

Merton Council

Planning Applications Committee

Membership

Councillors

Linda Kirby (Chair)
Najeeb Latif (Vice-Chair)
Laxmi Attawar
David Chung
David Dean
Russell Makin
Simon McGrath
Peter Southgate
Marsie Skeete
Dave Ward

Substitute Members:

Stephen Crowe
Daniel Holden
Edward Foley
Rebecca Lanning
Carl Quilliam
Dennis Pearce

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

Date: 18 October 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

18 October 2018

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting 1 - 4
- 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 Southey Bowling Club, 557 and 559 Kingston Road, SW20 8SF 5 - 26
Application number: 18/P3154 Ward: Dundonald
Officer Recommendation: Grant Permission subject to conditions and deed of variation to s.106 legal agreement
- 6 42 Lingfield Road, Wimbledon SW19 4PZ 27 - 34
Application number: 18/P2132 Ward: Village
Officer Recommendation: GRANT Planning Permission subject to conditions
- 7 Wimbledon High School, Mansel Road, SW19 4AA 35 - 50
Application number: 18/P1896 Ward: Hillside
Officer Recommendation: GRANT Planning Permission subject to completion of a S.106 Agreement and conditions
- 8 The William Morris & The 1929 Shop, 18 & 20 Watermill Way, Colliers Wood, London, SW19 2RD 51 - 64
Application number: 17/P1314 Ward: Abbey
Officer Recommendation: Grant planning permission subject to conditions
- 9 2 Vectis Gardens, Tooting, SW17 9RE 65 - 82
Application number: 18/P2066 Ward: Graveney
Officer Recommendation: GRANT Planning Permission subject to conditions
- 10 Tree Preservation Order (No.732) at 45, 51 & 53 Myrna Close, Colliers Wood, SW19 83 - 90
Ward: Colliers Wood

Officer Recommendation: That the Merton (No.732) Tree Preservation Order 2018 be confirmed without modification.

11 Planning Appeal Decisions 91 - 96

Officer Recommendation:
That Members note the contents of the report.

12 Planning Enforcement - Summary of Current Cases 97 - 104

Officer Recommendation:
That Members note the contents of the report.

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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Phone – 020 8545 3356

e-mail – democratic.services@merton.gov.uk

Agenda Item 3

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

PLANNING APPLICATIONS COMMITTEE

20 SEPTEMBER 2018

(7.30 pm - 8.44 pm)

PRESENT Councillors Councillor Linda Kirby (in the Chair),
Councillor Najeeb Latif, Councillor Laxmi Attawar,
Councillor David Chung, Councillor Simon McGrath,
Councillor Peter Southgate, Councillor Marsie Skeete and
Councillor Dave Ward, Councillor Stephen Crowe and Councillor
Dennis Pearce

ALSO PRESENT Councillor Nigel Benbow
Jonathan Lewis
Tim Bryson
Sarath Attanayke
Amy Dumitrescu

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillors David Dean and Russell Makin. Councillors Stephen Crowe and Dennis Pearce attended as substitutes.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

Declarations of interest were made by Councillor Najeeb Latif in relation to Item 5 – 141 The Broadway. Councillor Latif advised that he had been involved with arranging meetings between Planning Officers and the Developer on s106 agreements and therefore would not be voting on this item.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 23 August 2018 are agreed as an accurate record.

Councillor Stephen Crowe asked what the outcome had been in relation to Item 10 on the minutes of the previous meeting. Officers responded that a visit had confirmed that the tree was on site and that TPOs had been placed on both trees.

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 item 5.

5 141 THE BROADWAY, WIMBLEDON, SW19 1QJ (Agenda Item 5)

Proposal: Redevelopment of site with demolition of 1st and 2nd floor levels, remodelling of retained ground floor restaurant (Class A3) and erection of 6 storey building consisting of 6 residential units (7x1 and 9x2 bedroom flats).

The Committee noted the officer's report, the Planning Inspectors appeal decision from the previous application, the officer's presentation and additional information in the Supplementary Agenda.

The Committee received verbal representations from one objector to the proposal, the agent and planning consultant for the application and Ward Councillor Nigel Benbow.

The Objector made points including:

- The building is not in line with the character of the local area
- The application is from 2016 and therefore the information and policy used is outdated
- There are no listed elevations in metres
- The LDF Tall Buildings Background Paper (2010), which is quoted by officers as being pertinent to the application, states that tall building may be accepted if they are of exceptional design, which this proposal is not.

The Ward Councillor Nigel Benbow made points including:

- The building was too high and out of character from the surrounding area
- Strict conditions should be placed on the building materials to be used
- The balcony would be overlooking nearby properties
- The proposal would cause issues with Parking

The Agent for the application made points including:

- The premises is located in a high PTAL area and has no car parking in line with policy
- Whilst there is some overlooking, the use of obscured glass has been used to help to mitigate this and the distance from the windows is more than 20 metres
- The proposal is the result of extensive negotiations and is acceptable in planning terms

Members expressed concern that the level of affordable housing suggested a registered provider might be difficult to find and questioned whether there was any incentive on the developer to find a provider. Officers responded that there was a reasonably lengthy timeframe of 6 months for the developer to find a provider and

that the developer would need to demonstrate that they had made attempts to find a provider.

Members expressed their concern that the affordable housing target would not be reached and therefore commented that there should be a clawback mechanism in place to enable a review of viability. This was proposed and seconded.

In response to further questions from members, officers advised that render would be used on the top floor only and the rest of the building would be glass. It was noted that it could not be conditioned that bikes were not stored on glass balconies.

RESOLVED

The Committee voted to GRANT Planning Permission subject to a S106 agreement to provide for the scheme to be made permit free and for there to be a review mechanism to examine viability and the delivery of affordable housing and conditions.

6 35 COOMBE LANE, RAYNES PARK, SW20 0LA (Agenda Item 6)

Proposal: Construction of an additional floor containing two x 2 bedroomed flats on an existing residential building.

The Committee noted the officer's report and presentation.

The Committee received verbal representations from one objector and the agent for the application.

The objector raised concerns including:

- The proposal would cause issues with Privacy/Overlooking
- The proposal would lead to light Restriction
- The proposal would undermine security and allow intruder access
- The proposed height has increased since 2014
- The proposal would exacerbate parking issues
- An antennae has been added which is not in line with the current amenity

The agent raised points including:

- The proposal had included an increase in height in accordance with minor amendment approval
- The properties being overlooked were already overlooked and the two additional windows would be replacing a roof terrace and therefore would be an improvement in terms of overlooking.

- The additional floor could only be accessed within the flats
- There were a number of key benefits from the proposal including helping to meet demand for housing, reasonable sized properties, improving the street scene and the proposal was designed to compliment the location

Members questioned whether the developer could apply again to add another floor in the future, officers responded that a further application could be submitted and if so, it would likely need to go through the Planning Applications Committee if officers were minded to approve.

Members commented that the proposal was not perfect but that the Borough was in need of more housing.

RESOLVED

The Committee voted to GRANT Planning Permission subject to a S106 Agreement for permit free development and conditions.

7 LAND ON SOUTH SIDE OF WYKE ROAD, RAYNES PARK (Agenda Item 7)

This item was withdrawn from the agenda prior to the meeting.

8 PLANNING APPEAL DECISIONS (Agenda Item 8)

RESOLVED: That the Committee noted the report on recent Planning Appeal Decisions.

9 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 9)

RESOLVED: The Committee noted the report on current Enforcement cases.

**PLANNING APPLICATIONS COMMITTEE
18 OCTOBER 2018**

APPLICATION NO.

18/P3154

DATE VALID

23/08/2018

Address/Site

Southey Bowling Club, 557 and 559
Kingston Road, Raynes Park, SW20 8SF

Ward

Dundonald

Proposal: APPLICATION FOR VARIATION OF CONDITION 2 (APPROVED DRAWINGS) ATTACHED TO LBM PLANNING APPLICATION 15/P4083, TO ALLOW FOR ADDITIONAL DORMER WINDOWS AND A/C UNITS RELATING TO THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE WITH ERECTION OF 9 HOUSES WITH NEW ACCESS FROM KINGSTON ROAD; ERECTION OF NEW BOWLS CLUB BUILDING AND ASSOCIATED FACILITIES, INCLUDING A NEW CHANGING ROOM BUILDING AND RELOCATION OF GROUNDSMAN'S STORE USING EXISTING ACCESS TO LOWER DOWNS ROAD.

Drawing Nos

L2494/02 Rev F, L2494/05 Rev J,
L2494/08 Rev D, L2494/09 Rev D,
L2494/41 Rev K, L2494/49 Rev J,
L2494/57 Rev J and CL59/M002 Rev A.

Contact Officer: Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Grant Permission subject to conditions and deed of variation to s.106 legal agreement.

CHECKLIST INFORMATION

- Heads of Agreement: Deed of variation to s.106 under 15/P4083
- 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: 96
- External consultations: No
- Controlled Parking Zone: Yes (Zone A1)

1. **INTRODUCTION**

1.1 This application is being brought to the Planning Applications Committee at the request of Councillor Kirby.

2. **SITE AND SURROUNDINGS**

2.1 The application site is backland plot (5,600 square metres) that is located to the rear of houses fronting Kingston Road, Abbott Avenue and Lower Downs Road. Vehicular access to the site has historically been via a driveway from Lower Downs Road. Pedestrian access to the site is also available via a pedestrian/bicycle path that links Abbott Avenue and Kingston Road.

2.2 The site is currently a construction site with the 9 dwellings and Clubhouse building permitted under application 15/P4083 and varied under application ref. 17/P3005.

2.3 Previous to the site being a construction site, the layout and use was as follows:

The site is used by the Southey Bowling Club and includes a bowling green and multiple club buildings that are single storey in scale. Excluding the bowling green, the majority of the site is hardstanding and buildings, with some scattered trees which are not covered by a Tree Preservation Order. The existing clubhouse building (211 square metres gross internal space) is located at the western apex of the site, backing onto the path and has a licensed bar. The Club currently has approximately 160 Members (around 60 being playing Members). Other timber changing room/pavilion buildings surround the bowling green, located at the eastern end of the site. A maintenance store and water reservoir are also located at that end of the site. A car parking area for approximately 30 cars is located in the middle of the site.

2.4 The site also includes the dwelling at 557 Kingston Road, which is being redeveloped pursuant to the permission granted under application ref.17/P4345

2.5 The application site is not in a conservation area. The site is located in a controlled parking zone. The PTAL for the site varies from 4 on the Kingston Road frontage to 2 where dwellings, the subject of this application, are to be built.

2.6 The bowling green is the only part of the site designated as open space under the Sites and Policies plan. The entire site is designated in the Merton Sites and Policies Plan 2014 as 'Site Proposal 74'. The site proposal identifies the site for potential residential development however safeguards the bowling green stating that there should be no loss of sporting facilities for which there is demand.

- 2.7 The adjoining built form is wholly Edwardian terrace residences, two storeys in scale. Many of these dwellings have converted their lofts with roof dormers to create additional living accommodation within the roofspace.
- 2.8 It is of note that the development approved under applications refs. 15/P4083 and varied under 17/P3005 is currently underway on site.

3. PROPOSAL

- 3.1 The proposal is for the variation of Condition 2 (approved plans) of application ref. 15/P4083 to allow the addition of small dormer windows to residential units 1, 4 and 8, to allow for the provision of an externally mounted AC unit to the eastern elevation of the approved Clubhouse building and to provide single storey extensions to the rear of all of the residential units (whereas previously under application ref. 17/P3005 there were conservatories to the rear of each of the residential units).
- 3.2 The scheme also proposes the changes listed below, however, these have been previously approved under application 17/P3005, which varied the original permission.

Club house building

- An increase in the height of the eaves and ridge of the proposed Club House building (eaves would rise from 5.1m to 5.675m and the ridge from 6.9m to 7.69m).
- The insertion of a false door to the southwest elevation of the Club House building.
- Insertion of fire escape door at first floor level to the northwest elevation of the Club House building.
- The provision of pitched roofs to the out-shots to the each side of the Club house building (as opposed to flat roofs to these out-shots)
- Minor change to the layout of the WC at ground and first floor level in the Club House building.
- The previous permission included discrepancies in the plans in that the exact position of the Club House building varied by approximately 1m between plans. The current application seeks to regularise this and clarify the position of the Club House building. There would be a space of 1m between the Club House building and the eastern site boundary (the previous permission showed the building to be located on the boundary line with other plans showing the 1m separation).

Changing rooms

- An increase in eaves height from 2.078m to 2.25m and an increase in ridge height from 3.3m to 3.554m.
- The provision of an external entrance ramp to the southwest elevation of the changing rooms.
- Minor change to the proposed roof form, to be partly gabled as opposed to a mono-pitch.
- The inclusion of a dedicated disabled access changing room.

- The change to the footprint of the building to allow for a greenkeeper's equipment store, as opposed to the store being a separate building.
- The insertion of rooflights to the roofslope.

Residential development

- Very minor changes to positions and sizes of windows to the residential units (these changes relate to ground floor and first floor side facing windows only – all side facing first floor windows would continue to be obscurely glazed).

Other:

- The plans show that three parking spaces for disabled users would be provided around the Clubhouse building, whereas previously four were proposed.

The above changes have previously been approved. The remainder of the proposed development would remain the same as permitted under 15/P4083, including access routes and road layout.

