeks to achieve high quality design and protection of amenity within the Borough. Proposals are required to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of the surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area.
- 7.3.2 The proposed layout of the site is considered to be logical with the public House retaining a garden to the south, two storey houses fronting The Crescent and the three storey block of flats fronting Durnsford Road. The proposal results in two active street frontages, both with distinctively different character. Overall, the layout is considered to respond well to the existing site surroundings.

Houses

- 7.3.3 The 2 storey houses with accommodation within the roof space front onto The Crescent. The houses would have a small landscaped front garden and a traditional design approach that is considered to be good quality,

satisfactorily responding to the form and design of surrounding houses in The Crescent and Crescent Gardens. The use of brick elevations, tiled roofs and soft landscaped gardens would ensure that the development responds to the design of surrounding residential houses and results in a good quality street frontage. A planning condition requiring the submission of materials and soft landscaping would ensure that the development uses appropriate materials.

Flats

- 7.3.4 The three storey block of flats fronting onto Durnsford Road are considered to respect the Durnsford Road street scene. The proposed three storey block of flats would respond to the height and massing of the adjacent Woodman Pub. Whilst being higher than the adjacent industrial building to the south, the three storey height would front a busy street and sits adjacent to the railway bridge, in this context a three storey building is considered to be acceptable.

Pub

- 7.3.5 The Woodman Public House is locally listed and externally is still within a good condition. The proposal seeks to remove the unsympathetic rear/side additions. There is no objection to the removal of these extensions. The focus of redeveloping the Public House is improving the internal fabric of the building. The character and appearance of the locally listed Public House would therefore be preserved. External changes include a traditional brick and railing boundary treatment and widening the public footpath for pedestrian and bus users on Durnsford Road. The widening of the footpath to 2.7m is particularly welcomed as it is considered to be a positive element of the proposal. The new boundary treatment would respond to the general pattern of development in the area and new soft landscaping would enhance the visual amenities of the area.

7.4 Retention of Public House

- 7.4.1 As set out above, the Woodman Public House would have a reduced size floor area, amenity space and loss of car parking. The applicant has commissioned an independent report by Intrinsic Property in regards to the viability of the proposed Public House. Intrinsic Property is a specialised property consult and general practice surveyor in the leisure and retail market. The conclusions of the report state that the proposed Public House is likely to provide a viable business opportunity in line with the expectations of the licensed property market and would appeal to the diverse nature of London pub operators. On balance, whilst the proposal would result in the reduction of the pubs floor space and removal of car parking, the proposal is seeking to retain and refurbish the Public House. The provision of a function room at first floor level is considered to be a new feature that would help contribute towards the pub remaining a viable business. Given the mass closure of many Public Houses in the country,

the retention of the Public House in this instance is welcomed. The lack of onsite car parking is noted however it must be noted that it is not uncommon for Public Houses to have no or limited car parking. This issue is considered further in the committee report.

7.5 Standard of Residential Accommodation

7.5.1 The floor space (GIA) and amenity space standards of individual residential units are as follows compared to London Plan 2016 requirements and Merton planning policy DM D2 Design considerations in all developments).

<u>Proposal</u>	<u>Dwelling Type</u>	<u>Proposed GIA (sqm)</u>	<u>GIA London Plan</u>	<u>Proposed Amenity (sq m)</u>	<u>Lon Plan – Merton Amenity Space Standards</u>
Flats					
1	1b1p	37	37	5	5
2	1b1p	37	37	5	5
3	1b1p	40	37	6.7	5
4	1b1p	37	37	5	5
5	1b1p	37	37	5	5
6	1b1p	37	37	5	5
7	1b1p	40	37	5	5
8	1b1p	37	37	5	5
9	1b1p	37	37	5	5
10	1b1p	37	37	5	5
11	1b1p	40	37	5	5
Houses					
1 (A)	4b7b	188.9	121	163.26	50
2 (B)	4p7p	155.1	121	70.51	50
3 (C)	4p7p	155.1	121	68.68	50
4 (D)	4p7p	155.1	121	61.44	50
5 (E)	4p7p	155.1	121	55.18	50
6 (F)	4b8p	201.5	130	51.63	50
7 (G)	4b7p	148.9	121	53.20	50

7.5.2 In terms of the quality of the accommodation proposed, it is considered that the proposed houses and flats would provide a satisfactory standard of accommodation for future occupiers. The proposed units would exceed/meet minimum London Plan Gross Internal Area, room size and amenity space standards. Each of the units would have private outdoor amenity space, which is welcomed. Each habitable room would receive suitable light levels, adequate outlook and would be capable of

accommodating furniture and fittings in a suitable and adoptable manner.

Housing mix

7.5.3 Planning policy DM H2 (Housing Mix) of the Sites and policies Plan state seeks to achieve a housing mix of 33% (one bed), 32% (two bed) and 35% (three plus bed) for all new housing development. The proposed development would have a housing mix as follows:

Housing Mix	Number	Percentage	Merton's policy
1 bed	11	61%	33%
4 bed	7	39%	35%

7.5.4 Whilst the proposed development would not meet the Council housing mix, it must be noted that these targets are indicative. In this instance, the proposal would provide a range of different unit types. In particular the provision of 7, 4 bedroom houses on the site is welcomed in this instance as it is often difficult to provide family housing as part of redeveloped sites. Overall, the proposed mix is considered to be acceptable and suitable for the site and surrounding area.

Play Space

7.5.5 The scheme is not required to provide specific play space within the proposal. It should also be noted that Durnsford Recreation Ground is a short walk from the site and features a play area which features toddler and junior swings, multi-activity units and climbing boulders. Further, Wimbledon Park is within walking distance from the site, which contains sport facilities.

Affordable Housing

7.5.6 Planning policy CS 8 (Housing Choice) of Merton's Core Planning Strategy states that development proposals of 10 units or more require an on-site affordable housing target of 40% (60% social rented and 40% intermediate). In seeking affordable housing provision, the Council will have regard to site characteristics such as site size, its suitability and economics of provision such as financial viability issues and other planning contributions.

7.5.7 The amount of affordable housing this site can accommodate has been subject of a viability assessment. Following extensive discussions, the Councils independent viability assessor has confirmed that a policy compliant 40% affordable scheme is not viable in this instance. However it has been agreed that the scheme can offer 7 shared ownership units on site with an early stage review to be included in the s106 in accordance with mayors SPG. The shared ownership units would be accommodated within the flatted block proposed.

7.6 Neighbouring Amenity

33 Crescent Gardens

- 7.6.1 This neighbouring property is located on the opposite side of The Crescent. The neighbouring building sits at a right angle to the application site but has an unusual layout with a number of windows and its entrance door being located on the flank wall facing towards the application site. The neighbour has raised concerns with daylight and sunlight and overlooking and privacy. However it must be noted that the two ground floor windows and three first floor flank windows serve non-habitable areas (hallways). Therefore there would be no undue loss of amenity to those opening. In any event, there is a public highway separating with a reasonable level of separation to ensure that there would be no undue loss of light or overlooking. It should also be noted that this type of relationship is common within urban settings whereby properties are directed towards each other and separated by a public highway. The proposal would result in some views from the new front windows of the proposal towards the rear garden of 33, however, owing to the distance it is not considered to result in harm. It is considered that there would be no undue loss of amenity to warrant refusal of planning permission.

172 Arthur Road

- 7.6.2 172 Arthur Road comprises a three storey building at the junction between Arthur Road and The Crescent. The building is of suitable distance away from the proposed buildings to ensure that there would be no undue loss of amenity.

174 & 176 Arthur Road

- 7.6.3 These neighbouring properties, comprising both commercial and residential units are directed towards the northern boundary of the application site. The neighbouring buildings are set back, away from the boundary creating a good level of separation and rear facing would be directed towards the rear gardens of the proposed houses, thereby preserving neighbouring amenity.

176 A Arthur Road

- 7.6.4 176 Arthur Road backs onto the application site but is currently operating as a car repair garage; therefore there would be no undue loss of amenity.

212 Durnsford Road

- 7.6.5 The neighbouring building is currently operating as car hire and a hand car wash. Given the commercial nature of the adjoining site, there would be no undue loss of amenity.

110 – 114 The Crescent

7.6.6 110 – 114 The Crescent comprises a small terrace of three houses. The terrace sits at a right angle to the northern boundary of the application site. The adjacent house in the application site sits at a right angle to this neighbouring terrace, therefore there would be no loss of amenity. The other proposed buildings within the application site are of a suitable distance away from these neighbouring properties to ensure that there is no undue loss of amenity.

7.7 Highways

Proposal

- 7.7.1 The proposal would see a reduced sized pub (from 595sqm to 424 sqm) and removal of the car parking area to the south. The proposal would provide a new vehicle access via The Crescent and 8 new car parking spaces on-site for the residential units. No on-site car parking is proposed for the Public House.
- 7.7.2 The proposal includes amendments to the site frontage on Durnsford Road which will increase the width of the existing footway from between 1m – 1.5m to a minimum of 2.6m. The applicant is willing to dedicate this parcel of private land to highway Authority under Adoption of Highways Act 1980. This can be controlled via a S106 agreement.
- 7.7.3 In addition, the crossover for the Public House car park will be closed and re-instated as footway. A new on-street loading bay on Durnsford Road is proposed immediately south of the existing bus cage and in the location of the vehicle crossover which will be closed and reinstated as footway.
- 7.7.4 The proposal also includes reinstating the service access drop kerb on The Crescent and rationalising the on-street parking bays on the northern side to accommodate the new access.

Car Parking

Residential

- 7.7.5 The proposed would provide 8 on-site parking spaces within a private car parking area accessed from The Crescent. Each of the houses within the proposed development would be allocated one car parking space and the block of flats would include 1 disabled space. Whilst objections have been received from neighbours relating to the low level of car parking, the proposal complies with the London Plan and whilst offering low levels of car parking, given the PTAL score 3, the proposal would encourage sustainable travel patterns. The application site is located within a CPZ with a PTAL rating of 3. Therefore in order to minimise impact upon surrounding streets it is considered appropriate in this instance the

development is permit free. The appellant will be required to enter into a S106 agreement with the Council to ensure the development is permit free and no resident or business within the development can apply for an on street parking permit in the surrounding parking zones.

Public House

- 7.7.6 One of the main objections from third parties is the concern that the proposed pub has no car parking, impacting upon the viability of the pub and overspill car parking in surrounding residential streets. Neighbours have highlighted the history of the previous pub on the site and overspill car parking onto surrounding streets on occasions when the pub held events. Neighbours are concerned that the surrounding streets have little capacity and the proposed pub with no car parking will add pressure onto the surrounding residential streets.
- 7.7.7 It must be noted that there are no minimum/maximum car parking standards for Public Houses within the London Plan. Therefore the applicant can propose the level of car parking necessary providing that there is no undue impact upon surrounding streets without on-site car parking. It is noted that the Public House would place additional pressure on surrounding streets. The applicant has provided an additional on street parking surveys at the request of the Council. The surveys were carried out by the applicant on Friday 23rd February 2018 (4pm – 9pm) and Saturday 24th February 2018 (11am – 12 pm). The results indicate although the overall parking stress observed during survey time is high, there are adequate spaces available to park within 200m of the site. Specifically, the survey of the closest residential streets of The Crescent and Crescent Gardens found that there was spare capacity during peak times on Friday and Saturday evenings (between 6pm – 9pm). Of the two closest streets, the greatest spare capacity was found to be within The Crescent. The submitted Travel Plan aims to reduce the use of private cars, and promote the use of sustainable forms of transport for trips to and from the site. The Councils Transport Officer has confirmed that there is no objection to the scheme subject to conditions.
- 7.7.8 In terms of travel choices, it is not uncommon for Public Houses to have no or limited car parking. Public Houses often serve local communities where travel by car is not always necessary. The site is also well served by various public transport modes with a PTAL score of 3. The application site is located within short walking distances of Wimbledon Park Underground Station and a number of bus routes. The lack of parking on-site can promote sustainable modes of travel and in this instance the site provides suitable modes of travel to give customers/staff a valid choice. On balance, whilst there would be some increased pressure on surrounding streets, there is spare capacity within the local area and the lack of car parking on site would promote sustainable modes of transport.

It is therefore considered that the lack of on-site car parking for the Public House can be accepted.

Servicing

- 7.7.9 The pub will be serviced from the proposed on-street loading bay on Durnsford Road immediately south of the existing bus cage and in the location of the vehicle crossover which will be closed and reinstated
- 7.7.10 The 7 residential houses will place their refuse bins at the site frontage on The Crescent to be collected on-street. There will be a refuse bin store at ground floor level for the 11 residential flats and collection will be from the site frontage on Durnsford Road.
- 7.7.11 The number of movements associated with loading vehicle activity for the proposed pub is anticipated to be the same as the existing pub whilst refuse collection will also remain as existing. Overall, the Councils Highways Officer has assessed the proposed service arrangement and raises no objection.

Car Club

- 7.7.12 Any car use associated with the car free residential units is likely to be undertaken using car club vehicles; there are 2 car club vehicle locations within a 3 minute walk distance of the site. There are also a number of additional vehicles within a 12 minute walk distance. In this instance, 3 years free car club for future occupiers can be secured via a S106 agreement.

Travel Plan

- 7.7.13 The application includes a draft travel plan and this is broadly welcomed. The details of the travel plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section106 process.

Cycle Parking

- 7.7.14 Cycle parking is provided in accordance with the London Plan. The 7 residential houses have rear gardens with space to store a minimum of 2 bicycles each. The 11 studio flats are provided with 1 cycle parking space each within a cycle store to the rear of the building.
- 7.7.15 The London Plan standards require 12 cycle parking spaces to be provided for the Public House. These will be provided at the frontage of the building accessed from Durnsford Road.

7.8 Trees

- 7.8.1 The Merton (No.710) Tree Preservation Order 2017 applies to 11 existing

trees within the grounds of the Woodman Public House. Of these, 9 have been ring barked which means their life expectancy has been significantly shortened to a matter of approximately 2 years. The Yew tree and Ash tree were not subjected to ring barking. The Yew tree is the only existing tree proposed for retention in the proposed development;

- 7.8.2 At present the Yew tree is fully visible to the public view, thereby providing a significant amenity value to the public. The submitted arboricultural report has attributed a B1/B2 category to this tree. The proposed layout will change the visual amenity value of this tree. However, some of the tree will still be visible from Durnsford Road and above the roofline of the proposed 'House A'. The tree will be within the garden of this property and this could likely lead to repeated tree work applications for either crown reduction work or the complete removal of the tree on the basis of its size. This matter is, however to be balanced in the conclusion of the committee report.
- 7.8.3 Whilst the Councils Tree Officer has raised some concern with the treatment of the existing trees on the site and impact upon the Yew Tree, the scheme would provide 18 new trees. Planning Policy DM O2 (Nature conservation, trees, hedges and landscape features) states that the removal of trees may be permitted if the benefits of the development outweighs the trees amenity value. In this instance, the development would provide new housing, retained Public House and the selection of the size and species of each proposed tree is acceptable, and shall enhance the overall appearance of the development. Overall, officers raise no objection to the proposed tree removal, relationship of the development to the retained trees and provision of new trees.

Sustainability

- 8.1.1 London Plan Policy 5.2 requires new development proposals to make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:
- Be lean: use less energy
 - Be clean: supply energy efficiently
 - Be green; use renewable energy
- 8.1.2 The submitted energy statement indicates that the proposed residential element of the scheme should achieve 35.37% improvements in CO2 emissions on Part L 2013. This meets the minimum sustainability requirements of Merton's Core Planning Strategy Policy CS15 (2011) and Policy 5.2 of the London Plan.
- 8.1.3 It should note that all residential major development proposals validated after the 1st of October 2016 will be liable to demonstrate compliance with

the zero emissions target outlined for regulated emissions, in accordance with Policy 5.2 of the London Plan (2015). As such, major residential developments will be expected to achieve a minimum on-site emissions reduction target of a 35% improvement against Part L 2013, with the remaining emissions (up to 100% improvement against Part L 2013) to be offset through cash in lieu contribution. In this instance, the Councils Climate Officer has confirmed that a £27,360 contribution is required to meet the 100% improvement against Part L 2013). This can be secured via a S106 agreement.

- 8.1.4 The non-domestic element of the scheme (Public House) cannot meet the required 35% improvements on Part L 2013. However, the appellant has indicated a number of difficulties that will be faced on meeting the 35% reduction target due to the historic nature of the refurbished element of the scheme. The Councils Climate Officer has confirmed that this is a valid reason in not being able to meet the targets. Therefore in this instance, it is considered acceptable that a payment of £11,736 is secure against the shortfall. This can be secured via a S106 agreement.

9. Flooding

- 9.1 The site is located in Flood Zone 1. A surface water drainage strategy has been undertaken by RPS Group (Ref: HLEF54939/001R) dated Oct 2017.
- 9.2 In terms of coverage, the proposed development consists of 25% soft landscaping, 35% hardstanding and 40% built footprint.
- 9.3 The site proposes 740m² of permeable paving, with sub-base storage and a restricted discharge rate. An attenuation volume of 135.9m³ is required to accommodate the 1 in 100 year +40% climate change allowance.
- 9.4 The permeable paving depth has been calculated as being 0.6m deep with 30% void ratio to provide 135.9m³. Runoff will be limited to no more than 2l/s, which is the lowest agreed (greenfield) rate which is acceptable and compliant with the London Plan standards (policy 5.13 and Design and Construction SPG).
- 9.5 The Councils Flood Officer has confirmed that he has no objection subject to a condition relating to sustainable drainage system.

10. Local Financial Considerations

- 10.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton's Community Infrastructure Levy was implemented on 1st April 2014. This will enable the

Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

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

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

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

12. **CONCLUSION**

12.1.1 The proposed development will provide 18 new dwellings and a retained and refurbished public house. The principle of development is considered to be acceptable by providing new housing and retaining a community facility. The design of the development is considered to be of good quality in terms of appearance and accommodation being proposed. The proposed buildings would respect the context of the site and would have no undue impact upon neighbouring amenity, trees, flooding or highway considerations. The relationship of House type A to the retained TPO tree on the site is considered to be acceptable and the benefits of the scheme outweigh any conflict. The proposal is in accordance with Adopted Sites and Policies Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions and S106 agreements.

RECOMMENDATION

GRANT PLANNING PERMISSION

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

1. Affordable housing (7 shared ownership units) with review mechanism.
2. Permit Free Development (residential and business)

3. Car Club - 3 year car club membership funded by the developer.
4. Land transfer (widening of public footpath)
5. Travel Plan - A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years.
6. Carbon Offset - £27, 360 = £11, 736.
7. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A.1 Commencement of Development
2. A7 Approved Plans
3. B.1 Materials to be approved
4. B.4 Details of Surface Treatment
5. Details of boundary treatment
6. Hard Standing
7. Refuse details
8. Refuse implementation
9. Cycle parking details
10. Cycle implementation
- 11 Landscaping implementation (drawing 170346-L-01)
12. D11 Construction Times
13. Tree Protection: The details and measures for the protection of the existing trees as specified in the approved document 'Arboricultural Report' reference '17346-PD-11' and dated 'September 2017' shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report. The details and measures as approved shall be retained and maintained until the completion of site works.

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

14. F8

Site Supervision (Trees)

15

Yew tree: The existing retained Yew tree shall be retained and maintained to the satisfaction of the Local Planning Authority.

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

16.

Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery from the commercial use shall not exceed LA90-10dB at the boundary with the closest residential property.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

17.

Due to the potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the dwellings as specified in the MoirHands, Planning Noise Assessment Report NO. 3254/31/17, dated 1 July 2017 shall be implemented as a minimum standard for the noise mitigation for the proposed dwellings. Confirmation that this has been achieved before the first dwelling is occupied shall be submitted to the LPA.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

18.

Odour from the new extraction and odour control unit shall be designed and installed so that cooking odour is not detectable to affect other premises.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

19.

Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

20. An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority.

This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

21. Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

22. Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

23. Following the completion of any measures identified in the approved remediation scheme, a verification report that

demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

24. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the amenities of future occupiers and those in the local vicinity.

25. No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

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

Reason: To protect the amenities of future occupiers and those in the local vicinity.

26. Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:
- i. Provide information about the design storm period and intensity, attenuation (no less than 135.9m³) and control the rate of surface water discharged from the site to no more than 2l/s;
 - ii. Include a timetable for its implementation;
 - iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

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

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

27. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO₂ reductions of not less than a 35% improvement on Part L regulations 2013 and in accordance with those outlined in the approved plans, and wholesome water consumption rates of no greater than 105 litres per person per day.

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

28. Within six months of the occupation of the site evidence in the form of an MCS Certificate will be submitted to the council in order to demonstrate that solar panels have been installed in line with the letter dated 08/02/2018.

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

29. Demolition / Construction Logistic Plan
30. Demolition / Construction Logistic Plan (including a Construction Management Plan compliant with Chapter 8 of the Road Signs Manual for temporary Works) sent LPA before commencement of work be required.
31. Removal of PD rights

Planning Informative

1. The site is adjacent to an Area of Surface Interest (AOSI) as set out in the 2015 Crossrail 2 Safeguarding Directions and therefore could be sited alongside a future Crossrail 2 worksite.

It would be appropriate to ensure that any development on this site limited the number of openings/doors/windows on this shared boundary with 212 Durnsford Road in particular and the prospective future occupiers of any re-development of this site should be aware that there is possibility of being adjacent to a future worksite for Crossrail 2.

2. 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).
3. Carbon emissions evidence requirements for Post Construction stage assessments must provide:
 - Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); OR, where applicable:

- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; AND
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

Water efficiency evidence requirements for Post Construction Stage assessments must provide:

- Documentary evidence representing the dwellings 'As Built'; detailing:
- the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:
- Water Efficiency Calculator for New Dwellings; OR
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

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

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NORTHGATE SE GIS Print Template



Text Details **The Woodman, Durnsford Road**

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**PLANNING APPLICATIONS COMMITTEE
22 MARCH 2018**

APPLICATION NO. DATE VALID

17/P3581 25/09/2017

Address/Site 24 The Grange, Wimbledon SW19 4PS

Ward **Village**

Proposal: Erection of a single storey extension to east and south west elevations, a two storey extension to west elevation, excavation of basement and reconfiguration of second floor and erection of dormer windows, including amalgamation of the coach house at 24A The Grange with 24 The Grange

Drawing Nos P_01, P_02, P03, P_04, P_05, P_06, p_07, P_08, P-09, P_10, P_11, P_12, P_13, P14, P15, P_16, BED-001, LMP-001, LPP-001, Design and Access Statement, Ground Conditions-Factual Report, Structural Design Report

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 – 4
- 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 substantial detached Edwardian dwelling house, that is a locally listed building, situated on the west side of The Grange. There is an existing motor house/coach house to the north east of the site with residential accommodation at first floor level and to the rear of the garage. There is also a recently constructed garage to the south west of the dwelling and two outbuildings within the rear garden. The majority of other houses in The Grange are substantial detached houses with the exception of number 25 The Grange which shares a boundary with the motor house and dates from the 1930's. The application site is within the Merton (Wimbledon West) Conservation Area.

3. **CURRENT PROPOSAL**

- 3.1 The current proposal involves the erection of a single storey extension to the south west elevation, a two storey extension to west elevation, excavation of basement and reconfiguration of second floor, erection of dormer windows and single storey side extensions to the south east elevation.
- 3.2 The proposed single storey rear extension to the south west elevation would extend 2.5 metres beyond the existing rear elevation of the building and would be 13.5 metres in width. The extension would have a shallow pitched roof with an eaves height of 3 metres and overall roof height of 4.4 metres.
- 3.3 It is proposed to infill the space between the existing motor house and the house (on the west elevation of the building) and erect a first floor extension with a pitched roof above and two dormer windows to the rear (garden) elevation. A new access to the self-contained accommodation would be formed in the new recess on the front elevation that links the extended motor house with the main house.
- 3.4 The existing garage to the east elevation would be removed and a single storey side extension constructed to provide an enlarged living room. The proposed extension would be 5.5 metres in width, 6.5 metres in length and would have an eaves height of 3.2 metres and would have a hipped roof with an overall height of 5.5 metres. The side extension would be set back from the front elevation of the building by 4 metres.
- 3.5 Beneath the existing house and extended motor house it is proposed to construct a basement. A light well would be formed at the rear of the house in front of the side extension to the living room with a staircase providing access from the basement to the rear garden. The proposal would involve the amalgamation of the existing coach house at 24A The Grange with the main house.
- 3.6 Off-street parking would be maintained within the front curtilage and a new boundary wall and fencing would be constructed, together with associated landscaping works.

4. **PLANNING HISTORY**

- 4.1 In May 1969 planning permission was granted for the conversion of the double garage with two rooms above into single garages, self-contained maisonette and erection of car port (Ref.MER318/69).
- 4.2 In March 1971 revisions to planning permission MER318/69 was approved (Ref.MER65/71).
- 4.3 In December 1971 planning permission was granted for the conversion of the garages into a single garage and self-contained maisonette with porch and car port (Ref.MER1031/71).
- 4.4 In April 1991 planning permission and conservation area consent was granted for the demolition of existing conservatory and car port and erection of a new single garage, link wall to existing house and erection of car port (LBM Refs.91/P0129 and 91/P0134).
- 4.5 in December 2016 a Certificate of Lawfulness was issued in respect of the continued use of the stable block as an existing residential dwelling (LBM Ref.16/P4287).

5. **CONSULTATION**

- 5.1 The application has been advertised by Conservation Area site and press notice procedure and letters of notification to occupiers of neighbouring properties. In response 15 letters of objection have been received. The grounds of objection are set out below:-

-The proportionality of the house and coach house will be lost by building up to the boundary. The extension to the rear is acceptable but not the linking of the coach house to the main house. The coach house should remain separate.

-The large basement may cause problems to adjoining owners.

-When test boreholes were being dug the vibrations affected neighbouring properties. Basement construction would cause problems for neighbours.

-The proposal to link the residential accommodation above the motor house with the main house will result in the loss of a separate residential unit.

-The alterations to the motor house will bring the front elevation forward by 1 metre will bring the building line forward of number 25.

-the proposal will result in the loss of two garages in an area short of parking.

-The east façade of number 24 is particularly fine and this would be greatly changed.

-The proposed changes would constitute a massive over development of the property.

-On the east side only a 1 metre gap would remain between the extended house and the boundary. This is inadequate for a house of this size with a large garden.

-The proposal will result in the loss of space between buildings.

-The development will compromise privacy to neighbouring properties.

5.2 The Wimbledon Society

At the moment the motor house (to the right of the house when viewed from the street) is separate from the main building. With the proposed extension/alteration this separation will be lost and with it the historical context of house and motor house. The extension not only closes the gap between the house and garage on the ground floor but closes up the first floor gap. This does not follow the Council's Sites and Policies Plan policy DM D2. Part of the charm of 24 is the staircase window on the left hand side of the house. The proposed side extension would obscure this view. A very large basement is also proposed and would cover the entire current ground floor of the house. Although a basement structural report has been submitted there is no hydrology report. There is also a large Beech tree by the boundary of 24 The Grange and the Society are concerned that this may be damaged by construction work.

5.3 Conservation Officer

The Conservation Officer has no objections to the proposal which has been subject to pre-application discussions.

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.

6. **POLICY CONTEXT**

6.1 Adopted Merton Core Strategy (July 2011)

CS14 (Design), CS15 (Climate Change) and CS20 (Parking).

6.2 Sites and Policies Plan (July 2014)

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)

The relevant policies within the London Plan are 7.4 (Local Character) and 7.4 (Local Character).

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the design/visual impact on conservation area, impact on locally listed building, basement construction, neighbour amenity, the loss of residential unit together with tree and parking issues.

7.2 Design/Conservation Issues

The site lies within the Merton (Wimbledon West) Conservation Area (designated heritage asset). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of

the area. In accordance with this, Policy DM D4 outlines that development should preserve or enhance the significance of the heritage asset.

- 7.3 The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. The following considerations should be taken into account when determining planning applications.
- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation; The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
 - The desirability of new development in making a positive contribution to local character and distinctiveness;
 - Opportunities to draw on the contribution made by the historic environment to the character of a place.
- 7.4 According to Paragraph 129 of the NPPF, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.
- 7.5 The site lies within the sub-area known as The Grange within the Conservation Area. The road is described as containing some of the most substantial, distinguished and individual houses in the conservation area, many of which are either statutorily or locally listed (Council's Character Assessment).
- 7.6 The proposed extensions have been designed to be subordinate to the original dwelling house. The extension to the west wing would incorporate the existing detached coach/motor house into the main house by the construction of a link between buildings. Several representations have been made concerning the loss of the gap between the main house and the coach house and the erection of a first floor 'infill' section between buildings. However the existing gap between buildings is partially screened by the high fencing between the coach/motor house and the main house and the 'infill' section would be subservient to the main house. The design and detailing of the extension to the west elevation is considered to be acceptable. Concern has also been expressed about the loss of views of the large window to the east (side) elevation. The window itself would be retained however the existing detached garage would be replaced with a single storey extension to the existing living room. The design of the side extension is considered to be acceptable. The rear dormer window and roof ridge alterations would not alter the character of the host dwelling to the extent that it would cause harm to the Conservation Area. (. Although a basement is proposed beneath the main house and part of the coach/motor house, the basement would not be visible from the frontage once constructed and would not affect the character or appearance of the Merton (Wimbledon West) Conservation area. The

proposal is therefore acceptable in terms of policies CS14 and DM D2, DM D3 and DM D4.

7.7 Impact on Locally Listed Building

The proposed extensions and alterations have been sympathetically designed to reflect the character of the original building. The extensions would be subordinate and would not overwhelm the host building by being set back from the front elevation and would be constructed in materials sympathetic to the original building. The Council's Conservation Officer has raised no objections to the proposal. The proposal is therefore considered to be acceptable in terms of policy DM D4.

7.8 Basement Construction

The current proposal involves the construction of a basement and the provision of a light well to the rear elevation of the dwelling house behind the extended living room. The applicant has submitted a Basement Impact Assessment and Factual Report. The documents conclude that the basement can be constructed in a safe manner and that the provision of accommodation at basement level would not increase flood risk. The basement construction would be carried out in accordance with these reports. The proposal is therefore considered to be acceptable in terms of policy DM D2 (Design Considerations in all Developments).

7.9 Neighbour Amenity

The proposed alterations and extensions would not affect neighbour amenity as the extensions largely follow the footprint of existing buildings and structures. The proposed extension to the north west elevation would infill the space between the original dwelling house and the coach house and there would be no new windows facing onto number 25 The Grange. The single storey extension would go up to the boundary with number 25. Taking into account its single storey appearance and limited depth, it is not considered to cause any material harm. The new single storey extension would be set off the boundary with 23 The Grange and would be partially screened from number 23 The Grange by existing trees. Overall, the proposal would not cause material harm to any neighbouring occupier. The construction process can be monitored through the use of planning conditions. The proposal is therefore considered to be acceptable in terms of policy DM D2 (Design Considerations in all Developments).

7.10 Loss of Residential Unit

In December 2016 a Certificate of Lawfulness was issued in respect of the continued use of the former stable block at 24A The Grange as a residential dwelling. The former stable block is detached from the main house and comprises a garage at ground floor level with split level accommodation at the rear and above the garage and has the appearance of a 'coach house'. The proposal would incorporate the existing accommodation at 24A The Grange into the main house and would therefore result in the loss of a residential unit (albeit a small unit). However, the proposal would incorporate the accommodation into the main dwelling, maintaining a self-contained unit that would be physically linked to the main house which could be used for ancillary

accommodation. The loss of the dwelling is considered to be acceptable in this case due to the prevailing character of the area being large family homes and the ancillary appearance of the Coach House on the site. The design of the alterations to link 24A The Grange into the main house are considered to be acceptable in scale and appearance and the proposal is considered to be acceptable in this instance.

7.7 Trees

The Council's Tree officer has no objections to the proposed development subject to tree protection conditions being imposed on any grant of planning permission. There are no trees of significance proposed to be removed as part of the proposal.

7.8 Parking

The existing vehicle access onto The Grange would be maintained and an off-street parking maintained within the front curtilage. The proposal is therefore considered to be acceptable in terms of policy CS20.

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 extensions and alterations are considered to be acceptable in design terms and the proposal would preserve the character and appearance of the Merton (Wimbledon West) Conservation Area. The proposal would not cause harm to neighbour amenity and tree protection conditions would protect the retained mature trees. The basement is considered to be acceptable and would comply with Council policy. The proposed extensions and alterations would not be harmful to the locally listed building and the overall character of the building would be maintained. 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.2 (No Permitted Development –Door and Windows)
7. D.11 (Hours of Construction)
8. The details and measures for the protection of the existing retained trees as specified in the approved document 'BS 5837:2012 Tree Survey, Arbouricultural Impact Assessment, Arbouricultural Method Statement and Tree Protection Plan' dated May 2017 including drawing titled 'Tree Protection Plan with the filename Bathgate TPP rev.mpd shall be fully complied with. The methods for the protection of the existing retained trees shall fully accord with all measures specified in the report. The details and measures as approved shall be retained and maintained until the completion of site works.

Reason for condition: To protect and safeguard the existing and retained trees in accordance with the following Development Plan Polices for Merton: policy 7.21 of the London plan (2015), policy CS13 of Merton's Core Planning Strategy (2011) and polices DM D2 and DM O2 of the Merton Sites and Polices Plan (2014).

9. F1 (Landscaping)
10. F8 (Site Supervision-Trees)
11. Prior to commencement of development a Basement Construction Method Statement and Hydrology Report shall be submitted to and be approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason for condition: In the interest of neighbour amenity and to comply with policy DM D2 of the Adopted Merton Sites and Polices Plan (2014).

12. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 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 (attenuation provision of no less than 15m³ of storage) and control the rate of surface water discharged from the site to no greater than 5l/s and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation;

iii. include a CCTV survey of the existing surface water outfall and site wide drainage network to establish its condition is appropriate.

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

13. The development shall be constructed in accordance with the details set out in the approved Basement Impact Assessment produced by Chelmer Global Ltd Ref.BIA/9330 dated November 2017.

Reason for condition: To ensure that the basement is constructed to a satisfactory standard and in accordance with Policy DM D2 (Design Considerations in all Developments) of the Adopted Merton Sites and Polices Plan (2014).

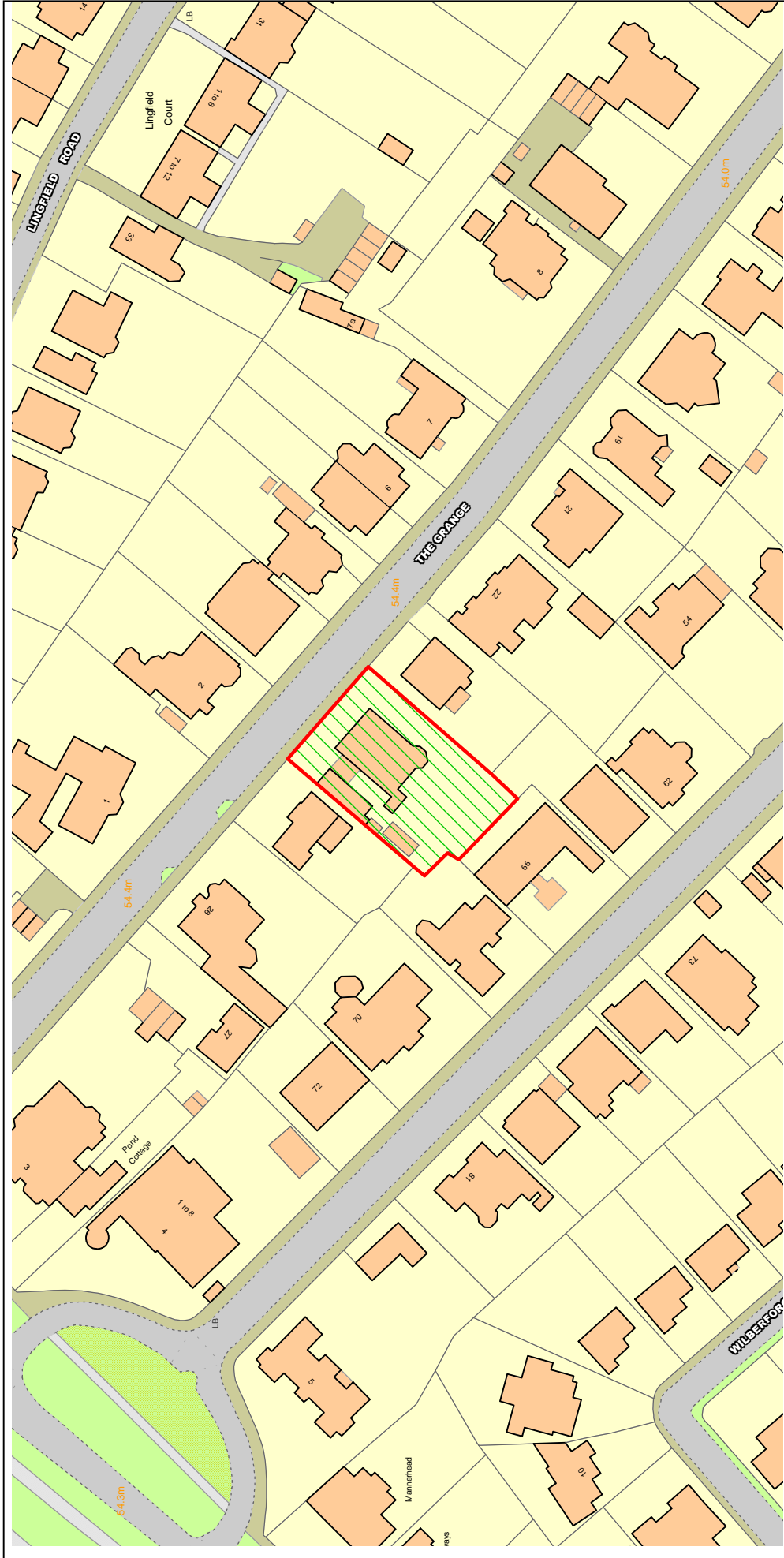
14. INF1 (Party Wall Act)

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

Please note these web pages may be slow to load

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NORTHGATE SE GIS Print Template



Text Details **24 The Grange**

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**PLANNING APPLICATIONS COMMITTEE
22 MARCH 2018**

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
17/P3255	30/08/2017
Address/Site	The Dog & Fox Public House, 24 High Street, Wimbledon Village, SW19 5DX
Ward	Village
Proposal:	Extensions and alterations to the Dog & Fox Public House including for the amalgamation and change of use of Bayee Village to create additional dining space for the Public House; and extensions at first and second floor level to create 12 additional hotel rooms
Drawing Nos	3380/307/ (Site Location Plan), 3380/1200/H (Proposed Ground Floor), 3380/1201/F (Proposed First Floor), 3380/1202/E (Proposed Second Floor Plan), 3380/1203/D (Proposed Roof Layout Plan), 3380/1204/H (Proposed Site Layout Plan), 3380/1205/E (Proposed Elevations and Sections One), 3380/1206/G (Proposed Elevations and Sections Two), 3380/1207/C (Proposed Elevations and Sections Three), 3380/1208/ (Proposed Site Rear Extents Plan), MJK.M-02 Rev A, MJK.M-03, MJK.M-04, MJK.M05 Rev A, and MJK.M-06 Rev B.
Contact Officer:	Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Grant planning permission subject to s.106 agreement and conditions

CHECKLIST INFORMATION

- S106: Yes – Travel Plan.
- 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: 111
- External consultations: Yes (Historic England - archaeology)
- Controlled Parking Zone: Yes – Zone VC
- PTAL: 6a (very good)
- Flood Zone: Flood Zone 1 (low probability)
- Conservation Area: Yes – Wimbledon Village
- Listed Building: Yes – locally listed
- Protected trees: No

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

- 2.1 The Dog and Fox Pub/Hotel is a part three storey, part single storey locally listed building located to the southern side of the High Street in the heart of Wimbledon Village. The existing hotel provides 17 rooms, with a pub and restaurant at ground floor level. The site also accommodates a Chinese restaurant at ground floor level ('The Bayee'), adjacent to the pub/hotel.
- 2.2 The existing building is referred to in the Wimbledon Village Conservation Area Design Guide 1996 and described as holding a prominent key location in the streetscape. Its corner oriel tower topped by a tented copper spire and finial provides a pivotal feature to counterbalance the belvedere opposite. The Design Guide concludes that it is an excellent, well maintained, element in the streetscape and of strong architectural character the Dog and Fox is well worth its local listing.
- 2.3 There is a large area of flat roof at first floor level, adjacent to the oriel tower.
- 2.4 To the immediate south of the site are The Wimbledon Villages Stables (accessed via an access road to the immediate west of the site). To the south and southeast of the site are residential dwellings along Homefield Road. To the east, along the High Street, are commercial units with residential accommodation above. To the immediate west is an office building with an Estate Agents at ground floor level.

2.5 The site is subject to the following planning constraints:

- Archaeological Priority Zone
- Conservation Area
- Primary Shopping Area
- Town Centre

3. **CURRENT PROPOSAL**

3.1 The proposal is for extensions to the building to provide 12 additional hotel rooms. Also proposed are internal alterations to facilitate the conversion of the neighbouring restaurant into additional floorspace for the pub restaurant.

3.2 Specifically, the proposal is as follows:

- A first and second floor extension above the existing single storey element to provide 12 additional hotel rooms, along with a plant room and servicing area (for condensers and filter), following demolition of the small element of built form at first floor level, above the existing Chinese restaurant.
- A three storey extension to the rear elevation of the building, with a pitched roof to provide for plant accommodation. This part of the extension would be apparent when viewed from the west side elevation.
- Also proposed is the erection of a single storey extension to the rear elevation (adjacent to the neighbouring stables). This extension would have a flat sedum roof and would accommodate a laundry room.
- A Victorian style canopy structure would be installed to the front elevation of the restaurant area, following removal of the existing glass roof structure and pergolas (associated with the Chinese restaurant).

3.3 The extensions would have a part crown flat roof, part flat, sedum roof and part hipped roof. Solar panels would be provided to the roof.

3.4 The first and second floor extension above the flat roof of the building would have a glazed link leading to the existing main building.

3.5 The extension to provide 12 rooms would be set back from the front building line, behind the parapet wall of the existing single storey Chinese restaurant. A roof terrace would be provided between the parapet wall and the proposed extension at first floor level. The units to the rear, at first floor level, would have angled bay windows which would be partly obscured. The units to the rear at second floor level

- would have flat roof dormer windows to provide outlook to the rear. An internal lift would be provided to serve the new rooms.
- 3.6 External fire escape steps would be positioned to the east boundary of the site, giving access out on to the High Street.
 - 3.7 The existing Chinese restaurant would be removed and the space occupied by the Pub/Hotel dining area.
 - 3.8 Cycle parking would be provided to the rear of the site (6 spaces for staff cycle parking) and to the frontage of the site for customers.
 - 3.9 External construction materials would be rendered walls, brickwork, tile and slate roof coverings.
 - 3.10 To the rear elevation would be a louvred wall, intended to screen the plant machinery.
 - 3.11 The boundary wall to the frontage of the site would be painted pale aqua.

4. **RELEVANT PLANNING HISTORY**

- 4.1 06/P0593 - DEMOLITION AND RECONSTRUCTION OF A SINGLE STOREY EXTENSION, ERECTION OF 2NO STAIRCASE ENCLOSURES TO THE REAR AND INTERNAL ALTERATIONS TO GROUND AND FIRST FLOORS. Grant Permission subject to Conditions 11-05-2006.
- 4.2 06/P3033 - CHANGE OF USE OF EXISTING RESTAURANT TO PUBLIC HOUSE USE AND EXISTING BAR TO RESTAURANT USE. DEMOLITION OF REAR EXTENSION TO FORM BIN COMPOUNDS AND OPEN YARD WITH STEEL FIRE ESCAPE. CONSTRUCTION OF FIRE ESCAPE ENCLOSURE TO LEFT SIDE AT FIRST FLOOR LEVEL. Grant Permission subject to Conditions 28-02-2007.
- 4.3 13/P1943 - APPLICATION FOR CHANGE OF USE OF 1ST & 2ND FLOORS OF PUBLIC HOUSE (CLASS A4 USE) TO HOTEL ROOMS (CLASS C1 USE). Grant Permission subject to Conditions 08-08-2013.

(N.B. There is extensive planning history. However, it is not directly relevant to the current proposal).

5. **CONSULTATION**

- 5.1 Site Notice, Press Notice and individual letters to 111 neighbouring occupiers. 21 letters of objection have been received, including one from Wimbledon Village Stable and one from Haygarth Place Residents' Association, objecting on the following grounds:

Visual impact:

- Extensions are not subordinate to the original character of the Public House and would detract from one of the most iconic and attractive buildings in the Conservation Area.
- The 3 storey extension would dominate the Victorian façade and the oriel tower, particularly when viewed from Church Road.
- The juxtaposition of the glazed element would detract from the ornate design of the Victorian tower.
- Concerns that glazed link would not be successful as the sub floor structure is clearly visible as well as the roof.
- Concern over appearance of first floor doors to the front elevation.
- Incoherent and piecemeal approach to the design.
- 3 storey wall to the rear would dominate and enclose the more domestically scaled architecture of the stables.
- The two-storey metal louvres would dominate views from the stables and properties on Homefield Road.
- The proposal does not preserve or enhance and has no public benefits.

Parking and Highway considerations:

- Concern over increased parking in neighbouring residential streets (outside of restricted parking hours).
- Concerns over guests arriving by car and associated congestion with drop offs and pick-ups. Any application should be accompanied by a Transport Statement.
- No drop off area for taxis or service vehicles creates congestion.
- Concerns that the access to the Stables would be blocked by cars dropping off customers and associated danger to horses.
- Suggestion that existing outside seating area be converted into a parking bay to serve the hotel.
- Parking survey is not fit for purpose as it does not include Courthope Road and was carried out in the daytime and not the evening.
- The site has a PTAL of 6a but is immediately adjacent to a PTAL area of 2, which suggests that the actual public transport accessibility of the site is lower than the modelling would suggest.
- The travel survey of the existing hotel found that 86% of guests arrived by car or taxi, which would suggest that the majority of additional trips would be carried out by car or taxi. This is not fairly represented in the

Travel Plan which makes an assumption that travelling by sustainable modes would form the principal mode of travel to and from the site.

- Concerns over blocking of access road as the larger ground floor area will allow for functions, such as weddings, which would require extra setting up of materials.
- It is unrealistic to expect guests to walk or cycle and there will be a lot of private vehicle traffic movements as a result.
- Concerns over detail of submitted Construction Management Plan as it is not carried out by an equine expert and does not fully take into account the impact on horses. Additionally, the measures are not enforceable and would be very difficult to comply with.

Neighbouring amenity:

- Noise and pollution from increased deliveries.
- Noise disturbance from guests.
- Height of parapet wall to rear would be overbearing to neighbouring residential properties.
- Concerns that the restaurant area would result in increased noise disturbance.
- Overlooking to properties on Homefield Road, noise disturbance, disturbance from cooking smells and smoking.
- Overlooking from proposed roof terrace.
- General disturbance throughout construction process and on-going use.
- Loss of outlook and light to neighbouring properties.
- Concern that roof area would be used as an informal; recreation area by staff, resulting in disturbance and overlooking to residents.
- Overlooking to stable yard.
- Additional air conditioning units will create more noise.
- Conflict between horses and construction process. Suggestion that temporary sound proof screen be put in place throughout construction works if permission is granted.
- Wimbledon Village is a Cumulative Impact Zone and there are already many licensed properties in the area. To approve this would fly in the face of this obligation.
- Amendments to scheme do not overcome the concerns identified.

Other matters:

- The proposed bin store is smaller than the existing bin store but would have to accommodate more waste.
- Cannot see how the proposal benefits the people of Wimbledon Village.
- The Dog and Fox is not a failing business and the proposal is purely

profit-minded.

- This proposal could set a precedent and more rooms could be applied for in the future.
- The increased floor space would facilitate banquets and weddings, with a much greater impact on Wimbledon Village.

5.2 Three letters of representation has been received expressing support for the following reasons:

- The scheme would be an enhancement to the Village streetscene.
- The proposed development is a significant investment in a much-loved and treasured Wimbledon Village venue.
- Positive improvement to the visual appearance of a locally listed heritage asset.
- More rooms will bring more visitors, supporting the local economy and community.
- Would introduce much needed extra life, vitality and custom for retail accommodation in the area.
- The installation of a lift would make the hotel rooms more accessible.
- We assume full care and consideration has been given to the stables.
- Issues of disturbance would be addressed through the Licensing process.

5.2 The Wimbledon Society:

The following comments on the above application are submitted on behalf of The Wimbledon Society.

The Dog and Fox Public House is a Listed Building which occupies a prominent position in the centre of Wimbledon Village, facing the junction with Church Road. This is within the Village Conservation Area. To the rear, it closely adjoins the Village Stables and residential properties which are accessed principally from Homefield Road. It is a part single, part three storey building plus pitched roof.

The application seeks to extend the single storey elements on the front and rear elevations in order to provide more space for dining and function rooms and 12 additional hotel rooms at first and second floor levels. To the front, the extension would be set back from the existing boundary line and a flat-roofed three-story glazed link would connect the hotel area with the existing building. The proposals also include construction of new, separate entrances to the front elevation for hotel and bar/dining areas.

Access and exit for riders from the stables onto the High Street is to the side of the building beside the bar outdoor seating area.

The Society is concerned how this major construction is to be undertaken without severe disruption to Village traffic and business and the ongoing disturbance to the management and harmony of the stables. The Society wishes to make the following suggestions:

- To the rear, the proposed building would be too high and would dominate and overlook the stables and residential properties and it is suggested that the extension to the rear should be limited to two stories plus roof to match the height of the corner building beside the High Street.
- It is proposed that the developer should provide to Merton Council a clear plan setting out the exact proposed area to be used for assembly of materials, machinery, access for vehicles and construction work to be conducted which would allow the business of the Village, the stables and the pub to continue and the safety of the public secured. This should demonstrate demarcation and separation of this area which secures the safety of all other road users.
- Construction of a high, impermeable barrier/screen along the boundary between the pub and the stables which would protect the stables and the public from noise and dust during the construction work.

5.3 Designing Out Crime Officer:

I have not had any contact with the developer or architect prior to this request for comments. I have passed this application onto the local Police licensing officer for his notification.

The crime trends in the location of the proposed development for the past year August 2016 - August 2017 are detailed in the table below. The figures are the number of crimes (count) and the crime rate to give an easy comparison between areas that have different population densities. The ward has a lower crime rate than the borough and London rates.

AREA	COUNT	RATE
London	800.757	2.15
Merton Borough	13,390	1.52
Village Ward	598	1.39

(Figures obtained from www.met.police.uk/stats-and-data/crime-data-dashboard/ on 28th September 2017)

Having given due consideration to the details of the security and safety features, I have a few comments and recommendations.

- Having separate entrances for the Hotel and Bar is a good security measure.
- The ground floor area appears to promote an active frontage and the proposed landscaping to the outdoor seating area should enhance this by providing a vision channel to ensure there is a clear view to and from the building.
- The landscaping would provide a barrier to show clear demarcation of external seating areas and also stop potential offenders being able to ride or walk past and easily access customer's bags or belongings.
- The design of the canopy and any single storey roofs should eliminate any chance of climbing.
- The hotels' access control should be a secure system with encrypted technology integrated for the entire building providing an audit trail of data. The management of guest cards, and staff cards, and use of back of house doors should be on a single system with real time monitoring. The cards should be programmed to control and manage guests and staff movement throughout the building as the card should be customized to suit each individual's need. The system should be suitable for use with any kind of door including lifts, and emergency exits. Pub clientele should not be able to access the hotel floors.
- The CCTV system should be extended throughout the hotel.
- Any fire escapes should be CCTV monitored and alarmed to activate if misused or abused.
- There should be a comprehensive management plan including training in conflict management, and partnership with local agencies and businesses to address crime reduction at the venue and in the local area.

The appropriate Secured by Design (SBD) requirements can be found in the design guides on the SBD web site (www.SecuredbyDesign.com)

If the architects would like to discuss the drawings in relation to Secured by Design, please pass on my contact details.

We strongly advise that independent third party certification is obtained from a manufacturer to ensure the fire performance of any of their doorsets in relation to the required needs and to ensure compliance with both current Building Regulations and the advice issued by the Department for Communities and Local Government on 22nd June 2017 following the Grenfell Tower Fire.

5.4 Environmental Health Officer:

Should you be minded to approve the application then I would recommend the following planning conditions:-

- 1) Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from the new mechanical plant shall not exceed LA90-10dB at the boundary with the closest residential property.

Reason: To protect the amenities of the occupiers in the local vicinity.

The noise consultant has made some slight amendments to the acoustic report, which only clarify a time period and measurement weighting in section 4.2.

5.5 Transport Planning:

The existing site comprises a public house, restaurant and 17 guest bedrooms. The site does not provide any private off-street car parking.

The development proposals are for the creation of 12 additional bedrooms along with internal alterations to provide function / dining space. The function rooms would be contained to the west of the existing public house, replacing the existing Chinese restaurant. Under the proposals the site would remain car-free and the delivery and servicing arrangements would remain unchanged.

The site lies within an area of PTAL 2, however within a minute walk the PTAL figure raises to 5 which indicates an excellent level of accessibility to public transport.

Therefore it is acceptable for the site to remain car-free and the delivery and servicing arrangements to remain as existing.

Cycle Parking

Under the proposals 6 stacked cycle racks would be provided for staff use, located under cover and accessible via the service entrance. A further 3 cycle stands (each capable of accommodating 2 bicycles) would be provided at the site's northern frontage (externally) for customer use. The site would therefore have capacity to securely store 12 bicycles.

The cycle provision as proposed is satisfactory.

Overnight Parking Surveys

Overnight parking surveys recorded indicate parking stress level as being 44% on two nights and confirm there is sufficient capacity available to cater for the small increase in overnight demand.

Delivery and Servicing

Deliveries to the site are currently accommodated to the west of the site, with vehicles unloading from the side road off Wimbledon High Street. Under the proposals deliveries would continue to be managed as existing.

Double yellow lines with kerbside loading restrictions are in place on High Street Wimbledon in the vicinity of the site. To the east and west of the site single kerb-side markings stipulate 'no loading Monday-Saturday 7am to 10am and 4pm to 7pm.

The modest increase in bedrooms is not anticipated to generate additional delivery vehicle movements.

Trip Generation

The Transport Statement determines the number of additional trips that would arise as a result of the additional bedrooms and I would concur with its conclusions that the increase will be insignificant.

Travel Plan

The application includes a draft travel plan and this is broadly welcomed. The details of the travel plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section 106 process.

Recommendation: The proposal is unlikely to have a significant impact on the surrounding highway network.

Raise no objection subject to:

- Providing cycle store (secure & undercover)
- Construction Logistic Plan (including a Construction Management Plan compliant with Chapter 8 of the Road Signs Manual for temporary Works) sent LPA before commencement of work is required.
- Travel Plan secured via Sec.106 agreement.

5.6 Highways:

Highways comments are

H9, H12, INF9 and INF12

5.7 Sustainability:

I am satisfied that the scheme is policy compliant and the amended plans that meet the 35% target are acceptable.

CONDITION:

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

INFORMATIVE:

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

- Detailed documentary evidence confirming the Target Emission Rate (TER), Building Emission Rate (BER) and percentage improvement of BER over TER based on 'As Built' BRUKL model outputs; **AND**
- A copy of the Building Regulations Output Document from the approved software. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction.

REASON:

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

5.8 Historic England - Archaeology:

Having considered the proposals with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest.

No further assessment or conditions are therefore necessary.

5.9 Drainage:

I have reviewed the application and submitted Flood Risk Assessment produced by Alan Baxter Associates (dated July 2017 ref: 1773/90/DB).

The Flood Risk Assessment states that green roofs, planted containers and water butts will be incorporated into the proposed scheme to reduce the surface water discharge rate from the site. An area of permeable

paving may also be introduced in the rear courtyard if ground conditions are suitable, although no ground investigation has been undertaken at this stage.

Calculations indicate that the proposed arrangement will reduce the surface water runoff from the site by between around 8% compared to the existing site conditions. While this is seen as an overall benefit, the London Plan Policy 5.13 and supporting Design and Construction SPG requires that developments reduce runoff by at least 50%. The calculations do not currently measure the benefits of the additional measures.

Planters could be connected to downpipes and guttering from roof drainage and provide additional benefits. We would seek that the drainage design also incorporates the permeable paving option, this can be lined or unlined (subject to ground conditions) but the storage in the sub-base should further reduce the runoff rates in accordance with the London Plan requirements. Detail of the green roof system should also be provided and we would recommend that the drainage medium is maximised, to increase attenuation potential. Sedum mat roofs do not offer a significant benefit in terms of runoff reduction.

6. **POLICY CONTEXT**

6.1 The following policies are relevant to this proposal:

Sites and Policies Plan and Policies Map (July 2014)

DM R1	Location and scale of development in Merton's town centre and neighbourhood parades
DM R5	Food and drink/leisure and entertainment uses
DM R6	Culture, arts and tourism development
DM C1	Community facilities
DM D1	Urban design and the public realm
DM D2	Design considerations in all developments
DM D3	Alterations and extensions to existing buildings
DM D4	Managing heritage assets
DM F2	Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
DM T1	Support for sustainable transport and active travel
DM T2	Transport impacts of development
DM T3	Car parking and servicing standards
DM T5	Access to the Road Network

LDF Core Planning Strategy (July 2011)

CS7	Centres
CS11	Infrastructure

CS12	Economic Development
CS13	Open space, nature conservation, leisure and culture.
CS14	Design
CS15	Climate Change
CS18	Active Transport
CS19	Public Transport
CS20	Parking, Servicing and Delivery

London Plan (2016):

3.16	Protection and enhancement of social infrastructure
4.1	Developing London's economy
4.5	London's visitor infrastructure
4.7	Retail and town centre development
5.1	Climate change mitigation
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.7	Renewable energy
5.13	Sustainable drainage
6.3	Assessing effects of development on transport capacity
6.9	Cycling
6.10	Walking
6.13	Parking
7.2	An inclusive environment
7.3	Designing out crime
7.4	Local character
7.5	Public realm
7.6	Architecture
7.8	Heritage assets and archaeology

Other guidance:

National Planning Policy Framework (2012)
National Planning Policy Guidance (2014)
Noise Policy Statement for England - DEFRA 2010
The Wimbledon Village Design Guide

7. PLANNING CONSIDERATIONS

7.1 Principle of the Proposed Development

7.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

7.1.2 The site is a brownfield site within a defined local centre and as such the principle of extending the hotel and pub in this location is acceptable in land use terms, subject to the policies of the Development Plan and in particular, the impact on the Conservation Area and residential amenity.

7.2 Town Centre Issues

7.2.1 The site is within a Local Centre, as set out in Policy DM R1. This policy seeks to protect the viability and character of Merton's town centres and neighbourhood parades whilst ensuring that there are a wide range of town centre type uses to meet the everyday needs of Merton's residents. In general, the Council will support new development in Merton's local centres commensurate with their scale and function, providing it respects or improves the character and local environment of the area.

7.2.2 Policy CS7 of the Core Planning Strategy 2011 advises that a mix of appropriate uses will be encouraged to locate in the centres, including shopping, restaurants, leisure, recreation, entertainment, cultural, community, offices and other uses which contribute to the vitality and viability of centres, in accordance with the sub-area policies set out in the Core Strategy. The policy also advises that the Council will protect and support the development of suitable tourist attractions, accommodation and facilities in accessible locations where they are not detrimental to the character and amenity of the area.

7.2.3 Policy CS13 seeks to safeguard existing leisure and culture facilities and support proposals for new and improved facilities.

7.2.4 The expansion of the pub and hotel would be suitable in this local centre location. The increase in scale would be commensurate with the scale and function of Wimbledon Village.

7.2.5 The proposal would involve the loss of the existing restaurant on site. However, this would be replaced by the restaurant dining area of the pub and therefore there is no objection to the loss of the existing restaurant.

7.2.6 The proposal is therefore considered to be acceptable in principle.

7.3 Impact on the character and appearance of the Wimbledon Village Conservation Area and Locally Listed Building

7.3.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of

- amenity for all existing and future occupants of land and buildings. The regional planning policy advice in relation to design is found in the London Plan (2015), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.3.2 Policies DMD2 and DMD3 seek to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports these SPP Policies.
- 7.3.3 Policy DMD4 seeks to ensure that development within Conservation Areas respects or enhances the character and appearance of the Conservation Area and that heritage assets are properly protected.
- 7.3.4 The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. The following considerations should be taken into account when determining planning applications.
- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation; The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
 - The desirability of new development in making a positive contribution to local character and distinctiveness;
 - Opportunities to draw on the contribution made by the historic environment to the character of a place.
- 7.3.5 According to Paragraph 129, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.
- 7.3.6 Sites and policies plan policy DM.D4 requires that:
- b) All development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, how the proposal conserves and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting.

7.3.7 The site is within the Wimbledon Village Conservation Area and is locally listed. The Wimbledon Village Design Guide describes the Dog & Fox as follows:

“The Dog & Fox public house holds a prominent key location in the streetscape. Its corner oriel tower topped by a tented copper spire and finial provides a pivotal feature to counterbalance the belvedere opposite...

...Angled on the corner as the high street chicanes towards the Common, the Dog and Fox both closes the view from the Common, and with the bank and belvedere tower opposite, provides the major central feature and focal point of the High Street.

An excellent, well maintained, element in the streetscape and of strong architectural character the Dog and Fox is well worth its local listing.”

7.3.8 The single storey element comprising the restaurant is not so attractive and has a less positive impact on the streetscene.

7.3.9 The proposed extension to the flat roof element is well set back from the frontage of the building, minimising its impact in the streetscene and allowing the existing turret feature of the building to remain as the core element of built form on site. It is noted that the elevation drawings do not reflect the actual appearance of the proposed extension as it does not take into account perspective; from eye level, the extensions would appear much lower due to the setback from the front building line, as shown in the artist’s illustrations submitted.

7.3.10 The glazed link is considered to be a suitable approach to joining the extension to the existing built form and whilst there are some reservations over the visual weight of the addition, it is considered that the link would successfully integrate the new extension and not overly dominant.

7.3.11 From the rear, the visual impact is not considered to be materially worse than the existing, as the existing first floor element, above the Chinese restaurant, would be removed, thereby reducing the bulk and massing in close proximity to neighbouring properties. The additional built form would be set in from the rear boundary. Whilst there would be a change to the outlook of residents to the rear, the resultant visual impact is not considered to be harmful to the character of the area.

7.3.12 The louvred wall to the rear elevation is considered to blend into the proposed built form and would not appear as an overly intrusive element.

It is noted that the majority of potential views of this louvred wall would be obscured by other elements of the proposal.

- 7.3.13 There is some limited concern regarding the bulky appearance of the east facing flank elevation of the proposed two-storey rooftop extension but it is noted that views of this would not be visually prominent from public vantage points, as they would be obscured by the neighbouring building.
- 7.3.14 The three storey extension to the west side elevation would continue the style and form of the existing built form but with a lower ridge height, which would allow for a subordinate appearance, which would not detract from the existing building.
- 7.3.15 To the frontage of the site there would be a more unified appearance to the building with the removal of the Chinese restaurant, with external décor and pergolas removed as part of the proposals. The proposed scheme would ensure that the frontage boundary screening is consistent across the site frontage and the proposed Victorian style canopy would improve the appearance of the building from the street.
- 7.3.16 The proposed use of materials is considered to be acceptable and would complement the existing built form. However, samples of materials are required by condition to ensure an acceptable visual impact.
- 7.3.17 The proposed extensions are considered to be of a reasonable scale and proportionate design solution to increase the floor space of the hotel and pub.
- 7.3.18 Extensions to the rear and east side of the building would not have any significant impact on the setting of the nearest neighbouring Listed Building, known as No.70 High Street, to the north of the application site.
- 7.3.19 The proposed extensions are considered to enhance the character and appearance of the Wimbledon Village Conservation Area and would not result in harm to the historic character of the Locally Listed Building. The proposal is considered to comply with Policy CS14 of the Core Planning Strategy 2011 and Policies DMD2, DMD3 and DMD4 of the Sites and Policies Plan 2014.