4. PLANNING HISTORY

- 4.1 MER443/68 - SINGLE STOREY EXTENSION - Grant permission subject to conditions.
- 4.2 WIM6979 - ERECTION OF AN INDOOR BOWLING RINK, LOCKER, BUFFET AND TOILET ACCOMODATION – Grant permission subject to conditions.
- 4.3 93/P0179 - ERECTION OF SINGLE STOREY DETACHED TOILET BLOCK - Grant permission subject to conditions.
- 4.4 02/P0859 - ERECTION OF SINGLE STOREY MALE AND FEMALE CHANGING ROOMS - Grant Permission subject to Conditions.
- 4.5 09/P0328 - ERECTION WITHIN CLUB GROUNDS OF A MARQUEE, SIZE 10 METRES x 4 METRES x 3 METRES HIGH – Grant permission subject to conditions.
- 4.6 15/P4083 - DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE WITH ERECTION OF 9 HOUSES WITH NEW ACCESS FROM KINGSTON ROAD; ERECTION OF NEW BOWLS CLUB BUILDING AND ASSOCIATED FACILITIES, INCLUDING A NEW CHANGING ROOM BUILDING AND RELOCATION OF GROUNDSMAN'S STORE USING EXISTING ACCESS TO LOWER DOWNS ROAD. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 19-12-2016.
- 4.7 17/P3005 - APPLICATION TO VARY CONDITION 2 (APPROVED PLANS) ATTACHED TO LBM PLANNING PERMISSION 15/P4083 RELATING TO THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF

SITE WITH ERECTION OF 9 HOUSES WITH NEW ACCESS FROM KINGSTON ROAD; ERECTION OF NEW BOWLS CLUB BUILDING AND ASSOCIATED FACILITIES, INCLUDING A NEW CHANGING ROOM BUILDING AND RELOCATION OF GROUNDSMAN'S STORE USING EXISTING ACCESS TO LOWER DOWNS ROAD. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 13-03-2018.

- 4.8 17/P3578 - APPLICATION FOR DISCHARGE OF CONDITIONS 3 (EXTERNAL MATERIALS) 4 (SURFACE MATERIALS) 5 (BOUNDARY WALL & FENCES) 11 (SOUNDPROOFING) 12 (VENTILATION) 14 (LANDSCAPING) 18 (ACCESS) 22 (CONSTRUCTION LOGISTICS PLAN) & 23 (DRAINAGE) ATTACHED TO PLANNING APPLICATION 15/P4083 RELATING TO THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE WITH ERECTION OF 9 HOUSES WITH NEW ACCESS FROM KINGSTON ROAD; ERECTION OF NEW BOWLS CLUB BUILDING AND ASSOCIATED FACILITIES, INCLUDING A NEW CHANGING ROOM BUILDING AND RELOCATION OF GROUNDSMAN'S STORE USING EXISTING ACCESS TO LOWER DOWNS ROAD. Grant Discharge of Conditions 26-04-2018.
- 4.9 17/P4345 - DEMOLITION OF EXISTING DWELLING HOUSE AND THE ERECTION OF 2 STOREY RESIDENTIAL BLOCK COMPRISING 1 x THREE BEDROOM APARTMENT ACROSS GROUND FLOOR AND 1 x TWO BEDROOM APARTMENT OVER FIRST AND SECOND FLOORS. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 29-01-2018.
- 4.10 18/P0858 - APPLICATION TO DISCHARGE CONDITIONS 14 (LANDSCAPING), 15 (LANDSCAPING) AND 16 (TREES) ATTACHED TO LBM PLANNING APPLICATION 15/P4083 RELATING TO THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE WITH THE ERECTION OF 9 HOUSES WITH NEW ACCESS FROM KINGSTON ROAD; ERECTION OF NEW BOWLS CLUB BUILDING AND ASSOCIATED FACILITIES, INCLUDING A NEW CHANGING ROOM BUILDING AND RELOCATION OF GROUNDSMAN'S STORE USING EXISTING ACCESS TO LOWER DOWNS ROAD. Grant Discharge of Conditions 29-03-2018.
- 4.11 18/P1609 - APPLICATION FOR DISCHARGE OF CONDITION 3 (external materials) ATTACHED TO PLANNING PERMISSION 15/P4083 RELATING TO THE DEMOLITION OF EXISTING BUILDINGS AND REDEVELOPMENT OF SITE WITH ERECTION OF 9 HOUSES WITH NEW ACCESS FROM KINGSTON ROAD; ERECTION OF NEW BOWLS CLUB BUILDING AND ASSOCIATED FACILITIES, INCLUDING A NEW CHANGING ROOM BUILDING AND RELOCATION OF GROUNDSMAN'S STORE USING EXISTING ACCESS TO LOWER DOWNS ROAD. Grant Discharge of Conditions 02-07-2018.

5. CONSULTATION

5.1 Standard 21-day site notice procedure and individual letters to neighbouring occupiers. Representations have been received from 8 individuals, raising objection on the following grounds:

- Query whether dormers are really necessary.
- Loss of privacy as a result of the proposed dormers.
- Noise pollution from AC units.
- Air pollution from AC units
- Query whether the bowling club needs air conditioning.
- Concern that applicant is land grabbing on the access path between Kingston Road and Abbot Avenue. Suggestion that this area be provided with lighting and nice paving.
- Concern that fence between the site and the adjacent alley way providing access to the rear of properties on Abbot Avenue has been blocked during the construction works, which amounts to trespass. This also presents a security risk.
- Request that planning officers intervene and ensure that the boundary fences are reinstalled immediately.

5.2 LBM Environmental Health Officer:

Further to your consultation and further information in relation to the above planning application, should you be minded to approve the application then I would recommend the following planning condition:-

- 1) Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from the new air conditioning units combined shall not exceed LA90-10dB at the boundary with any residential property.
- 2) A post confirmation noise survey shall be undertaken following completion of the development to ensure the specified levels are achieved, if not achieved additional mitigation shall be installed so the levels are achieved before use.

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

6. POLICY CONTEXT

6.1 National Planning Policy Framework 2018:

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. Making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change

- 6.2 London Plan (2016) policies:
- 3.4 Optimising housing potential
 - 3.5 Quality and design of housing developments
 - 3.8 Housing choice
 - 5.1 Climate change mitigation
 - 5.2 Minimising carbon dioxide emissions
 - 5.3 Sustainable Design and Construction
 - 5.13 Sustainable drainage
 - 6.3 Assessing effects of development on transport capacity
 - 6.9 Cycling
 - 6.13 Parking
 - 7.2 An inclusive environment
 - 7.4 Local character
 - 7.6 Architecture
 - 7.14 Improving air quality
 - 7.19 Biodiversity and access to nature
 - 7.21 Trees and woodlands
 - 8.2 Planning Obligations
- 6.3 LDF Core Planning Strategy (July 2011)
- CS8 Housing Choice
 - CS9 Housing provision
 - CS13 Open space, nature conservation, leisure and culture
 - CS11 Infrastructure
 - CS14 Design
 - CS15 Climate Change
 - CS16 Flood Risk Management
 - CS18 Active Transport
 - CS20 Parking, Servicing and Delivery
- 6.4 Sites and Policies Plan and Policies Map (July 2014)
- DM H3 Support for affordable housing
 - DM O2 Nature Conservation, Trees, hedges and landscape features
 - DM D2 Design considerations in all developments
 - 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
- 6.5 Other guidance:
- Mayor of London Housing SPG March 2016
 - DCLG: Technical housing standards - nationally described space standard March 2015

7. **PLANNING CONSIDERATIONS**

7.1 Key Issues for consideration

- 7.1.1 Section 73 of the Town and Country Planning Act 1990 allows applications to be made for permission to develop without complying with a condition(s) previously imposed on a planning permission. The local planning authority can grant such permission unconditionally or subject to different conditions, or they can refuse the application if they decide that the original condition(s) should continue.
- 7.1.2 The main planning considerations concern the addition of dormer windows to residential plots 1, 4 and 8 and the provision of an externally mounted AC unit to the eastern elevation of the Clubhouse building.
- 7.1.3 The remainder of the proposal, including the layout of the residential development and access arrangements would remain as per 15/P4083 (and varied under application ref. 17/P3005, which allowed for the change in height of the clubhouse and changing room buildings addition of conservatories to the residential units and changes to fenestration).
- 7.1.4 Therefore, the key issues for assessment relate solely to the provision of these three dormer windows and the AC units.

7.2 Visual amenity

- 7.2.1 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.
- 7.2.2 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 this SPP Policy.
- 7.2.3 The main visual change proposed is the provision of dormer windows. These dormers are fairly limited in terms of scale and it is considered that they would have a very limited impact on visual amenity or the character of the area over and above the approved schemes. Officers consider that it would be unreasonable to withhold permission on the basis of design.
- 7.2.4 The provision of single storey extensions as opposed to conservatories would not have a greater impact on visual amenity than the approved

conservatories, as they are of a similar scale and the design of the proposed single storey extensions would complement the approved houses.

7.2.5 The AC unit would have a limited visual impact and no objection is raised on this basis.

7.2.6 As set out above in this report, the other changes to the approved plan (listed at paragraph 3.2 have previously been granted permission).

7.2.6 The proposal is considered to be acceptable in terms of visual amenity.

7.3 Residential amenity

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

7.3.2 The proposed dormer windows would all be at a high level (in excess of 1.7m above finished floor level), with steeply angled windows facing almost skywards. There would be no opportunity for overlooking at this height and no objection is raised on this basis.

7.3.3 The proposed single storey extensions would be no more harmful than the conservatories previously granted permission.

7.3.4 The proposed AC unit has the potential to cause noise disturbance to neighbouring occupiers. The proposed AC unit would be separated from the residential alleyway to the eastern side of the site by just 2m (separated from the rear of the closest residential gardens by 3.3m). The application is accompanied by a Noise Assessment which sets out that the noise level at the closest noise sensitive receptors would be less than the background noise level. The Noise Assessment recommends the use of an acoustic screen in order to minimise noise disturbance.

7.3.5 It is of note that the AC units are proposed for use in the main hall of the clubhouse only to facilitate functions. Under application ref. 15/P4083 Condition 11 required soundproofing of the Clubhouse to ensure that there would not be unreasonable noise disturbance. This soundproofing stipulated that to minimise disturbance by way of amplified music that windows and doors would need to be kept closed. Therefore, in order to provide ventilation to the function space, the applicant's now require air conditioning in place of being able to simply open windows and doors.

7.3.6 The Council's Environmental Health Officer has considered the proposal and concludes that the impact would not be harmful to neighbouring amenity, acceptable subject to an overall limit on noise levels.

7.3.7 The proposal is considered to be acceptable in terms of residential amenity.

7.4 Affordable Housing

7.4.1 Since the grant of the previous planning permission, 15/P4083, the Government reinstated rules exempting small sites from affordable housing obligations following the Court of Appeal decision in the case of West Berkshire District Council and Reading Borough Council v Secretary of State for Communities and Local Government. Therefore, this scheme would not require a financial contribution towards affordable housing as it proposes only 9 units.

7.5 Other matters

7.5.1 The scheme proposes the reduction of one disabled parking. The previous scheme proposed 32 parking spaces (4 of which would have been for disabled users) to serve the bowling club. The current scheme proposes 31 parking spaces (3 of which would be for disabled users).

7.5.2 The London Plan requires at least 6% of the parking spaces proposed to be for disabled users, which equates to 1.92 spaces. Therefore, whilst a reduction in parking for disabled users is not ideal, it would meet the relevant policy guidance and would be acceptable in planning terms. This arrangement would be as per that approved under application ref. 17/P3005.

7.5.3 The issues raised by objectors have been carefully considered. As outlined above in this report, there would not be an opportunity for overlooking from the proposed dormer windows and the AC units would not generate a materially harmful level of noise.

7.5.4 Concerns have been raised by residents to the effect that activity associated with construction work has taken place beyond the site boundary. This matter has been investigated by planning officers and while activity such as making the suite secure during construction may have encroached onto neighbouring land this is not a material planning consideration and cannot form the focus for the assessment of this proposal. These are effectively private civil matters between landowners that have no bearing on the planning merits of the case.

7.6 S.106 requirements

7.6.1 The previous application was subject to a legal agreement to restrict parking permits and to secure affordable housing. The affordable housing contribution is no longer required (see above for details) and a legal agreement which suitably restricts the issuing of parking permits is required.

8. Conclusion

8.1 The changes to the approved scheme are considered to be acceptable in planning terms for the reasons set out above.

RECOMMENDATION

Grant Permission Subject to a Section 106 Obligation or any other enabling agreement to restrict parking permits and the following conditions.

Conditions

1	A1 Commencement of development (full application)	The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of the issuing of planning permission ref 15/P4083 (the effective date is 19 December 2019).
		Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
2	A7 Approved Plans	The development hereby permitted shall be carried out in accordance with the following approved plans: L2494/04, L2494/05, L2494/06, PL08 A, L2494/08 A, L2494/09 A, 11A, 16B, 17B, L2494/20, 21, L2494/sk27 A, L2492/40 D, L2494/41 B, L2494/49 B and L2494/57.
		Reason: For the avoidance of doubt and in the interests of proper planning
3	B1 External Materials to be Approved	The development shall be carried out in accordance with details previously agreed under the discharge of Condition 3 under application ref. 18/P1609.
		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 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
4	B4 Details of surface treatment	The development shall be carried out in accordance with details previously agreed under the discharge of Condition 4 under application ref. 17/P3578.
		Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.
5	B5 Details of Walls/Fences	The development shall be carried out in accordance with details previously agreed under the discharge of Condition 5 under application ref. 17/P3578.
		Reason: To ensure a satisfactory and safe development in accordance with the following

		Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.
6	C01 No Permitted Development (Extensions)	Notwithstanding the provisions Classes A and B, Schedule 2, Article 3 of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension or enlargement of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.
		Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
7	C02 No Permitted Development (Windows and Doors)	Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification), no window, dormer, rooflight or door other than those expressly authorised by this permission shall be constructed without planning permission first obtained from the Local Planning Authority.
		Reason: To safeguard the amenities and privacy of the occupiers of nearby properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
8	C07 Refuse & Recycling (Implementation)	The residential development hereby approved shall not be occupied and the use of the Clubhouse building hereby approved shall not commence until the refuse and recycling storage facilities shown on the approved plans 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 2016, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.
9	D01 Hours of Use (insert)	The bowling clubhouse hereby permitted shall operate only between the hours of 1100 to 2300 Monday to Saturday and 1200 to 2230 on Sundays.
		Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Policies Plan 2014.
10	D03 Restriction on Music/Amplified Sound	No music or other amplified sound generated on the premises shall be audible at the boundary of any adjacent residential building so as to constitute a statutory nuisance.
		Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Policies Plan 2014.
11	D04 Soundproofing of Building	No development on the recreational development hereby approved shall commence until a scheme for the soundproofing of the building to prevent the transmission of noise and vibration has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the clubhouse development shall not be occupied unless the measures have been approved and carried out in strict accordance with the approved details and those measures shall thereafter be retained for use at all times from the date of first occupation. Alternatively, the development shall be carried out in accordance with details previously agreed under the discharge of Condition 11 under application ref. 17/P3578.
		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 2016 and policies DM D2, DM