7.4 Archaeological considerations

- 7.4.1 The site is within an Archaeological Priority Zone and the proposal involves ground disturbance. Historic England have considered the proposals from an archaeological viewpoint and raise no objection or

requirements and the proposal is considered to be acceptable in this regard.

7.5 Neighbouring Amenity

7.5.1 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.

7.5.2 *Bulk and massing*

7.5.3 The proposed two-storey extension on the existing flat roof would be separated from the rear boundary of the site, at its closest point, by 3.3m. To the rear of the flat roof area is an existing first floor extension, serving the Chinese restaurant, which stands directly adjacent to the rear site boundary, with a height between 5.5m (directly on the rear boundary) and 7.3m (higher section which is 5.3m from the boundary).

7.5.4 The originally proposed screening to the rear of the building has been removed as part of the amendments and therefore in terms of bulk and massing, the boundary arrangements would not be more harmful than the existing. In addition, it is noted that the first floor element above the existing Chinese restaurant, referred to above, would be removed, which would be a benefit to the outlook of neighbouring properties.

7.5.5 Whilst the proposed extensions would involve the addition of two storeys to the existing flat roof, the additions would be set back from the perimeter of the building, which minimises the impact on neighbouring amenity. Therefore, whilst there would be a change to outlook, it is not considered to be materially harmful to residential amenity.

7.5.6 The proposed three storey and single storey extensions to the west side elevation would stand adjacent to the Stables to the rear of the site. The part of the extensions that would be adjacent to the Stables would be single storey only and it is considered that this element of the proposals would not result in material harm to the amenities of the Stables due to the limited height. The two and three storey parts of this extension would be separated from the boundary with the Stables, and whilst there would be a change to the outlook from the Stables, it is concluded that the impact would not be materially harmful due to the separation distances involved.

7.5.7 The proposed extension to the west side elevation would stand opposite the flank wall of the adjacent office block (to the west of the

application site to the other side of the access road leading to Wimbledon Village Stables). There would be some marginal impact on light to the side facing windows of this office building. However a 45 degree line could still be taken from these windows, at first floor level and above, and would not be interrupted by the proposed extension. It is considered that the marginal reduction in light to these windows would not result in material harm to the amenities of the office block.

7.5.8 To the immediate east of the site is residential accommodation. However, the impact of the proposed extensions is considered to be no worse than the existing built form, as the height of the boundary wall would not be raised.

7.5.9 Overlooking

7.5.10 There is potential for the proposed rooftop extension to overlook properties to the rear on Homefield Road. The rooms have been designed to have a limited outlook with obscurely glazed windows facing towards the neighbouring properties and clear glazed windows which are angled away from neighbouring properties. Therefore, whilst there would be some minor increase in terms of a perception of overlooking, the window arrangements would not result in a material loss of privacy.

7.5.11 There would be some marginal overlooking to the side facing windows of the adjacent office block. However, this is not a residential use and this limited overlooking would not result in a material loss of privacy.

7.5.12 Impact on operation of the Stables throughout construction period

7.5.13 The site is adjacent to Wimbledon Village Stables, a well-established equestrian centre, which utilises the access road to the immediate west of the site. As horses use this access road to exit the Stables it is important that the construction process does not negatively impact on the operation of the Stables. A suitable access route must, therefore, be retained, with adequate measures put in place to reduce noise and visual disturbance to horses.

7.5.14 The applicant has submitted a Construction Management Plan (CMP) which seeks to minimise the impact on surrounding uses, including the stables. The CMP includes the following measures:

- A restriction on the hours of deliveries has been recommended to minimise conflict with horses and riders entering and leaving the stables.

- A Waste Management Plan is recommended to minimise waste and therefore vehicle movements.
- A noise survey is recommended to minimise the impact on neighbouring uses.
- Noisy activities, which may frighten horses, are not to be carried out when riders are mounting.
- The stable will be informed in advance of any particularly noisy works.
- Hand demolition would be utilised for much of the demolition work to minimise noise.
- Mains electricity would be used where possible to avoid use of generators.
- Measures to minimise air pollution are also proposed.
- The Principal Contractor will be registered to the Considerate Constructors Scheme.

7.5.15 Some degree of disturbance throughout the construction process is inevitable. However, it is considered that the submission has sought to minimise these impacts as far as reasonably possible. Subject to conditions relating to the measures put forward in the Construction Management Plan, it is considered that the impact of the construction phase on the Stables would be adequately controlled.

7.5.16 Noise impact

7.5.17 Noise pollution is identified in paragraph 109 of the NPPF as an environmental risk factor to both new and existing development. Paragraph 123 states that:

“Planning policies and decisions should aim to:

- *avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;*
- *mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;*
- *recognise that development will often create some noise and existing businesses wanting to develop in continuance of their business should not have unreasonable restrictions put on them because of changes in nearby land uses since they were established; and*
- *identify and protect areas of tranquillity which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason.”*

7.5.18 The proposal involves the addition of plant machinery. To the rooftop

area and also concealed behind the louvred wall. The Council's Environmental Health Officer has considered the proposals and raises no objection subject to a condition to limit noise output. Subject to this condition, it is considered that the new plant would not result in material harm to the amenities of neighbouring occupiers.

7.5.19 The applicant has submitted a Construction Management Plan which seeks to minimise noise throughout the construction phase and these measures will be controlled by condition in the event of an approval.

7.5.20 A number of representations have raised concern with noise levels from the additional guests. However, there is no indication that noise levels would be so high as to result in harm to amenity and it is considered that a reason for refusal could not be reasonably substantiated on this basis.

7.6 Air quality

7.6.1 The NPPF recognises reducing pollution as being one of its core planning principles. It further indicates that LPA's should focus on whether the development is an acceptable use of land, and the impact of the use.

7.6.2 London Plan Policy 7.14 provides strategic guidance specific to air quality. It seeks to minimise exposure to existing poor air quality and make provision to address local problems. This is reflected by local policy, whereby the Core Strategy identifies the strategy to reduce air pollution through Policies CS18-20. The entire borough has been declared as an Air Quality Management Area.

7.6.3 Whilst the construction process would have some impact on air quality, the operation of the development would not have a significant impact on air quality. Conditions are recommended to minimise the impact on air quality throughout the construction process in any event.

7.6.4 Subject to conditions, the impact on air quality is considered to be acceptable.

7.7 Access

7.7.1 London Plan policy 4.3 sets out that 10% of the proposed hotel rooms should be wheelchair accessible. This was not achieved in the conversion of staff accommodation to hotel rooms due to the potential impact on the locally listed building (13/P1943). However, this proposal involves elements of new build, including an internal lift.

7.7.2 The existing pub currently has a level access but the adjacent restaurant does not. The proposal would secure a level access across the entirety of the ground floor and all the proposed hotel rooms would be accessible.

7.7.3 Therefore, the scheme would improve accessibility to the building and meet the relevant London Plan requirements in this regard.

7.8 Flooding and Runoff

7.8.1 Policies DM F1 and DM F2 of Merton's Sites and Policies Plan and policy CS.16 of the Core Strategy seeks to ensure that development will not have an adverse impact on flooding and that there would be no adverse impacts on essential community infrastructure. The site is located within Flood Zone 1 and is not located within a critical drainage area.

7.8.2 The existing site is 100% impermeable. In the post development scenario, the site will remain 100% hardstanding. However, there will be some areas of sedum roof covering which would reduce run-off rates slightly.

7.8.3 The applicant has demonstrated that a 12% reduction in run-off is achievable, however, London Plan policies aim for a 50% reduction. Further information on this is awaited and will be addressed in the modifications sheet.

7.9 Parking/Highways

7.9.1 London Plan policy 6.3 requires that development proposals ensure that impacts on transport capacity and the transport network at both corridor and local level are fully assessed. Development should not adversely affect safety on the transport network. Similarly Core Strategy policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, on street parking or traffic management.

7.9.2 London Plan policies 6.9 and 6.10 seek to secure to ensure that developments provide integrated and accessible cycle facilities and high quality pedestrian environments while policy 6.13 sets out maximum parking standards. The policies provide an overarching framework for decision making.

7.9.3 Core Strategy Policy CS 18 promotes active means of transport and the gardens of the houses provide sufficient space for the storage of

- cycles without the need to clutter up the front of the development with further cycle stores.
- 7.9.4 The site lies on the boundary of PTAL 2 and PTAL 6a (the majority of the site is within 6a), which indicates an excellent level of accessibility to public transport. Therefore it is acceptable for the site to not provide customer parking.
- 7.9.5 Under the proposals 6 stacked cycle racks would be provided for staff use, located under cover and accessible via the service entrance. A further 3 cycle stands (each capable of accommodating 2 bicycles) would be provided at the site's northern frontage (externally) for customer use. The site would therefore have capacity to securely store 12 bicycles. The cycle provision as proposed is satisfactory.
- 7.9.6 Overnight parking surveys recorded indicate parking stress level as being 44% on two nights and confirm there is sufficient capacity available to cater for the small increase in overnight demand.
- 7.9.7 Deliveries to the site are currently accommodated to the west of the site, with vehicles unloading from the side road off Wimbledon High Street. Under the proposals deliveries would continue to be managed as existing.
- 7.9.8 Double yellow lines with kerbside loading restrictions are in place on High Street Wimbledon in the vicinity of the site. To the east and west of the site single kerb-side markings stipulate 'no loading Monday-Saturday 7am to 10am and 4pm to 7pm'.
- 7.9.9 The modest increase in bedrooms is not anticipated to generate additional delivery vehicle movements. It is noted that the ground floor space of the pub would be much larger than existing as it would take up the floor space of the Chinese restaurant. However, the restaurant has deliveries currently in addition to the pub and the amalgamation of the two uses would not result in a significant increase in deliveries. The submission identifies that the amalgamation would result in a reduction in deliveries by 8 per week.
- 7.9.10 The Transport Statement determines the number of additional trips that would arise as a result of the additional bedrooms and officers concur with its conclusions that the increase would be insignificant.
- 7.9.11 The application includes a draft travel plan and this is broadly welcomed. The details of the travel plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the

travel plan over five years, secured via the Section 106 process.

7.9.12 In conclusion, the proposal is unlikely to have a significant impact on the surrounding highway network and is considered to be acceptable in terms of highway impacts.

7.9.13 A number of conditions to secure cycle parking and a Construction Logistic Plan (including a Construction Management Plan) are recommended. The Travel Plan should be controlled by way of a s.106 legal agreement.

7.10 Sustainability

7.10.1 Policy 5.2 Minimising Carbon Dioxide Emissions of London Plan requires that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy. Merton's Core Planning Strategy Policy CS15 Climate Change (parts a-d) requires new developments to make effective use of resources and materials, minimise water use and CO2 emissions.

7.10.2 The application is accompanied by an Energy Statement which demonstrates that the development would achieve a BREEAM rating of not less than the standards equivalent to 'Very Good' and that the development has achieved not less than a 35% improvement in CO2 emissions reduction compared to Part L 2013 regulations. Therefore, subject to conditions, to secure the necessary measures, it is considered that the proposal is acceptable in terms of sustainability considerations.

7.11 Biodiversity

7.11.1 There is no indication that the existing site has a significant biodiversity value and as such no objection is raised on this basis.

7.12 Other matters

7.12.1 The majority of issues raised by objectors is addressed in the body of this report. However, in addition, the following response is provided:

- Whilst in this case it is considered that the proposal would be acceptable in terms of its visual impact and, as such, would not require further justification in this regard, it should be noted that the proposal does have public benefits in that it would contribute to the viability and vitality of the Town Centre.

- The roof terraces are located in a position whereby they would not result in a material loss of privacy to neighbouring residential properties. The use of the roof for maintenance purposes would be as per the existing arrangements and would not result in additional overlooking. In any event any use of the roof for maintenance would be of a transient nature.
- Issues of licensing would be considered under a separate process to the planning process.
- If further rooms are proposed in the future planning permission would be required and any application would be assessed on its merits.
- Any overlooking to the Stables would be limited and would not adversely affect the operation of the Stables.
- There is no requirement for a business to be failing in order to justify an enhancement of the services offered.
- Further details of the operation of the site are intended to be secured by way of condition (Construction Management Plan) in the event of an approval, which may, if appropriate, include screening to the rear elevation to minimise the impact on the Stables.

8.0 ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 The application site is less than 0.5 hectares and therefore does not require consideration under Schedule 2 development under the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

9.0 LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Levy

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project.
- 9.2 The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL. It is likely that the development will be liable for the Mayoral Community Infrastructure Levy.

London Borough of Merton Community Infrastructure Levy

- 9.3 After approval by the Council and independent examination by a Secretary of State appointed planning inspector, in addition to the Mayor of London Levy the Council's Community Infrastructure Levy commenced on the 1 April 2014. The liability for this levy arises upon

grant of planning permission with the charge becoming payable when construction work commences.

- 9.4 The Merton Community Infrastructure Levy will allow the Council to raise, and pool, contributions from developers to help fund local infrastructure that is necessary to support new development including transport, decentralised energy, healthcare, schools, leisure and public open spaces. The provision of financial contributions towards affordable housing and site specific obligations will continue to be sought through planning obligations a separate S106 legal agreement.
- 9.5 The London Borough of Merton Community Infrastructure Levy applies to buildings that provide new retail warehouses or superstores. This levy is calculated on the basis of £220 per square metre of new floor space.

10.0 Conclusion

- 10.1 The proposed expansion of the hotel use is acceptable in principle.
- 10.2 The proposed development would enhance an existing suitable town centre use, which has benefits for the local economy, tourism and visitor accommodation in the borough.
- 10.3 Officers conclude that the impact on the character and appearance of the Conservation Area and the setting of Listed Buildings would be acceptable, as set out in this report.
- 10.4 Impacts on neighbouring amenity have been sufficiently mitigated to the extent that the proposal would not be materially harmful. Disturbance throughout the construction phase would also be minimised as far as reasonably practicable.
- 10.5 The amalgamation of the restaurant and the pub and the additional rooms would not result in a significant increase in deliveries and as there would be just one operator there is a likelihood that deliveries would be consolidated. This impact on the local highway network is considered to be acceptable as set out in the report.
- 10.6 The proposal is considered to be acceptable subject to additional comments from the Council's Flood Engineer, planning conditions and a legal agreement to secure the implementation of a Travel Plan.

RECOMMENDATION

Grant Permission Subject to Section 106 legal agreement with the following

heads of terms:

- Travel Plan
- The developer agreeing to meet the Council's costs of preparing, drafting and monitoring the Section 106 Obligations.

Conditions

1. A1 Commencement of development (full application)
2. A7 Approved Plans
3. B1 External Materials to be Approved
4. B4 Details of Sites/Surface Treatment
5. C08 No Use of Flat Roof (Other than areas shown to be terraces and for maintenance)
6. D11 Construction Times
7. H07 Cycle Parking to be implemented
8. H12 Delivery and Servicing Plan to be Submitted
9. Non-standard condition
Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from the new mechanical plant shall not exceed LA90-10dB at the boundary with the closest residential property.

Reason: To protect the amenities of the occupiers in the local vicinity and to accord with Policy DM D2 of the Sites and Policies Plan 2014.

10. Non-standard condition
Prior to the commencement of the development hereby permitted, a Construction Logistics Plan, to include a Construction Management Plan compliant with Chapter 8 of the Road Signs Manual for temporary Works, 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: 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.

11. H09 Construction Vehicles
12. H12 Delivery and Servicing Plan to be Submitted
13. Non-standard condition
Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until a Post-Construction Review Certificate issued by the Building Research Establishment or other equivalent assessors confirming that the non-residential development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good', and evidence demonstrating that the development has achieved not less than a 35% improvement in CO2 emissions reduction compared to Part L 2013 regulations, has been submitted to and acknowledged in writing by the Local Planning Authority.

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

14. Non-standard condition
Notwithstanding the submitted Construction Management Plan, no development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - wheel washing facilities
 - measures to control the emission of noise during construction
 - measures to control the emission of dust and dirt during construction
 - a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To protect the amenities of future occupiers and those in the local vicinity, in accordance with Policy DM D2 of the Sites and Policies Plan 2014.

15. C3 Obscured glazing and non-opening.
16. Non-standard condition
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 and the method employed to attenuate flows to sewer or main river. 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;

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. C7 Refuse and Recycling (Implementation).
18. Non standard condition. Construction details of glazed link to be submitted.

Informatives

1. This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of

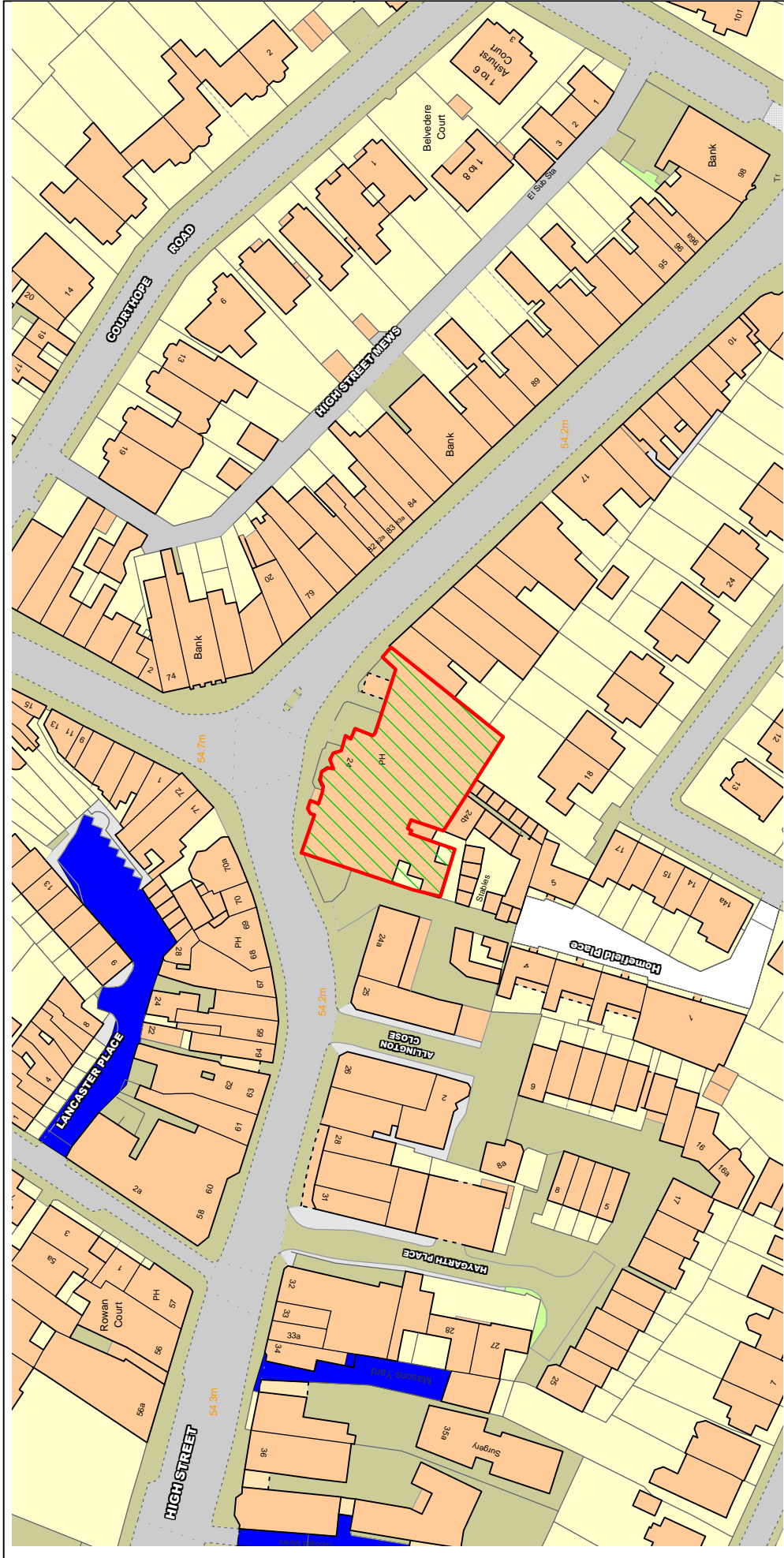
any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice.

2. The applicant is advised that independent third party certification should be obtained from a manufacturer to ensure the fire performance of any of their doorsets in relation to the required needs and to ensure compliance with both current Building Regulations and the advice issued by the Department for Communities and Local Government on 22nd June 2017 following the Grenfell Tower Fire.
3. INF9 Works on the Public Highway
4. INF12 Works affecting the Public Highway
5. Carbon emissions evidence requirements for Post Construction stage assessments must provide:
 - Detailed documentary evidence confirming the Target Emission Rate (TER), Building Emission Rate (BER) and percentage improvement of BER over TER based on 'As Built' BRUKL model outputs; **AND**
 - A copy of the Building Regulations Output Document from the approved software. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction.
6. **INFORMATIVE**
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).
7. **INFORMATIVE**
The Construction Method Statement to be submitted under Condition 14 should be informed by a qualified equestrian expert to ensure that the impact on the adjoining stables can be reasonably mitigated against.

[Click here](#) for full plans and documents related to this application.
Please note these web pages may be slow to load

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NORTHGATE SE GIS Print Template



Text Details **Dog & Fox PH**

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**PLANNING APPLICATIONS COMMITTEE
22 MARCH 2018**

APPLICATION NO. **DATE VALID**

17/P3923 17/11/2017

Address/Site: Standor House
284 London Road
Mitcham
CR4 3NB

Ward: Cricket Green

Proposal: Erection of an additional two floors resulting in a six storey building for the creation of 10 additional flats

Drawing No.'s: STAN-PR-1B, STAN-PR-2B, STAN-PR-3B, STAN-PR-4B, STAN-PR-5B, STAN-PR-6B, STAN-PR-9B and Site Location Plan.

Contact Officer: Jock Farrow (020 8545 3114)

RECOMMENDATION

Grant planning permission subject to the completion of a S106 agreement and conditions.

CHECKLIST INFORMATION

- S106: Contribution for carbon shortfall; cost to Council of all work in drafting S106 and monitoring the obligations.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (major application)
- Site notice: Yes (major application)
- Design Review Panel consulted: No
- Number of neighbours consulted: 161
- External consultations: 1
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Flood zone: No
- Town Centre: Yes – Mitcham
- Shopping frontage: Yes – primary

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises an existing 4 storey mixed use building, which steps down to 2 storeys to the rear. There is a carpark at basement level with 16 spaces. The building is located within Mitcham Town Centre, at the junction of two roads, being to the west of London Road and to the south of Raleigh Gardens. The building was constructed in the early 1960's and is characterised by a flat roof, an even façade and a regular, elongated form with a strong horizontal emphasis, having 50m of frontage along London Road and 18m of frontage along Raleigh Gardens. The façade of the building is aged and has a 'tired' appearance. The ground floor level comprises shops and the upper floors are flats and maisonettes. The site has a public transport accessibility level (PTAL) of 4 which is considered to be good (0 being the lowest and 6b being the highest).
- 2.2 The area around the site is relatively open. To the front, London Road consists of a wide pavement, 2 vehicle lanes and a bus lane; the highway is approximately 23m wide (distance between building facades). The northern end of the site is immediately adjacent to the junction of Raleigh Gardens and London Road. The rear of the site is characterised by parking lots.
- 2.3 The heart of Mitcham is located to the north and in close proximity to the application site. The area is characterised by a mix of development in terms of uses, architectural styles and building heights. The buildings are typically mixed use with shops at ground floor and residential above. The building attached immediately to the south of the site is 4 storey; the buildings opposite, to the east, are 3 storey in height with additional pitched roofs and front gables; the building to the north is 3 storey in height; the flats immediately to the west are predominantly 5 storey with a 6 storey element (with additional pitched roofs); there are rows of flats to the south along London Road which are 6 storey in height (with additional pitched roofs).

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the erection of two additional floors, resulting in a six storey building, for the creation of 10 new flats. The residential units would comprise: 4 x 1 bed, 5 x 2 bed and 1 x 3 bed. The scheme would be provided with two communal amenity areas in the form of roof terraces, one comprising 237sq.m and the other 74sq.m. The proposal would have a total floor area of 832sq.m.
- 3.2 The proposed fourth floor would match the length of the building and would incorporate a 0.75m setback from the front façade. The proposed fifth floor would be partial length, incorporating a 15m setback from the southern end of the building and a further 1m setback from the façade of the fourth floor. The front façade would comprise a combination of white and dark tiles to match the existing building, recessed balconies would comprise brushed metal and

obscure glass balustrades, windows would be white uPVC. The Raleigh Gardens elevation would comprise matching white and dark tiles and would involve a vertically orientated, projecting box window which would coincide with the elevator shaft. To the rear, the proposal would comprise matching brick, brushed steel metal and obscure glass balustrades to the walkways, white uPVC windows and timber doors.

- 3.3 The main access to the proposal would be from Raleigh Gardens and an elevator would be installed from first floor level, flats would be accessed from open walkway to the rear. The roof terraces would be located on the roof of the first floor to the rear and upon the roof of the proposed fourth floor. The scheme would have access to a basement parking lot with 16 parking spaces – the basement is not currently in use.
- 3.4 The proposed additional floors would have the following dimensions: 6.55m high (equating to a 19.35m high building), 49.2m long and 17.6m deep at fourth floor level and 33.85m long and 16.6m deep at fifth floor level.
- 3.5 Following the initial submission of the application, officer's raised concerns regarding how the proposed floors would integrate with the existing building and the resulting impact upon the streetscene. Revised drawings were subsequently submitted which proposed matching white and dark tiles for the cladding and which realigned the windows and balconies to provide a vertical and horizontal rhythm to the building.

4. RELEVANT PLANNING HISTORY

- 4.2 07/P3488: CONVERSION OF FIRST FLOOR AND PART OF SECOND AND THIRD FLOORS FROM OFFICES TO 16 NO. SELF-CONTAINED FLATS, A PART FOURTH FLOOR EXTENSION CONTAINING AN ADDITIONAL 2 FLATS. (10 X 2 AND 8 X 1 BEDROOM FLATS) – Planning permission granted on appeal.
- 4.3 14/P3746: PRIOR APPROVAL FOR THE CHANGE OF USE OF FIRST AND PART OF SECOND AND THIRD FLOORS FROM OFFICE SPACE (CLASS B1) TO RESIDENTIAL (CLASS C3) CREATING 16 x FLATS – Prior approval not required.

5. CONSULTATION

- 5.1 Public consultation was undertaken by way of site and press notices along with letters sent to 161 neighbouring properties.
- 5.2 6 letters of objection which are summarised as follows:
- Excessive height
 - Unfavourable precedent
 - Impact on traffic
 - Impact upon parking
 - Loss of light
 - Loss of privacy
 - Visual intrusion
 - Increased resident numbers

- Disturbance during construction
- Impact on refuse storage
- Fire safety
- No disabled access
- Address and delivery issues
- Loss of ventilation
- Concerns regarding structural integrity of building

5.3 The Mitcham Society: The application, along with other applications around Mitcham to raise building heights, would set a dangerous precedent leading to increased bulk, scale, height and over intensification. Such development would erode Mitcham's village character. Glebe Court cannot be used as justification for the increased building height, Glebe Court involves significant setbacks from the highway along with extensive landscaping. The proposed additional floors would adversely impact upon neighbouring amenity in terms of loss of light and views. The proposal would be contrary to relevant planning policy.

Internal:

5.4 Climate Change Officer: No objection. The submitted information does not show the emissions reductions at each level of the energy hierarchy nor has the correct baseline been applied. However, notwithstanding the above, the submitted energy statement indicates the scheme can achieve a 35% improvement in CO2 emissions on Part L of the building regulations 2013. Major residential developments are required to achieve a minimum on site reduction in CO2 emissions of 35% on Part L with a target of zero emissions, the shortfall from zero emissions is to be offset by a cash in lieu payment secured by a legal agreement. The scheme must also comply with relevant water efficiency standards.

5.5 Flood Risk Engineer: No objection. Recommend conditions be included which require details of a green roof and a drainage strategy by submitted for approval.

5.6 Environmental Health: No objection. Recommend conditions be included which require details and implementation of a noise attenuation scheme, restricted construction hours, details of a construction method statement and restrictions on external lighting.

5.7 Transport Officer: No objection. The parking provisions are considered to be acceptable. Recommend conditions be included which require the implementation of electric charging points, and details of a construction management plan, construction logistics plan, travel plan and cycle parking.

External:

5.8 Metropolitan Police – Safer by Design Officer: No objection. Recommended various standards be met to improve security and safety.

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;
- 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

Other NPPF sections 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
11. Conserving and enhancing the natural environment

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
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.10 Urban greening
- 5.11 Green roofs
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.15 Water use and supplies
- 5.17 Waste capacity
- 6.3 Assessing the effects of development on transport capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure

- 6.9 Cycling
 - 6.11 Smoothing traffic flow and easing congestion
 - 6.12 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
 - 7.14 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 2 Mitcham Sub-Area
 CS 8 Housing choice
 CS 9 Housing provision
 CS 11 Infrastructure
 CS 12 Economic development
 CS 13 Open space, leisure and nature conservation
 CS 14 Design
 CS 15 Climate change
 CS 17 Waste management
 CS 18 Transport
 CS 19 Public transport
 CS 20 Parking servicing and delivery
- 6.4 Merton Sites and Policies Plan – 2014 (SPP)
 Relevant policies include:
 DM H2 Housing mix
 DM O2 Nature conservation, Trees, hedges and landscape features
 DM D1 Urban Design
 DM D2 Design considerations
 DM EP2 Reducing and mitigating noise
 DM EP3 Allowable solutions
 DM EP4 Pollutants
 DM T2 Transport impacts of development
 DM T3 Car parking and servicing standards
 DM T4 Transport infrastructure
- 6.5 Supplementary planning considerations
 London Housing SPG 2016
 Technical Housing Standards 2015
 Sustainable Design and Construction SPG 2014

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Refuse provisions
- Sustainable design and construction
- Flooding and sustainable drainage
- Landscaping and impact on biodiversity
- Developer contributions

Principle of development

7.2 Policy 3.3 of the London Plan 2016 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities.

7.3 Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. Core Strategy policy CS2 seeks to improve Mitcham Town Centre by improving the quality and mix of homes.

7.4 The upper floors of the property are currently in residential use and as this application seeks to increase residential density the principle of development is considered to be acceptable, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

Design and impact upon the character and appearance of the area

7.5 The NPPF, London Plan policies 7.4 and 7.6, 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.

7.6 It is considered that there is additional scope for taller buildings within town centre locations; however, proposals must still relate well to, and respect their surroundings. The massing and height of the proposal is generally considered to be acceptable, being that a stepped approach to adding two additional floors (one full length and one partial length) is taken. The building currently adjoins a four storey building to the south; the stepped approach would create a transitional increase in height from four storeys to six storeys, focusing the massing toward the northern end. Given the relatively wide roads to the north and east of the site, it is considered that the location could reasonably accommodate a six storey building.

- 7.7 The proposed additional floors would be setback from the front façade of the building; the fourth floor would be setback by 0.75m while the top floor would be setback a further 1m. The setbacks to the additional floors would reduce the visual impact to the streetscene and would provide a layer of visual interest to the building.
- 7.8 The scheme proposes white and dark tile cladding which would match the existing building; in addition, it is proposed to clean the existing façade to improve the overall appearance of the building and to assist the assimilation of the new and existing cladding materials. It is considered that the use of alternating white and dark tiles effectively picks up on the horizontal rhythm of the building, while the alignment of the fenestration and balconies picks up on the vertical rhythm. The Rayleigh Gardens elevation would comprise a vertically orientated, projecting box window which would add interest to this elevation and accentuate a vertical emphasis.
- 7.9 The scheme is considered to pick up on important architectural cues from the existing building, continuing the horizontal and vertical rhythms present and comprising sympathetic materials. The overall height of the building is considered to be acceptable given the massing is focused to the northern end and as the additional floors would utilise sequential setbacks. As viewed holistically, the scheme is considered to be a sympathetic addition which would respect the appearance, materials, scale, bulk, proportions and character of the existing building along with the wider area.