		D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.
12	D06 Kitchen Ventilation Extract Systems (New Build/Conversions)	<p>The use of the clubhouse hereby permitted shall not commence until detailed plans and specifications of a kitchen ventilation system, including details of sound attenuation for a kitchen ventilation extract system and odour control measures have been submitted to and approved in writing by the Local Planning Authority. The kitchen ventilation extract system shall be installed in accordance with the approved plans and specifications before the use commences and shall be permanently retained as such thereafter.</p> <p>Alternatively, the development shall be carried out in accordance with details previously agreed under the discharge of Condition 12 under application ref. 17/P3578.</p>
		Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with the following Development Plan policies for Merton: policies 7.14 and 7.15 of the London Plan 2016, policy CS7 of Merton's Core Planning Strategy 2011 and policies DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014.
13	D10 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 ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Policies Plan 2014.
14	F01 Landscaping/Planting Scheme	No development shall take place on the residential or recreational developments respectively until full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means

		<p>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.</p> <p>Alternatively, the development shall be carried out in accordance with details previously agreed under the discharge of Condition 14 under application ref. 18/P0858</p>
		<p>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 2016, 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.</p>
15	F04 Tree Survey Approved (insert)	<p>The development shall be carried out in accordance with details previously agreed under the discharge of Condition 15 under application ref. 18/P0858</p>
		<p>Reason: To enhance the appearance of the development in the interest of the amenities of the area and to comply with the following Development Plan policies for Merton: policies 7.5 and 7.21 of the London Plan 2016, policy CS13 of Merton's Core Planning Strategy 2011 and policies DM D2 and O2 of Merton's Sites and Policies Plan 2014.</p>
16	F05 Tree Protection	<p>The development shall be carried out in accordance with details previously agreed under the discharge of Condition 16 under application ref. 18/P0858.</p>
		<p>Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2016, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.</p>
17	F08 Site Supervision (Trees)	<p>The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to supervise, monitor and report to the LPA not less than monthly the status of all tree works and tree protection measures throughout the course of the construction period. At the conclusion of the construction period the arboricultural expert shall submit to the LPA a satisfactory completion statement to demonstrate compliance with the</p>

		approved protection measures.
		Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2016, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.
18	H03 Redundant Crossovers	The development shall be carried out in accordance with details previously agreed under the discharge of Condition 18 under application ref. 17/P3578.
		Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.
19	H04 Provision of Vehicle Parking	The vehicle parking area shown on the approved plans shall be provided before the commencement of the buildings or use hereby permitted and shall be retained for parking purposes for occupiers and users of the development and for no other purpose.
		Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.
20		The residential development hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved has been provided and made available for use, and the use of the clubhouse hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved 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: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.
21	H08 Travel Plan	Prior to the use of the clubhouse building hereby permitted, a Travel Plan shall be submitted to and

		<p>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:</p> <ul style="list-style-type: none"> (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. <p>The recreational development shall be implemented only on accordance with the approved Travel Plan.</p>
		<p>Reason: To promote sustainable travel measures and comply with the following Development Plan policies for Merton: policy 6.3 of the London Plan 2016, policies CS18, CS19 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.</p>
22	H13 Construction Logistics Plan to be Submitted (major development)	<p>The development shall be carried out in accordance with details previously agreed under the discharge of Condition 22 under application ref. 17/P3578.</p>
		<p>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 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.</p>
23	H17 Drainage	<p>Surface water from private land shall not discharge on to the public highway. Details of the drainage system for surface water drainage to prevent the discharge of surface water from private land on to the highway shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of works. Before any part of the development hereby permitted is first occupied, the surface water drainage system shall be completed in accordance with the approved details and shall be retained permanently thereafter.</p> <p>Alternatively, the development shall be carried</p>

		out in accordance with details previously agreed under the discharge of Condition 23 under application ref. 17/P3578.
		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 2016, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.
24	L2 Code for Sustainable Homes - Pre-Commencement (New build residential)	No part of the new dwellinghouses hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes level 4. Evidence requirements are detailed in the "Schedule of evidence Required for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide. Evidence to demonstrate a 25% reduction compared to 2010 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing.
		Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: policy 5.2 of the London Plan 2016 and policy CS15 of Merton's Core Planning Strategy 2011.
25	A Non Standard Condition	Other than for the purposes of maintenance and in the case of an emergency, the bowling clubhouse balcony hereby permitted shall not be used between the hours of 2100 to 1100 Monday to Sunday.
		Reason: To safeguard the amenities of the surrounding area and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Policies Plan 2014.
26	A Non Standard Condition	No part of the residential development hereby approved shall be occupied until the applicant has entered into a highways agreement with

		London Borough of Merton's Highway Team for the reconstruction and widening of the existing vehicle crossover with such works deriving from the agreement having been completed.
		Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.
27	A Non Standard Condition	Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from the new air conditioning units combined shall not exceed LA90-10dB at the boundary with any residential property.
		Reason: To protect the amenities of the occupiers in the local vicinity.
28	A Non Standard Condition	A noise survey shall be undertaken and submitted to the Council before first occupation of the non-residential part of development to verify to the satisfaction of the local planning authority that the specified levels are achieved. If the levels are not achieved then additional mitigation measures, to have first been submitted to and agreed in writing by the local planning authority shall be installed before first occupation and shall be retained and maintained thereafter.
		Reason: To protect the amenities of the occupiers in the local vicinity and to accord with Sites and Policies Plan policy DM.EP2

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PLANNING APPLICATIONS COMMITTEE 18 October 2018

APPLICATION NO. DATE VALID

18/P2132 24/05/2018

Address/Site 42 Lingfield Road, Wimbledon SW19 4PZ

Ward **Village**

Proposal: Erection of a single storey rear extension, erection of side dormer window to second floor left flank roof slope, first floor rear bay window and relocation of front door from side elevation to front elevation.

Drawing Nos PP01, PP02 Rev A, Design and Access Statement, Tree BS5873:2012 Tree Survey, Arbouricultural Impact Assessment, Tree Constraints Plan, Arbouricultural Method Statement and Tree Protection Plan

Contact Officer: Richard Allen (020 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 – 3
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: Yes

1. INTRODUCTION

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

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a three storey dwelling house situated on the west side of Lingfield Road. The application property is a locally listed building. The surrounding area is residential in character and 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 rear extension, erection of side dormer window and relocation of the existing front door from side elevation to the front elevation of the property.
- 3.2 The proposed single storey rear extension would be 4 metres in length and 6.2 metres in width and would have a flat roof with a height of 3 metres.
- 3.3 The proposed dormer window would be sited between the two existing chimney stacks and has been designed to match the existing front and rear dormer windows that are a feature of the building.
- 3.4 The proposed first floor rear bay window would replace an existing window.
- 3.5 It is also proposed to relocate the existing front door from the side elevation (its present position) to the front elevation. As submitted this would have entailed the removal of the existing front bay window which is a distinctive feature of the building and installation of a new front entrance door of traditional design with associated canopy. The loss of the bay window was considered to be unacceptable in conservation terms. Therefore, the proposal was amended to install French doors within the existing bay to enable wheelchair access. The relocation of the front door is required as part of the adaptations to the property for a wheel chair user as the internal space behind the existing entrance is required for the installation of a lift.

4. **PLANNING HISTORY**

- 4.1 The current proposals have been subject of a pre-application meeting held in March 2018.

5. **CONSULTATION**

- 5.1 The application has been advertised by Conservation Area site and press notice procedure. In response 9 objections have been received. The grounds of objection are set out below:-
- The proposed rear extension would reduce the size of the garden by one third and the height of the extension would reduce light to number 41 Lingfield Road.
 - Numbers 41 and 42 Lingfield Road are a pair of houses and by removing the entrance door to the front the symmetry is lost.

- The house is not the same as number 43 as that is a totally different red brick house and is not the same width.
- The application site is within a conservation area and the frontage should remain the same.
- The principle of retaining the frontage has applied to the house at 1A opposite, where the façade has been kept and a new house is being built behind.
- Number 42 is more attractive than 1A and should be retained as it is.
- The owner of 1A The Grange objects to the size of the rear extension due to the reduction in the size of the garden and the distance between 1A The Grange
- The front aspect of 42 Lingfield Road should not be altered. The house was designed as a pair with number 41 in 1899 in the Queen Anne revival style.
- The proposed replacement of the front window with a front door would alter the symmetry of the two houses and affect the street scene.
- The proposed rear extension is too big and intrusive due to its height and proximity to neighbouring properties.
- The proposal will result in the loss of garden space.
- The proposals do not respect the character of the area.
- Result in loss of greenery.
- The proposal will result in increased noise to 1A The Grange.

5.2 Amended Plans

The application was amended to retain the existing front bay window and install French doors within the bay window to enable wheelchair access. A reconsultation was undertaken and four further letter of objection have been received. The grounds of objection are set out below:

- The Council is being inconsistent if the application is allowed as 1A Linfield road has not been allowed to add a square bay window to match others nearby.
- The proposed rear extension would result in loss of light to neighbouring properties.
- The size of the rear extension should be reduced.
- The proposal would upset the symmetry of the pair of houses and the appearance of the street.
- The lift could be placed elsewhere in the house without the need to relocate the entrance.
- The proposed side dormer window should be glazed in obscure glass to prevent overlooking.

5.3 Tree Officer

The tree officer has no objections to the proposed development. However, a Silver Birch tree was removed under a tree works application (17/T3961) and there is a requirement for a replacement tree to be planted.

6. **POLICY CONTEXT**

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

6.2 Sites and Policies Plan (July 2014)
DM O2 (Nature Conservation, Trees, Hedges and Landscape Features), 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 2016)
The relevant policies within the London Plan are 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archaeology).

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations are the impact on design/Conservation Area, locally listed buildings, neighbour amenity and tree issues.

7.2 Design/Conservation/Archaeology Issues

The application property is one of a pair of locally listed buildings (numbers 41 and 42) and the application site is within the Merton (Wimbledon West) Conservation Area. As submitted the application sought to remove the existing front bay window and install a new front entrance with canopy detailed surround. Officers considered that the loss of the bay window would be detrimental to the character and appearance of the building and the Merton (Wimbledon West) Conservation Area. However, the need to provide wheelchair access is appreciated and it is now proposed to install a pair of French doors within the existing front bay window. The existing entrance at the side of the property could not be used as the internal space behind the existing door is required for the installation of a lift. The alteration would however, be reversible. The retention of the bay window at the front is positive and the insertion of double opening doors is not considered to harm the character of the host building.

The proposed single storey rear extension has been designed as a lightweight structure with a fully glazed elevation to the garden and would have a flat roof. The design of the proposed rear extension is considered to be acceptable. It is also proposed to erect a side dormer window to the side (east) elevation in connection with the provision of a shower room within the roof space. The dormer window has been designed to match the existing dormer windows on the front and rear elevation of the building. The first floor rear bay window is also of suitable design. The proposals are therefore considered to be acceptable in design terms and would preserve the character and appearance of the Merton (Wimbledon West) Conservation Area and not cause harm to the setting of the locally listed building. The proposal is therefore acceptable in terms of policies CS14 (Design), DM D2 (Design Considerations in all Developments) and DM D4 (Managing Heritage Assets).

The site lies within the designated Archaeological priority zone. The applicants have not undertaken an archaeological assessment as part of the proposal. However, given the limited size of the development, officers are satisfied that this can be secured via condition should permission be granted.

7.3 Neighbour Amenity

The concerns of the objectors regarding the relocation of the front door are noted. However, the existing front bay window is to be retained and French doors installed to assist with wheelchair access and the alterations to the bay window would be reversible. The alterations to the bay window would not affect neighbour amenity.

The proposed rear extension would be set away from each of the adjacent boundaries and the length of the extension and its siting would not cause harm to the amenities of either numbers 41 or 43 Lingfield Road. The use of a flat roof design means that this element would not result in a harmful impact upon daylight or sunlight received by numbers 41 and 43. The proposed side dormer window would face towards 41 Lingfield Road and would be glazed with obscure glass. The new first floor bay window would result in some views sideways to both numbers 41 and 43, however, these are secondary windows and serve a study room and officers are satisfied that the use of obscure glazing will remove potential overlooking. The proposed alterations are therefore considered to be acceptable in terms of policy DM D2 (Design Considerations in all Developments) and would not cause harm to neighbour amenity.

7.4 Trees

There was a Silver Birch tree within the rear garden protected by a TPO (No.721). However, the tree was in poor condition and consent for the removal of the silver Birch tree was granted by the Council on 31 January 2018 under a tree works application. However, there is a requirement to plant a replacement tree and this has not yet been undertaken. The applicant has submitted an Arboricultural Impact Assessment and Tree Protection Plan which outlines that the single storey rear extension has been 'stepped in' to take account of the root protection area of tree T1. However, it would marginally encroach upon this area and the working area needed for construction would infringe somewhat further into the root protection area. The Tree Officer raises no objections and condition that the development is carried out in accordance with the Arboricultural Impact Assessment and Tree Protection Plan.