Impact upon neighbouring amenity

- 7.10 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.
- 7.11 Given the proposed additional floors would fit within the existing building footprint and as the site is bordered by roads to the north and east, a carpark to the west and the roof of a building to the south, it is not considered the proposal would result in undue loss of daylight or sunlight, or visual intrusion to neighbouring properties.
- 7.12 The scheme is not considered to unduly impact upon the privacy of neighbouring properties. To the north and east, windows would overlook London Road and Rayleigh Gardens which are public space. To the west, windows would overlook the proposed roof terrace and carparks which are beyond. South facing windows (at the northern end of the building where the upper floors wrap around) would also overlook the proposed roof terrace, with a separation distance of approximately 40m to the nearest building. The roof terraces would utilise 1.8m high privacy screens to the south to screen any overlooking to Deseret House (adjoining building to the south).

- 7.13 Noise generated from the proposal is not considered to be significant given it is residential in nature. In addition, the roof terraces would be setback from the southern of the building to further mitigate noise pollution to neighbouring properties; the lower terrace would incorporate a setback of 5.3m while the upper terrace would have a 4m setback.
- 7.14 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.

Standard of accommodation

- 7.15 Policies 3.5 and 3.8 of the London Plan 2016 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) and the DCLG – Technical Housing Standards 2015. 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 No.	Unit Size/Type	Required Area (sq.m)	Proposed Area (sq.m)	Compliant
1	1b/1p	39	46	Yes
2	1b/2p	50	56	Yes
3	2b/3p	61	64	Yes
4	2b/3p	61	67	Yes
5	2b/3p	61	65	Yes
6	2b/3p	61	63	Yes
7	1b/1p	39	46	Yes
8	1b/2p	50	60	Yes
9	2b/3p	61	67	Yes
10	3b/4p	74	82	Yes

Where b = beds (no. of bedrooms), p = persons (maximum occupancy)

- 7.16 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. In addition, by virtue of the open walkways to the rear, all units are dual aspect which contributes to a higher standard of living.
- 7.17 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. In addition to the private amenity space

provided for each unit, the scheme would offer to communal roof terraces of approximately 237sq.m and 74sq.m. It is noted that the existing flats would be granted access to both of the communal terraces, as these units do not currently have any outdoor amenity space, this constitutes a substantial improvement to their living standards.

- 7.18 For new housing developments, all floors should be provided with step free access as per policy 3.8 of the London Plan. Unfortunately, the developer does not control the lease on ground floor or the freehold, thus the proposed elevator would start at first floor. Given the building does not currently have an elevator, this is considered to be an improvement to the building, albeit, given it starts at first floor it would not meet the requirements of being 'step free'. Alternative elevator positions, both inside and outside the building envelope, were considered in an attempt to provide step free access; however, these presented other issues in terms escape routes and access rights. As such, given the proposal is an extension to an existing building and as the developer does not have rights to develop the ground floor, a first floor elevator is considered to be acceptable in this instance.

Transport, highway network, parking and sustainable travel

- 7.19 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.
- 7.20 The proposal would not require changes to the existing highway network. To minimise the impact of the construction phase it is recommended to include conditions requiring a construction method statement and a construction logistics plan.
- 7.21 In terms of sustainable travel, the scheme has proposed that all vehicle parking spaces be provided with electric charging points, which exceeds the requirements of London Plan policy 6.13. The scheme would provide 27 secure cycle storage spaces which exceeds the requirements of London Plan policy 6.9 and table 6.3. In addition, it is recommended to include a condition which will require the submission and implementation of a travel plan.
- 7.22 The site has an existing basement carpark which is not currently in use. The proposal would reconfigure this carpark slightly, resulting in 16 vehicle parking spaces. While this figure far exceeds the number of proposed units, it is noted that this parking lot was also used in the justification for allowing prior approval application 14/P3746 for the creation of 16 flats – this scheme has been implemented. Given the above, it is relevant to make an assessment based on the proposed units along with the 16 units authorised under

14/P3746, which equates to a total of 26 units. 2011 Census car ownership data for the area suggests car ownership in the development would be 60% i.e. the number of cars associated with the building is estimated to be 16 (rounded up from 15.6). It is noted that this is a conservative estimate given the census data is largely based off dwellings with a higher occupancy (3 bed dwellings), thus the scheme which proposes predominantly 1 and 2 bed units, would likely generate less vehicles than Census data would suggest. Given 16 vehicle parking spaces would be available to the residents along with the aforementioned sustainable travel initiatives, and given the site has a good public transport links, having a PTAL of 4, it is considered that the parking provisions are acceptable and that the proposal would not unduly impact upon parking pressure in the area. It is recommended to include a condition which would require all 16 spaces to remain available to residents of the building in perpetuity.

Refuse provisions

- 7.23 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.
- 7.24 The refuse provisions have been designed in accordance with Council guidelines. The location of the refuse storage is considered to be appropriate and easily accessible by occupants and for collection. It is considered that the storage provisions are adequate for the development proposed.

Sustainable design and construction

- 7.25 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, albeit it is acknowledged that achieving zero carbon emissions is not practicable for the vast majority of buildings, it is therefore considered reasonable to achieve a 35% improvement to Part L of the Building Regulations 2013 onsite, while offsetting any remaining carbon shortfall via a cash in lieu payment.
- 7.26 The submitted energy statement indicates the scheme can achieve a 35% improvement in CO2 emissions on Part L of the Building Regulations 2013, on site. However, the applicant has failed to carry out the energy assessment for the development according to the Mayors Guidance. As such, it is recommended to include a condition that will require a minimum onsite improvement in CO2 emissions on Part L of the Building Regulations 2013 of 35% undertaken in accordance with the GLA's guidance on preparing energy strategies be submitted for approval prior to the commencement of development. The exact percentage improvement on Part L will be determined by the updated calculations and be used to determine the shortfall of the zero emissions target. A cash in lieu payment will be collected according to the methodology of the Mayor's Sustainable Design and Construction SPG which requires each tonne of CO2 to be offset at a cost of

£60 per year for a period of 30 years, this payment will be secured by way of a legal agreement.

Flooding and sustainable urban drainage

7.27 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.

7.28 The site is not considered to be at risk of flooding; however, runoff flows from the site would contribute to the wider network. It is therefore recommended to include a condition which requires details of drainage, attenuation and management to be submitted prior to the commencement of development. In addition, it is recommended to require further details of the proposed green roof by way of condition. It is noted that given the building is existing and the proposal would not increase the footprint of the building, any sustainable drainage system and green roof would constitute a significant improvement.

Landscaping and impact on biodiversity

7.29 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 and to discourage proposals that result in harm to the environment, particularly on sites of recognised nature conservation.

7.30 The scheme would include green roofs, planters with the roof terraces and "insect hotels", thus it would satisfy NPPF requirements of increasing the biodiversity value of the site.

Developer contributions

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

7.32 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.

7.33 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.

7.34 In this instance a cash in lieu payment for the shortfall of zero carbon emissions is considered necessary to be secured via a S106 legal agreement.

7.35 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.

7.36 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 proposal is considered to be acceptable in principle, increasing residential density within a town centre location on an already developed site. The proposal, as amended, is considered to be well designed, appropriately responding to the architectural cues of the existing building along with its surroundings.

8.2 Given the positioning and scale of the proposal it is not considered to unduly impact upon neighboring amenity. The proposal would offer high living standards for prospective occupants. The proposal would not unduly impact upon the highway network or on-street parking provisions and the scheme would promote sustainable travel directives. The proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate levels of sustainability.

8.3 The proposal would accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations which would warrant a refusal of the application. The application is therefore recommended for approval subject to appropriate conditions and s106 agreement.

RECOMMENDATION

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

S106 legal agreement:

1. Financial contribution to offset the carbon shortfall of the development. The shortfall shall be determined via a further energy statement/strategy (required by planning condition to this permission) with the shortfall to be agreed by Council; the contribution shall be calculated using the Mayor's Sustainable Design and Construction SPG 2014 i.e. tonnes of CO₂ (shortfall) x £60 x 30 (years);
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:

1. Standard condition [Commencement of development]: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. Standard condition [Approved plans]: The development hereby permitted shall be carried out in accordance with the following approved plans: [Refer to the schedule on page 1 of this report].

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

3. Amended standard condition [Materials]: The facing materials to be used for the development hereby permitted shall be those specified on the approved plans unless otherwise agreed in writing by the Local Planning Authority.

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. Non-standard condition [Parking]: The development hereby permitted shall not be occupied until the vehicle parking provisions, including the electric charging points, shown on the approved plan STAN-PR-2B has been provided and made available for use. These facilities shall be retained in perpetuity for the occupants of, and visitors to, the residential units within the building know as No. 284 London Road.

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

5. 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 Polices Plan 2014.

6. 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: It is necessary for the condition to be discharged prior to the commencement of development ensure vehicle and pedestrian safety and to protect 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.

7. 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 development hereby permitted is commenced and shall be so maintained for the duration of the construction period, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

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

8. Amended standard condition [Travel Plan]: Prior to the occupation of the development hereby permitted, a travel plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TfL and shall include:
- (i) Targets for sustainable travel arrangements;
 - (ii) Effective measures for the on-going monitoring of the Plan;
 - (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;
 - (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

The development shall be occupied only on accordance with the approved Travel Plans.

Reason: To promote sustainable travel measures and comply with the following Development Plan policies for Merton: policy 6.3 of the London Plan 2015, policies CS18, CS19 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

9. Standard condition [External lighting]: Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

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.

10. Standard condition [Refuse]: The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plan STAN-PR-2B have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

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.

11. Non-standard condition [Sustainability details]: No part of the development hereby approved shall commence until evidence has been submitted to and approved in writing by the Local Planning Authority confirming that the development will achieve a CO2 reduction of not less than a 35% improvement on Part L Regulations 2013, and internal water usage rates of no greater than 105 litres per person per day.

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

12. Non-standard condition [Sustainability verification]: No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 35% improvement on Part L regulations 2013 and wholesome water consumption rates of no greater than 105 litres per person per day.

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

13. Amended standard condition [Screening]: The screening to the roof terraces as shown on the approved plans STAN-PR-3B and STAN-PR-6B shall be implemented before the development is first occupied and retained permanently 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. Amended standard condition [Use of flat roof]: Access to the flat roof of the development hereby permitted, outside of those areas specifically identified as being communal roof terraces, shall be for maintenance or emergency

purposes only, and these areas shall not be used as a roof garden, terrace, patio or similar amenity area.

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.

15. Amended Standard condition [Cycle storage]: The development hereby permitted shall not be occupied until the cycle parking shown on the plan STAN-PR-2B has been provided and made available for use. These facilities shall be retained for the occupants of and visitors to the development at all times.

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

16. Non-standard condition [Details of drainage]: Prior to the commencement of the development hereby permitted (other than site clearance, preparation and demolition), a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS), the scheme shall:

- i. Provide details of the design storm period and intensity, attenuation and control the rate of water discharge from site;
- ii. Include a timetable for its implementation;
- iii. Provide a management and maintenance plan for the lifetime of the development, including arrangements for adoption to ensure the schemes' operation throughout its lifetime.

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

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

17. Non-standard condition [Details of green roof]: Before development commences, the detailed design, specification and planting scheme for a green roof shall be submitted to and approved in writing by the Local Planning Authority. The design and planting shall be carried out as approved, retained and maintained in perpetuity thereafter.

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.

Informatives:

a) 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 LBM officers have provided feedback and allowed for additional time and amendments to improve the scheme. In addition, the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.

b) 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).

c) Carbon emissions evidence requirements for Post Construction stage assessments must provide:

- Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); **OR**, where applicable:
- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; **AND**
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

d) Water efficiency evidence requirements for Post Construction Stage assessments must provide:

- Detailed documentary evidence representing the dwellings 'As Built'; showing:
 - the location, details and type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment); and
 - the location, size and details of any rainwater and grey-water collection systems provided for use in the dwelling; along with one of the following:
- Water Efficiency Calculator for New Dwellings; **or**

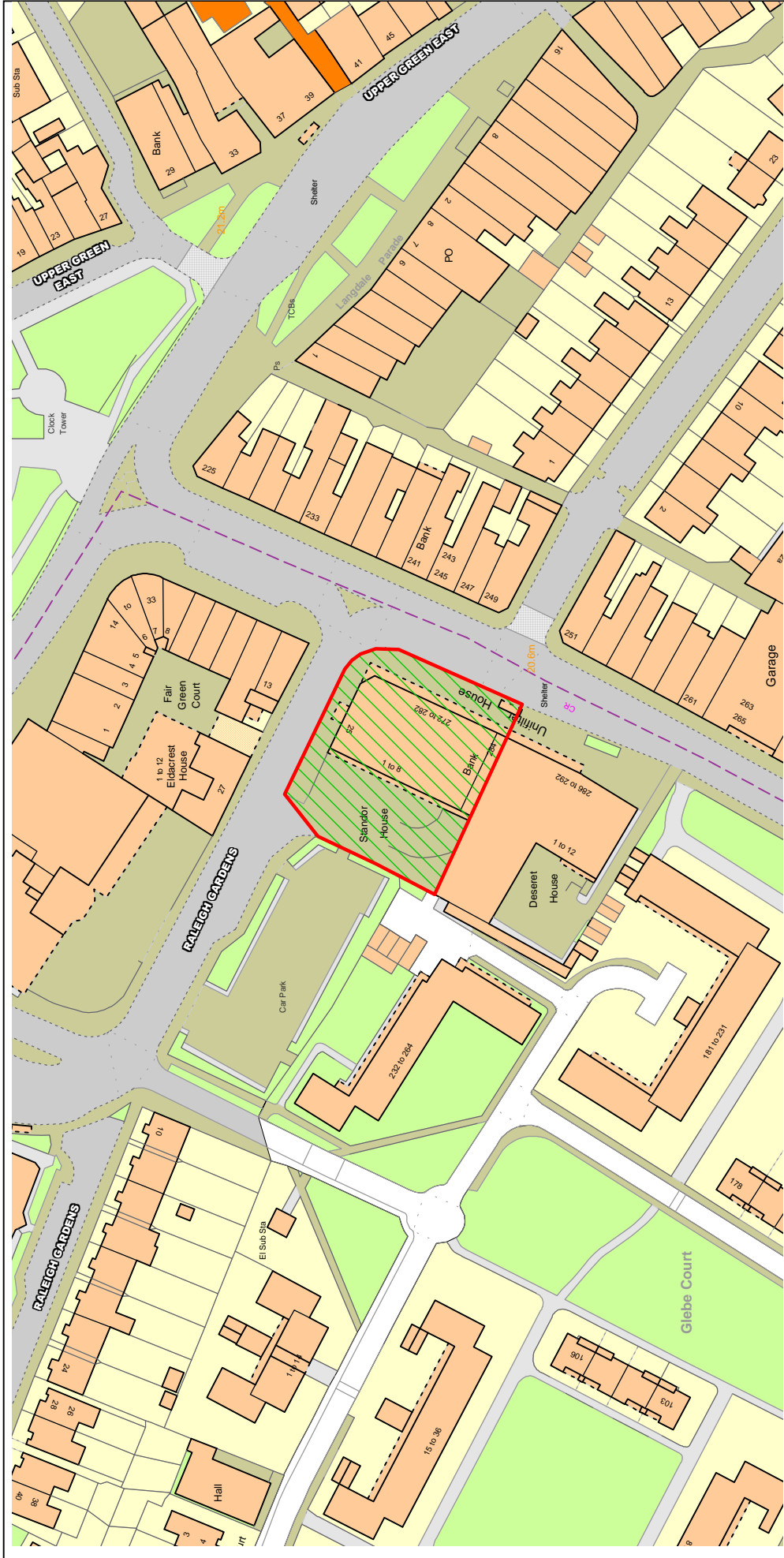
- Written confirmation from the developer that the appliances/fittings have been installed, as specified in the design stage detailed documentary evidence; **or**
 - Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'
-

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**PLANNING APPLICATIONS COMMITTEE
22 MARCH 2018**

APPLICATION NO.
17/P3551

DATE VALID
18/09/2017

Address/Site Phoenix Hotel, 123-125 Merton Road, Wimbledon SW19 1ED

Ward Abbey

Proposal: Application for outline planning permission for the demolition of the existing hotel and the erection of a five storey building comprising 21 flats (11 x 1 bedroom and 10 x two bedroom) and 1 x two bedroom and 1 x three bedroom detached houses and associated access and parking (Access, site layout and scale of development to be considered, with appearance and landscaping reserved matters).

Drawing Nos 1602-014-D, 1602-016-G, 1602-17-G, 1602-018-G, 1602-019-F, 1602-020-F, 1602-021-E, 1601-022-C, 1602-029-F, 1602-030-F, 1602-033, 1602-034-F, 1602-055-J and Planning Statement, Design and Access Statement, Daylight and Sunlight Report and Transport Statement

Contact Officer: Richard Allen (8545 3621)

RECOMMENDATION

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

CHECKLIST INFORMATION

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental Impact Statement required: No
- Press Notice: Yes
- Site notice: Yes
- Design Review Panel consulted: Yes
- Number of neighbours consulted: 40
- External consultants: Yes
- Density: 670 hrph
- Archaeology: No

1. **INTRODUCTION**

- 1.1 The application is being brought before the Planning Applications Committee due to the scale of the proposed development.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises the Phoenix Hotel a four storey building situated on the west side of Merton Road. The existing hotel has car parking and servicing at the rear accessed from Griffiths Road. To the north of the site are flats within a three storey building at 123-125 Merton Road (although planning permission has been granted for an additional floor of accommodation at 123-125). To the south of the site is Wesley Court, a three storey development of town houses and flats accessed from Griffiths Road. On the corner of Merton Road and Griffiths Road is Wimbledon Methodist Church, a modern building that abuts the back of the footway with part of the flank elevation abutting the application site. To the west of the site is the rear of the William Morris Hall and three storey housing in Griffiths Road. The application site is not within a conservation area. The site is however within a Controlled Parking Zone (Zone 4F) and the site has a PTAL rating of 6a.
- 2.2 The current site was in residential use until the 1980's when purchased by the current owners. There were three houses on the site at 123 and 125 Merton Road and 1 A Griffiths Road. 1A Griffiths Road was purchased to provide access to the rear of the site. The existing gross internal floor area of the hotel is 884m².

3. **CURRENT PROPOSAL**

- 3.1 The current application seeks outline planning permission for the redevelopment of the site by the erection of a five storey building comprising 21 flats (11 x 1 bedroom and 10 x two bedroom) and 1 x two bedroom and 1 x three bedroom detached houses and associated access and parking (Access, site layout and scale of development to be considered, with appearance and landscaping reserved matters).
- 3.2 The main building would comprise a five storey building fronting Merton Road between Wimbledon Methodist Church and the residential flats at 121 Merton Road. The proposed building would be 0.9 metres taller than the existing ridge height of the hotel, but lower than the existing water tower. The building would extend rearwards into the site with the rear elevation of the proposed building aligning with the rear elevation of Wesley Court, a development of town houses at the rear of the Methodist Church. In the north west corner of the site a detached two storey dwelling house would be provided whilst on the Griffiths Road frontage a further detached house would be provided with access onto Griffiths Road.
- 3.3 Internally, the main block (Building A) would provide 21 flats comprising 11 x one bedroom and 10 x two bedroom units. Building 'B' would be a 2 bedroom dwelling house and building 'C' a 3 bedroom dwelling house. A servicing

access for building 'A' would be provided from Merton Road with secure cycle storage and refuse and recycling facilities provided alongside the servicing access. A single parking space would be provided for house 'C' on the Griffiths Road frontage with the flat units and house 'B' being designated 'permit free'.

4. **PLANNING HISTORY**

- 4.1 In July 1980 planning permission was granted for the change of use of 123-125 Merton Road to a hostel involving internal alterations (Ref.MER1043/79). A number of further applications have been submitted for minor works to the existing hotel.

5. **CONSULTATION**

- 5.1 Major site and press notice procedure and letters of notification were sent to occupiers of neighbouring properties. In response 13 letters of objection have been received. The grounds of objection are set out below:-

- The proposed development is too tall.
- The plans lack detail.
- The development would result in the loss of privacy to the garden of 9 Griffiths Road and would also block off light.
- The application should be refused on grounds of bulk, height and massing.
- The proposal would obstruct windows in 121 Merton Road.
- The occupier of flat 2, 1B Griffiths Road is pleased to note that building 'C' is now single storey rather than two storey which would have compromised a first floor window. However, there are still concerns regarding the roof of building 'C' as the parapet could impede on the window.
- The 3.8 metre height of building 'C' would be only 1 metre away from 1 Wesley Court and this would affect light to the property.
- There is insufficient parking for the development which will adversely affect parking in the surrounding area.

5.2 **The Wimbledon Society**

Although the developers proposal includes 9 affordable units are welcome and should be included in the final design, the Wimbledon Society consider that the internal light well that serves to give light to bedrooms is small, narrow and deep. The standard of light one will have in apartments 2 and 3 is questionable. Building 'C' will have an adverse effect on the adjoining house in Griffiths Road and the proposed 1.8 metre high wall proposed in front of building 'C' would be a visual barrier in the street scene. The outline application refers to nearby listed buildings and consequently when detailed design is submitted it should acknowledge and positively embrace the historical architecture of the nearby listed church of St. Winifred's.

6. **POLICY CONTEXT**

- 6.1 The relevant policies within the Adopted Merton Core Strategy (July 2011) are

CS6 (Wimbledon Town Centre), CS7 (Centres), CS12 (Economic Development), CS14 (Design), CS15 (Climate Change) and CS20 (Parking, Servicing and Delivery).

- 6.2 The retained policies within the Adopted Merton Sites and Policies Plan (July 2014) are DM H2 (Housing Mix), DM H3 (Support for Affordable Housing), DM R6 (Culture, Arts and Tourism), DM D1 (Urban Design and the Public Realm), DM D2 (Design Considerations in all Developments), DM F2 (Sustainable Urban Drainage Systems (SUDS)), DM T1 (Sustainable Transport and Active Travel), DM T3 (Car Parking and Servicing Standards).
- 6.3 The Policies contained within the London Plan (March 2015) 4.5 (London's Visitor Infrastructure), 5.1 (Climate Change Mitigation), 5.3 (Sustainable Design and Construction), 7.5 (Public Realm) and 7.6 (Architecture).

7. **PLANNING CONSIDERATIONS**

- 7.1 The principal planning considerations concern employment issues, housing provision together with design, neighbour amenity, transport/parking, developer contributions and sustainability issues.
- 7.2 Loss of Employment Land
The London Plan seeks to ensure that development does not result in the loss of important hotel capacity (i.e. 15,000m² outside central London). However the existing hotel has 31 bedrooms and a floor area of approximately 884m². Therefore the loss of this small hotel would not have any material effect on this strategic planning objective. A 176 bedroom hotel is also currently under construction at 153-161 The Broadway (LBM Ref.16/P1149) and permission has also been granted for a 150 bedroom hotel at 12 Hartfield Road (LBM Ref.16/P1374).
- 7.3 Housing Provision
Policy DM H2 (Housing Mix) of the Adopted Sites and Policies Plan requires new development to provide an appropriate mix of housing sizes and types based on the needs of the local area. The proposal would provide 21 flats (11 x one bedroom and 10 x two bedroom) together with 1 x 2 bedroom and 1 x 3 bedroom houses. The London Plan includes a density matrix based on the location and accessibility to public transport (PTAL). For a site in an urban location with a PTAL of 6a it suggests that up to 700 habitable rooms per hectare would be appropriate. The proposed development would have a density of 670 habitable rooms per hectare which is with guidance contained within the London Plan and the proposal would deliver a total of 23 new homes in a central location. The proposal therefore accords with aims of policy DM H2. Policy 3.3 of the London Plan 2016 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

7.4 Design Issues

The proposed main building fronting Merton Road (Building A) would be of similar height to the existing hotel, with the top floor set back on all boundaries. The proposed building would be marginally taller than the ridge height of the existing hotel (0.9 metres). However, the proposed building would be lower than the hotel water tower. It should also be noted that the adjacent building, 121 Merton Road has planning permission for the erection of an additional level of accommodation and formation of a mansard roof to provide 3 additional residential units (LBM Ref.17/P0539). The resulting building at 121 Merton Road would therefore be of similar height to the proposed building at 123-125 Merton Road. The top floor of building 'A' would be set back and would therefore be less noticeable from street level. The rear of building 'A' would be located on the area currently occupied by the hotel bar/café terrace and the proposed building would align with the residential development at Wesley Court, with the top floor of the rear elevation of the proposed building also set back to reduce its massing and visual impact. In any event this is an outline application so details would be secured through the reserved matter applications process.

- 7.4 Building 'B' would be a 'Mews style' building two storeys in height with the upper floor contained within a mansard style roof set back by 3 metres from the garden of 1 Griffiths Road. The building would have a mansard style roof. Building 'C' would be single storey building due to the existing windows within Wesley Court that overlook the hotel access road. Although the proposed house would extend beyond the rear building line of 1 Griffiths Road, the building would only be single storey with a garden behind. The proposed building would also have an inner courtyard to provide light to bedrooms.

7.5 Standard of Residential Accommodation

The proposal involves the provision of a new building providing 21 flats. 11 x one bedroom and 10 x two bedroom units and two detached dwelling houses (1 x two bedroom and one three bedroom units). The indicative plans show all the flat units exceeding the minimum gross internal floor area standards as set out in the London Plan. However, the gross internal floor area of house 'C' at 91 m² is slightly below the London Plan minimum standard of 96 m². The schedule of accommodation is set out below:-

Flats Building 'A'	Number Bedrooms	Number Persons	Gross Internal Floor Area	London Plan Requirement
1	1	2	52.6 m2	50 m2
2	2	3	77m2	61 m2
3	2	3	77.1m2	61 m2
4	2	3	77 m2	61 m2
5	2	3	77.1m2	61 m2
6	1	2	61.7 m2	50 m2
7	1	2	55.1 m2	50 m2
8	1	2	52.6	50 m2
9	2	3	77 m2	61 m2
10	2	3	77.1 m2	61 m2
11	1	2	61.7 m2	50 m2
12	1	2	55.1 m2	50 m2
13	1	2	52.6 m2	50 m2
14	2	3	77.1 m2	61 m2
15	1	2	61.7 m2	50 m2
16	1	2	55.1 m2	50 m2
17	1	2	52.6 m2	50 m2
18	2	3	77 m2	61 m2
19	2	3	73.5 m2	61 m2
20	2	3	89.4 m2	61 m2
21	1	2	49.7 m2	50 m2

House	Bedrooms	Persons	GIFA	London Plan
'B'	2	3	89 m2	83 m2
'C'	3	5	91 m2	96 m2

The slight shortfall in the floor space of house 'C' is not considered to be of such detriment to warrant refusal of the application.

7.6 Neighbour Amenity Issues

The concerns of neighbouring residents are noted. However, the application is submitted in outline, albeit that an indicative layout of the proposed residential units have been submitted, to demonstrate that an acceptable arrangement of flats and houses can be accommodated within the site. At the Reserved Matters stage further consideration can be given when final window/balcony positions are known. In terms of potential overlooking, building 'C' is single storey with a flat roof and would have a maximum height of 3.182 metres. Windows within house 'C' would face front and rear and onto an internal courtyard. Therefore no overlooking issues are envisaged. Building 'B' has an east west aspect and does not directly overlook neighbouring properties or gardens (apart from oblique views). The main building (A) would have windows within the rear (west) elevation and would have views across the rear parts of gardens of properties in Griffiths Road. However, this would be similar to the existing situation with the windows in the adjacent Wesley Court development and the first floor windows in the hotel. In terms of daylight and

sunlight the applicant has supplies a Daylight/Sunlight Assessment produced by MES Building Solutions which assesses the impact of the development upon surrounding properties. The report demonstrates that the proposed development would have a low impact upon neighbouring properties in line with BRE guidelines. The proposed development would also remove vehicle movements to and from the hotel along the access road from Griffiths Road. The removal of the access road and its replacement with a dwelling and gardens would improve the outlook and amenities for occupiers adjacent dwellings. The proposal is therefore considered to be acceptable in terms of policy DM D2 (Design Considerations in all Developments).

7.7 Transport/Parking Issues

The application site is close to both Wimbledon and South Wimbledon stations and is on several bus routes. And the application site has a PTAL rating of 6a which is excellent. The application site is also within a Controlled Parking Zone (Zone 4F). The location of the development is therefore appropriate for a 'permit free' development secured through a S.106 agreement. The development would however require 34 secure cycle spaces. The development would provide 40 spaces which exceeds the London Plan standard. The proposed dwelling fronting Griffiths Road would however be provided with a single parking space. The proposal is therefore considered to be acceptable in terms of policies CS20 and DM T3.

7.8 Sustainability

The applicant has confirmed that the energy performance of the proposed scheme would be designed in accordance with the London Borough of Merton Core Strategy Policy CS15 (Climate Change) and set out in the Explanatory Note: Approaches to Sustainable Design and Construction Version 1.0 (June 2017) and detailed in chapter 5 of the Greater London Authority (GLA) London Plan (2016). Details of energy performance would be provided at the Reserved Matters stage in accordance with the requirements of policy CS15.

7.10 Developer Contributions

The Council seek to secure affordable housing provision for all developments of more than 10 units. For developments of 10 units or more 40% affordable housing is sought having regard to the sites characteristics and the economics of provision; i.e. financial viability. It is the Council's requirements that of the 40%, 60% of housing is social rented and 40% intermediate housing. The Council expect that affordable units be provided on site as part of the development and it is in only exceptional circumstances would off-site provision or a financial contribution in lieu of provision would be considered. The current proposal would provide 9 units (39%) on a shared ownership basis.

The development will therefore be required to secure the affordable housing and 'permit free' development through a S.106 Agreement.

7.9 Local Financial Considerations

The proposed development is liable for the Merton Community Infrastructure Levy and the Mayoral Community Infrastructure Levy, the funds of which will be applied by the Mayor towards the Crossrail project. The CIL amount is

non-negotiable and planning permission cannot be refused for failure to agree to pay the CIL.

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

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

9. **CONCLUSION**

9.1 There are no objections to the loss of the existing hotel due to the number of new hotel rooms currently being constructed in Wimbledon Town Centre. The access, layout and scale of development is considered to be acceptable. The detailed design and appearance of the proposed development would however be considered as Reserved Matters, with details being submitted pursuant to the outline approval. Accordingly, it is recommended that Outline planning permission be granted.

RECOMMENDATION

GRANT Outline Planning Permission

With the following matters reserved: Appearance and Landscaping.

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

1. The developer providing 9 units of affordable housing.
2. The development being designated 'Permit Free',
3. The developer paying the Council's legal and professional costs in drafting, completing and monitoring the agreement.

and subject to the following conditions:-

1. A.1 Commencement of Development (5 Years)
2. A.7 Approved Plans
3. B.1 (Approval of Facing Materials)
4. B.4 (Details of Site Surface Treatment)
5. C.6 (Refuse and Recycling – Details to be Submitted)
6. C.7 (Refuse and Recycling – Implementation)
7. D.1 (Hours of Construction)

8. D.5 (Soundproofing of Plant and Machinery)
 9. D.9 (No External Lighting)
 10. H.4 (Provision of Parking)
 11. H.6 (Cycle Parking)
 12. H.8 Travel Plan
 13. H.9 (Construction Vehicles – Major Sites)
 14. H.12 (Delivery and Servicing Plan to be Submitted)
 15. INF12 (Works Affecting the Public Highway)
-

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**PLANNING APPLICATIONS COMMITTEE
22 MARCH 2018**

APPLICATION NO. **DATE VALID**

17/P2820

28/07/2017

Address/Site **49 Murray Road, Wimbledon, SW19 4PF**

Ward **Village**

Proposal: Excavation of basement level extension, erection of single storey rear extension, a first floor rear extension and erection of new front porch.