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 relocation of the entrance to the front elevation and associated alterations to the front bay window, single storey rear extension, first floor rear bay window and erection of a side dormer window are considered to be acceptable in design terms and would not cause harm to neighbour amenity. The proposal would preserve the character and appearance of the Merton (Wimbledon West) Conservation Area and the locally listed building. Accordingly it is recommended that planning permission be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION

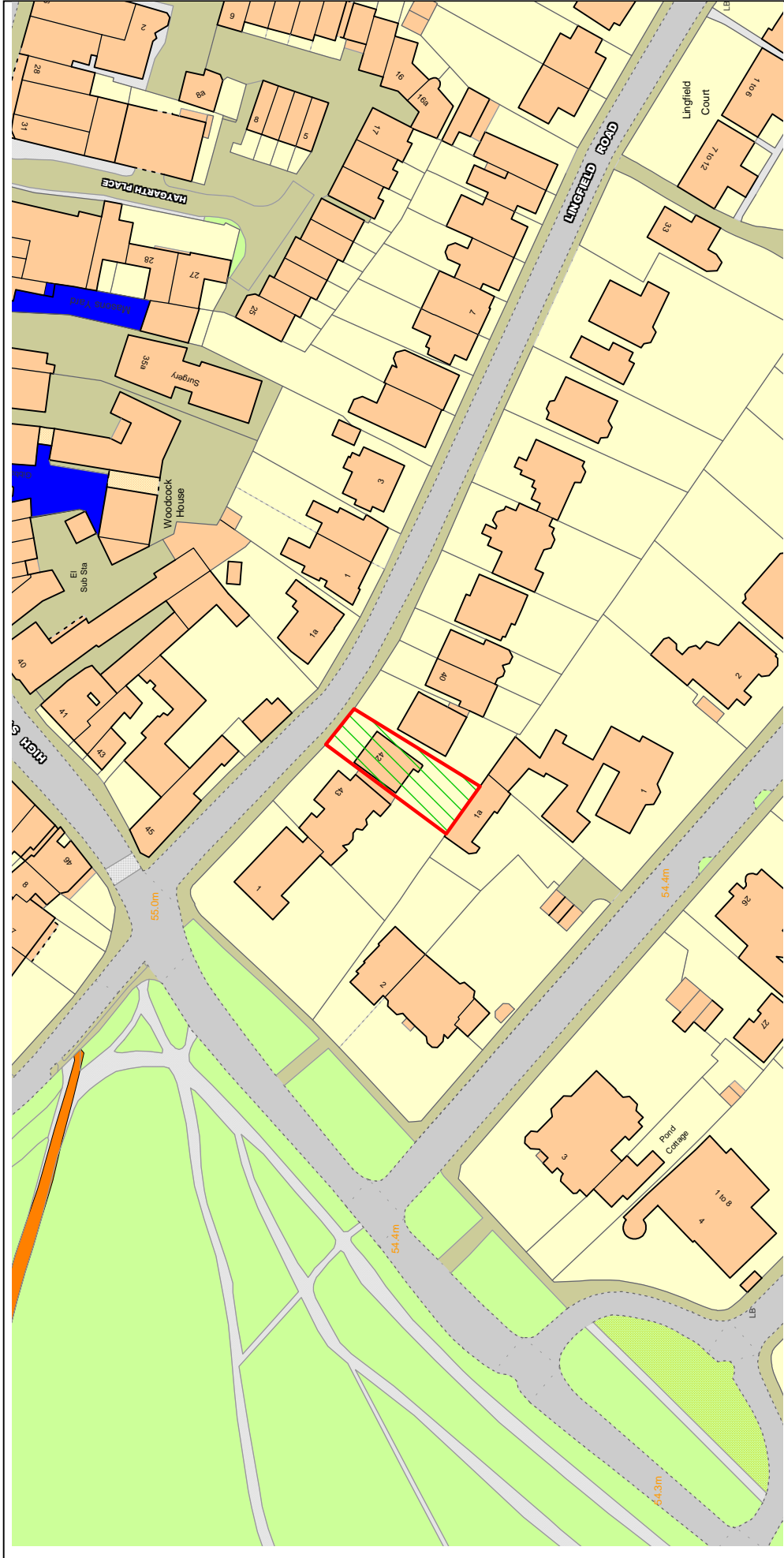
Subject to the following conditions:-

1. A.1 (Commencement of Development)
 2. A.7 (Approved Drawings)
 3. B.3 (Facing Materials- As Specified in Application Form)
 4. C.2 (No Permitted Development –Door and Windows)
 5. C.4 (Obscure Glazing –Dormer Windows (Side/East Elevation) and Side Facing Windows of First Floor Bay Window)
 6. C.8 (No Use of Flat Roof)
 7. The existing side entrance door and canopy shall be retained in situ.
Reason for condition: To enable the original side entrance to be reinstated should the disabled facilities be no longer required and to comply with policy DM D4 (Managing Heritage Assets).
 8. The development shall be carried out in accordance with the Arbouricultural Impact Assessment by ATS dated May 2018.
Reason for condition: To protect adjacent trees and the character and appearance of the Conservation Area in accordance with policy DM O2.
 9. Prior to commencement of development of the single storey rear extension hereby permitted, a written scheme of investigation (archaeology) shall be submitted to and approved in writing by the Local Planning Authority.
Reason: In the interests of preserving any archaeological features on site, in accordance with Policy DM D4 of the Sites and Policies Plan 2014
-

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**PLANNING APPLICATIONS COMMITTEE
18 OCTOBER 2018**

APPLICATION NO. **DATE VALID**
18/P1896 10/05/2018

Address/Site Wimbledon High School, Mansel Road, Wimbledon SW19 4AA

(Ward) **Hillside**

Proposal: Multit-phase project to expand existing science block with erection of new storey, the refurbishment of the Hastings building, demolition of existing dining hall, part demolition of Lewis House, erection of new assembly hall, erection of sixth form centre and rooftop junior play area plus the creation of a sixth form courtyard on the site of the old dining hall and Lewis House footprint. Formation of new entrance from Wimbledon Hill Road to sixth form centre together with associated landscaping works.

Drawing Nos 1425-IID-00-00-DR-A-1089P2, 1425-IID-BB-00-DR-A-101P3, 1425-IID-00-00-DR-a-1000P1, 1425-IID-AA-B1-DR-A-101P3, , 1425-IID-AA-00-DR-A-1002P3, 1425-IID-AA-1003P3, 1425-IID-AA-02-DR-A-1004 P3, 1425-IID-BB-A1011P2, 1425-IID-BB-02-DR-A-1012P3, 1425-IID-BB-03-DR-A1013P2, 1425-IID-BB-03-A-1014P2, 1425-IID-CC-00-DR-A-1020P3, 1425-IID-00-B1-DR-A-1091P3, 1425-IID-00-00-DR-A-1093P3, 1425-IID-00-01-DR-A-1095P3, 1425-IID-00-02-DR-A-1097P3, 1425-IID-00-03-DR-A-1098P2, 1425-IID-00-03-DR-A-199P2, 1425-IID-BB-00-DR-A-1201P1, 1425-IID-AA-00-DR-A-1202P1, 1425-IID-CC-00-DR-A-1203P1, 1425-IID-00-00-DR-A-1204P1, 1425-IID-BB-00-DR-A1205P1, 1425-IID-AA-XX-DR-A-2001P2, 1425-IID-AA-XX-DR-A-2002P2, 1425-IID-AA-DR-A-2003P2, 1425-IID-BB-XX-DR-A-2005P2, 1425-IID-BB-XX-DR-A-2007P2, 1425-IID-XX-DR-A-2006P2, 1425-IID-CC-XX-DR-A-2009P2, 1425-IID-CC-XX-DR-A-2010P2, 1425-IID-CC-01-DR-A-1021P2, 1425-IID-CC-02-DR-A-1022P2, 1425-PIID-00-XX-DR-A3001P2, 1425IID-00-XX-DR-A-5007P4, Planning Report, Archeological Assessment, Preliminary Ecological Appraisal, Bat Survey, Energy Strategy, BREEAM Design Stage Pre-Assessment Report, Tree Survey, Noise Impact Assessment, Transport Statement and Flood Risk Assessment.

Contact Officer: Richard Allen (020 8545 3621)

RECOMMENDATION

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

CHECKLIST INFORMATION

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental Impact Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- Yes
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted – 143
- External consultants: None
- Density: n/a
- Number of jobs created: N/a
- Archaeology Priority Zone: Yes.

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises the Wimbledon High School site situated at the junction of Mansel Road and Wimbledon Hill Road. The surrounding area is mainly residential in character with exceptions to offices and commercial properties to the south. The application site is also within an Archaeological Priority Zone and is within a Controlled Parking Zone (CPZ W1). There are 57 car parking spaces on the site, with the majority situated around the perimeter of the site adjacent to Mansel Road and Wimbledon Hill Road. The application site is within the Merton (Wimbledon Hill Road) Conservation Area.

3. **CURRENT PROPOSAL**

- 3.1 The proposal involves alterations and extensions to the site layout and buildings within the Wimbledon High School site. The proposed works would be split into three phases and details of the proposal are set out below:-

3.2 **Phase 1 Dining**

It is proposed to refurbish Hastings Building to create a new dining hall with increase capacity. The existing block is 504m² in area, and currently comprises classrooms at ground and first floor level. The proposed dining hall would provide 440m² of dining space, with additional kitchen, washroom and food technology rooms. The proposed alterations to the building include installation of new glazed entrance and repositioning of windows and doors.

The school have a cohort of 1004 pupils and have to stage lunchtime meals over 2.5 to 3 hours in the current dining hall. This has a large impact on timetabling and is limiting for the school. The existing kitchen facilities are undersized and cramped. The existing dining hall lacks natural light and is in need of refurbishment.

3.3 Phase 2 Hall and Sixth Form

Demolition of the dining block and junior school play area to develop a new sixth form centre, assembly hall with roof top junior play area and sixth form break out area. The proposed building would be sited adjacent to the existing main school buildings on the Wimbledon Hill Road frontage. It would extend the building providing a frontage to Wimbledon Hill Road. The building would then extend to the rear into the site. The maximum height of the extension fronting Wimbledon Hill Road would be 13 metres (adjacent to the existing frontage building) with the height of the new building reducing to 8.5 metres in overall height adjacent to the north boundary with the residential apartments at The Oaks. The overall height of the rear extension would be 9 metres (measured from the central courtyard). At the rear of the sixth form building a new assembly hall would be provided at semi-basement level. A junior play area would also be incorporated into the roof of the sixth form building.

3.4 Phase 3 STEAM Building

Erection of an extension on roof and rear of the science building to create new combined Science, Technology, Engineering, Art and Maths (STEAM) building. The roof extension and associated alterations would provide 1002m² of new floor space. The extension would be constructed of brick, with a metal balustrade and seamed metal roof.

4. PLANNING HISTORY

4.1 In April 1999 planning permission was granted for the erection of a new laboratory with associated offices (Ref.98/P1265).

4.2 In June 2005 planning permission was granted for the demolition of existing conservatory and erection of extension to existing drama studio and single storey gallery foyer to rear of main building (LBM Ref.05/P0714).

4.3 In August 2012 Advertisement Consent was granted for display of non-illuminated signage (LBM Ref.12/P1858).

4.4 In April 2014 planning permission was granted for the erection of a new staircase enclosure and erection of a single storey extension to gymnasium store roof (LBM Ref.14/P0645).

4.5 In October 2016 a pre-application meeting was held in respect of the partial demolition of the school dining hall and erection of a three storey building, demolition of stairwell and erection of a new extension, additional third and second floor bridge link to third floor (LBM Ref.16/P4226).

5. CONSULTATION

5.1 The application has been advertised by Conservation Area site and press notice procedure and letters of notification have been sent to occupiers of neighbouring properties. In response 8 letters of objection have been received. The grounds of objection are set out below:-

- Whilst the need for the school to improve facilities is recognised and it has made efforts to keep the style of the buildings close to those in the vicinity, part of which is within a conservation area, the addition of an additional storey is out of keeping with the private housing in the street.
- The school appears to be packing more buildings onto a crowded site.
- The expansion in pupil numbers will result in an increase in traffic and there is already chaos in Mansel Road during peak school times.
- There is a lack of on-street parking for residents in Mansel Road.
- Building works will cause disturbance, and residents have had to endure works at Mansel Court and Wellington House, which is now an oversized building.
- The application should be refused. A smaller scale scheme would be more appropriate for the conservation area.
- The proposed roof top playing area would cause noise and nuisance to residents in the adjacent flats (The Oaks).
- Parking in the area is already unacceptable with vehicles regularly blocking the entrance to The Oaks.
- Flats in The Oaks would be significantly be impacted by the proposed works.

5.2 Consultant Acting for Residents of The Oaks

The proposed development would by reason of its height, size siting and form be detrimental to the occupiers of The Oaks (84-86 Wimbledon Hill Road). In particular the sixth Form centre, Assembly Hall and the Junior play area on the roof terrace. The part of the school adjacent to The Oaks is currently an open playground with a modern two storey building to the rear which is sympathetically designed to protect the residential amenities of The Oaks and is set well back from the Wimbledon Hill Road frontage. The current proposal would 'infill' this part of the site with a substantial two/three storey building that would cause visual intrusion and block outlook. The north west elevation of the building also appears to show windows facing onto The Oaks. The development of a roof top playground would increase noise and disturbance. The applicant's noise report states that there would be minor impact. However, it is likely to be significant. The school site is already cramped and the introduction of more pupils will result in more noise and disturbance. The proposed building adjacent to The Oaks would be an overdevelopment of the site.

5.3 The Wimbledon Society

The Society state that the southern portion of the site, facing onto both roads is the in the Wimbledon Hill Road Conservation Area, and also within an Archaeological Priority Zone. Adjoining the site to the south west is the Listed Trinity Church and facing onto the site are 11 locally listed residential properties on Mansel Road. Two of the school buildings facing Mansel Road are classed as making a positive contribution to the character of the conservation area. The green 'spine' of trees beside Wimbledon Hill Road, linking the town centre to the Village, creates a distinctive local character.

The main proposals envisage an additional floor on the modern block facing Mansell Road (the STEAM Building): a new Sixth Form building on the Wimbledon Hill Road frontage beside the adjoining flats: adaption of the Hastings building at the rear. The number of pupils is set to rise from 1030 to

1060, with the increase mainly being in the sixth form. The current on-site parking of 57 spaces is set to reduce to 17 and the new development will affect some 0.3 hectares out of a total of 1.3 hectares.

5.4 The existing STEAM building is classed as making a neutral contribution to the character of the conservation area, with its hard roof line and somewhat bland horizontality. The proposed additional floor appears as almost another building, placed on top and unrelated to what lies below. Would it not be possible to link the two building forms in some way, or set back the upper floor to make it appear less dominant? Could the possibility of a 'green wall' be explored which would break up the horizontal emphasis? The new sixth form building would have its own entrance and the new tree planting shown is welcomed. However, it could be improved if there was less hard surfacing and more planting. Existing trees should be protected during construction works and as a large development renewable energy should be included in the development.

5.5 Tree Officer

The arbouricultural report advises that 12 trees have been recommended for crown reduction on the basis of good arbouricultural practice. A wild cherry (ref.T505a), a group of two self-seeded Horse chestnut trees (ref.G922) and a group of Leyland Cypress trees (ref.G0746) located on the boundary with St Aubyn's Court, Raymond Road, are all proposed for removal. No objection would be seen to the removal of the T505a and G022. However, the sudden loss of an evergreen screen maybe unacceptable to the residents of St Aubyn's Court. It is therefore suggested that some provision is made in the proposed landscaping scheme to replace these trees. It would also appear from the plans that two trees numbered 568 and 921 will need to be removed to implement the STEAM phase of the development. The proposed landscaping works show 9 new trees behind and in front of the new hall. Whilst no details are given, the addition of five new trees to the frontage would serve to enhance the development and the surrounding area.

5.6 Transport Planning

The Councils Transport Planning section state that the application site has a PTAL rating of 6b, which means it has excellent access to public transport. The local area forms part of Controlled Parking Zone W1. Restrictions are enforced from Monday to Saturday between 8:30 am and 6.30 pm. The site benefits from good access to a number of bus services. Wimbledon Station is 350m south east of the site where National Rail, London Underground and Tram services operate.

The development proposals are as follows:

- Increasing sixth form pupil numbers from 1,030 to 1,060;
- Increasing staff numbers from 178 to 181;
- Reduction in staff car parking numbers from 59 to 17 spaces; and
- Adequate and secure cycle parking for staff and pupils to be provided in a prominent position adjacent to the main entrance to the building.

Surrounding Highway Network

Wimbledon Hill Road (A219) is a classified distributor road and provides access to the wider road network including the A3 to the west and the A24 to the east. The Site is bounded by Mansel Road to the south and Wimbledon Hill Road to the east. Mansel Road does not permit vehicles into Wimbledon Hill Road and therefore vehicles should exit from Worple Road. Vehicles can however enter Mansel Road from Wimbledon Hill Road, but only from a left hand turn when leaving Wimbledon town centre. When entering Mansel Road there is a 20mph speed limit.

Car parking:

In support of the prioritisation of sustainable travel modes, staff car parking spaces on site will be reduced from 59 to 17 spaces. Considering the sustainable location the reduction in car parking is acceptable.

Cycle Parking:

London Plan Cycle Parking Standards for school are:

Long-stay: 1 space per 8 staff + 1 space per 8 students.

Short Stay: 1 space per 100 students

There are currently 20 cycle parking spaces on site within three separate dedicated locations. Cycle parking will be provided at the front of the building adjacent to the main entrance on Mansel Road. Cyclists will be able to access the cycle parking area via the entrance in the south of the site or via the second entrance east of the site. Based on 1,060 pupils, 144 cycle parking spaces are required and based upon 140 full time staff 18 cycle spaces are required. There are currently 20 cycle parking spaces on site within three separate dedicated locations.

Waste Management Strategy

The development does not seek to alter the existing waste management arrangements at the School.

Travel Plan

A STARS Travel Plan has been developed as part of the transport assessment and outlines the sustainable travel principles and measures to be incorporated within the proposals. The School's existing Travel Plan has been in place since 2012 and was last updated in March 2018 and will be updated as part of the proposed development and in response to the transport assessment. 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.

Construction Management Plan:

A contractor has not yet been appointed at the time of submitting this application and so the preparation of a detailed method statement, relevant to the specific constraints of the Wimbledon High School site has not been possible for submission alongside the application. The Contractor's working area drawings included within the supporting drawing package outline the principles for access, deliveries and compound areas for each phase of works

which will form the basis of future discussions with contractors. The construction method statement should be submitted to the Council's approval prior to the site commencement date of each Phase. The increase in 30 pupils and 3 staff created by the development are acceptable in transport terms and can be suitably accommodated within the existing highway network.

The Councils transport Planning Section therefore raise no objections to the proposal subject to:

- Car and Cycle parking maintained.
- Provide Construction Management Plan.
- Service Management Plan.
- A Sec.106 agreement with the Council to ensure the development is permit free and no staff within the development can apply for an on street parking permit in the surrounding parking zones.
- Travel Plan: 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.

6. **POLICY CONTEXT**

6.1 Adopted Merton Core Strategy (July 2011)

CS11 (Infrastructure), CS14 (Design), CS15 (Climate Change), CS20 (Parking), CS18 (Active Transport) and CS19 (Public Transport).

6.2 Sites and Policies Plan (July 2014)

DM C2 (Education for Children and Young People), DM O2 (Nature Conservation, Trees, Hedges and Landscape Features), 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), DM T1 (Support for Sustainable Transport and Active Travel), DM T2 (Transport Impacts of Development) and DM T3 (Car Parking and Servicing Standards).

6.3 The London Plan (2016)

The relevant policies within the London Plan are 3.18 (Educational Facilities), 5.18 (Climate Change Mitigation), 6.3 (Assessing Effects of Development on Transport Capacity), 6.13 (Parking), 7.4 (Local Character), 7.6 (Architecture) and 7.8 (Heritage Assets and Archeology).

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the provision of education facilities, design/visual amenity, impact on heritage assets, flood risk and drainage, basement construction, neighbour amenity, trees and transport/parking issues.

7.2 Provision of Education Facilities

The proposed alterations and extension to the existing school are required as part of an upgrade of facilities at Wimbledon High School. The proposals will result in an increase in pupil numbers from 1030 to 1060 and teaching staff from 137 to 140. The provision of new and enhanced education facilities is supported by Policy DM C2 (Education for Children and Young People). As the proposal will increase school places, policy DM C1(a) is also applicable. This policy seeks to ensure that:-

(a) Proposals for new development and improvements (including expansion) to existing community facilities, health and places of worship will be supported where all the following criteria are met:

- i) services are co-ordinated where possible;
- ii) facilities are provided in assessable locations with good links to public transport;
- iii) the size of the development proposed in relation to its context;
- iv) appropriate access and parking facilities are provided, relative to the nature and scale of the development;
- v) the proposed facilities are designed to be adaptable and suitable to accommodate a range of services; and
- vi) the use(s) do not have an undue adverse impact on the amenities of nearby residents and businesses.

The above criteria are considered throughout the following sections of the report.

7.3 Design/Visual Impact and Impact on Heritage Assets

The alterations to the existing buildings and the design of the replacement building have been subject to pre-application discussions. The individual elements of the phased development have been design to complement the host buildings. Consideration of each of the three elements is set out below:-

New Sixth Form Building

The new sixth form building would be located next the main building fronting Wimbledon Hill Road. The proposal would involve partial demolition of the existing junior school building and would occupy the space between the existing frontage buildings and the site boundary with the large apartment block known as The Oaks. The sixth form building has been designed with gables to the Wimbledon Hill Road frontage and the rear section of the building would be constructed slightly below ground level so that the overall height of the rear section of the building would be no higher than the existing building on the site. Although the new sixth form building is of contemporary design, the scale and massing of the building would complement the existing buildings on the Wimbledon Hill Road frontage and would have an acceptable relationship with The Oaks. The proposed sixth form building is therefore considered to be acceptable in design terms.

STEAM Building

It is proposed to erect a roof extension and rear extension to the existing science building fronting Mansel Road to form the new STEAM Building. Although the rear extension would not be visible from Mansel Road the roof

extension would be visible. However, the existing building has a 'stepped' roof form and part of the roof extension would be to the lower level of the flat roofed building. The building is set back from Mansel Road and the building immediately opposite this element of the school is a modern commercial property. The design of the roof extension is therefore considered to be of an acceptable scale and form and would not cause harm to the character of Mansel Road.

Hastings Building Alterations

The external alterations to the existing Hastings building to form the new dining hall involve repositioning of windows and doors and installation of new glazing to the entrance area. The changes to this building would be limited, with the main changes facing inwards to the school site. The proposed changes to the fenestration of the Hastings Building are therefore considered to be acceptable in design terms and would not harm the character of the area.

Impact on Conservation Area

The application site is within the Merton (Wimbledon Hill Road) Conservation Area. The Conservation Area is mainly residential in character (with offices and commercial buildings nearby in Mansel Road and Wimbledon Hill Road). To the north of the site are large residential apartment blocks. The two most visible elements of the phased scheme are the extension to the side of the existing school building fronting Wimbledon Hill Road and the extensions to the science block to form the new STEAM building. The proposed new sixth form building fronting Wimbledon Hill Road has been designed with gabled roof forms to echo the design of the existing buildings fronting Wimbledon Hill Road, albeit in a contemporary style. This element of the proposal would infill the current gap to the boundary. This gap is not considered to be a significant contributor toward the Conservation Area and with the use of stepped down design, this helps limit the terracing effect. The additional floor of accommodation to the roof of the existing science building is considered to be acceptable in terms of scale and form. This area on the school grounds is in close proximity to modern commercial property in Mansel Road. It is therefore considered that the height and modern character of this aspect would not cause harm to the Conservation Area. The proposed alterations and extensions are considered to be of a suitable scale, form and design which would preserve the character and appearance of the Merton (Wimbledon Hill Road) Conservation Area and complies with policies CS14 (Design), DM D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings) and DM D4 (Managing Heritage Assets).

7.4 Flood Risk and Drainage

The application site is within Flood Zone 1 and therefore in principle proposals to extend/alter school accommodation is acceptable. The applicant has submitted a Flood Risk Assessment. This concludes that the proposals can be accommodated on the site without increasing flood risk on or off the site. Further the flood Risk Assessment outlines that Thames Water has confirmed that proposed foul water flows can be accommodated in the existing foul

sewer network. Full details of the final drainage aspect is to be secured via condition.

7.5 Provision of Basement Accommodation

It is proposed to provide some additional accommodation at basement level including the new assembly hall. The proposed building expansion and new building construction are both being constructed upon existing hard surfaced areas and as such the development would not increase the impermeable area. Therefore the proposed development should not increase surface water flood risk. However, it is recommended that a condition be imposed on any grant of planning permission in respect of the submission of a Basement Construction Method Statement in accordance with policy DM D2 (Design Considerations in all Developments).

7.6 Neighbour Amenity

The neighbour amenity issues concerning each of the three elements of the proposal area considered below.

Dining Hall

It is proposed to convert the existing 'Hastings Building' into a new dining hall for the school. The Hastings Building is located adjacent to the northwest boundary of the site with Hove Court, Arundel Court, Kingsthorpe Court and St Aubyn's Court beyond further to the west. The main changes to the building would be internal. However there would be external changes to window positions and fenestration. However, Hove Court is located 30 metres away from the Hastings Building (the closest out of all of the above residential courts). Therefore the alterations to the Hastings Building to form a new dining hall would not result in any overlooking and/or loss of privacy to residents of the neighbouring residential properties. .

Sixth Form Building

The proposed sixth form building would be located next to the main frontage building on Wimbledon Hill Road and would extend rear wards into the site alongside the north west boundary with the residential flats at The Oaks. A number of objections have been received from occupiers of The Oaks, particularly with regard to the height of the new building and the provision of a junior play area within the roof of the building. On the Wimbledon Hill Road frontage, the proposed sixth form building would comprise of four vertical elements that would echo the gabled design of the main school building. The ridge heights of the roof of each element would reduce in height as it extends north so that the eaves height of the building is 6.2 metres facing the boundary with The Oaks. The new sixth form building would be sited 4 metres away from the boundary with The Oaks (which is a large block of apartments) which is at a higher ground level than the application site. Although there are windows within the south facing elevation of the apartments in The Oaks, a daylight/sunlight report was submitted with the application which concluded that the proposal would not fail the BRE target values for daylight/sunlight.

Behind the new sixth form building a new assembly hall would be provided. This would be of similar height to the existing building it would replace albeit

with a greater eaves height. This element of the proposal would be constructed on the same building line as existing and it is not considered to cause material harm to the neighbouring flats. A roof top junior playground and sixth form break out area are proposed within the roof of the assembly hall building. The playground and break out area would be partially screened from The Oaks by the upper roof level of the building and the playground would face into the school site itself. Officers acknowledge some views would be afforded from the upper level flats of the playground and break out area, however, this relationship would not be harmful. The overall height of the assembly hall building is similar to the existing building on the site as the new building would be sunken down with steps up to playground level. The proposed sixth form building and assembly hall would not therefore result in any harm to the amenities of occupiers of The Oaks.

STEAM Building

The alterations and extensions to the existing building on the Mansel Road frontage of the site would comprise the erection of an additional level of accommodation on the roof of the building, associated internal alterations, rear extension and alterations to the fenestration of the building. Although the additional floor of accommodation would increase the height of the building from 10 metres to 16 metres in height, the building is set back from the site frontage by 10 metres. There would be between 25 and 30 metres separation from the extended building to the nearest residential properties in Mansel Road and it is not considered that the development would result in any material harm to the amenities of residential properties in Mansel Road.

The proposals are therefore considered to be acceptable in terms of policy DM D2 (Design Consideration in all Developments) and would not cause harm to neighbouring amenity.

7.7 Trees and Landscaping

The extensive works within the school grounds will require the protection of existing trees. The Councils Tree Officer therefore recommends that tree protection conditions and a landscaping condition be imposed on any grant of planning permission. The proposals include additional tree planting adjacent to Wimbledon Hill Road, which would also add to the character of this road.

7.8 Parking and Transport

The proposals will result in an increase of pupil numbers from 1,030 to 1,060 and the number of staff increasing from 178 to 181. The proposed building works would, however, result in the reduction of on-site car parking spaces from 59 to 17 spaces (including two disabled parking spaces). The application site benefits from good public transport accessibility, with Wimbledon Station within 350 m, as well as several pedestrian routes in the vicinity of the site and an excellent level of bus provision. The site has a PTAL rating of 6a/6b. Cycle parking will be provided at the front of the building adjacent to the main entrance on Mansel Road. The design and location of transport infrastructure for the site will ensure that use of sustainable travel modes by staff, pupils and visitors to the school is encouraged. The Travel Plan will support this objective

by providing detailed information to site users to enable them to make informed choices regarding the travel options available to them.