Drawing Nos P_05, P_06, P_07, P_08P, 09, P_10, P_11, P_12, Design and Access Statement, Basement Construction Method Statement, Flood Risk Assessment, Site Investigation Report and Tree Survey

Contact Officer: Richard Allen (8545 3621)

RECOMMENDATION

GRANT Planning Permission subject to conditions and no objection raised from the Council's Flood Risk Management Engineer

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
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: Yes
- Controlled Parking Zone: Yes (Zone Vos)

1. **INTRODUCTION**

- 1.1 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 large detached dwelling house situated on the west side of Murray Road. The surrounding area is residential in character comprising mainly of large detached houses on large plots. The application site is within the Merton (Wimbledon West) Conservation Area.

3. **CURRENT PROPOSAL**

- 3.1 The current proposal involves the erection of a front porch/bay window, a single storey rear extension, a first floor rear bay window, first floor rear infill and excavation of a basement beneath the existing dwelling house and part of rear garden. The proposal also includes a replacement window and new window on the east elevation.
- 3.2 The porch/bay window would project 1.3 metres from the existing recessed wing of the building and would be 3.2 metres in width and would be 3.6 metres in height and have a flat roof.
- 3.3 The proposed single storey rear extension would be 8.5 metre in width and be 5.8 metres in depth and be 3.5 metres in height and would have a flat roof. T
- 3.4 The first floor rear bay window to serve a bathroom would project from the rear wall and the first floor rear infill would bring the rear bedroom windows out by 0.8 m.
- 3.5 The proposed basement would be constructed beneath the existing house and under part of the rear garden. Front and rear light wells would provide light to the basement. The basement would include habitable space and a swimming pool within the rear section, together with a plant room and ancillary accommodation.

4. **PLANNING HISTORY**

- 4.1 In August 1995 a Certificate of Lawfulness was issued in respect of the erection of a single storey rear extension (LBM Ref.95/P0446).

5. **CONSULTATION**

- 5.1 The application has been advertised by Conservation Area site and press notice procedure and letters of notification to occupiers of neighbouring properties. In response, 14 objections have been received. The grounds of objection are set out below:-

-The basement construction would affect ground water and impede ground water flow and will affect neighbouring properties.

-The planning application should not be considered until a full and detailed basement impact assessment has been made available. The impact upon neighbours basement and recent history of cellar flooding must be taken into account.

- Flooding has become more of a problem in recent years. Is this to do with the increase in basements?
- Building work is likely to cause inconvenience and cause parking problems in the vicinity of the site.
- The project is far too big. The existing house is large and whilst the current enthusiasm for basements must be accepted, and extension of the subterranean space beyond the existing footprint should be refused.
- The scale of the development should be dramatically reduced.
- The proposals would have an adverse impact upon the character and appearance of this Edwardian property.
- The proposed development would affect the amenities of 47, 51 and 52 Murray Road.

5.2 Tree Officer

No objections to the proposal subject to tree protection conditions being imposed on any grant of planning permission.

6. **POLICY CONTEXT**

6.1 The relevant planning policy contained within the Adopted Merton Core Strategy (July 2011) are CS.14 (Design) and CS15 (Climate Change).

6.2 The Relevant Policies contained within the Merton Site and Policies Plan (July 2014) DM O2 (Nature Conservation, Trees, Hedges and Landscape Features), DM D2 (Design Considerations in all Developments), DM D3 (Alterations to Existing Buildings), DM D4 (Managing Heritage Assets) and DM F2 (Sustainable Urban Drainage Systems and; Wastewater and Water Infrastructure).

6.3 The relevant policies contained within the London Plan (2016) are 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology).

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the visual impact of the proposal on the character of the area and Conservation Area, neighbour amenity, basement construction, trees and parking issues.

7.2 Design and Conservation Issues

The site lies within the Merton (Wimbledon West) Conservation Area (designated heritage asset). Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering applications within a Conservation Area, Local Planning Authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. In accordance with this, Policy DM D4 outlines that development should preserve or enhance the significance of the heritage asset.

7.3 The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of

the historic environment. The following considerations should be taken into account when determining planning applications.

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation; The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

7.4 According to Paragraph 129 of the NPPF, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset. The Wimbledon West Conservation Area's character lies in its wide variety of Edwardian and Victorian dwellings.

7.5 The ground floor alterations to the façade and first floor rear bay window and infill have been designed to reflect the character and appearance of the original building. Whilst a contemporary design has been adopted for the single storey rear extension, this would be single storey and of limited depth commensurate with the existing rear extension at number 47. The proposed basement would be constructed beneath both the original house and ground floor rear extension. The external features of the proposed basement would be the provision of front and rear light wells. The front light well would be set back from the public road and set into the ground. The front new bay window and porch would be of a design in-keeping with the dwelling. The rear light well would be positioned just beyond the proposed rear extension and would have landscape features to its surround. The basement would extend into the rear garden, however, it would not include any external features in the garden. The surface finish above the basement in the garden would be laid to lawn.

7.6 Although the proposal includes a large basement extension, in visual terms the external appearance of the host dwelling would remain in keeping with its original character. It is therefore considered that the proposal would preserve the character and appearance of the Conservation Area. In design terms, the proposals are considered to be acceptable and would not cause a harmful impact on the streetscene or character of the area and accords with policies CS14, DM D2 and DM D4.

7.7 Neighbour Amenity

The proposal involves the erection of a ground floor rear extension that would extend 2 metres beyond the existing rear addition number 51 Murray Road and although the flank wall of the ground floor extension would be close to the boundary with 51 Murray Road, number 51 also has a rear extension and the proposed extension beyond the rear building line of this neighbouring property would not cause material harm to the amenities of number 51. Number 47 Murray Road also has a large rear extension and the proposed ground floor

rear extension would be sited 1.5 metres away from the boundary with number 47. There is also an existing high boundary wall/fence between the properties. Therefore the ground floor extension would not cause material harm upon neighbour amenity.

- 7.8 The proposed first floor rear bay window would serve a bathroom and would not cause materially harmful overlooking impacts on either adjoining neighbouring occupiers. The first floor rear infill would bring the bedroom windows out further of 0.8 m and is not considered to cause any additional overlooking than already exists. The replacement window and new window in the side south-east elevation would not cause any material impact over that of the current situation. A condition is recommended to ensure that the flat roof element of the ground floor rear extension could not be used as a balcony or similar outdoor amenity space. The proposal is therefore considered to be acceptable in terms of policies DM D2 and D3 in this regard.

7.9 Basement Construction

The application proposes the construction of a basement below the foot print of the existing dwelling house and extending beneath part of the rear garden. Policy DM D2 (Design Considerations in all Developments) seeks to limit the extent of basement construction to no more than 50% of the garden area. The proposed basement would be 126.3m² in area (when measured from beyond the proposed ground floor rear building line) which equates to 48.1% of the existing rear garden area of 262.1m² and is therefore below the 50% threshold. A number of objections have however been received regarding the provision of accommodation at basement level. However, the applicant has submitted a Basement Construction Method Statement that demonstrates that the basement can be constructed in a safe and efficient manner without significant impact upon the adjacent highway or neighbouring residential properties. The Council's Flood Risk Management Engineer has not provided comments on the application, however, this will be updated at the Committee meeting. Planning conditions can also be imposed on any grant of planning permission controlling the hours of construction and site working, together with details of a sustainable drainage scheme. The construction works would also require approval under the Building Regulations process. Therefore subject to appropriate conditions being imposed on any grant of planning permission the provision of a basement is considered to be acceptable in terms of policy DM D2.

7.10 Trees

There are no trees within the application site that would be affected by the proposed development. There are however, several trees in adjacent gardens close to the boundary with the application site. The applicant has submitted an Arboricultural Report that notes that the tree canopies do not extend over the boundary. The Council's Tree Officer has raised no objection to the proposal. Notwithstanding the conclusions of the Arboricultural Report it is recommended that tree protection conditions be imposed on any grant of planning permission in accordance with policy DM O1.

7.11 Parking

Off-street parking for two vehicles would be maintained within the front curtilage of the dwelling house. The proposal is therefore considered to be acceptable in terms of policy CS20.

8. **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**

The concerns of the objectors regarding the provision of basement accommodation have been assessed and considered. However, the applicant has submitted a Basement Construction Method Statement and Flood Risk Assessment that demonstrate that the basement can be constructed in a safe manner. Conditions can also be imposed to control the hours of construction and site working arrangements in order to protect neighbour amenity. The construction works are also subject to approval under the Building Regulations process. The proposed extensions and alterations to the existing building are considered to be acceptable in design terms and the proposal would preserve the character and appearance of the Merton (Wimbledon West) Conservation Area and would not cause material harm to neighbouring amenity. 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 Plans
3. B.1 External Materials to be Approved
4. C.2 No Additional or Enlarged Window or Door Openings
5. C.8 No Use of Flat Roof)
6. D.11 Hours of Construction
7. F.1 Landscaping Scheme
8. F.5 Tree Protection
9. F.8 Site Supervision - Trees
10. H9P Construction Vehicles

11. Prior to commencement of development a Basement Construction Method Statement shall be submitted to and be approved in writing by the Local Planning Authority. The basement shall be constructed in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.
Reason for condition: In the interest of neighbour amenity and to comply with policy DMN D2.
12. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 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 (attenuation provision of no less than 15m³ of storage) and control the rate of surface water discharged from the site to no greater than 5l/s and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation;
 - iii. include a CCTV survey of the existing surface water outfall and site wide drainage network to establish its condition is appropriate.
- Reason:** To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.
- INFORMATIVES:
13. It is the responsibility of the developer to make proper provision for drainage to ground, watercourses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
14. INF1 Party Wall Act

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



Text Details **49 Murray Road**

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**PLANNING APPLICATIONS COMMITTEE
22 MARCH 2018**

APPLICATION NO.

DATE VALID

17/P3153

26/09/2017

Address/Site: 21 Rural Way, Streatham, London, SW16 6PF

Ward: Graveney

Proposal: Demolition of existing bungalow and erection of 3 x 3 bed terraced dwellings with car parking.

Drawing No.'s: 15, 21, 11, 14, 17, 1343-18, 1343-19, 1343-16, 1343-20, 21.

And supporting documents: '21 Rural Way London SW16 6PF – Surface & Foul Water Drainage Disposals' and 'Planning, Design and Access Statement' prepared by Access Design and dated June 28, 2017.

Contact Officer: Ashley Russell (020 8545 4370)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- S106: Yes
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 6
- External consultations: 0
- Conservation area: No
- Listed building: No
- Archaeological priority zone: No
- Tree protection orders: No
- Controlled Parking Zone: Yes
- Flood risk zone: yes
- Open Space: No

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a single storey (with additional pitched roof) detached dwelling which is located on the southwestern side of Rural Way. The site is regular in shape and is approximately 450sq.m.
- 2.2 Rural Way is characterised by mixed architecture, both in terms of scale and style; the road comprises a mixture of terraced, semi-detached, detached, single storey and two storey (with pitched roofs) dwellings. Immediately to the south of the site is a bungalow. Immediately to the north of the site is a two storey detached dwelling, the dwelling has an existing two storey side extension which is positioned between the original dwelling and the application site.
- 2.3 The site is not located within a conservation area. The site is located immediately adjacent to Flood Zone 3 and it is located partially within Flood Zone 2 (to the front of the property). The site is located within a controlled parking zone.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the demolition of the existing dwelling and the redevelopment of the site to provide a terrace row of three, 3 bedroom, 2 storey dwellings with accommodation at roof level, 3 x parking spaces to the front and private amenity space to the rear.
- 3.2 The proposed dwellings would have regular footprints, exhibiting a flush two storey front façade fronting Rural Way, a dual pitched roof form and three roof lights situated in the front roof slope. At the rear, the proposed terraces will exhibit a single storey rear projection of 1.6 metres in depth. At first floor, the rear face of the dwellings is staggered, with the north-western most dwelling adjacent the neighbouring property at 21a Rural Way being inset 0.9 metres behind the rear face of the other proposed dwellings. Three regularly spaced dormer windows exhibiting dual pitched roofs are situated within the rear roof slope of the proposed terrace dwellings.
- 3.3 The proposed terrace dwellings will measure 14.2 metres in width, and between 5.0 (eaves) and 8.8 (total) metres in height. At ground floor the dwellings will measure 11.2 metres in depth, with the depth of the dwellings at first floor ranging between 9.6 and 8.7 metres in depth to accommodate the staggered rear façade.
- 3.4 To the front of each dwelling would be permeable driveways accommodating 3 vehicle parking spaces (1 per dwelling), the remaining space would be landscaped with shrubs, with refuse storage and collection areas provided for each individual dwelling. Two new vehicle crossings are proposed from Rural Way.

3.5 To the rear of the site, each dwelling would be provided with private amenity space of 10.9 metres in depth, which ranges from 50 to 70 square metres in area. Individual cycle storage facilities have been shown in the rear gardens of each dwelling.

4. **PLANNING HISTORY**

4.1 There is no relevant planning history for the site.

5. **CONSULTATION**

5.1 Public consultation was undertaken by way of a site notice displayed at the application site and letter sent to surrounding properties. Five (5) letters of objection were received during the public notification period, which raised the following concerns:

- Loss of visual privacy to the rear gardens of surrounding residential properties.
- Impact on the availability of natural light into the neighbouring property at 19 Rural Way.
- Scale of buildings is out of character with the appearance of surrounding development.
- Development will result in the loss of three on-street resident parking spaces, increasing parking pressure for existing residents.
- Proposed parking in front gardens will cause noise, disruption and pollution impact on neighbouring residential properties.
- Increase in residential density will cause overcrowding of pedestrian and vehicle traffic in the street, and may cause impact on the provision of waste and drainage services in the locality.
- Buildings will have an adverse and overbearing visual impact on neighbouring rear gardens.
- Impact of construction activity on surrounding properties.

5.2 LBM Highways (Internal)

No objection: Highways comments are conditions: INF8, INF9, INF12, H1, H2 and H4. The highways section must be contacted to approve any proposed vehicle crossings.

5.3 LBM Flood Risk Engineer (Internal)

Following review of the submitted drainage details, **no objection** is raised. It is requested that the following condition of approval be applied in event the application is approved.:

Condition:

Prior to the commencement of the development hereby permitted, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) including permeable surfacing. The final scheme shall:

- i. Provide information about the design storm period and intensity, attenuation and control the rate of surface water discharged from the site to no more than 2l/s;

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

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

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

5.4 LBM Transport (Internal)

No comments or objections raised.

5.5 LBM Climate Change (Internal)

No objection: The submitted D&A statement hasn't included any sustainability information (although the applicant has noted Policy CS15 in the policy section). Given that this is a minor application proposal, It is suggested that the sustainability issues can be dealt with by way of the standard sustainable design and construction (new build residential - minor) pre-occupation condition.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2012)

- 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
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.12 Flood risk management
- 5.13 Sustainable drainage
- 5.17 Waste capacity
- 6.9 Cycling
- 6.10 Walking
- 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
 - 7.6 Architecture
 - 7.14 Improving air quality
 - 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
 - 8.2 Planning obligations
 - 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 11 Infrastructure
 CS 14 Design
 CS 15 Climate change
 CS 16 Flood risk management
 CS 17 Waste management
 CS 18 Transport
 CS 19 Public transport
 CS 20 Parking servicing and delivery
- 6.4 Merton Sites and Policies Plan – 2014 (SPP)
 Relevant policies include:
 DM D1 Urban Design
 DM D2 Design considerations
 DM F1 Support for flood risk management
 DM F2 Sustainable urban drainage systems
 DM T2 Transport impacts of development
 DM T3 Car parking and servicing standards
 DM T4 Transport infrastructure
- 6.5 Supplementary planning considerations
 London Housing SPG – 2016
 DCLG - Technical Housing Standards: Nationally Described Space Standards
 - 2016

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

The key issues in the assessment of this planning application are:

- Principle of development.
- Design and impact upon the character and appearance of the area.
- Impact upon neighbouring amenity.
- Standard of accommodation.
- Transport, highway network, parking and sustainable travel.
- Refuse storage.
- Sustainable design and construction.
- Flood risk and drainage.

Principle of development

- 7.2 Policy 3.3 of the London Plan 2016 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.
- 7.3 The site has a PTAL rating of 2 which is considered to be poor; however, the site is a 13 minute bus trip or a 20 minute walk from Tooting Broadway Underground Station. The site is currently in residential use.
- 7.4 The proposal, which seeks to increase residential density, is considered to be acceptable in principle, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents

Design and impact upon the character and appearance of the area

- 7.5 Section 12 of the NPPF, London Plan policies 7.4, 7.6 and 7.8, Core Strategy policy CS14 and SPP Policies DM D2 and DM D4 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.
- 7.6 Although consistently residential in nature, Rural Way is considered to comprise a mixture of varied architectural form in terms of the size and scale of development. The street exhibits a mixture of dwelling styles, ranging from detached single storey dwellings on large plots , to semi-detached and terrace dwellings of 2 to 3 stories in height.
- 7.7 The form and footprint of the proposed terrace dwellings is considered to present a consistent and sympathetic appearance of the development in the context of the existing street scene in Rural Way. The 4.8 metre front setback of the dwellings from the front property boundary maintains a consistency with surrounding dwellings, and the presentation of the buildings as a row of two storey terrace dwellings with dual pitched roofs is consistent with other development in the immediate locality, including the groups of terraces situated at 11-17 and 25-29 Rural Way. Comparable form is also exhibited with the existing two storey semi-detached properties situated at 23 & 23A Rural Way.
- 7.8 The proposed dwellings will stand a total of 8.0 metres in height and have eaves of 5.0 metres in height. In this respect the proposal is generally consistent with the height and scale of development in the immediately

surrounding area. This includes consideration of the development of terrace dwellings situated at 11-17 Rural Way which has a total height of 9.4 metres and eaves of 5.4 metres, as well as the semi-detached buildings at 23 & 23A Rural way which has an overall height of 8.7 metres with eaves of 5.1 metres.

- 7.9 It is acknowledged that the proposed dwellings will represent an increase in the bulk and appearance of development when compared with the existing single storey bungalow on the application site. However, it is considered that the scale or appearance would be inconsistent with the appearance of development in the surrounding area. The proposal maintains spaces of 1.7 and 0.8 metres respectively between the proposed building and neighbouring residential properties, and in this regard is considered to maintain sufficient visual separation between the proposed dwellings and neighbouring structures.
- 7.10 On the basis of the above it is considered that the proposed dwellings will respect the appearance, materials, scale, bulk, proportions and character of original building and its surroundings. The proposal is therefore consistent with the intent of London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policies DMD2

Impact upon neighbouring amenity

- 7.11 London Plan policies 7.6 and 7.15 along with SPP policies DM D2 and DM EP2 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 (sunlight and daylight), quality of living conditions, privacy, visual intrusion or noise.
- 7.12 Notwithstanding the concerns regarding visual privacy which have been raised during the public notification process, it is noted that all outlook from windows of the proposed development will be oriented directly towards either the front or rear gardens of the resulting dwellings. In respect to the rear facing first and second (loft) level windows, these are to be situated 11.9 to 13.0 metres inside the rear boundary of the application site, which is occupied by substantial vegetation in the form of a series of high and established pine trees which will effectively screen views towards the rear of surrounding properties in Rustic Avenue to the south-west.
- 7.13 With respect to the neighbouring property to the south-east at 21a Rural Way, the proposed dwellings will be situated adjacent to the blank side wall of the neighbouring property, will project only 1.5 metres beyond the rear face of the neighbouring property at first floor, and will be situated between 0.8 and 1.1 metres inside the neighbouring property boundary. Owing to the size and location of the proposed development, it is therefore not considered to result in adverse amenity impact on the neighbouring property at 21a Rural Way in respect of visual intrusion, restriction of outlook or the blocking of natural light.
- 7.14 With respect to the neighbouring property to the north-west at 19 Rural Way, the closest proposed terrace dwelling incorporates an increased rear set-in at first floor such that the rear face of that dwelling will only project 1.0 metre

beyond the rear face of the neighbouring dwelling at first floor. The proposed dwelling will be situated adjacent to a blank side wall of the neighbouring dwelling and 1.5 metres inside the common boundary shared between the two properties. Owing to the size and location of the proposed development, it is therefore not considered to result in adverse amenity impact on the neighbouring property at 19 Rural Way in respect of visual intrusion, restriction of outlook or the blocking of natural light.

- 7.15 On the basis of the above, it is considered that the proposed dwelling would not result in undue negative impact upon the amenity of neighbouring properties in terms of loss of privacy, visual intrusion or noise. It is subsequently consistent with the intent of London Plan policies 7.6 and 7.15 along with SPP policies DM D2 and DM EP2.

Standard of accommodation

- 7.16 Policies 3.5 and 3.8 of the London Plan 2016 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) and the DCLG – Technical Housing Standards: Nationally Described Space Standards 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, and for all new houses, the Council will seek a minimum of 50sq.m as a single usable regular amenity space.
- 7.17 The proposed dwellings offer dual outlook and are considered to contribute to a high standard of living. All habitable rooms would be serviced by windows which offer suitable outlook, natural light and ventilation.
- 7.18 The proposed dwellings exhibit Gross Internal Floor Areas (GIA's) ranging from 102.9 to 107.2 square metres. This exceeds the minimum of 99 square metres required for 3 bedroom and 5 person occupancy dwellings as expressed within the DCLG - Technical Housing Standards: Nationally Described Space Standards 2016.
- 7.19 The proposed double bedrooms exhibit sizes ranging from 11.5 to 15.5 square metres in area, which all meet or exceed the minimum requirement of 11.5 square metres for a double occupancy bedroom in DCLG - Technical Housing Standards: Nationally Described Space Standards 2016. Similarly the proposed single occupancy bedrooms exhibit sizes of 9.2 square metres which exceeds the minimum requirement of 7.5 square metres for a single occupancy bedroom.
- 7.20 The dwellings exhibit rear gardens which range in size from 50 to 70 square metres, and therefore satisfy the minimum requirement of 50 square metres of private amenity space for each new dwelling as expressed within policy DMD2 of Merton's Adopted Sites and Policies Plan 2014.

7.21 On the basis of the above, the proposal is considered to provide a satisfactory standard of accommodation for future occupiers, satisfying Policy 3.5 & Table 3.3 of the London Plan 2016, the Nationally Described Space Standards (2016), Policy DMD2 of Merton's Adopted Sites and Policies Plan 2014.

Transport, highway network, parking and sustainable travel

7.22 London Plan policies 6.3 and 6.12, CS policies CS18 and CS20 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. 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 and to provide parking spaces on a restraint basis (maximum standards).

7.23 One parking space has been proposed for each dwelling, this provision is considered to be acceptable. However, it is noted that the site is located within a controlled parking zone, thus any overspill parking would be considered to adversely impact upon the highway network. To address the impact upon parking in the area, it is recommended that permission be subject to permit free restrictions which would be set out in a S106 planning agreement or unilateral undertaking.

7.24 Subject to the above, the proposal is considered to result in an acceptable impact on the surrounding parking and traffic management network. It is therefore consistent with the intent of London Plan policies 6.3 and 6.12, CS policies CS18 and CS20 and SPP policy DM T2.

Refuse storage

7.25 Policy 5.17 of the London Plan and Policy CS 17 of the Core Strategy require all new developments to incorporate integrated and well designed waste storage and collection facilities that include suitable recycling facilities. Core Strategy Policy CS20 requires that developments incorporate safe access to the public highway as well as on-site waste storage and collection facilities and provision for all associated service and delivery vehicles.

7.26 The proposed dwellings have nominated individual areas for the storage and collection of refuse within the front gardens of the dwellings, where they are easily accessible from the public highway in Rural Way.

7.27 Subject to the inclusion of a condition requiring final details of the design and appearance of the refuse storage structures to be submitted to and approved by Council, the proposal is considered to suitably provide for the storage and collection of refuse in accordance with Policy 5.17 of the London Plan and Policy CS 17 of the Core Strategy.

Sustainable design and construction

7.28 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.

- 7.29 The proposal has been reviewed by Council's Climate Change Officers, who note the lack of sustainability information provided within the application documentation. Notwithstanding this, Council's Climate Change Officer's note that the proposal is a minor residential development, and therefore the requirements to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption not exceeding 105 litres/person/day, could be suitably achieved by the imposition of a standard condition which requires evidence to be submitted that a policy compliant scheme has been delivered prior to occupation of the new dwellings.
- 7.30 Subject to the inclusion of the above condition, it is considered that the proposed dwellings would be capable of satisfying the intent of London Plan policy 5.3 and CS policy CS15.

Flood risk and drainage

- 7.31 London Plan policy 5.13, CS policy CS16 and SPP policy 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.
- 7.32 The site is positioned immediately adjacent to Flood Zone 3, with a minor portion of the front of the site partially within Flood Zone 2. However, it is noted that the proposed building would be located outside of Flood Zone 2.
- 7.33 The applicant has submitted existing and proposed drainage plans, and an accompanying statement of surface and foul water drainage proposals which have been reviewed by Council's Flood Risk Engineer. Advice received from Council's Flood Risk Engineer indicates that the proposed dwellings are acceptable subject to the inclusion of a non-standard condition requiring the provision of details of a scheme for the provision of a sustainable drainage system (SuDS), including permeable surfacing, for the approval of the local authority prior to the commencement of works on the site, and the implementation of such a scheme prior to the occupation of the dwellings.
- 7.34 Subject to the inclusion of the above condition, the proposed dwellings are considered to satisfactorily address the intent of London Plan policy 5.13, CS policy CS16 and SPP policy DM F2.

8. CONCLUSION

- 8.1 The proposal is considered to be acceptable in principle, providing a residential development at an increased density, in line with planning policy. The scale, form, design, positioning and materials of the proposed 3 x two storey (with loft level) terrace dwellings are not considered to have a detrimental effect on the appearance of the area, the host building or on neighbouring amenity. The proposed dwellings are considered to provide a

suitable standard of accommodation, and provision for refuse storage and collection. The impacts of the proposal on the surrounding transport network, sustainability and flood risk are considered to be adequately addressed through the application of suitable conditions.

RECOMMENDATION

Grant planning permission subject to the following conditions, and a Section 106 Agreement covering the following heads of term.

Heads of Term:

1. The new dwellings are to be permit free residential units.
2. The developer agreeing to meet the Council's costs of preparing [including legal fees] the Section 106 Obligations [to be agreed].
3. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [to be agreed].

Conditions:

A1 – commencement

A7 – approved plan:

Drawing numbers 15, 21, 11, 14, 17, 1343-18, 1343-19, 1343-16, 1343-20, and 21.

B3 – External materials as specified

C01 – remove PD rights

C06 – Refuse & recycling (details tbc).

D11 – Construction Times

F09 – Hardstandings

H06 – Cycle Parking (details to be submitted)

H1 – New vehicle access (details to be submitted)

H2 – New vehicle access to be provided

H4. – Provision of vehicle parking.

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

Reason:

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

Informative:

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

- Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); **OR**, where applicable:
- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; **AND**
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

Water efficiency evidence requirements for post construction stage assessments must provide:

- Documentary evidence representing the dwellings 'As Built'; detailing:
- the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; **AND:**
- Water Efficiency Calculator for New Dwellings; **OR**
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

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

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NORTHGATE SE GIS Print Template



Text Details **21 Rural Way**

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**PLANNING APPLICATIONS COMMITTEE
22 MARCH 2018**

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
18/P0351	02/01/2018
Address/Site	Garages on Land to the rear of 4-10 South Park Road, Wimbledon, SW19 8ST.
Ward	Trinity
Proposal:	DEMOLITION OF GARAGES ON LAND REAR OF 4-10 SOUTH PARK ROAD AND ERECTION OF 4 X DWELLINGHOUSES WITH GARDENS AND 4 X PARKING SPACES.
Drawing Nos	001, 100, 110, 112, 170, 171, 201 and 401.
Contact Officer:	Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Grant planning permission subject to s.106 agreement and Conditions

CHECKLIST INFORMATION

- S106: Yes (parking permits).
- 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: 46
- External consultations: No
- Controlled Parking Zone: Yes – W3
- PTAL: 6a
- Flood Zone: Flood Zone 1
- Conservation Area: No (but adjacent to South Park Gardens Conservation Area).
- Listed Building: No
- Protected trees: No

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

- 2.1 The site comprises a backland area to the rear of the main frontage buildings, 4-10 South Park Road. The site is currently occupied by garaging and the remainder is laid to tarmac.

- 2.2 There is a vehicular access to the site between Nos.6 and 8 South Park Road. There is a vehicle gate to the existing garaging/parking area.

- 2.3 The frontage buildings at Nos.4-10 South Park Road comprise four blocks of flats, three storeys in height with brick and tile hanging features, typical of 1960s-70s architecture.

- 2.4 To the western boundary of the site is a high brick wall (approximately 3m in height) and beyond this is a yard serving Wimbledon Police Station.

- 2.5 To the immediate north of the site are the back gardens of properties along Princes Road, which generally comprise two storey residential dwellings. Similarly, to the east are the rear gardens of properties along Kings Road.

- 2.6 The site currently accommodates 24 garage parking spaces and 3 parking spaces.

- 2.7 The site (including the access drive) has an area of approximately 932sqm.

- 2.8 There are not trees on the site but there are trees in the rear gardens of properties on Princes Road, adjacent to the northern site boundary and some trees in the gardens of other adjacent properties.

- 2.9 The site is not within a Conservation Area but adjoins the boundary of the South Park Gardens Conservation Area (to the north of the site).

- 2.10 The site is adjacent to the Wimbledon Town Centre boundary, to the west of the site. The site has a PTAL of 6a. The site is within Controlled Parking Zone W3.

3. **CURRENT PROPOSAL**

- 3.1 The proposal is for the erection of four dwellings following the demolition of the existing garages.
- 3.2 The scheme would involve the removal of 24 single garages and three parking spaces and the erection of 4 x 2 bed single storey dwellinghouses.
- 3.3 The site would be accessed via the existing vehicular access onto South Park Road. The access would lead to a centrally located courtyard which would accommodate 4 parking spaces and 2 bin stores.
- 3.4 The dwellings would be arranged to either side of the parking area.
- 3.5 The proposed dwellings would be constructed from stock brick with areas of brick work detailing. The buildings would have green roofs.
- 3.6 The proposed dwellings would have a height of 3.0m.
- 3.7 A private garden area would be provided to the rear of each unit.
- 3.8 In terms of internal floor areas and amenity space, the proposal is as follows:

	Type	GIA	Amenity space	Cycle parking	Car parking
Unit 1	2b/4p*	84.25sqm	56sqm	2 spaces	1 space
Unit 2	2b/4p	75.25sqm	53sqm	2 spaces	1 space
Unit 3	2b/4p	75.25sqm	53sqm	2 spaces	1 space
Unit 4	2b/4p*	83.34sqm	54sqm	2 spaces	1 space

*The submitted plans show one bedroom to be a single. However, the floor area of these rooms are over 11.5sqm and therefore, in accordance with the guidance within the London Plan, this should be considered as a double bedroom, therefore these units are 2b/4p as opposed to 2b/3p.

4. **PLANNING HISTORY**

- 4.1 No directly relevant applications. However, there are a number of applications and dismissed appeals at the main frontage buildings at 4-10 South Park Road.