The Council's Transport Planning Officer considered the proposals and the increase in pupil numbers. No objection is raised to the increase in pupil numbers. However, given the significant reduction in on-site staff car parking, this would lead to increased pressure on the surrounding road network. It is therefore recommended that the development be 'permit free' to ensure that no parking permits for staff would be allocated. Concerns have been raised about congestion from school drop off in Mansel Road. This is an existing situation and it is not considered that the current proposal would exacerbate this to be materially harmful.

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

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

9. **CONCLUSION**

- 9.1 The design and scale of the proposed extensions and alterations are considered to be acceptable in design terms and would not cause harm to the Conservation Area or surrounding locality. The proposed alterations and extensions would also not cause harm to neighbour amenity. The school is in a highly sustainable location where a variety of public transport options are available for pupils, staff and visitors. The proposed increase in staff and pupil numbers can be accommodated on site. There have not been any identified severe impacts on the surrounding highway network that would result from the proposal. The proposal would be implemented in 3 phases, and therefore the planning conditions are proposed to reflect this.

Accordingly, it is recommended that planning permission be granted, subject to the applicant entering into a Section 106 agreement and conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION

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

1. The developer pay the Councils professional fees (£2000) for monitoring the Travel Plan.
2. The development be designated 'Permit Free'.

and subject to the following conditions:-

1. A.1 (Commencement of Development)

2. A.7 (Approved Drawings)
3. B.1 (Approval of Facing Materials) (Relevant to the phase of the works)
4. C.2 (No Permitted Development –Door and Windows)
5. D.11 (Hours of Construction)
6. F.1 (Landscaping Scheme) (Relevant to the phase of the works)
7. F.5 (Tree Protection) (Relevant to the phase of the works)
8. F.8 (Tree Protection) (Relevant to the phase of the works)
9. H.7 (Cycle Parking)
10. H.8 (Travel Plan)
11. H.10 (Construction Vehicles – Major Sites)
12. Prior to commencement of development a Basement Construction Method Statement (for the relevant phase of development) shall be submitted to and be approved in writing by the Local Planning Authority and the development shall be constructed in accordance with the approved details.

Reason for condition: In the interest of the amenities of the area and to comply with policy DM D2 (Design Considerations in all Developments).

13. Prior to commencement of development, a drainage plan for the site shall be submitted to and be approved in writing by the Local Planning Authority and the on-site drainage constructed in accordance with the approved details.

Reason for condition: To comply with policy CS15 (Climate Change) of the Adopted Merton Core Planning Strategy (2011) and policy DM F2 (SuDS).

14. Prior to commencement of development a Construction Environmental Management Plan (for each phase of the works) shall be submitted to and be approved in writing by the Local Planning Authority.

Reason for condition: In the interests of the amenities of the area and to comply with policy DM D2 (Design Considerations in all Developments).

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

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NORTHGATE SE GIS Print Template



Text Details **Wimbledon High School**

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PLANNING APPLICATIONS COMMITTEE 18 OCTOBER 2018

APPLICATION NO. **DATE VALID**
17/P1314 27.03.2017

Address/Site The William Morris & The 1929 Shop, 18 & 20 Watermill Way
Colliers Wood, London, SW19 2RD

Ward Abbey

Proposal: Alterations and extensions to existing public house and
restaurant involving partial demolition works and new outdoor
dining facilities, and new brewery and ancillary shop

Drawing Nos; Site location plan and drawings; L (--)001A, L (--)002P,
L (--)003F, L (--)004G, L (--)005, L (--)006H, L (--)007A,
L (--)008 & L (--)013A.

Contact Officer: Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION.

- Heads of agreement: NO
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No,
- Number of neighbours consulted: 96
- Press notice – Yes
- Site notice – Yes
- External consultations: Two, EA & CAMRA
- Archaeological Priority Zone – Yes
- Controlled Parking Zone - Yes
- Number of new jobs created: 10 full time and 9 part time

1 INTRODUCTION

1.1 The application has been brought before the Committee due to the level of public interest.

2. **SITE AND SURROUNDINGS**

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

3. **CURRENT PROPOSAL**

- 3.1 The proposal under consideration is for alterations and extensions to the existing public house and restaurant involving partial demolition works and new outdoor dining facilities, and new brewery and ancillary shop. Much of the proposal has been previously approved by members in 2016 but not implemented.
- 3.2 The proposal involves alterations and extensions to the existing public house and restaurant including remodelling the existing riverside terrace to improve the bar, restaurant and outdoor dining facilities of The William Morris pub. The proposal will also involve the establishment of a micro-brewery and an

ancillary shop selling the products of the brewery. The net increase in floor area is 76m².

- 3.3 For the previous consent the proposed micro-brewery was to be housed within the ground level of the existing William Morris pub. For this proposal the existing William Morris public house will be the tap room/bar for the new micro brewery. Internal alterations will create an informal dining and pub area over two storeys with a mezzanine area over the brewery bar.
- 3.4 This proposal will now see the micro-brewery created on the footprint of the existing wooden clad beer cellar structure that sits to the south of the William Morris building. This new 6.2m x 10.8m building would be linked to the pub and feature a north south ridge line with a height of 6.7m above eaves with a height of 2.9m.
- 3.5 Following concerns of officers relating to the functional outward appearance of the design of the micro brewery building the applicants have submitted a revised material palette whereby the building would be clad in punched steel cladding that would feature William Morris style floral patterns to reflect the historical heritage of the site.
- 3.6 Improvements will be undertaken to the western façade of the William Morris Pub where there is existing dining at ground level (this section is not part of the original building). The improvements involve new windows, balustrades and material finishes that will upgrade the appearance of the existing extension as well as improve viewing opportunities to the River Wandle from the internal dining/seating areas. Externally a permanent roof for the decking area is proposed to be sited over the terrace and around the retained trees to allow for year long outdoor use.
- 3.7 The rear (western side) of The 1929 Shop will house the restaurant section of the proposal with a double sided bar to serve both the terrace and the restaurant. There will also be an ancillary brewery shop selling the bottled beers and brewery related merchandise within the 1929 Shop. Externally, a permanent roof for the decked area is to be constructed over the terrace so that this area can be used throughout the year for additional seating.
- 3.8 The two buildings are to be connected by an internal 'boulevard' which will separate the more formal eating area adjacent to the kitchen within the 1929 Shop, and the more relaxed bar area/informal dining area. There will be two main entrances, situated at either end of the main boulevard, one being accessible from the market end (north) and the other from Watermill Way (south). Servicing for the building will be via Watermill Way where there will be 'back-of-house' entrances for both the kitchen and micro-brewery.
- 3.9 Originally all four trees protected by TPOs were proposed to be removed. This has been reduced to one tree, with the Sycamore tree in the northern corner of the site to be removed. The new roof canopy will be cut around the trunk of the three remaining Lime trees to allow for their retention.

- 3.10 No change to the first floor of The 1929 Shop is proposed, and no change is proposed to the eastern section of the ground level of The 1929 Shop, which will remain in use as Shops/Retail.

4. PLANNING HISTORY

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

'The 1929 Building':

- 4.2 15/P0615 Planning permission granted by PAC for alterations and extensions to the existing public house and restaurant including remodelling the existing riverside terrace to improve the bar, restaurant and outdoor dining facilities of The William Morris pub. The proposal will also involve the establishment of a micro-brewery and an ancillary shop selling the products of the brewery. Not implemented.
- 4.3 08/P1532 - Planning permission granted for the 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. Not implemented.
- 4.4 94/P0906 - - Planning permission granted for the change of use of first floor of unit 7 (1929 shop), from office to retail use.

4.5 The William Morris Pub':

- 4.6 98/P0086 – Planning permission refused for the erection of a single storey extension with roof terrace. Reason for refusal;
Excavations which are required for the construction of the proposal would likely to result in the loss of a protected tree of amenity value through root disturbance/severance which would be detrimental to the character of the Wandle Valley Conservation Area contrary to Policies EB2, EN10 and EN11.
- 4.7 89/P1458 –Advertising consent granted for the display of 6 non-illuminated and one externally illuminated signs

5. CONSULTATION

- 5.1 The application was advertised through the display of a site notice, press notice and individual consultation letters. As a result of this consultation, letters have been received from five neighbouring residents raising the following concerns:

- The proposed extension to the south of the existing pub looks intrusive, unsightly, out of character and represents a significant extension by the side of the river

- There is room within the existing footprint for the brewery equipment and still have plenty of space for the bar and restaurant areas without having to build this extension.
 - We want assurances that all due measures are being taken to ensure noise and smell pollution are kept to a minimum.
 - Smells should be treated internally.
 - Fermentation process 20 feet from residential properties is objectionable and endangers natural 'ambience'.
 - To disregard the character of the whole Merton abbey area by introducing one small brewery will encourage others to follow and the entire character along with the history will be destroyed for good
 - Need to preserve the heritage and character of Merton Abbey Mills and do not commercialise it.
 - There is no public road access to the site from Merantun Way and the roads are designed for Bennet's Courtyard.
 - Would seek assurances that any damage to the by HGVs road is promptly and properly repaired.
 - The height of the new extension would block views.
- 5.2 One letter generally supporting the proposals but subject to some concerns raised above relating to road conditions, height and smells.
- 5.3 Environment Agency.
No objection. Following a site visit by their officers to obtain a better understanding of the site, the Agency is satisfied that the development will not be extending further than the line of the existing building towards the river and will not prevent access for maintenance or cause a detriment to biodiversity and have removed their earlier objection. The applicants have been advised that they must apply to the Agency for a Flood Risk Activity Permit for works in proximity to a river.
- 5.4 Historic England
Did not wish to make any comments.
- 5.5 LBM Environmental Health.
No objection subject to a condition that the method of odour control be submitted and approved before operations commence.
- 6 POLICY CONTEXT**
- 6.1 London Plan 2016.
4.7 (Retail and town centre development), 7.6 (Architecture), 7.8 (Heritage assets and archaeology), 7.14 (Improving air quality) & 7.15 (Reducing noise)
- 6.2 Merton Core Planning Strategy 2011.
CS 1 (Colliers Wood), CS 7 (Centres), CS 14 (Design), CS 12 (Economic development), CS 13 (Open space, nature conservation, leisure and culture), CS 18 (Active Transport) & CS 20 (Parking and servicing).
- 6.3 Merton Sites and Policies Plan 2014.

DM R1 (Location and scale of development in Merton's town centres and neighbourhood parades), DM R5 (Food and drink/leisure and entertainment uses), DM D2 (Design considerations in all developments), DM D3 (Alterations and extensions to existing buildings), DM D4 (Managing Heritage Assets), DM EP 2 (Reducing and mitigating noise), DM EP 4 (Pollutants), DM E1 (Employment areas in Merton) & DM O2 (Nature conservation, trees, hedges and landscape features),

7. PLANNING CONSIDERATIONS

- 7.1 The key issues arising from the application are the impacts of the use on the local area and the impact on neighbour amenity, appearance as well as the impact on the Conservation Area and Listed Buildings.

Expansion of pub/restaurant use & implementation of micro-brewery use.

- 7.2 London Plan Policy 4.4, SPP Policy DM E1 and Core Strategy Policy CS 12 all seek to promote employment opportunities both locally and regionally. SPP Policy DM E1 stipulates that new uses should have parking and access appropriate to the site and its surroundings, not unacceptably affect the operation of neighbouring businesses, traffic movement, road safety or local amenity.

- 7.3 Core Strategy Policy CS1 and CS7 encourages an improved mix of uses within Colliers Wood, inclusive of restaurants, cafes and uses commensurate with its retail offer as a district centre, that will contribute to the vitality and viability of the Colliers Wood centre. The policy encourages development that will raise awareness of heritage assets, recognising their positive contribution to regeneration and development. SPP Policy DM R1 and DM R5 stipulates that new development in town centres is to be commensurate with the scale and function of the centre, and must maintain the character and amenity of the area.

- 7.4 The proposal will involve alterations and extensions to the established pub and restaurant use on site, providing for an improved pub/bar/restaurant facility that will create additional employment and leisure opportunities. The micro-brewing industry is a rapidly expanding market and officers consider that the implementation of a new micro-brewery within The William Morris building will bring renewed vitality and recognition to the Colliers Wood town centre and Merton Abbey Mills heritage precinct. The use links to the industrial history of the Merton Abbey Mills heritage area, and is considered by officers to be of scale commensurate with the pub/restaurant and surrounding retail/office development.

Parking and servicing.

- 7.5 SPP Policy DM E1 and Core Strategy policy CS 20 stipulate that new uses should have parking and access appropriate to the site and its surroundings and not unacceptably affect the operation of neighbouring businesses, traffic movement and road safety.

- 7.6 There are no opportunities for on street parking on the public highway in the vicinity and Watermill Way is a private road with restricted access. Residents living at the development have off street parking with restricted access so there will be no impact on resident parking. The proposal results in a net increase in floor area of 76m² and hence the proposal is not considered to place additional parking stress on the area. Objectors raised concerns relating to heavy vehicles using the site and damaging the road surface. The existing pub is already serviced by typically 3.5 tonne lorries. The overall site is not suitable for larger HGV traffic and the normal everyday operational needs of the proposal will not require vehicles larger than those already servicing the public house. Given the constrained nature of the site and the access to it, conditions relating to construction logistics and parking of construction vehicles.
- 7.7 Core Strategy policy CS 18 promotes active transport methods through the provision of cycle storage and a condition requiring the provision of a 10 bicycle toast rack to provide secure cycle parking for employees and visitors is recommended.

Neighbour amenity.

- 7.8 SPP Policy DM E1 also stipulates that new uses should not unacceptably affect local amenity. Objections have related largely to concerns about fumes and odours from production and noise from the brewery, expansion of the bar/pub use and associated ancillary activities.
- 7.9 Odour and health issues; SPP Policy DM EP4 seeks to minimize pollutants and to reduce concentrations to levels that have a minimal adverse effect on people and the local area. The applicant has proposed two options for the management of odour, both of which have been considered by LBM Environmental Health to be effective measures to filter out and reduce fumes and odours from the production system. These two systems are:
- (1) Dedicated filtration system which involves the use of a canopy type extract system complete with carbon filters similar to the systems used within commercial style kitchens connected to a dedicated duct mounted extract fan. Make-up air would be provided via appropriately sized air inlet louvres or
- (2) Vapour Condenser System (applicant's preferred option): A stainless steel vapour condenser unit is mounted to the vapour outlet of the copper boiling vessel. Cold water is then connected to the outer jacket of the condenser. As water vapour from the boiling vessel rises within the inside of the condenser, it is cooled by the effect of cold water in the outer jacket and which in turn condenses to water. This water is then drained via the condensate return tube. This type of device is very effective in removing odours and will be the preferred option in minimising aromas as a result of the boiling process.
- 7.10 In view of the above it is considered that a planning permission for the micro brewery could be conditioned so as to ensure that it operated in a manner that would be unlikely to give rise to odours or health issues arising from the proposal.

Noise.

- 7.11 SPP Policy DM EP 2 requires that noise generating developments should be appropriately located so as to minimise impacts on noise sensitive land uses. The bar/restaurant use with existing roof terrace and outdoor dining/seating is an established use on site, and the proposed enhancements to the facility are not considered to result in additional noise impacts beyond current levels. It is noted that the roof/outdoor dining is located adjacent to the River Wandle, directing noise towards the river and industrial estate beyond, rather than the residential buildings to the south and east. The proposed roof over the outdoor seating area will help reduce existing noise levels from the outdoor dining.
- 7.12 All brewing equipment is to be installed within the new micro brewery building. The brewing process is generally very quiet as much of the equipment is used for storage of the various stages of production with some pumping between tanks and some agitation during brewing. The production operations and cleaning of equipment will be confined to the hours of 7am to 7pm. Any ventilation equipment will be sized, complete with suitable attenuation to ensure any generated noise due to plant is at a level unlikely to give rise to harm to local residents. These factors mean that the proposal is not considered to raise concerns of noise being generated above those levels which can be expected from the usual operation of the existing pub/restaurant use and surrounding commercial operations of the Merton Abbey Mills precinct.

Design and appearance

- 7.13 The proposed contemporary roof sheltering that will connect the two buildings provides for a clear distinction between old and new. The height of the roofed structure is single storey and set well below the height of the two host buildings, and is therefore not considered to be visually dominating or overbearing on the host buildings.
- 7.15 The existing front entrance to The William Morris Pub is proposed to be remodelled as part of works to install a new entrance for this building and the 1929 building. The modifications to the western façade of The William Morris Pub that includes new floor to ceiling glazing will update the appearance of the existing addition and improve views from the internal dining/seating areas to the River Wandle. Overall officers consider that there is to be no loss of significant heritage fabric.
- 7.16 Officers were unsupportive of the proposal's original rather functional design and use of standing seam metal cladding. The revised design now before members is considered more appropriate for its setting with the use of the perforated metal panels adding a 'lightness' to the overall design whilst the William Morris inspired patterning will relate back to the historical context of the site such that whilst modern in design it complements the heritage of the local area. The perforated metal screening, the design and patterning of which officers consider to be an integral part of the quality of the proposals, will be set over a glazed shell construction. This glazing has openable

windows and vents below the screen with glazed fenestration panels and doors on the south elevation allowing a view into the building. Mechanical plant for odour control etc will be set within the frame of the building and not readily visible from outside.

Trees.

- 7.17 SPP Policy DM O2 and Core Strategy policy CS 13 stipulate that new uses should protect and incorporate significant trees which make a positive contribution to the wider network of open spaces, and in this circumstance, the Wandle Valley Conservation Area. The amended design will retain three significant Lime trees along the River Wandle riverbank, with the new roof structure designed to be built around these trees with the use of mini pile foundations to avoid harm to the trees. These trees make a significant contribution to the character and amenity of the area. The removal of the one Sycamore tree has been considered by the LBM Tree Officer to be acceptable in this instance, due to the health of this tree and this was previously approved by members. Conditions will be implemented to ensure the ongoing protection of these trees prior, during and after construction.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.
- 8.2 As the floor area for the new building is less than 500m² it is classified as a Minor Non Domestic proposal in terms of sustainability and as such there are no policy requirements for climate change policies to be applied or for there to be any CO₂ or water targets beyond those required under Building Regulations.

9. CONCLUSION

- 9.1 Officers consider that the proposals would enhance the William Morris Pub and the surrounding conservation area and contribute to the ongoing viability of the Merton Abbey Mills precinct, creating an improved pub/restaurant/bar facility that will provide additional employment and leisure opportunities in the Colliers Wood town centre. Through the imposition of suitable conditions relating to the hours of operation and the use of odour controlling systems it is considered that the proposed micro-brewery use can operate without harming the amenity of neighbouring residents or having a negative impact on neighbour businesses. Consequently it is considered that the proposal accords with relevant planning policy and that subject to suitable conditions the proposal is recommended for approval.

RECOMMENDATION

Grant planning permission subject to planning conditions

- 1) A1 Commencement of works
- 2) A7 Built according to plans; L (--)001A, L (--)002P, L (--)003F, L (--)004G, L (--)005, L (--)006H, L (--)007A, L (--)008 & L (--)013A.
- 3) B2 Materials as specified.
- 4) C06 Refuse & Recycling (details to be submitted)
- 5) F05 Tree Protection
- 6) F06 Design of Foundations
- 7) F07 Trees – Notification of Start
- 8) N03 Works to Match
- 9) Non-standard condition The new section of wall on the eastern façade of The William Morris pub is to be replaced with refurbished metal Crittall windows from the western wall of the building following the demolition of the current building entrance, as shown on Approved Plan L006 Rev A. Reason: To safeguard the special architectural or historic interest of the listed building and to comply with the following Development Plan policies for Merton: policy 7.8 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2, D3 and D4 of Merton's Sites and Policies Plan 2014. 10)
- 10) Hours of operation The use of the site for the active production of beer shall not operate outside of the hours of 7am to 7pm Monday to Sunday. Reason: To safeguard neighbour amenity and to ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2011, policy CS7 of Merton's Core Planning Strategy
- 11) Cycle Parking. Prior to occupation a 10 bicycle secure store is to be installed to accommodate cycle parking. These facilities shall be retained for the employees of and visitors to the development at all times. Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with policy CS18
- 12) Non standard condition; Prior to the commencement of the development a scheme detailing the method to control odour emissions from the brewing/boiling process shall be submitted and approved in writing by the planning authority. Thereafter, this method shall be used when during the brewing/boiling process. All equipment associated with this method shall be maintained to give maximum odour reduction for so long as the use remains. Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and to ensure compliance with the following Development Plan policies for Merton: policies 7.14 and 7.15 of the London Plan 2011, policy CS7 of Merton's Core Planning Strategy 2011 and Policies DM EP2 and DM EP4 of Merton's Sites and Polices Plan 2014.

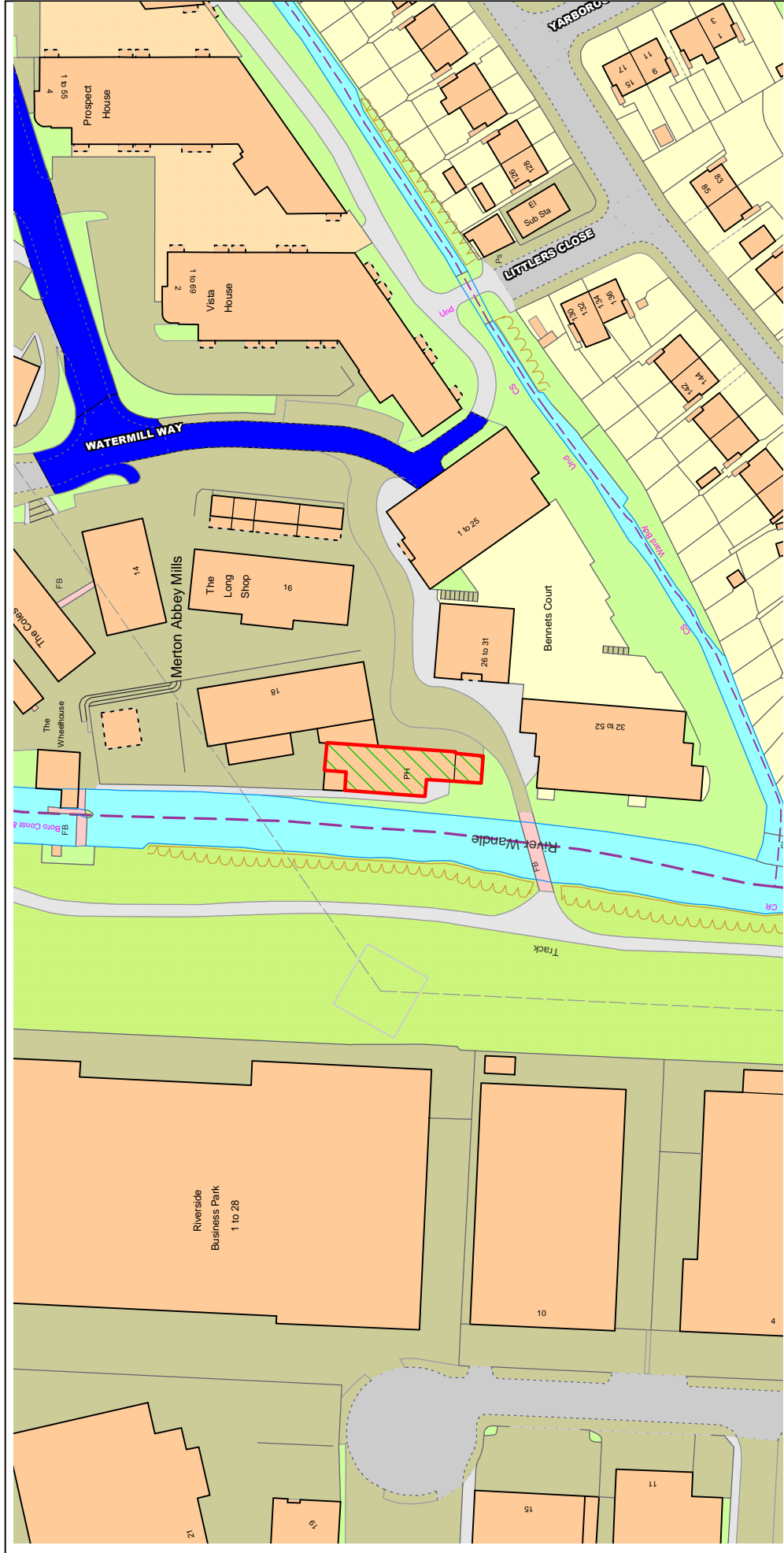
- 13) H9 Construction vehicles. The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading/unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction
- 14) H13 Construction Logistics Plan to be submitted.
Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.
- 15) E05 Restriction - Use of Premises. The micro brewery building hereby approved shall only be used for brewing and distilling purposes and for no other purpose, (including any other purpose within Class B1of the Schedule to the Town and Country Planning (Use Classes Order) 1987), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.
-

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

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NORTHGATE SE GIS Print Template



Text Details **The William Morris & 1929 Shop**

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PLANNING APPLICATIONS COMMITTEE 18 OCTOBER 2018

APPLICATION NO.
18/P2066

DATE VALID
23/07/2018

Address/Site

2 Vectis Gardens, Tooting, SW17 9RE

Ward

Graveney

Proposal:

CONSTRUCTION OF A SINGLE STOREY REAR EXTENSION AND SIDE EXTENSION WITH DORMER WINDOW TO THE PROPERTY AND THE CONSTRUCTION OF 1 X SELF CONTAINED FLAT ABOVE THE SIDE EXTENSION

Drawing Nos

Site location plan, 2-15, 2-16 and 2-17.

Contact Officer:

Tim Lipscomb (0208 545 3496)

RECOMMENDATION

Grant Permission subject to conditions.

CHECKLIST INFORMATION

- Heads of Agreement: Not required
- 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: 5
- External consultations: No
- Controlled Parking Zone: Yes (Zone GC)

1. **INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee at the request of Councillor Kirby.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site is an end of terrace, two storey dwelling on the eastern side of Vectis Gardens. The site forms part of an existing terrace of three dwellings (1A, 1 & 2 Vectis Gardens). The site has an area of approximately 195sqm.
- 2.2 It is noted that the house originally formed part of a semi-detached pair of houses. A new dwelling was constructed adjacent to 1 Vectis Gardens, creating a terrace row (under application ref. 92/P0501).
- 2.3 The existing terrace dwelling has three bedrooms. There is a single storey garage attached to the side of the property with a distance of 4.8 metres separating the side elevation of the existing property from the side property boundary. A second detached single storey garage on land belonging to 1 Vectis Road is located nearby with the two garages separated a pedestrian access to the rear of neighbouring properties.
- 2.4 The site is not located in a conservation area. The building is not listed. The application site lies with Flood Zone 2 (the rear part of the site only). The site lies within a Controlled Parking Zone. The area has a PTAL of 1b (poor).

3. **CURRENT PROPOSAL**

- 3.1 The application seeks planning permission for the erection of a two-storey side extension, with rear facing dormer window and a 3m deep single storey rear extension to the existing dwelling, following demolition of the existing garage.
- 3.2 The proposed two-storey extension would form an extension to the existing dwelling at ground floor level and would create a separate 1 bedroom flat at first and second floor level (second floor within the roof space).
- 3.3 Construction materials would match the existing.
- 3.4 Rubbish/recycling storage and cycle storage would be provided to the frontage of the site.
- 3.5 The proposed plans show space for two cars to park parallel to the highway.
- 3.6 The existing garden would be retained for the host dwelling with no external amenity space allocated to the proposed dwelling.