5. **CONSULTATION**

- 5.1 Site Notice, Press Notice and individual letters to 46 properties. 15

representations have been received, raising objection on the following grounds:

- Out of keeping with the character of the area.
- The garages are meant for use by 4-10 South Park Road as per the original leases.
- The space is needed for parking of vehicles.
- Increased density.
- The access track into the site would not be suitable for refuse vehicles.
- There is no noise assessment report.
- More detail on roof finish required.
- Overcrowding and would look like a concrete jungle.
- Adverse impact on privacy to neighbouring properties.
- Concerns that parking problems would worsen.
- Concerns over rubbish accumulation.
- Local amenities are far overstretched.
- Query how fire engines or ambulances would access Units 1 and 4.
- Increase of noise levels.
- The proposal will cause the garages to be destroyed which will provide an increased target for car thieves and break-ins.
- This application would set a precedent and eventually all the garages in London might be demolished and built-on. London has a shortage of garages and parking spaces as it is.
- Overlooking to neighbouring properties.
- Any permission granted should secure improvements to the frontage of Nos.4-10 South Park Road.
- Loss of light/overshadowing
- Adequacy of parking/turning area
- Traffic generation
- Hazardous materials
- Loss of trees
- Effect on listed building and conservation area
- Landscaping
- Road access
- Planning policies
- Government circulars, orders and statutory instruments
- Previous planning decisions (including appeal decisions)
- Nature conservation
- The development is detrimental to the amenities of the area.
- Bin storage for existing flats, specifically Block 6 and 8 South Park, has been ignored.
- Gross Overdevelopment.

- Concerns over adverse impacts of construction process.
- Concern that further planning applications may seek to increase the height of the proposed dwellings.
- Suggestion that the site should be acquired by the Council and used for parking and open amenity space.
- The garages were rarely accessed but with four houses on site there would be constant traffic.
- The gardens are too small and light to the new dwellings would be compromised.
- The development is too close to existing residential properties and will adversely impact on amenity.
- The green roofs would involve maintenance and people climbing on the roof and overlooking neighbours. The green roofs would also increase the fox problem.
- The scheme is not for social housing.

5.2 Climate Change Officer:

- All new developments comprising the creation of new dwellings should demonstrate how the development will:
 - a) Comply with Merton's Core Planning Strategy (2011) Policy CS15 Climate Change (parts a-d) and the Policies in outlined in Chapter 5 of the London Plan (2015).
 - b) As a minor development proposal, outline how the development will achieve a 19% improvement on Buildings Regulations 2013 Part L and submit SAP output documentation to demonstrate this improvement.
 - c) Achieve internal water usage rates not in excess of 105 litres per person per day.
- The applicant should be informed of the above requirements and confirm that this is achievable for the proposal, as no information was provided in the submitted D&A Statement. For additional guidance the applicant should refer to the Mayor's [guidance on preparing energy assessments](#) and Sustainable Design and Construction [SPG](#).
- The emissions reductions and water targets will be secured through the application of the Sustainable Design and Construction (New build residential –minor) standard pre-occupation condition, as follows:
 - **Conditions and informatives as shown in the recommendation section of this report.**

5.3 Designing Out Crime Officer:

The crime trends in the location of the proposed development for the past year December 2016 - December 2017 are detailed in the table

below. The figures are the number of crimes (count) and the crime rate to give an easy comparison between areas that have different population densities. The Trinity ward has a higher crime rate than the borough and less than the London rate. Most of the crimes reported within the ward are Theft offences (418) and Violence against the person (254).

AREA	COUNT	RATE
London	886,845	2.20
Merton Borough	14,768	1.54
Trinity Ward	966	2.01

(Figures obtained from www.met.police.uk/stats-and-data/crime-data-dashboard/ on 8th February 2018)

www.police.uk was viewed to source the Anti-social behaviour (ASB) statistics and showed between January 2017 and December 2017 there were 268 reports of ASB which is approximately 22% of total crimes reported for the ward.

Having given due consideration to the details of the security and safety features, I have some comments and recommendation.

I have no concerns regarding the proposed site being adjacent to a Police Station.

Units 2 and 3 have blank gable ends within the permeable paving courtyard shared surface, this type of elevation tends to attract graffiti, inappropriate loitering or ball games due to reduced surveillance, as there are proposed pedestrian and powered vehicle gates to restrict uncontrolled access this design feature should not be an issue, if the gates are not permitted then this area may cause antisocial behaviour to occur.

The design of the bin stores should not obscure the line of sight to the cars or provide a hiding area with those with possible criminal intent.

The appropriate Secured by Design (SBD) requirements can be found in the design guides on the SBD web site (www.SecuredbyDesign.com).

If the architects would like to discuss the drawings in relation to Secured by Design, please pass on my contact details.

We strongly advise that independent third party certification is obtained from a manufacturer to ensure the fire performance of any of their doorsets in relation to the required needs and to ensure compliance with both current Building Regulations and the advice

issued by the Department for Communities and Local Government on 22nd June 2017 following the Grenfell Tower Fire.

5.4 Environmental Health Officer:

Further to your consultation in relation to the above planning application and having considered the information submitted, should you be minded to approve the application then I would recommend the following planning conditions:-

- **Conditions relating to land contamination as shown in the recommendation section of this report.**

5.5 Highways:

Highways comments are

H9, H12, INF9 and INF12

Highways must be contacted prior to use of the existing vehicular crossing by any construction vehicles to ensure appropriate licences are in place.

5.6 Tree and Landscape Officer:

There would appear to be no arboricultural issues with this planning application.

6. **POLICY CONTEXT**

The following policies are relevant to this proposal:

6.1 Sites and Policies Plan and Policies Map (July 2014)

DM H2	Housing mix
DM D2	Design considerations in all developments
DM D4	Managing heritage assets
DM EP2	Reducing and mitigating noise
DM EP4	Pollutants
DM F1	Support for flood risk management
DM F2	Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
DM T1	Support for sustainable transport and active travel
DM T2	Transport impacts of development
DM T3	Car parking and servicing standards
DM T5	Access to the Road Network

6.3 LDF Core Planning Strategy (July 2011)

CS6	Wimbledon Sub-Area
CS8	Housing Choice
CS9	Housing Provision
CS11	Infrastructure
CS14	Design
CS15	Climate Change
CS16	Flood Risk Management
CS17	Waste Management
CS18	Active Transport
CS20	Parking, Servicing and Delivery

6.4 London Plan (2016):

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
5.1	Climate change mitigation
5.2	Minimising carbon dioxide emissions
5.3	Sustainable design and construction
5.7	Renewable energy
5.11	Green roofs and development site environs
5.13	Sustainable drainage
6.3	Assessing effects of development on transport capacity
6.9	Cycling
6.10	Walking
6.13	Parking
7.2	An inclusive environment
7.3	Designing out crime
7.4	Local character
7.6	Architecture
7.14	Improving air quality
7.15	Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes.
8.2	Planning obligations
8.3	CIL

6.5 Other guidance:

National Planning Policy Framework (2012)
National Planning Policy Guidance (2014)
Merton's Design SPG 2004
DCLG Technical Housing Standards - Nationally Described Space Standard 2016
Mayor's Housing SPG 2016

7. **PLANNING CONSIDERATIONS**

7.1 The key planning considerations are:

- Principle of the proposed development
- Loss of garaging
- Need for additional housing and residential density
- Housing mix
- Design and impact upon the character and appearance of the area and setting of adjacent Conservation Area
- Impact on trees
- Impact on neighbouring amenity
- Air quality
- Transport, highway and parking issues
- Delivery and Servicing
- Sustainability
- Flooding and site drainage
- Biodiversity

7.2 Principle of the Proposed Development

7.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

7.2.2 The site is a brownfield site within a residential area and as such the principle of new housing development in this location is acceptable in land use terms, subject to the policies of the Development Plan.

7.2.3 The site is adjacent to the South Park Gardens Conservation Area and therefore any development should preserve or enhance the setting of the Conservation Area.

7.2.4 The loss of the existing garages has the potential to result in the loss of an existing parking facility and therefore any proposal will need to demonstrate that there would not be displacement parking as a result of the development.

7.2.5 Subject to the resolution of the loss of the garages, there is no in principle objection to the erection of new dwellings subject to the impact on the adjacent Conservation Area, the wider character of the area and compliance with other relevant Development Plan considerations.

7.3 Loss of garaging

- 7.3.1 The agent has stated that the existing garages are vacant and have previously been used for storage in past years. Whilst it is clear that the garages were originally constructed to serve 4-10 South Park Road, it is noted that there are no planning conditions tying the use of the garages to 4-10 South Park Road and therefore the use of these garages as parking could have been withdrawn by the site owners at any point.
- 7.3.2 It is also noted that due to the limited size of the existing garages they are not likely to be suitable as a parking facility for most modern cars. It is of note that the garages have not been in use at the time of any officer site visits.
- 7.3.3 It is considered that the applicant has reasonably demonstrated that these garages do not provide a feasible, useable existing parking facility and therefore the loss of these garages to a residential use is acceptable in principle.

7.4 Need for additional housing and residential density

- 7.4.1 The National Planning Policy Framework (March 2012) requires the Council to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.4.2 Policy 3.3 of the London Plan (March 2016) states that the Council will work with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025. Within this figure of 4,107 new homes, the policy states that a minimum of 411 new dwellings should be provided annually. This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in Policy CS9 of the Core Strategy.
- 7.4.3 LB Merton's housing target between 2011 and 2026 is 5,801 (Authority's Monitoring Report 2014/15, p8). While a robust five years supply has been identified, the housing need is increasing in London. The borough's Core Planning Strategy states that that it is expected that the delivery of new residential accommodation in the borough will be achieved in various ways including development in 'sustainable brownfield locations' and "ensuring that it is used efficiently" (supporting text to Policy CS9). The application site is on brownfield land and is in a sustainable location adjacent to other existing residential properties.

7.4.4 Each proposed dwelling would have three habitable rooms, equating to 12 habitable rooms across a site area of 0.1 hectares.

7.4.5 The site is within a suburban area, as defined by the London Plan, with a high PTAL, wherein higher density levels are encouraged. The scheme would have a density of 40 dwellings per hectare and 120 habitable rooms per hectare. The London Plan suggests a density range of 70-130 dwellings per hectare and 200-350 habitable rooms per hectare in this type of location. Whilst the proposed scheme yields a density lower than that suggested in the London Plan it should be noted that this is a backland site with no road frontage and therefore a higher density would have the potential to result in harm to residential and visual amenity and it is considered that the proposal has struck the correct balance between achieving the maximum site potential and maintaining the character of the area and minimising the impact on neighbouring amenity.

7.4.6 Importantly, density is a crude method of determining the impact of a proposed development and the impact on the character and appearance of the area will be a key area of the assessment.

7.4.7 The benefit of providing four additional dwellinghouses must be weighed against the other merits of the scheme.

7.5 Housing mix

7.5.1 Policy H2 of the Sites and Policies Plan seeks to achieve the following housing mix (borough level indicative proportions) in order to address a historical under provision of larger dwellings:

Number of bedrooms	Percentage of units
One	32%
Two	32%
Three +	35%

7.5.2 The proposal is for four units. However, the scheme does not include any three bedroom units. Whilst this mix does not meet the indicative proportions set out in Policy H2, it is noted that only four units are proposed, which limits the ability to meet this requirement in any event. Given the tight layout of the site and its backland nature, it is considered that the provision of two bedroom dwellings in this case would be acceptable.

7.6 Standard of Accommodation

7.6.1 London Plan Policy 3.5, as amended by Minor Alterations to the London Plan (March 2016) states that all new housing developments should be of the highest quality internally, externally and in relation to their context. In order to ensure that such development provide an adequate level of internal amenity, Table 3.3 of the London Plan sets out the minimum floor areas which should be provided for new housing. The DCLG publication: "Technical housing standards - nationally described space standard" (2016) provides further guidance, which has been adopted by the Mayor for London.

7.6.2 Sites and Policies Plan Policy DM D2 seeks to ensure good quality residential accommodation with adequate levels of privacy, daylight and sunlight for existing and future residents, the provision of adequate amenity space and the avoidance of noise, vibration or other forms of pollution.

7.6.3 The proposed accommodation is as follows:

	Type	GIA	London Plan requirement for GIA (sqm)	Amenity space	London Plan requirement for amenity space
Unit 1	2b/4p*	84.25sqm	70sqm	56sqm	7sqm
Unit 2	2b/4p	75.25sqm	70sqm	53sqm	7sqm
Unit 3	2b/4p	75.25sqm	70sqm	53sqm	7sqm
Unit 4	2b/4p*	83.34sqm	70sqm	54sqm	7sqm

7.6.4 All units would exceed the minimum requirements of the London Plan in terms GIA and amenity space and the proposal is considered to provide an acceptable standard of accommodation.

7.7 Design and impact upon the character and appearance of the area and setting of adjacent Conservation Area

7.7.1 London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policy DMD2 require well designed proposals that will respect the appearance, materials, scale, bulk, proportions and character of the original building and their surroundings. Policy DM D4 seeks to ensure that development adjacent to Conservation Areas either preserves or enhances the setting of the Conservation Area. London Plan Policy 7.6 sets out a number of key objectives for the design of new buildings including that they should be of the highest architectural quality, they should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and buildings should have details that complement, but not necessarily replicate the local architectural character. Policy CS14 of the adopted Core Strategy states that all development needs to be designed to

respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. This will be achieved in various ways including by promoting high quality design and providing functional spaces and buildings.

7.7.2 Layout

7.7.3 The site is in a backland area with no direct street frontage, wherein it is usually more appropriate to have development which is subordinate to the main frontage buildings.

7.7.4 The dwellings would be accessed via a narrow corridor between the rear of properties on South Park Road and the proposed dwellings themselves. This arrangement is not ideal as it would result in poor natural surveillance to the frontage of the proposed units. However, this element of the layout is not considered to render the scheme unacceptable and it is noted that the site would be gated and that the pedestrian access to each unit would be gated also.

7.7.5 The layout of the proposed dwellings is considered to represent a reasonable design response to the context of the site. The existing access would be utilised and the scheme would ensure that the rear of gardens to the north would be bounded by the proposed gardens, which would respect the grain and pattern of the surrounding area.

7.7.6 Design and massing.

7.7.7 The existing garages do not make a particularly positive contribution to the character of the area and in visual terms, the loss of these garages is not objectionable.

7.7.8 The provision of single storey dwellings in this location, whilst yielding a relatively low density, is considered to be a suitable approach to developing the site due to the backland nature of the site and the proximity to existing residential properties.

7.7.9 The proposed dwellings would not be significantly higher than the existing garages and the provision of green roofs would assist in softening the visual impact of the proposal when viewed from the upper windows of surrounding residential properties.

7.7.10 The bulk, massing and design proposed is considered to be a visually discreet method to provide housing on the site without appearing over dominant or visually intrusive.

7.7.11 Hard and soft landscaping.

7.7.12 The proposal includes soft landscaping to the garden areas and green roofs to the flat roofs of the development. This would assist in urban greening, as the site is currently laid to hardstanding.

7.7.13 The hard landscaped areas are considered to be acceptable in terms of their visual impact.

7.7.14 Overall, the proposed landscaping would result in an acceptable visual impact across the site.

7.7.15 Heritage issues.

7.7.16 The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. The following considerations should be taken into account when determining planning applications.

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation; The wider social, cultural, economic and environmental benefits that the conservation of the historic environment can bring;
- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

7.7.17 According to Paragraph 129, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

7.7.18 Sites and policies plan policy DM.D4 requires that:

b) All development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, how the proposal conserves and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting.

7.7.19 The site is adjacent to the South Park Gardens Conservation Area. However, due to the modest scale of the proposed buildings it is considered that the proposed development would not have a material impact on the setting of the adjacent Conservation Area and the proposal would satisfactorily preserve the character and appearance of the Conservation Area.

7.7.20 The proposal is considered to be acceptable in terms of the impact on the character and appearance of the area.

7.8 Impact on trees

7.8.1 There are no trees on the application site itself but there are trees in the rear gardens of neighbouring properties, which adjoin the site.

7.8.2 The proposal would result in the removal of existing hardstanding towards the northern part of the site, which would remove this existing barrier to root growth.

7.8.3 Tree protection measures are incorporated into the proposal and the submitted Arboricultural Report concludes that there would not be an adverse impact on retained trees. The Council's Tree and Landscape Officer concurs that there would be no adverse impact on trees and as such no objection is raised on this basis.

7.9 Impact on neighbouring amenity

7.9.1 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.

7.9.2 The proposed buildings would be single storey and as such there would be not be adverse impacts on surrounding properties by way of loss of daylight or sunlight. The submitted Daylight and Sunlight report also demonstrates that the proposed development would not result in an adverse impact on light.

7.9.3 Equally, the impact on outlook from surrounding residential properties is considered to be acceptable due to the modest height of the buildings and the fact the roofs would be green roofs, thereby minimising the visual impact of the buildings.

7.9.4 The proposed buildings would emit light from the proposed roof lights and windows, however, within this suburban area, it is considered that this impact would not be materially harmful to neighbouring amenity as to warrant a refusal of planning permission.

7.9.5 The proposed dwellings would result in some minor increase in noise levels arising from their residential use. However, the use as single family dwellinghouses would not result in so much noise that the scheme would be unneighbourly and the proposal is considered to be acceptable in terms of the noise impact on neighbouring properties.

7.9.6 The position of the easternmost dwelling to the east boundary would not cause a materially harmful overbearing impact on Nos.14-16 Kings Road due to the limited height of the proposed building, at 3m, which would be located just beyond the rear gardens of Nos.14-16.

7.9.7 In terms of construction, there would be some impact, albeit a transient impact, on neighbouring amenity. This impact will be minimised where possible through the use of planning conditions.

7.10 Air quality

7.10.1 The NPFF recognises reducing pollution as being one of its core planning principles. It further indicates that LPA's should focus on whether the development is an acceptable use of land, and the impact of the use.

7.10.2 London Plan Policy 7.14 provides strategic guidance specific to air quality. It seeks to minimise exposure to existing poor air quality and make provision to address local problems. This is reflected by local policy, whereby the Core Strategy identifies the strategy to reduce air pollution through Policies CS18-20. The entire borough has been declared as an Air Quality Management Area.

7.10.3 Whilst the construction process would have some impact on air quality, the operation of the development would not have a significant impact on air quality. Conditions are recommended to minimise the impact on air quality throughout the construction process in any event.

7.10.4 Subject to conditions, the impact on air quality is considered to be acceptable.

7.11 Transport, highway and parking issues

7.11.1 London Plan policy 6.3 requires that development proposals ensure that impacts on transport capacity and the transport network at both corridor and local level are fully assessed. Development should not adversely affect safety on the transport network. Similarly Core Strategy policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, on street parking or traffic management.

7.11.2 London Plan policies 6.9 and 6.10 seek to secure to ensure that developments provide integrated and accessible cycle facilities and high quality pedestrian environments while policy 6.13 sets out maximum parking standards. The policies provide an overarching framework for decision making.

7.11.3 Core Strategy Policy CS 18 promotes active means of transport and the gardens of the houses provide sufficient space for the storage of cycles without the need to clutter up the front of the development with further cycle stores.

7.11.4 The principle of the loss of the existing garages has been accepted, as set out above in this report.

7.11.5 The provision of one parking space per unit would be suitable and in accordance with London Plan standards. The applicant has entered into a s.106 to restrict parking permits for future occupiers, which is a suitable approach.

7.11.6 Cycle parking, in line with the requirements of the London Plan (2016) (minimum of two secure, covered spaces per dwelling), is included on the plans and is acceptable.

7.11.7 The additional traffic generated by the proposed development is unlikely to have an adverse impact on the highway network and no objection is raised on this basis.

7.11.8 The proposal is considered to be acceptable in terms of highway impacts, subject to the comments of the Council's Transport Officer.

7.12 Delivery and Servicing

7.12.1 Refuse and recycling storage would be provided in the central car park area and would be 30m from the road. Therefore, residents would be required to present the bins at the roadside for collection and then return them to the bin store. Whilst this arrangement is not ideal, as the bin store is further than 25m from the highway, having regard to the layout of the site and its backland nature, it is considered that the proposed arrangements are the best that could be achieved and would be acceptable in planning terms.

7.13 Sustainability

7.13.1 Policy 5.2 Minimising Carbon Dioxide Emissions of London Plan requires that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy. Merton's Core Planning Strategy Policy CS15 Climate Change (parts a-d) requires new developments to make effective use of resources and materials, minimise water use and CO2 emissions.

7.13.2 The application is not supported by an Energy Statement indicating how these targets will be achieved. However, a suitably worded condition can be imposed to ensure that the proposed development meets the relevant targets.

7.13.3 Subject to conditions, the proposal is considered to be acceptable in terms of its impact on Climate Change.

7.14 Flooding and site drainage

7.14.1 Policies DM F1 and DM F2 of Merton's Sites and Policies Plan and policy CS.16 of the Core Strategy seeks to ensure that development will not have an adverse impact on flooding and that there would be no adverse impacts on essential community infrastructure. The site is located within Flood Zone 1 and is not located within a critical drainage area.

7.14.2 The site is currently laid to impermeable hard standing. The proposed layout includes areas of soft landscaping and permeable hard landscaping. Therefore water attenuation across the site would be increased and the rate of run-off would be reduced. Comments from the Council's Drainage Engineer are awaited and it is likely that additional conditions may be recommended. This matter will be addressed in the modifications sheet.

7.14.3 Subject to comments from the Council's Drainage Engineer it is considered that the impact on flooding and run-off would be acceptable.

7.15 Biodiversity

7.15.1 There is no indication that the existing site has a significant biodiversity value and as such no objection is raised on this basis.

7.16 Other matters

7.16.1 The majority of issues raised by objectors is addressed in the body of this report. However, in addition, the following response is provided:

- There is no indication that the site would be used for fly tipping if the development went ahead. It is likely that occupation of the site with residential dwellings would act as a deterrent to fly tipping.
- The application is subject to the Community Infrastructure levy which would contribute towards infrastructure in the local area.
- Issues of fire safety would be addressed at the building

regulations stage. However, there will often be buildings whereby there is no direct street frontage which pass the fire regulations (this may be by use of internal sprinklers).

- There is no indication that the removal of the existing garages would result in increased car break-ins.
- It is noted that a number of the issues raised in the objection letter are not directly relevant to this application, such as: 'effect on listed building' and 'hazardous materials'.
- Conditions are imposed to seek to minimize the impact of the construction process.
- The site area does not include 4-10 South Park Road and it would be unreasonable to attempt to lever improvements to a neighbouring building as part of this application.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 The application site is less than 0.5 hectares and therefore does not require consideration under Schedule 2 development under the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

9. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Levy

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project.
- 9.2 The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL. It is likely that the development will be liable for the Mayoral Community Infrastructure Levy.

London Borough of Merton Community Infrastructure Levy

- 9.3 After approval by the Council and independent examination by a Secretary of State appointed planning inspector, in addition to the Mayor of London Levy the Council's Community Infrastructure Levy commenced on the 1 April 2014. The liability for this levy arises upon grant of planning permission with the charge becoming payable when construction work commences.
- 9.4 The Merton Community Infrastructure Levy will allow the Council to raise, and pool, contributions from developers to help fund local infrastructure that is necessary to support new development including transport, decentralised energy, healthcare, schools, leisure and

public open spaces. The provision of financial contributions towards affordable housing and site specific obligations will continue to be sought through planning obligations a separate S106 legal agreement.

- 9.5 The London Borough of Merton Community Infrastructure Levy applies to buildings that provide new retail warehouses or superstores. This levy is calculated on the basis of £220 per square metre of new floor space.

10. Conclusion

- 10.1 The proposed development would provide four additional dwellinghouses to contribute to the borough's housing demand. The scheme introduces modest single storey buildings which is considered to be an appropriate approach to the development of the site in this backland area.

- 10.2 Subject to the comments of the Council's Transport Planner, Tree and Landscape Officer and Flood Engineer it is considered that the proposal would be acceptable in planning terms.

Recommendation:

Grant Permission Subject to Section 106 Obligation or any other enabling agreement.

Conditions:

1. A1 Commencement of development (full application)
2. A7 Approved Plans
3. B1 External Materials to be Approved
4. B5 Details of Walls/Fences
5. C01 No Permitted Development (Extensions)
6. C07 Refuse & Recycling (Implementation)
7. C08 No Use of Flat Roof
8. D11 Construction Times
9. F02 Landscaping (Implementation)

10. F10 Tree Protection - Exclusion Zone
11. H04 Provision of Vehicle Parking
12. H07 Cycle Parking to be implemented
13. H09 Construction Vehicles
14. H12 Delivery and Servicing Plan to be Submitted
15. L3 Code for Sustainable Homes - Pre-Occupation (New Build Residential)
16. Non-standard condition
An investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. This must be conducted in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11'.

Reason: To protect the amenities of future occupiers and those in the local vicinity, in accordance with Policy DM D2 of the Sites and Policies Plan 2014.

17. Non-standard condition
Subject to the site investigation for contaminated land, if necessary, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

Reason: To protect the amenities of future occupiers and those in the local vicinity, in accordance with Policy DM D2 of the Sites and Policies Plan 2014.

18. Non-standard condition
Any approved remediation scheme must be carried out in accordance with its terms prior to the commencement of development, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the amenities of future occupiers and those in the local vicinity, in accordance with Policy DM D2 of the Sites and Policies Plan 2014.

19. Non-standard condition
Following the completion of any measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the amenities of future occupiers and those in the local vicinity, in accordance with Policy DM D2 of the Sites and Policies Plan 2014.

20. Non-standard condition
In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

Reason: To protect the amenities of future occupiers and those in the local vicinity, in accordance with Policy DM D2 of the Sites and Policies Plan 2014.

21. Non-standard condition
No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
- the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - wheel washing facilities
 - measures to control the emission of noise during construction

-measures to control the emission of dust and dirt during construction
-a scheme for recycling/disposing of waste resulting from demolition and construction works.

Reason: To protect the amenities of future occupiers and those in the local vicinity, in accordance with Policy DM D2 of the Sites and Policies Plan 2014.

22. Non-standard condition

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 and the method employed to attenuate flows to sewer or main river. 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;

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.

Informatives:

1. INF 15 Discharge conditions prior to commencement of work
2. INF 01 Party Walls Act
3. INF 07 Hardstandings
4. INF 20 Street naming and numbering
5. Note To Applicant - Approved Schemes
6. Non-standard informative
Carbon emissions evidence requirements for Post Construction stage assessments must provide:
 - Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); OR, where applicable:
 - A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; AND
 - Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation
7. Non-standard informative
Water efficiency evidence requirements for post construction stage assessments must provide:
 - Documentary evidence representing the dwellings 'As Built'; detailing:
 - the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
 - the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:
 - Water Efficiency Calculator for New Dwellings; OR
 - Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'
8. Non-standard informative
For further guidance in relation to sustainability please refer to Merton's Explanatory Note on Sustainable Design and Construction -

<https://www2.merton.gov.uk/environment/planning/planningpolicy/sustainability-planning-guidance.htm>

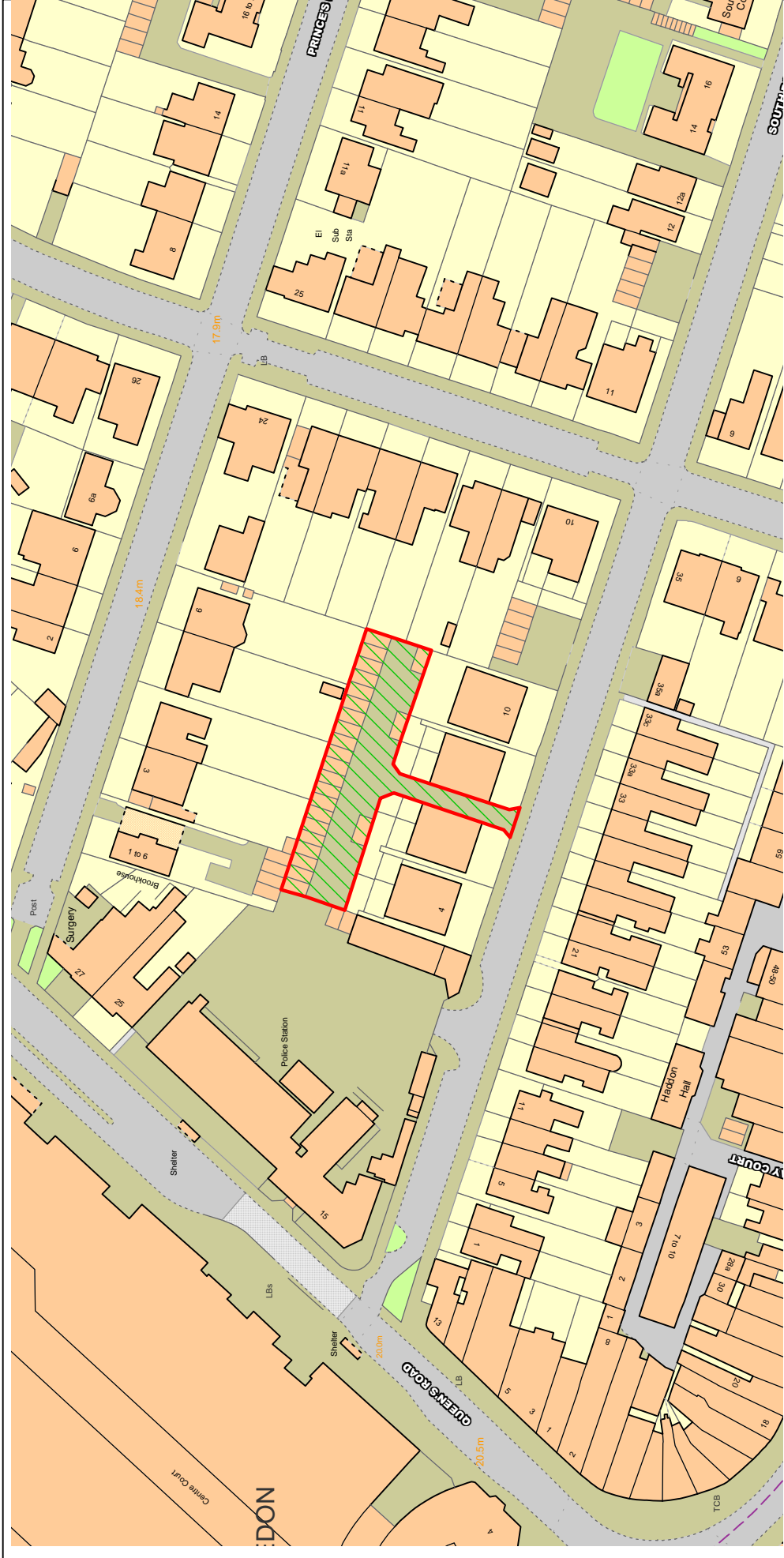
9. Non-standard informative
The applicant is advised that independent third party certification should be obtained from a manufacturer to ensure the fire performance of any of their doorsets in relation to the required needs and to ensure compliance with both current Building Regulations and the advice issued by the Department for Communities and Local Government on 22nd June 2017 following the Grenfell Tower Fire.
 10. INF 09 Works on the Public Highway
 11. INF 12 Works affecting the public highway
-

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

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NORTHGATE SE GIS Print Template



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**PLANNING APPLICATIONS COMMITTEE
22 MARCH 2018**

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
17/P0390	02/02/2017
Address/Site	The Pavilions, Watermill Way, Colliers Wood, SW19 2RD.
Ward	Colliers Wood
Proposal:	DEMOLITION OF TEMPORARY PAVILLIONS AND ERECTION OF A PART 4 PART 5 STOREY BUILDING TO CREATE OFFICE SPACE (CLASS B1A) AND GROUND UNITS FOR USE WITHIN CLASS A3 (CAFES AND RESTAURANTS) AND CLASS B1A (OFFICES)
Drawing Nos	165-100 Rev A, 165-101, 165-110 Rev C, 165-111 Rev B, 165-210 Rev A, 165-211 Rev A, 165-212 Rev B, 165-213 Rev A, 165-214 Rev C, 165-215 Rev A, 165-300 Rev B, 165-301 Rev B, 165-310 Rev C, 165-311 Rev D, 165-400 Rev A, 165-401 Rev A, 165-402 Rev A, 165-403 Rev A, 165-410 Rev B, 165-411 Rev C, 165-412 Rev B, 165-610 Rev A and 165-611 Rev A. Design and Access Statement, Daylight and Sunlight Study, Flood Risk Assessment and Flood Compensatory Scheme, Roof Plant Odour and Noise Risk Assessments, Site Wide Waste and Delivery Strategy Document, Planning Statement, Archaeological Desk-Based Assessment, BREEAM Report, BRUKL Report and Transport Statement.
Contact Officer:	Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Grant planning permission subject to the completion of a Section 106 Agreement/Obligation and conditions.

CHECKLIST INFORMATION

- S106: Yes – required for details and implementation of a Travel Plan.
- 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: Yes.
- Number of neighbours consulted: 173
- External consultations: Yes (Environment Agency)
- Controlled Parking Zone: No
- PTAL: 3
- Flood Zone: Flood Zone 3
- Conservation Area: Yes – Wandle Valley
- Listed Building: No (However, the site is close to statutorily listed and locally listed buildings).
- Protected trees: No

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The site is located within the craft village known as Merton Abbey Mills in Colliers Wood, and is designated within the Wandle Valley Conservation Area (Sub Area 3: Merton Priory). The wider Merton Abbey Mills site is bounded to the west by the River Wandle, by Merantun Way (a primary arterial road) to the north and by Watermill Way to the east and south. The precinct features a mixture of statutory and locally listed buildings. Within the precinct, there are a range of uses, including pub/restaurants, creative and craft based businesses, retail/service businesses and office spaces.
- 2.2 The site has an area of 453sqm and comprises the existing single storey temporary marquees, erected under application ref. 07/P2282. The planning permission granted a mix of A1, A3 and A5 uses for these marquees and they are currently in use as individual restaurants.
- 2.3 The site lies directly adjacent to The Long Shop, a locally listed single storey building, historically used to house lengthy printing presses for long runs of fabric and paper. The Long Shop is one of several historically significant buildings on the wider Merton Abbey Mills site,

known collectively as the 'Liberty buildings'.

- 2.4 The site lies within the Wandle Valley Conservation Area, Sub-Area 3.
- 2.5 To the immediate south and east of the site is 4-7 storey residential accommodation. There is a large retail complex to the north of the site as well as significant number of other public amenities. To the west of the River Wandle is a light-industrial estate comprising 2-3 storey industrial sheds accommodating a range of light industrial uses. The industrial estate is separated from the site by the River Wandle and a belt of trees around the river bank.
- 2.6 The site lies approximately half a mile south west of Colliers Wood and half a mile south east of South Wimbledon Underground Stations. By road the site is accessed directly off the A24 Merantun Way onto Watermill Way where there is a car park for customers. The site is designated within the Colliers Wood Town Centre.
- 2.7 The existing wider Merton Abbey Mills site has a total of 52 parking spaces and 3 parking spaces for disabled users, which are controlled through the use of permits managed by the site owners (as opposed to the Council). A total of 87 permits have been issued to business operators. There is no public parking available on the site, however, there is a large pay and display car park to the east of the site.
- 2.8 The site is subject to the following planning constraints:
 - Archaeological Priority Zone
 - Wandle Valley Conservation Area
 - Town Centre
 - Flood Zone 3
 - PTAL 3

3. **CURRENT PROPOSAL**

- 3.1 The proposal is for the demolition of the existing temporary marquees located adjacent to The Long Shop and the erection of a part four, part five storey building within Merton Abbey Mills. (It should be noted that the original proposal has been amended by reducing the height of the building by one storey).
- 3.2 The building would be used for A3 purposes at ground floor level, with a number of openings creating an arcade style walkway between the proposed building and The Long Shop. Also at ground floor level would be a publically bookable performance and presentation space.

- 3.3 At the upper levels the building would be used for new flexible office/business uses building suitable for start-ups and creative business. The structure is designed to allow rearrangement of the internal spaces to support evolving business needs.
- 3.4 There would be a roof terrace covering part of the roof, to be used as an accessible amenity space for business users.
- 3.5 The building would have a rectangular footprint providing 140sqm of A3 uses at ground floor level and 1,444sqm of office space above.
- 3.6 The proposed building would have a maximum height of 17.7m, with the flat roof of the third floor at a height of 15m. The building would be 31m in width and 15m in depth.
- 3.7 The building would feature large areas of glazing, particularly at ground floor level. Construction materials would be brick, with lighter brick used for the upper floor. The first and second floor would use a vertical stack bond. All fenestration is proposed as painted metal frames.
- 3.8 The proposal would result in the loss of 18 car parking spaces on site, retaining 34 spaces across the site. 5 parking permits would be removed as a consequence of the proposed development.

4. **PLANNING HISTORY**

- 4.1 The Merton Abbey Mills precinct has an extensive planning history. However, recent planning history relating to this site in particular includes:
- 4.2 09/P1923 - RETENTION OF THE EXISTING TEMPORARY MARQUEE FOR A FURTHER YEAR [PREVIOUS APPROVAL REF 07/P2282] TO HOUSE MARKET TRADERS AND TO BE USED FOR PURPOSES WITHIN THE FOLLOWING USE CLASSES: A1 - RETAIL, A3 - RESTAURANTS/CAFES, A5 - HOT FOOD TAKE-AWAYS. Grant Permission subject to Conditions 26-04-2010.
- 4.3 07/P2282 - TEMPORARY MARQUEE TO HOUSE MARKET TRADERS INCORPORATING REPOSITIONED PAVILION BUILDINGS. AREA WITHIN PAVILIONS AND UNDER CANOPY TO BE USED FOR PURPOSES WITHIN THE FOLLOWING USE CLASSES: A1 – RETAIL, A3 - RESTAURANTS/CAFES, A5 - HOT FOOD TAKE-AWAYS. THE TEMPORARY CANOPY STRUCTURE WOULD OVERSAIL THE EXISTING SINGLE STOREY "PAVILIONS" (TO BE REPOSITIONED APPROXIMATELY 3M NORTH OF

CURRENT LOCATION). Grant Permission subject to Conditions 30-01-2008. (Temporary permission of 2 years).

Other applications within Merton Abbey Mills of interest:

- 4.4 The 1929 shop - 08/P1532 - CONSTRUCTION OF AN ADDITIONAL STOREY TO THE EXISTING TWO STOREY BUILDING TO PROVIDE 12 NEW BUSINESS UNITS (USE WITHIN CLASS B1) WITH AN EXTERNAL ESCAPE STAIR TO THE SOUTH ELEVATION AND ALTERATIONS TO EXTRACT VENTILATION TO GROUND FLOOR COMMERCIAL UNITS. Grant Permission subject to Conditions 02-09-2009 – Not implemented – Expired.
- 4.5 The William Morris Pub - 15/P0615 - ALTERATION AND EXTENSION TO EXISTING PUBLIC HOUSE AND RESTAURANT, INCLUDING NEW MICRO-BREWERY (B2 USE) AND SHOP. Grant Permission subject to Conditions 04-04-2016 – Not implemented – Extant.
- 4.6 00/P0541 – Land South of Merantun Way
ERECTION OF NEW BUILDING FOR USE AS A RENEWABLE ENERGY TECHNOLOGY CENTRE INCORPORATING THE ERECTION OF A 10 M HIGH WIND TURBINE, 10 M HIGH 'BIOMASS' CHIMNEY AND 9 M WIND TOWER. THE PROPOSAL INVOLVES THE PROVISION OF ASSOCIATED LANDSCAPING WORKS. Application withdrawn.

5. **CONSULTATION**

- 5.1 Site and press notice and individual letters to 173 properties. 57 objections have been received in total, with 35 objections submitted in relation to the original scheme and a further 22 submitted in relation to the revised scheme. The responses in relation to the original scheme raised objection on the following grounds:
- Loss of light and privacy to neighbouring residential dwellings.
 - Form, height, scale and design of proposed building is out of keeping with the surroundings and would damage the original heritage of Merton Abbey Mills.
 - Design is ugly, box-like, monolithic and boring.
 - Proposed building jars with human scale of other buildings on site.
 - Heritage Strategy document does not provide a proper assessment of the impact of the development on the heritage asset.
 - The planning permission to allow an extension to the 1929 Shop has lapsed and should not be shown on the plans for height comparisons as it is misleading and inaccurate.

- Inadequate parking provision, along with the reduction of 13 parking spaces. Concerns over displacement parking.
- The proposal will not assist ailing businesses, as it will not act as a driving force for people to visit the area – it is more likely to drive people away.
- The application is a threat to the archaeological priority zone.
- Concerns over increase in traffic.
- Noise disturbance from additional cars and plant machinery.
- Loss of views.
- Loss of light to existing market buildings.
- Huge building would create a wind tunnel like effect creating an undesirable pedestrian environment.
- Concerns over impact of construction traffic.
- There are not enough litter bins on the site.
- It is not clear what users would occupy the A3 uses.
- Proposal would obscure views of historic buildings.
- Concern that building would attract anti-social behavior at night.
- The existing restaurants on the site would almost certainly go out of businesses as a result of the proposal.
- Additional congestion will cause air pollution.
- The business rates should be set at a level that will encourage the young and those starting a risky new business venture.
- Concern that rentable space may be sold off later in the future.
- This is not the right place for an office building.
- The use of grey brick is not in keeping.
- Entrance to building should be facing Watermill Way, not the Long Shop – this is illegible.
- Concerns over refuse storage proposals.
- The function of rentable office space is completely alien to the Arts and Crafts theme of Abbey Mills.
- Query whether there are any brownfield sites where this could be constructed.
- Asphalt ground covering would be inappropriate – cobbles would be better.
- Concern that parking for disabled users would be lost.
- Proposal will reduce value of nearby properties.
- Concerns over notification process.

5.2 The 22 additional letter relating to the revised scheme largely covered the same grounds as those set out above but also commented that the reduction in height was not sufficient to overcome the originally cited concerns.

5.3 Merton Green Party (in response to original scheme):

The proposed development is entirely out of keeping in size and style with the historic buildings surrounding it which give the area its appeal. We are also concerned about whether the numerous community events which currently take place on the site will still be able to be held there.

5.4 Wimbledon Society Planning & Environment Committee (in response to original scheme):

The proposals would replace the temporary pavilions with a part 4 storey/part 5 storey office block with ground floor retail space. This is out of keeping with the rest of the Craft Village because of its height and scale. Any development should be sympathetic to the other historic buildings within the site and in particular should not be more than two storeys high.

5.4 Wandle Valley Forum:

- We welcome the revised proposals as an improvement but do not believe they address the grounds for refusal providing in our original representations.
- The four storey development continues to crowd rather than complement its historic and sensitive surroundings and does not preserve or enhance the Conservation Area.
- We share the view that the temporary structures to be replaced by the new building are of limited merit.
- We support the principle of a sensitively designed replacement and applaud efforts to create a more diverse range of office accommodation. Nevertheless, we are concerned by the mass and height of the development proposed even after the reduction to four storeys and its impact on the surrounding heritage assets (including locally listed and listed buildings and a scheduled ancient monument) and the Conservation Area.
- The new building crowds rather than complements its historic surroundings and we question its consistency with development plan policies CS14 and DM D1, D2 & D4.

5.5 Merton Historical Society (in relation to amended proposal)

I note with some satisfaction that the reduction in height will allow a more pleasing gradation of roof heights on the site, but it is hard to see what else has changed. I see no reason to withdraw other comments I made in response to the first application.

We accept that the buildings proposed for demolition are not of historic or architectural merit and that the owners may well wish to develop the

site for an improved income. However, the proposed development shows no sympathy with the complex of low-rise buildings from the time of Liberty's occupation of the site. It towers over people and cannot add to the welcoming street-level ambience of Abbey Mills.

The "Landscaping and Public Space" sketch in the Design and Access Statement claims that the space outside the Long Shop will be spacious, but just two people at a table seem to take up quite a lot of room. More to the point, the sketch looks away from the new S. frontage; at the outdoor tables you would be almost in a chasm, with the (still) high walls of the new building to look at above ground floor level.

External Consultations

5.6 Designing Out Crime Officer:

No objection: Thank you for inviting me to view the amended plans... I have not had any contact with the developer or architect prior to this request for comments. This ward has a lower crime rate than the borough and London rates.

There were 17 crimes reported in the past year for the area of the post code for the Pavilions including thefts, public order offences and an attempted burglary. This report is further to my comments of 17th February 2017. I note there is a document dated June 2017 in response to the Crime Prevention Comments.

Having given due consideration to the details of the security and safety features, I have a few comments and recommendations.

I am still concerned with the covered arcade and its potential misuse. Being well lit may assist with deterring criminal behaviour if the arcade is over looked but just give people a better chance to see what they can get up to if not over looked.

The Design and Access statement mentions blurring lines between public and semi private space in the ground floor commercial space. This would increase anonymity. Uncertainty of ownership can reduce responsibility and increase the likelihood of crime and anti-social behaviour going unchallenged. Staff would find it hard to apply rules that are acceptable in public areas such as dress code or begging.

The appropriate Secured by Design (SBD) requirements can be found in the design guides on the SBD web site (www.SecuredbyDesign.com). If the architects would like to discuss

the drawings in relation to Secured by Design, please pass on my contact details. We strongly advise that independent third party certification is obtained from a manufacturer to ensure the fire performance of any of their doorsets in relation to the required needs and to ensure compliance with both current Building Regulations and the advice issued by the Department for Communities and Local Government on 22nd June 2017 following the Grenfell Tower Fire.

5.7 Environment Agency:

No objection subject to development proceeding as per the submitted plans and subject to conditions pertaining to flood mitigation measures, land contamination and remediation and sustainable drainage.

5.8 Historic England Archaeology:

Recommend approval.

The information presented within the desk-based assessment has shown that there is an on-going archaeological interest with the site but that the impact of the former silk works would have diminished the potential.

Given the above, it is concluded that the on-going archaeological interest can be secured by condition: (condition recommended for the implementation of a programme of site related archaeological evaluation site work in accordance with a Written Scheme of Investigation).

Any geotechnical investigation of the site should be incorporated within the scope of the archaeological evaluation specification to ensure such work would not impact upon the potential archaeological resource as well as affording an opportunity to conserve resources by means of combining the site survey/evaluation works.

The NPPF accords great weight to the conservation of designated heritage assets and also non-designated heritage assets of equivalent interest. Heritage assets of local or regional significance may also be considered worthy of conservation.

Further information on archaeology and planning in Greater London is available on the Historic England website.

Please note that this advice relates solely to archaeological considerations. If necessary, Historic England's Development

Management or Historic Places teams should be consulted separately regarding statutory matters.

Internal Consultations

5.9 Environmental Health

No objection subject to conditions to address the following: Noise levels, control of odour, external lighting, potential land contamination issues and to secure a Demolition and Construction Method Statement.

5.10 Waste Services:

No objection.

5.11 Biodiversity Officer:

I note that the proposed development is located within the larger Merton Abbey Mills site, which is located:

- within the WVRP Brangwyn Crescent 400m buffer (CS5, CS13, 21.13, DM01)
- adjacent to a Green Chain that runs along the Wandle River (CS13, DM01)
- adjacent to the Wandle Trail Nature Park SINC (CS13, DM02)
- adjacent to the Wandle Valley MOL (CS13, DM01)
- adjacent to the Phipps Bridge & London Road Playing Fields Green Corridor (CS13, DM02)
- within the vicinity of Open Space on the other side of the Wandle River (CS13, DM01)
-

In accordance with the NPPF (109), the proposed development should minimise impacts on biodiversity and ensure net biodiversity gains across the site. The proposed development should protect and enhance biodiversity and not adversely affect the nature conservation values of the adjoining SINC (CS13).

I am of the opinion that it would not be justified to require an ecological survey for this proposed development. However, given the close proximity of the site to the Wandle River, which is known as a corridor that could be utilised by foraging and commuting bats, there is a need to ensure that this, or any other protected species are not adversely affected by the proposal.

From the submitted plans and design and access statement I could

not ascertain whether there is any external lighting proposed on the western elevation or the roof terrace. The proposed height of the building will protrude above the existing 2 storey buildings located along the Wandle River.

Should external lighting be incorporated as part of the development, it should be designed to ensure that the lux levels and usage/timing do not impact adversely upon commuting bats along the river corridor.

The incorporation of green roofs, roof planting and green walls should also be considered by the applicant for net biodiversity gains.

5.12 Transport Planning:

Observations:

The PTAL is 3 (average) with bus, tram and tube available within the PTAL calculation area. The development is not located in a controlled parking zone nor is there likely to be one in place by the time the proposed development is occupied.

The proposals remove 18 car parking spaces from the overall crafts market area which currently has 52 spaces.

Existing Highway Network

The Application Site is situated on Watermill Way, which forms a roundabout with the A24 (Merantun Way). All roads within the vicinity are subject to a 30mph speed limit and are subject to double yellow parking restrictions.

Car Parking

The applicant commits to not issuing any of its own private car parking permits to new office units in order to encourage staff to travel by more sustainable modes. The parking permits associated with The Pavillions will not be re issued.

An on-site parking survey identified 52 perimeter car parking spaces, as well as three spaces located outside the William Morris Public House, combining for 55 spaces. The removal of 18 car parking spaces, resulting in 34 perimeter spaces together with the 21 informal unmarked car parking spaces located within the core area which could be made available again should demand from the existing tenants require this.

These spaces are controlled through the use of private parking permits, which are issued to companies on-site depending on unit size.

It is in the Client's control to reduce the number of permits, and it is their ongoing policy having pedestrianised the core area, thereby removing 21 spaces. Likewise, the core area provides sufficient spare capacity which could be made available to cater for peak demand.

Cycle Parking Provision

The proposal provides a dedicated shelter in the car park for up to 12 bicycles, provided by 6 Sheffield type stands. In addition, a further 12 short term visitor cycle parking spaces (6 Sheffield type stands) are located outside the main building entrance.

The cycle provision is acceptable.

Travel Plan (Framework)

The application includes a draft travel plan and this is broadly welcomed. The details of the travel plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section106 process.

Summary

- a) The traffic generation of the proposed development is not expected to result in a severe impact on the local highway network.
- b) A weekday and weekend survey of the existing car parking provision within the Merton Abbey Mills site suggests that the existing demand can be accommodated within the retained car parking provision, supported with additional spaces available within the core area of the site.
- c) Office Estates Ltd commits to not issuing any car parking permits to tenants of the proposed development, further to the removal of parking permits associated with The Pavillions.

Recommendation: Raise no objection subject to:

- Demolition / Construction Logistic Plan (including a Construction Management Plan compliant with Chapter 8 of the Road Signs Manual for temporary Works) sent LPA before commencement of work be required.
- Cycle parking provision maintained.
- Details will need to be provided for refuse storage and collection.
- The details of the travel plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000

(two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section106 process.

5.13 Climate Change Officer:

No Objection: The applicant has now submitted a formal energy strategy (dated 6 Oct 2017) that demonstrates that the scheme has been designed to achieve a 35% improvement on Part L 2013, in accordance with London and Local Plan policy requirements. The applicant has also supplied a roof plan indicating the orientation and layout of the proposed solar PV array.

As the applicant had already submitted evidence confirming that the scheme has been designed to achieve BREEAM 'Very Good' level, I'm satisfied that the application is compliant with the sustainability policies and suggest that the pre-occupation standard condition is applied to the application.

5.14 Design Review Panel (in relation to original scheme):

The Panel has a number of issues with the proposals for this site. They acknowledged the difficulty of relating to a sensitive conservation area on one side and large blocks of flats on the other. The feel was that the building was trying to do both, and possible not succeeding in either.

The uses and open character of the ground floor, with its colonnade, related well to the site. However, the scale, form and height related to the block of flats. Essentially, the Panel felt the building was too tall to achieve both of these necessary aims. The hierarchy of organically placed buildings was disrupted by the position and scale of the new building. Its rectilinear form and simple shape emphasised its scale and presence and did not seem to fit in with this organic form. The relationship of scale between the single storey Long Shop and the new 5 storey building was picked out in particular. A 3 storey building with a different approach to roof form or materials for the upper storey would fit in far better to the site and setting. The Panel were clear in believing the extension to the 1929 shop was of an appropriate scale and design.

The Panel noted that the Abbey Mills site itself was difficult to get to and appeared as an inward looking cluster of buildings. It had an ambiguous relationship with the surrounding buildings. It was questioned whether the building should be strengthening the 'wall' of the site boundary. Should it try and be part of the existing organic cluster of buildings or should it be more permeable and open towards

the inside of the conservation area? The boundaries were not clear and these issues needed to be sorted out.

The Panel noted the dynamic and modern way the building was designed to be used, and felt that this was a good thing. However, the Panel noted the possibility for the building to revert to a traditional office building – as the upper floors essentially were so. If the building was to relate to different contexts it possibly needed to look and feel different on each side.

Overall the Panel felt that the proposed building could not be said to be harming the character of the conservation area, but were not convinced that other aspects of the proposal were outweighing or justifying this in terms of public benefit. This needed to be better demonstrated. The Panel discussed for some time the appropriate verdict, with some members clearly preferring a Red.

VERDICT: AMBER.

6. **POLICY CONTEXT**

The following policies are relevant to this proposal:

6.1 **NPPF - National Planning Policy Framework (2012)**

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

- 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. Plans should take account of market signals, such as land prices and housing affordability, and set out a clear strategy for allocating sufficient land which is suitable for development in that area, taking account of the needs of residential and business communities.
- Encourage the effective use of land by reusing land that have been previously developed (brownfield land), provided that it is not of high environmental value;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable;
- The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable

development, is indivisible from good planning, and should contribute positively to making places better for people.

- Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset). They should take this assessment into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.
- Local planning authorities should adopt proactive strategies to mitigate and adapt to climate change, taking full account of flood risk, coastal change and water supply and demand considerations.
- Inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere
- Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system."

6.2 London Plan (2016):

- 2.6 Outer London: Vision and strategy.
- 2.8 Outer London: Transport.
- 2.15 Town Centres.
- 4.7 Retail and town centre development
- 5.1 Climate change mitigation.
- 5.2 Minimising carbon dioxide emissions.
- 5.3 Sustainable design and construction.
- 5.6 Decentralised energy in development proposals.
- 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
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.11 Smoothing traffic flow and easing congestion
- 6.12 Road network capacity
- 6.13 Parking
- 7.2 An inclusive environment

- 7.3 Designing out crime
 - 7.4 Local character
 - 7.5 Public realm
 - 7.6 Architecture
 - 7.8 Heritage assets and archaeology
 - 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 LDF Core Planning Strategy (July 2011)
- CS 1 Colliers Wood
 - CS 7 Centres
 - CS 12 Economic development
 - CS 13 Open space, nature conservation, leisure and culture
 - CS 14 Design
 - CS 15 Climate change
 - CS 17 Waste management
 - CS 18 Transport
 - CS 19 Public transport
 - CS 20 Parking servicing and delivery
- 6.4 Sites and Policies Plan and Policies Map (July 2014)
- DM R1 Location and scale of development in Merton's town centres and neighbourhood parades
 - DM R5 Food and drink/leisure and entertainment uses
 - DM D1 Urban Design
 - DM D2 Design considerations
 - DM D4 Managing Heritage Assets
 - DM EP2 Reducing and mitigating noise
 - DM EP 4 Pollutants
 - DM E1 Employment areas in Merton
 - 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
 - DM O2 Nature conservation, trees, hedges and landscape features
- 6.5 Other guidance:
- National Planning Policy Framework (2012)
 - National Planning Policy Guidance (2014)

7. **PLANNING CONSIDERATIONS**

7.1 The key planning considerations are:

- Principle of development
- Design and impact upon the character and appearance of the area and associated heritage assets
- Impact upon neighbouring amenity
- Flood Risk
- Transport and parking
- Refuse storage and collection
- Cycling and walking

7.2 Principle of the Proposed Development

7.2.1 London Plan Policy 4.4, SPP Policy DM E1 and Core Strategy Policy CS 12 all seek to promote employment opportunities both locally and regionally. SPP Policy DM E1 stipulates that new uses should have parking and access appropriate to the site and its surroundings, not unacceptably affect the operation of neighbouring businesses, traffic movement, road safety or local amenity.

7.2.2 Policy CS12 states that the council supports the improvement to the quality of office development in Colliers Wood, appropriate to its status as a District Centre with Wimbledon, as a Major Centre, remaining the borough's main location for major office development.

7.2.3 Policy DM E1 sets out that the council will support small, large and major offices and businesses (B1 [a] Use Class) in town centres or in areas with good access to public transport (PTAL 4 and above) and within close proximity to additional services for employees and workers.

7.2.4 Core Strategy Policy CS1 and CS7 encourages an improved mix of uses within Colliers Wood, inclusive of restaurants, cafes, and financial and business services commensurate with its retail offer as a district centre, that will contribute to the vitality and viability of the Colliers Wood centre. The policy encourages development that will raise awareness of heritage assets, recognising their positive contribution to regeneration and development. SPP Policy DM R1 and DM R5 stipulates that new development in town centres is to be

commensurate with the scale and function of the centre, and must maintain the character and amenity of the area.

7.2.5 Whilst the proposal would result in the loss of the marquees used for market traders within use class A3, the proposal will involve the establishment of a new flexible office/business uses building suitable for start-ups and creative businesses, with restaurant uses at ground floor.

7.2.6 The proposed uses are considered to be appropriate to the surrounding area and consistent with the wider policy objectives set out in the London Plan policies, Merton Local Development Framework Core Strategy, and Merton Sites and Policies Plan such as to foster and enhance the development of Colliers Wood as a Town Centre.

7.2.7 Therefore, the proposal is acceptable subject to the impact on the character of the area and other development management policies.

7.3 Design and impact upon the character and appearance of the area and associated heritage assets.

7.3.1 London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policy DMD2 require well designed proposals that will respect the appearance, materials, scale, bulk, proportions and character of the original building and their surroundings. Policy 7.6 sets out a number of key objectives for the design of new buildings including that they should be of the highest architectural quality, they should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and buildings should have details that complement, but not necessarily replicate the local architectural character. Policy CS14 of the adopted Core Strategy states that all development needs to be designed to respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. This will be achieved in various ways including by promoting high quality design and providing functional spaces and buildings.

7.3.2 Layout

7.3.3 The layout of the ground floor, including a number of public access points and circulation space would represent a positive element of the scheme which maximises public use of the building and legibility.

- 7.3.4 The arcade style area of land between the Long Shop and the application site is considered to be a positive element of the scheme and would create a vibrant walkway between these two buildings.
- 7.3.5 The use of the upper floors as offices would not directly affect the movement of people at ground level.
- 7.3.6 Design and massing.
- 7.3.7 Merton Abbey Mills is an enclave of historically significant buildings related to the historic mill use. Generally, the buildings are low level (one and two storeys in height). More recent development to the south and southeast of the site is at a greater scale, with buildings up to 6/7 storeys in height. The Wandle Valley Conservation Area Sub-Area 3 Character Assessment (Post Consultation Draft 2007) describes the more recently constructed buildings as follows:
- “More recent development to the south of Merton Abbey Mills is also predominantly of brick and although architecturally of a contemporary design it reflects the character of the conservation area in terms of the scale and massing of the buildings and also the design of the fenestration which reflects the more industrial character of the buildings at Merton Abbey Mills.”
- 7.3.8 The proposed Liberty Works building would be located closer to the historically significant buildings at Merton Abbey Mills than the previously approved taller buildings to the south and southeast of the site. The proposed building would not be as tall as the buildings to the south (which stand at a height of 21m) and in some way this creates a stepped transition between Merton Abbey Mills and the development to the south.
- 7.3.9 However, notwithstanding this, it is accepted that it could be argued that there is tension between the proposed higher building and the significantly smaller scale buildings making up the historic core.
- 7.3.10 The proposed building would obscure some views towards the historically significant buildings on site and would also visually dominate views of The Long Shop.
- 7.3.11 The design of the building has sought to draw on industrial architectural features of the adjacent Merton Abbey Mills buildings. The scale of the building is such that it would not sit entirely comfortably with the existing historically significant buildings on site,

however, does provide that transition from the higher buildings to the south east.

7.3.12 The proposal is considered to result in less than substantial harm to the heritage asset (the conservation area and nearby locally listed buildings).

7.3.13 The NPPF sets out that “where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use”.

7.3.14 In this instance the proposed building would provide modern offices and restaurant floor space which is argued to be essential to the continued viability and vibrancy of the area.

7.3.15 Therefore, Members should consider whether the benefit of the proposal, in terms of assisting the long term viability of the Merton Abbey Mills site, would outweigh the harm, albeit less than substantial harm, caused to the setting of the adjacent locally listed and listed buildings.

7.4 Hard and soft landscaping.

7.4.1 The proposal includes significant hardstanding around the building. The area between the building and The Long Shop, which would be called Liberty Arcade would be hard landscaped to form informal seating areas. Subject to the detail of the surfacing material, to be suitable to the historic character of the area, the provision of hard landscaping in this area would be acceptable and an appropriate design approach to creating a legible, cohesive layout.

7.4.2 Tree planting is proposed along Liberty Arcade which would assist in identifying this strip as a pedestrian walkway and is considered to be a suitable design solution.

7.4.3 Heritage issues.

7.4.4 The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. The following considerations should be taken into account when determining planning applications.

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation; The wider social, cultural, economic and

environmental benefits that the conservation of the historic environment can bring;

- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

7.4.5 According to Paragraph 129, LPAs should also identify and assess the significance of a heritage asset that may be affected by a proposal and should take this assessment into account when considering the impact upon the heritage asset.

7.4.6 Sites and policies plan policy DM.D4 requires that:

b) All development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, how the proposal conserves and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting.

7.4.7 As set out above, it is considered that there is a degree of tension between the scale of the proposed building and the existing buildings on site. Whilst the proposed building could be argued to visually 'bookend' the existing wider Merton Abbey Mills Sites officers conclude that on this issue in isolation of the other benefits offered by the proposal, that the proposal would be harmful to the historic setting of locally and listed buildings, albeit less than substantial harm.

7.4.8 Officers conclude that the benefit of the proposal would outweigh this harm, but ultimately Members must consider whether the wider benefits of the building in promoting vitality in the area, would outweigh the impact on the historic setting of the collection of buildings at Merton Abbey Mills.

7.5 Impact upon neighbouring amenity including visual impact, noise, light and air quality

7.5.1 London Plan policies 7.14 and 7.15 seek to improve air quality or be at least air quality neutral and reduce and manage the noise environment. SPP policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

7.5.2 Visual Impact

- 7.5.3 The proposed building would be separated from neighbouring residential buildings (Bennets Courtyard) by 11.5m, at an oblique angle. Whilst there would be some adverse impact in terms of loss of outlook, the juxtaposition of the proposed building and the existing, having regard to the oblique angle and the separation distance, is such that the impact is considered to not be materially harmful.
- 7.5.4 The submitted Daylight and Sunlight Assessment was carried out in relation to the original proposal (amendments have since been received reducing the height of the building by one floor). The submitted assessment concluded that the proposal was largely acceptable in terms of daylight and sunlight with the exception of five windows in the study area (the study area includes the neighbouring residential buildings, Vista House and Bennets Court and also the neighbouring non-residential buildings, The Long Shop and The Apprentice Shop). The windows affected are at Vista House and Bennets Court fall marginally short of the minimum Vertical Sky Component (ratio of 0.68 as opposed to the BRE target of 0.8). Whilst a revised daylight and sunlight assessment has not been received, it is considered that the very marginal failure against the BRE guidelines would be overcome by the reduction in height of the building (reduction in height by one storey by previous amendments to the scheme) and, therefore, whilst there would be some marginal loss of light to adjacent properties at Bennets Courtyard and Vista House, this impact would not be materially harmful.
- 7.5.5 In terms of overlooking, the separation distance between the proposed building and Vista House would be between 17 and 19m, at an oblique angle. Therefore, whilst there may be some slight increase in inter-visibility, there would not be a material loss of privacy to Vista House.
- 7.5.6 Equally, Bennets Courtyard, which is located a minimum of 11.5m away from the proposed building, would not experience a material loss of privacy due to the oblique juxtaposition of the two buildings.
- 7.5.7 The proposed roof terrace would be substantially separated from nearby residential buildings and as such would not result in a material loss of privacy.
- 7.5.8 Whilst there would be some impact on neighbouring amenity, for the reasons set out above, this impact is considered to be acceptable.
- 7.5.9 Noise

7.5.10 The NPPG sets out that “Local planning authorities’ plan-making and decision taking should take account of the acoustic environment and in doing so consider:

- whether or not a significant adverse effect is occurring or likely to occur;
- whether or not an adverse effect is occurring or likely to occur; and
- whether or not a good standard of amenity can be achieved.

7.5.11 In line with the Explanatory note of the noise policy statement for England, this would include identifying whether the overall effect of the noise exposure (including the impact during the construction phase wherever applicable) is, or would be, above or below the significant observed adverse effect level and the lowest observed adverse effect level for the given situation”.

7.5.12 The Council’s Environmental Health Officer has considered the proposals and concludes that the noise impact would be acceptable subject to a condition limiting the noise at nearby residential properties.

7.5.13 The proposal is considered to be acceptable in terms of plant noise, subject to conditions relating to noise levels, hours of working and the submission of a Demolition and Construction Method Statement.

7.6 Lighting

7.6.1 Whilst there would be some visual disturbance from lighting within the building to neighbouring residential properties this would be no more harmful than other nearby buildings and it is considered that this matter would not warrant a reason for refusal. In any event, a condition is recommended to ensure that external lighting is appropriate.

7.7 Air quality

7.7.1 The NPPF recognises reducing pollution as being one of its core planning principles. It further indicates that LPA’s should focus on whether the development is an acceptable use of land, and the impact of the use.

7.7.2 London Plan Policy 7.14 provides strategic guidance specific to air quality. It seeks to minimise exposure to existing poor air quality and make provision to address local problems. This is reflected by local policy, whereby the Core Strategy identifies the strategy to reduce air

pollution through Policies CS18-20. The entire borough has been declared as an Air Quality Management Area.

7.7.3 Whilst the construction process would have some impact on air quality, the operation of the development would not have a significant impact on air quality. Conditions are recommended to minimise the impact on air quality throughout the construction process in any event.

7.7.4 Subject to conditions, the impact on air quality is considered to be acceptable.

7.8 Transport, highway and parking issues

7.8.1 London Plan policy 6.3 requires that development proposals ensure that impacts on transport capacity and the transport network at both corridor and local level are fully assessed. Development should not adversely affect safety on the transport network. Similarly Core Strategy policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, on street parking or traffic management.

7.8.2 London Plan policies 6.9 and 6.10 seek to ensure that developments provide integrated and accessible cycle facilities and high quality pedestrian environments while policy 6.13 sets out maximum parking standards. The policies provide an overarching framework for decision making.

7.8.3 Core Strategy Policy CS 18 promotes active means of transport and the gardens of the houses provide sufficient space for the storage of cycles without the need to clutter up the front of the development with further cycle stores.

7.8.4 The PTAL is 3 (average) with bus, tram and tube available within the PTAL calculation area. The development is not located in a controlled parking zone nor is there likely to be one in place by the time the proposed development is occupied.

7.8.5 The development proposals comprise the removal of The Pavilions and their replacement with new cafés (Use classes A3) and business space (class B1) totalling 1,832m² gross external (“GEA”) floor space within a four and a half storey building. The proposals remove 18 car parking spaces from the crafts market area which currently has 52 spaces.

7.8.6 The Application Site is situated on Watermill Way, which forms a roundabout with the A24 (Merantun Way). All roads within the vicinity

- are subject to a 30mph speed limit and are subject to double yellow parking restrictions.
- 7.8.7 The Applicant commits to not issuing any car parking permits to new office units in order to encourage staff to travel by more sustainable modes. The parking permits associated with The Pavillions will not be re issued.
- 7.8.8 An on-site parking survey identified 52 perimeter car parking spaces, as well as three spaces located outside the William Morris Public House, combining for 55 spaces. The removal of 18 car parking spaces, resulting in 34 perimeter spaces together with the 21 marked car parking spaces located within the core area which could be made available again should demand from the existing tenants require this.
- 7.8.9 These spaces are controlled through the use of parking permits, which are issued to companies on-site depending on unit size.
- 7.8.10 It is in the Applicant control to reduce the number of permits, and it is their ongoing policy having pedestrianised the core area, thereby removing 21 spaces. Likewise, the core area provides sufficient spare capacity which could be made available to cater for peak demand.
- 7.8.11 The proposal provides a dedicated shelter in the car park for up to 12 bicycles, provided by 6 Sheffield type stands. In addition, a further 12 short term visitor cycle parking spaces (6 Sheffield type stands) are located outside the main building entrance. The cycle provision is acceptable.
- 7.8.12 The application includes a draft travel plan and this is broadly welcomed. The details of the travel plan should be subject to detailed agreement and monitoring over a five year period. A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years, secured via the Section106 process.
- 7.8.13 In summary, the traffic generation of the proposed development is not expected to result in a severe impact on the local highway network. A weekday and weekend survey of the existing car parking provision within the Merton Abbey Mills site suggests that the existing demand can be accommodated within the retained car parking provision, supported with additional spaces available within the core area of the site. Office Estates Ltd commits to not issuing any car parking permits to tenants of the proposed development, further to the removal of parking permits associated with The Pavillions.

7.8.14 The impact on parking and this highway network is considered to be acceptable subject to conditions to secure a Demolition/Construction Logistics Plan, the provision of cycle parking, details and implementation of refuse storage. Also, details of a Travel Plan should be secured by way of s.106.

7.9 Delivery and Servicing

7.9.1 The submission indicates that refuse and recycling collection would be as per the existing site arrangements. Whilst the existing arrangements are somewhat adhoc, it is considered that the existing facilities would be adequate. It is noted that the Council's Waste Services Section have raised no objection in this regard.

7.10 Sustainability

7.10.1 Policy 5.2 Minimising Carbon Dioxide Emissions of London Plan requires that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy. Merton's Core Planning Strategy Policy CS15 Climate Change (parts a-d) requires new developments to make effective use of resources and materials, minimise water use and CO2 emissions.

7.10.2 The applicant has submitted a formal energy strategy (dated 6 Oct 2017) that demonstrates that the scheme has been designed to achieve a 35% improvement on Part L 2013, in accordance with London and Local Plan policy requirements. The applicant has also supplied a roof plan indicating the orientation and layout of the proposed solar PV array.

7.10.3 As the applicant had already submitted evidence confirming that the scheme has been designed to achieve BREEAM 'Very Good' level, officers are satisfied that the application is compliant with the sustainability policies and recommend that a pre-occupation standard condition is applied to the application.

7.10.4 The proposal is considered to be acceptable in terms of its impact on Climate Change.

7.11 Flooding and site drainage

7.11.1 Policies DM F1 and DM F2 of Merton's Sites and Policies Plan and policy CS.16 of the Core Strategy seeks to ensure that development will not have an adverse impact on flooding and that there would be no adverse impacts on essential community infrastructure. The site is

located within Flood Zone 3 and whilst the proposal is not for a vulnerable use, the applicant is required to provide a Flood Risk Assessment to demonstrate that the proposal would be acceptable in terms of flooding.

7.11.2 The Environment Agency originally raised objection to the proposal due to inadequacies in the submitted Flood Risk Assessment. The applicant has since submitted details of a Compensatory Flood Storage Scheme which includes calculations of the volume of water displaced for pre and post development conditions, information on the areas of the site to be lowered to provide level-per-level volume-per-volume flood compensation (which includes lowering of ground levels around the building by approximately 200mm) and details of flow paths through the development site for pre and post development conditions.

7.11.3 The Environment Agency has considered this additional information and conclude that the impact on flooding and surface run-off would be acceptable subject to conditions. Therefore, no objection is raised on this basis.

8. ENVIRONMENTAL IMPACT ASSESSMENT

8.1 The application site is less than 0.5 hectares and therefore does not require consideration under Schedule 2 development under the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011.

9. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Levy

9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project.

9.2 The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL. It is likely that the development will be liable for the Mayoral Community Infrastructure Levy.

London Borough of Merton Community Infrastructure Levy

9.3 After approval by the Council and independent examination by a Secretary of State appointed planning inspector, in addition to the Mayor of London Levy the Council's Community Infrastructure Levy commenced on the 1 April 2014. The liability for this levy arises upon

grant of planning permission with the charge becoming payable when construction work commences.

9.4 The Merton Community Infrastructure Levy will allow the Council to raise, and pool, contributions from developers to help fund local infrastructure that is necessary to support new development including transport, decentralised energy, healthcare, schools, leisure and public open spaces. The provision of financial contributions towards affordable housing and site specific obligations will continue to be sought through planning obligations a separate S106 legal agreement.

9.5 The London Borough of Merton Community Infrastructure Levy applies to buildings that provide new retail warehouses or superstores. This levy is calculated on the basis of £220 per square meter of new floor space.

10. Conclusion

10.1 The proposed development would encourage an improved mix of uses within Colliers Wood, that would contribute to the vitality and viability of the Colliers Wood centre. This benefit of the proposal must be balanced against other considerations such as the impact on the character of the area and the impact on the setting of adjacent historically significant buildings.

10.2 Therefore, the key consideration is whether the benefit of the proposal outweighs and harm caused. Officers conclude that on balance the proposal would be acceptable.

Recommendation:

Grant Permission Subject to Section 106 Obligation or any other enabling agreement covering the following heads of terms :

- A sum of £2,000 (two thousand pounds) is sought to meet the costs of monitoring the travel plan over five years
- The developer agreeing to meet the Councils costs of preparing (including legal fees) the section 106 obligations

Conditions:

1. A1 Commencement of development (full application)
2. A7 Approved Plans
3. B1 External Materials to be Approved

4. B4 Details of surface treatment
5. C07 Refuse & Recycling (Implementation)
6. C08 No Use of Flat Roof - Access to the flat roof of the development hereby permitted, other than the area specifically shown to be a roof terrace, shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
7. The development hereby approved shall not be occupied until a scheme for external lighting to demonstrate there is no harm to bats has been submitted to and approved in writing by the Local planning Authority. The proposed lighting shall be installed prior to the first use of the building hereby permitted and retained thereafter.
8. D11 Construction Times
9. F01 Landscaping/Planting Scheme
10. H07 Cycle Parking to be implemented.
11. H09 Construction Vehicles
12. H12 Delivery and Servicing Plan to be Submitted.
13. H13 Construction Logistics Plan to be Submitted (major development)
14. H17 Drainage
15. Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery from the commercial/domestic use shall not exceed LA90-10dB at the boundary with the closest residential property.
16. The control for odour shall be controlled by complying with the DEFRA Document 'Guidance of on the Control of Odour and Noise from Commercial Kitchen Extract Systems' 2005 or higher standard. Regards shall be had for the types of cooking foods and methods.
17. In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance in accordance with DEFRA and the Environment Agency's 'Model

Procedures for the Management of Land Contamination, CLR 11' and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority.

18. No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

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

19. 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 and the method employed to attenuate flows to sewer or main river. 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;

20. H08 Travel Plan (to include parking and parking permit management)
21. Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until a Post-Construction Review Certificate issued by the Building Research Establishment or other equivalent assessors confirming that the non-residential development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good', and evidence demonstrating that the development has achieved not less than a 35% improvement in CO2 emissions compared to Part L 2013 regulations, has been submitted to and acknowledged in writing by the Local Planning Authority.

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

22. Condition
 - A) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of site related archaeological evaluation site work in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that evaluation has been submitted to and approved by the local planning authority in writing.
 - B) Under Part A, the applicant (or their heirs and successors in title) shall implement a programme of archaeological evaluation site work in accordance with a Written Scheme of Investigation.
 - C) No development other than demolition to existing ground level shall take place until the applicant (or their heirs and successors in title) has secured the implementation of a programme of site related archaeological mitigation (if required) in accordance with a Written Scheme of Investigation which has been submitted by the applicant and approved by the local planning authority in writing and a report on that mitigation has been submitted to and approved by the local planning authority in writing.
 - D) Under Part C, the applicant (or their heirs and successors in title) shall implement a programme of archaeological mitigation in accordance with a Written Scheme of Investigation.
 - E) The development shall not be occupied until the site investigation and possible mitigation work has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under Parts (A and C), and the provision for

analysis, publication and dissemination of the results and archive deposition has been secured.

Reason: Heritage assets of archaeological interest may survive on the site. The planning authority wishes to secure the provision of appropriate archaeological investigation, including the publication of results, in accordance with Section 12 of the NPPF.

INFORMATIVES

1. INFORMATIVE

This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice.

2. INFORMATIVE

Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs.

3. INFORMATIVE

The Environment Agency advise that the applicant ensures the plant room is flood resilient – please refer to the following guidance: <https://www.gov.uk/government/publications/national-flood-resilience-review>.

4. INFORMATIVE

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

- Detailed documentary evidence confirming the Target Emission Rate (TER), Building Emission Rate (BER) and percentage improvement of BER over TER based on 'As Built' BRUKL model outputs; **AND**
- A copy of the Building Regulations Output Document from the approved software. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction.
- A BREEAM post-construction certificate demonstrating that the development has achieved a BREEAM rating of not less than the standards equivalent to 'Very Good'.

5. INFORMATIVE

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).

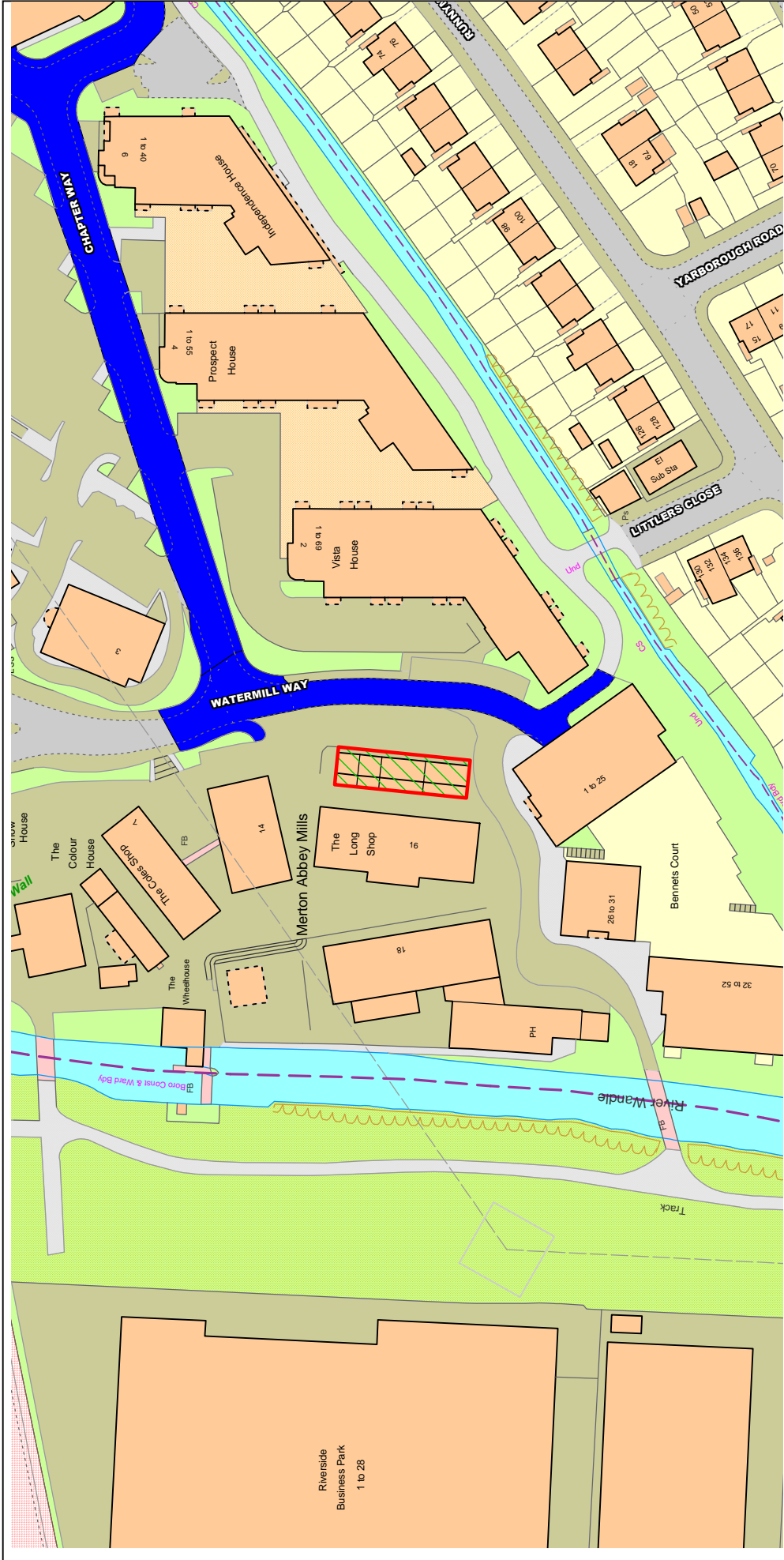
- 6 Informative: Written schemes of investigation will need to be prepared and implemented by a suitably qualified archaeological practice in accordance with Historic England Greater London Archaeology guidelines. They must be approved by the planning authority before any on-site development related activity occurs
-

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

Please note these web pages may be slow to load

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NORTHGATE SE GIS Print Template



Text Details **The Pavillions, Watermill Way**

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Committee: Planning Applications

Date: 22 March 2018

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

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 viewed by following each individual link. Other agenda papers for this meeting can be viewed on the Committee Page of the Council Website via the following link:

[**LINK TO COMMITTEE PAGE**](#)

DETAILS

Application Numbers: **16/P1139**
Site: 162, Hartfield Road, Merton SW19 3TQ
Development: Demolition of 162 & 164 Hartfield Road and erection of 9 flats with basement level.
Recommendation: Refused (Committee decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 19th February 2018

[**Link to Appeal Decision Notice**](#)

Application Numbers: **16/P2724**
Site: 161 Kingston Road, SW19 1LJ
Development: change of use of the ground floor unit from A3 (café) to residential.
Recommendation: Refused (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 22nd February 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **16/P2742**
Site: 12 Upper Green East, Mitcham, CR4 2PA
Development: Erection of a first floor rear extension
Recommendation: Refused (Delegated)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 22nd February 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **16/P4470**
Site: 150 - 152 Haydons Road, South Wimbledon SW19 1AE
Development: Formation of 2 bed flat on top floor with rear roof terrace and alterations to basement
Recommendation: Refused (Delegated)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 21st February 2018
Date of Costs Decision: 12th March 2018

[Link to Appeal Decision Notice](#)

[Link to Appeal Costs Decision](#)

Application Numbers: **17/P0022**
Site: 58, Broadway Court, Wimbledon SW19 1RG
Development: Erection of a three story dwelling rear of 58 The Broadway
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 16th February 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P0046**
Site: 2 Mansel Road, Wimbledon SW19 4AA
Development: Change of use of first floor from residential to nursery (Class D1) retaining second floor residential use as a manager's annexe
Recommendation: Refused (Delegated)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 22nd February 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P0914**
Site: The Glass House, 177-187 Arthur Road, Wimbledon SW19 8AE
Development: Change of use of first floor from residential to nursery (Class D1) retaining second floor residential use as a manager's annexe
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 22nd February 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P1175**
Site: 5 New Close, Colliers Wood SW19 2SX
Development: Erection of 2 storey dwellinghouse with rooms in roof space and associated parking
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 22nd February 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P1176**
Site: 6 Greenoak Way, Wimbledon SW19 5EN
Development: Erection of single storey side extension to form garage
Recommendation: Refused (Delegated)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 6th March 2018

[Link to Appeal Decision Notice](#)

Subject: Planning Enforcement Appeal Decisions

Application Numbers: **15/E0426**
Site: 18 Warminster Way, Mitcham CR4 1AD
Development: Unauthorised erection of a single-storey rear extension.
Enforcement Notice: 1 February 2017
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 7th March 2018

Alternative options

- 3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is re-determined.
- 3.2 The Council may wish to consider taking legal advice before embarking on a challenge. The following applies: Under the provision of Section 288 of the Town & Country Planning Act 1990, or Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person or an establishment who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the following grounds: -
 1. That the decision is not within the powers of the Act; or
 2. That any of the relevant requirements have not been complied with; (relevant requirements means any requirements of the 1990 Act or of the Tribunal's Land Enquiries Act 1992, or of any Order, Regulation or Rule made under those Acts).

1 CONSULTATION UNDERTAKEN OR PROPOSED

1.1. None required for the purposes of this report.

2 TIMETABLE

2.1. N/A

3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

3.1. There are financial implications for the Council in respect of appeal decisions where costs are awarded against the Council.

4 LEGAL AND STATUTORY IMPLICATIONS

4.1. An Inspector's decision may be challenged in the High Court, within 6 weeks of the date of the decision letter (see above).

5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

5.1. None for the purposes of this report.

6 CRIME AND DISORDER IMPLICATIONS

6.1. None for the purposes of this report.

7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

7.1. See 6.1 above.

8 BACKGROUND PAPERS

8.1. The papers used to compile this report are the Council's Development Control service's Town Planning files relating to the sites referred to above and the agendas and minutes of the Planning Applications Committee where relevant.

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Committee: Planning Applications Committee

Date: 22nd March 2018

Wards: All

Subject: PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES

Lead officer: HEAD OF SUSTAINABLE COMMUNITIES

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

Contact Officer Ray Littlefield: 0208 545 3911
Ray.Littlefield@merton.gov.uk

Recommendation:

That Members note the contents of the report.

1. Purpose of report and executive summary

This report details a summary of case work being dealt with by the Planning Enforcement Team and contains figures of the number of different types of cases being progressed, with brief summaries of all new enforcement notices and the progress of all enforcement appeals.

Current staffing levels in the Planning Enforcement Section.

It should be noted that this section currently comprises of:

The Deputy Planning Enforcement Manager (full time).

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

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

Current Enforcement Cases:	731	¹ (716)	New Appeals:	(0)	(0)
New Complaints	41	(38)	Instructions to Legal	0	(1)
Cases Closed	26		Existing Appeals	1	(2)
No Breach:	17		<hr/>		
Breach Ceased:	9		TREE ISSUES		
NFA ² (see below):	0		Tree Applications Received	35	(67)
Total	26	(22)	% Determined within time limits:	95%	
New Enforcement Notices Issued			High Hedges Complaint	0	(0)
Breach of Condition Notice:	0		New Tree Preservation Orders (TPO)	2	(0)
New Enforcement Notice issued	1	(1)	Tree Replacement Notice	0	
S.215: ³	0		Tree/High Hedge Appeal	0	
Others (PCN, TSN)	0	(0)			
Total	0	(0)			
Prosecutions: (instructed)	1	(1)			

Note (*figures are for the period 17th February 2018 to 13th March 2018*). The figure for current enforcement cases was taken directly from M3 crystal report.

¹ Totals in brackets are previous month's figures

² confirmed breach but not expedient to take further action.

³ S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

2.00 New Enforcement Actions

37 Montgomery Close, Mitcham, CR4 1XT. This concerns unauthorised extra single storey wooden extension with a height of approx. 2.7m a depth of 2.4m. Extending the width of the whole rear of the property. The Planning Enforcement will be issued on 16th March 2018 requiring the demolition of the single story wooden extension, with a one month compliance period.

Some Recent Enforcement Actions

- **9 Albert Road, Mitcham.** The property has been converted into 2 self-contained flats without planning permission. A Planning Enforcement Notice requiring the reversion of the property back to a single-family dwelling house was issued on 30th October 2017. The Notice came into effect on 4th December 2017 with a compliance period of 3 calendar months from 4th December 2017. No appeal was made against this Notice, however there is a current planning appeal against the refusal of planning permission for the retention of the two flats. An appeal has now been made against the refusal of planning permission.

- **117 Haydons Road South Wimbledon SW19.** The Council reserved an Enforcement Notice on 9th February 2016 against the unauthorised conversion of the former public house into eight self-contained flats. The notice came into effect on 18th March 2016 as there was no appeal prior to that date and the requirement is to cease using the building as eight self-contained flats within 6 months. Six of the flats are vacant and the owners have instructed builders to remove all kitchen units. Court action is currently on-going to repossess the remaining two flats.
- **Burn Bullock, 315 London Road, Mitcham CR4.** A Listed Buildings Repair Notice (LBRN) was issued on 27th August 2014 to require a schedule of works to be carried out for the preservation of the Building which is listed.

Listed Building Consent was granted on 3rd March 2015 to cover the required works which include the roof, rainwater goods, masonry, chimney render repairs, woodwork, and glazing. An inspection of the building on Friday 29th April 2016 concluded that the required works have mostly been carried out to an acceptable standard.

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

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

At the site visit it was observed that there is a new ingress of water from the roof. This was pointed out to the owner asking for immediate action.

- **13 Fairway, Raynes Park SW20.** On 2nd December 2016, the Council issued an amenity land notice against the untidy front and rear gardens of the property to require the owner to trim, cut back and maintain the overgrown bushes, weeds and trees. The compliance period is within one month of the effective date. No action has been taken by the owner. The Next step is to either take direct action or prosecution. This case is now to proceed to prosecution.
- **14 Tudor Drive SM4.** An Enforcement Notice was issued on the 9th February 2017 to cease the use of the land (outbuilding and garden) from residential (Class C3) to storage (Class B8). The Notice took effect on the 15th February 2017, no appeal was made. Compliance with the Notice was expected at the end of March 2017. Site visit to be undertaken to check for compliance.

- **242 – 244 LONDON ROAD, MITCHAM, LONDON, CR4 3HD.** The council issued an Enforcement Notice on the 12th January 2018 for 'erection of 3 air conditioning units at the side of the ground floor of the Land. The notice requires the removal of the 3 air conditioning units on the side of the ground floor; and will take effect on 12th February 2018 with a compliance period of one month of this date unless an appeal is made. No appeal has been made.
- **1 Cambridge Road, Mitcham, CR4 1DW.** The council issued a S215 notice on 21st August 2017 to require the following steps to trim and cut back overgrown bushes from the front and rear gardens, tidy the site, clean, repair and paint the front windows and repaint the front of the proper. The notice took effect on the 21st September 2017. Prosecution proceedings are now being considered.

3.00 New Enforcement Appeals
None

3.1 Existing enforcement appeals

- **58 Central Road Morden SM4.** An Enforcement Notice was issued on 10th January 2017 for the demolition of an outbuilding. The Notice would have taken effect on the 15th February 2017, requiring the demolition of the outbuilding to be carried out within 2 months. An appeal was lodged, and started. An appeal statement in support of the demolition of the outbuilding has been submitted. Waiting for the inspectorate decision.

3.2 Appeals determined

- **218 Morden Road SW19.** An Enforcement Notice was issued on 23rd January 2017 for the demolition of the current roof to its original condition prior to the breach in planning control or construct the roof pursuant to the approved plans associated with planning permission granted by the Council bearing reference number 05/P3056. The Notice would have taken effect on the 28th February 2017, giving two months for one of the options to be carried out. An appeal against this Notice was submitted. The appeal site visit was held on 29th January 2018. The appeal was dismissed and the Notice upheld by Decision Letter dated 1st February 2018. The Notice was varied extending the compliance period from two calendar months to ten calendar months from 1st February 2018.
- **18 Morton Road Morden SM4** the council issued an enforcement notice on 3rd October 2016 against the unauthorised change of use of an outbuilding to self-contained residential use. The notice would have taken effect on 10/11/16 but the Council was notified of an appeal. The compliance period is two calendar months. The appeal site visit was held on 29th January 2018. The appeal was dismissed and the Notice upheld by Decision Letter dated 1st February 2018 with a three months compliance period from 1st February 2018.
- **3 Aberconway Road Morden SM4 -** The Council served an enforcement notice on 4th February 2016 against the erection of a single storey side

extension to the property following a refusal of retrospective planning permission to retain the structure. The owner is required to remove the extension and associated debris within one month of the effective date. The appeal was dismissed on 1/12/16 and the owners have to demolish the extension by 1/1/17. The Structure is still present. No compliance, awaiting prosecution.

- **Land at Wyke Road, Raynes Park SW20.** The Council issued an enforcement notice on 4th July 2016 against the unauthorised material change in the use of the land for car parking. The notice would have come into effect on 10/08/16 but an appeal was submitted. 11th April 2017 Appeal dismissed and Notice upheld. The compliance date was 12th May 2017, however an acceptable scheme has now been approved.
- **2 and 2A Elms Gardens, Mitcham.** An enforcement notice was issued on 12th January 2017 against the erection of a single storey bungalow at the rear of the property. The notice would have come into effect on the 18th February 2017 but an appeal has been submitted. The Appeal start date was 19th March 2017 and a statement has been sent. The planning appeal site visit is to be held on 1st September 2017. It was found on the appeal site visit that the building had been altered and could no longer be considered by the inspector to be a “bungalow” and as such the enforcement Notice referring to a “bungalow” was quashed by Decision letter dated 27th September 2017. The Council is now going to issue a new enforcement Notice referring to the building as 3 garages.
- **36A Cromwell Road, SW19** – Following a complaint about a **high hedge** at this address, the council served a Remedial Notice on the owner to reduce the hedge to the specified height of 3.9 metres. The subsequent appeal was dismissed and the effective date for the Notice has been re-set to 1 September 2017. The owner has 3 months to carry out the specified work. This case has now been referred to the Councils Legal Services Team.
- **18 Warminster Way, Mitcham, CR4 1AD.** The council issued an Enforcement Notice on the 20th March 2017 for ‘erection of a single storey rear extension on the Land. The notice requires the structure to be demolished and would have taken effective on 27th April 2017. An appeal site visit took place 28th February 2018. The appeal was dismissed by Decision Letter dated 7th March 2018. The period of time for compliance with the Enforcement Notice was extended from three months to six months from 7th March 2018.

3.3 Prosecution cases.

- **170 Elm Walk Raynes Park** The council issued a S215 notice on 4th August 2016 to require the owner to repair and paint or replace windows and doors to the property as well as clear the weeds and cut back on overgrown bushes in the front and rear gardens. The notice came into effect on 1/9/16 as there was no appeal and the compliance period is one month. A site visit on 4th October 2016 confirmed that the notice has not been complied with and prosecution documents have been forwarded to

Legal Services for further action. This case is to be re-allocated to a new officer.

- **Land, at 93 Rowan Crescent Streatham, SW16 5JA.** The council issued a S215 notice on 29th July 2016 to require the following steps to trim and cut back overgrown bushes from the front and rear gardens, tidy the site, clean, repair and paint the front windows and repaint the front of the proper. The notice came into effect on 28/08/16 and the compliance period expired on 23/09/16. As the notice has not been complied with, a prosecution document has been forwarded to Legal Services for legal proceedings to be instigated. The front garden has been cleared, however the bulk of the requirements of the Notice have not been complied with. Direct action is now under consideration.
- **55-61 Manor Road, Mitcham.** An enforcement notice was issued on 3rd August 2016 against the unauthorised change of use of the land from a builder's yard to use as a scrap yard and for the storage of waste and scrap metals, scrap motor vehicles and waste transfer. The notice came into effect on 2/9/16 no notification of an appeal was received. The requirement is to cease the unauthorised use and remove any waste and scrap materials including scrap and non-scrap vehicles from the site by 8/10/16. Following a site inspection, the occupier was reminded of the enforcement action and advised that as he failed to comply with the notice, the Council was progressing prosecution proceedings. However, the owner stated that the Notice would be complied with by 21st April 2017. However the Notice was not complied with and prosecution proceedings have now been instigated. A prosecution statement in consultation with the legal services is now in progress.

3.4 Requested update from PAC

None

4. Consultation undertaken or proposed

None required for the purposes of this report

5 Timetable N/A

6. Financial, resource and property implications – N/A

7. Legal and statutory implications – N/A

8. Human rights, equalities and community cohesion implications –N/A

9. Crime and disorder implications – N/A

10. Risk Management and Health and Safety implications. N/A

11. Appendices – the following documents are to be published with this report and form part of the report Background Papers N/A

12. Background Papers - None