3.7 The proposal would provide the following accommodation:

Unit	Number of bedrooms/people	GIA (sqm)	External amenity space
Retained and extended 2 Vectis Gardens	3 bed/5 person*	140.2	In excess of 50sqm
Proposed new flat	1 bed/2 person	59.65	None

* The host dwelling is shown to be extended to form a 4 bedroom unit. However, bedroom 1 has a floor area of just 4sqm, with a width less than 2.15m. Therefore, this room cannot be considered as a habitable bedroom for the purposes of the London Plan. The dwelling is therefore considered on the basis of being a 3b/5p unit. It is noted that this bedroom is existing currently and therefore there is no justification to request amendments to the size of this room.

3.8 The proposal would effectively convert the existing dwellinghouse into two separate flats. The host dwelling, No.2 Vectis Gardens, would be horizontally split with the new flat, as the ground floor of the entire building would be part of the host dwelling. Therefore, the hoist dwelling would not remain a dwellinghouse but would be classified as a flat. Therefore, no permitted development rights would apply following the conversion.

4. **PLANNING HISTORY**

4.1 15/P1905 - DEMOLITION OF THE EXISTING GARAGE AND THE ERECTION OF A NEW END OF TERRACE BUILDING WITH FLOOR SPACE ON FOUR LEVELS (A NEW BASEMENT, GROUND FLOOR, FIRST FLOOR AND WITHIN THE LOFT SPACE) TO PROVIDE 2, TWO BEDROOM MAISONNETTES WITH TWO SEPARATE ENTRANCES TO THE FRONT ELEVATION. Refuse Permission 10-07-2015 for the following reason:

1. The proposal would fail to provide an acceptable standard of residential accommodation for future occupiers arising from the provision of inadequate internal space for normal living activities; inadequate provision of natural sunlight, daylight and outlook to the basement living space and failure to demonstrate that adequate flood mitigation measures will be provided to safeguard future occupiers in this area at risk from flooding, contrary to policy 3.5 of the London Plan (March 2015), policies DM D2 and DM F1 of the Merton Sites and Policies Plan (July 2014), and the

Council's Supplementary Planning Guidance on Residential Extensions, Alterations and Conversions (November 2001).

2. The submitted application has failed to demonstrate that the excavation; sequencing; and management of the works to form the basement will not be harmful local amenity; failed to demonstrate that the works will not have an unacceptable impact on ground water and surface water movements and failed to demonstrate how the proposal will achieve the London Plan emissions reduction targets contrary to policy DM D2; DM F1; of the Merton Sites and Policies Plan (July 2014), policy CS15 of the Merton LDF Core Planning Strategy and policy 5.2 of the London Plan 2015.
 3. The design and appearance of the proposed building including the bulk and massing of the top floor and the front roof terrace would represent overbearing and visually intrusive features that would fail to respect the character and appearance of the surrounding area contrary to policy CS.14 of the Merton LDF Core Planning Strategy and policy 7.4 of the London Plan (March 2015) and the Council's Supplementary Planning Guidance on Residential Extensions, Alterations and Conversions (November 2001).
- 4.2 16/P2832 - DEMOLITION OF THE EXISTING GARAGE AND ERECTION OF A 2 STOREY SIDE EXTENSION TO END OF TERRACE DWELLING TO CREATE NEW FAMILY ROOM FOR 2 VECTIS GARDENS AT GROUND FLOOR AND A NEW 1 X 1 BEDROOM FLAT ON THE FIRST FLOOR AND WITHIN LOFT WITH REAR ROOF DORMER. Grant Permission subject to Conditions 30-01-2017.
 - 4.3 16/P4717 - ERECTION OF A HIP TO GABLE AND REAR ROOF EXTENSION WITH JULIETTE BALCONY AND INSTALLATION OF 3 x ROOFLIGHTS TO FRONT ROOF SLOPE. Grant Permission subject to Conditions 30-01-2017.
 - 4.4 17/P1323 - APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE FOR THE PROPOSED ERECTION OF A SINGLE STOREY REAR EXTENSION. Issue Certificate of Lawfulness 08-05-2017.
5. **CONSULTATION**
 - 5.1 Standard 21-day site notice procedure and individual letters to neighbouring occupiers. One letter of representation have been received, objecting on the following grounds:
 - It would be better to construct a family sized dwelling on this site.

- The plans may be open to the separation of the existing dwelling into flats causing noise and disturbance by multi occupancy when it is finished.
- Overdevelopment of the site and will result in overcrowding in this small road.
- Concerns over parking pressure and concern that parking spaces shown on plans do not have adequate space.
- Overshadowing to No.1 Vectis Gardens as a result of the proposed rear extension.

5.2 LBM Climate Change Officer:

No objection subject to condition.

5.3 LBM Highways:

No objection or requirements.

5.4 LBM Transport Planning:

Observations:

The Site is located within CPZ GC Zone, which is active between 08:30 and 18:30 Monday to Friday restricting parking for permit holders only between those times.

The proposal provides 2 off street parking spaces.

The proposal is unlikely to generate more than one further vehicle and therefore there is no need to exempt future residents of the proposed development from applying for a parking permit.

Cycle parking:

The London Plan and London Housing SPG Standard 20 (Policy 6.9) states all developments should provide dedicated storage space for cycles at the following level:

- 1 per studio and one bed dwellings; and
- 2 per all other dwellings

In order to meet the standards set out in the London Plan provision the proposal would require one cycle space (secure & undercover).

Recommendation: Raise no objection subject to:

- Car parking as shown maintained.
- Cycle Parking (secure & undercover)

5.5 LBM Flooding and drainage officer:

No objection, no requirements.

5.6 Environment Agency:

Advise that EA Standing Advice should be followed.

6. **POLICY CONTEXT**

6.1 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
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.2 An inclusive environment
- 7.4 Local character
- 7.6 Architecture
- 7.19 Biodiversity and access to nature
- 8.2 Planning obligations
- 8.3 Community infrastructure levy

London Plan Housing SPG (March 2016)

6.2 LDF Core Planning Strategy (July 2011)

- CS8 Housing Choice
- CS9 Housing provision
- CS11 Infrastructure
- CS14 Design
- CS15 Climate Change
- CS16 Flood Risk Management
- CS18 Active Transport
- CS20 Parking, Servicing and Delivery
- CS21 Open Space, Nature Conservation, Leisure and Culture

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

- DM O2 Nature Conservation, Trees, hedges and landscape features
- DM D2 Design considerations in all developments
- DM D3 Alterations and extensions to existing buildings
- DM EP2 Reducing and mitigating noise
- 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

6.4 Other guidance:

Merton's Design SPG 2004
NPPG 2014

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the principle of development, provision of housing and mix, impact on the character of the area, standard of accommodation, neighbouring amenity, highway, traffic and parking considerations, flooding/drainage and sustainability issues.

7.2 Principle of 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 proposed conversion of the existing single dwelling into two residential units is acceptable in principle since a residential unit of at least 3 bedrooms would be re-provided as part of the development, thereby there would be no loss of family housing, in line with policy CS14.

7.2.3 It is important to note the planning history at the site as it is a material consideration in the current assessment. In terms of physical built form, a fully integrated two-storey extension, to be used as an independent dwelling, has been granted permission under application ref. 16/P2832 and therefore, the acceptability of the two-storey extension is established by the granting of this permission. The single storey extension proposed has previously been issued a certificate of lawfulness under application ref. 17/P1323.

7.2.4 Therefore, given the existence of these granted/issued applications, it would be unreasonable to raise objection on elements of the scheme that have previously been approved.

7.2.5 The key differences between the previously permitted scheme under application ref. 16/P2832 and the current scheme are as follows:

- The current scheme includes a dormer window to the rear of the host dwelling. This dormer window is currently in existence, having been permitted under application ref. 16/P4717.
- The current scheme includes a proposed single storey extension, which has previously had a certificate of lawfulness to confirm that it is permitted development, under application ref. 17/P1323.

Other than these changes, the two schemes are identical.

7.2.6 In terms of policy changes since the previous approval, the NPPF has been revised and continues to focus on the sustainable delivery of houses. The publication of the NPPF 2018 does not materially change the assessment process for this proposal.

7.3 Provision of housing and mix

7.3.1 The National Planning Policy Framework (2018) 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.

7.3.2 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 and that the Council will work with housing providers to provide a minimum of 4,107 additional homes (411 new dwellings annually) between 2015 and 2025. Merton LDF Core Strategy policies CS8 & CS9 also seek to encourage proposals for well-designed and located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space.

7.3.3 LB Merton's housing target between 2011 and 2026 is 5,801 (Authority's Monitoring Report 2016/17). 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.

7.3.4 The benefit of providing 1 additional unit must be weighed against the planning merits of the proposal.

7.3.5 The proposed development would have a density of 102 units per hectare and 410 rooms per hectare. It is of note that the immediately surrounding

- area has a density of approximately 52 dwellings per hectare and 207 habitable rooms per hectare. The London Plan provides a density matrix to act as a guide indicating suitable levels of density depending on the characteristics of the area. The site is PTAL 1b, within a suburban area, wherein Table 3.2 of the London Plan advises that a range of 35-65 units per hectare and 150-200 habitable rooms per hectare.
- 7.3.6 Residential density is one factor to consider in the assessment, it is primarily used to assess the acceptability of large housing schemes and can be an unreliable, crude guide when assessing the appropriateness of smaller infill development. Therefore, whilst density is a factor in the assessment process, greater weight should be given to how the development fits in with the character of the area in visual terms.
- 7.3.7 The current proposal intends to add to the existing building and the resultant density is not the overriding factor in the assessment. The impact on visual and residential amenity will be a more important factor in the assessment of the acceptability of the proposal.
- 7.3.8 Policy DM H2 sets out a requirement for housing mix based on the housing needs of the borough. The policy requires an even proportion of one, two bed and three bedroom units. Historically there has been an under provision of family sized units (3 beds and above). The scheme proposes a new one bedroom unit only. However, given the limited scope for adding floorspace to the building, it is considered that the provision of an additional one bedroom flat would be acceptable in planning terms.
- 7.3.9 The proposal is considered to be acceptable in terms of density and housing mix. This is consistent with the view taken under application ref. 16/P2832.

7.4 Character of the Area

- 7.4.1 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.
- 7.4.2 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 this SPP Policy. Policy DMD2 also seeks to ensure that trees are protected from adverse impacts from development.

- 7.4.3 The proposed development would result in a very similar external appearance to that previously granted under application ref. 16/P2832 and would not have a greater impact on the character of the area than the scheme previously approved.
- 7.4.4 Equally, the single storey extension would otherwise be permitted development and therefore it would not be reasonable to raise objection to this element of the proposals. However, in any event, this element of the extensions is to the rear and is not visually prominent or out of keeping with the character of the area.
- 7.4.5 The proposed development is considered to be acceptable in terms of visual amenity and the character of the area and is considered to comply with Policies DM D2 and DM D3 in this regard.

7.5 Standard of accommodation

- 7.5.1 London Plan Policy 3.5 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.
- 7.5.2 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.
- 7.5.3 Table 3.3 of the London Plan (2016) requires a minimum gross internal area (G.I.A) of 58sqm for a 1 bedroom/2 person dwelling set over two floors.
- 7.5.4 The existing three bedroom dwelling which would be extended to the side would be provided with a total floor area of 140.2sqm. This exceeds the 93sqm London Plan floor area requirement for a 3 bedroom, five person dwelling.
- 7.5.5 The new one bedroom flat on first and second floors would have a floor area of 59sqm, which meets the London Plan requirements for a 1 bedroom, 2 person dwelling (over 2 storeys) of 58sqm.

7.5.6 The plans show that the rear garden area of over 50sqm is to be allocated entirely to the family size dwelling. The garden area is of sufficient size and dimensions to provide future residents with appropriate private amenity space in accordance with the above standards.

7.5.7 Whilst a modest amount of amenity space would normally be required for all flats (5sqm under London Plan standards), the upper storey flat is not a family sized unit. An adequate living area has been provided, and it is considered that the absence of outdoor private amenity space in isolation would not warrant a refusal. It is of note that the unit would be double aspect, with good outlook and provides in excess of the minimum GIA standards of the London Plan. On this basis, the standard of accommodation is considered to be acceptable.

7.5.8 This is consistent with the view taken under application ref. 16/P2832.

7.6 Neighbouring Amenity

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

7.6.2 The proposed two-storey element of the proposals has been previously found to be acceptable in terms of the impact on neighbouring amenity and has previously been granted permission (application ref. 16/P2832). It is noted that there are no side facing windows at the adjacent property, No.1 Vectis Road, which would be affected by the proposed two-storey extension. In addition, the two-storey extension would not project beyond the rear building line of No.1 Vectis Road and, as such, it is considered that there would not be a materially harmful impact. This is consistent with the view taken under application ref. 16/P2832.

7.6.3 In terms of the impact on the other adjacent property, No.1 Vectis Gardens: The rear roof extension closest to the boundary has previously been permitted (16/P4717) and it would not be reasonable to revisit this element of the proposals. In any event, the provision of a rear facing dormer window in a residential suburban area is generally held to not result in materially harmful overlooking to neighbouring properties. The proposed dormer window, to the two-storey extension, would have a similar impact to the existing dormer window and would not result in any additional materially harmful overlooking.

7.6.4 The proposed single storey extension, would, if constructed in isolation, be permitted development. The proposed extension is 3m in depth and 3m in height. The proposed extension is to the immediate southeast of No.1 Vectis Gardens and as such would have some minor impact in terms of morning sunlight. However, the limited rear projection of 3m is not

considered to result in material harm to the amenities of the neighbouring property.

7.6.5 The proposal is considered to be acceptable in terms of the impact on neighbouring amenity.

7.7 Highway, traffic and parking considerations

7.7.1 Core Strategy Policy CS 20 considers matters of pedestrian movement, safety, servicing and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection.

7.7.2 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.

7.7.3 The scheme proposes the provision of two off-street parking spaces to the frontage of the site. Each of the two spaces would measure 5.35m in length, which, whilst being short of the usual requirement of 6m for parking spaces parallel to the highway, it is considered that there would be sufficient space to manoeuvre vehicles. It is noted that the Council's Transport Planner has raised no objection in relation to the parking layout. It is also noted that the exact same parking layout has been approved under application ref. 16/P2832 and therefore is established as being an acceptable layout.

7.7.4 The provision of two off-street parking spaces would meet London Plan maximum standards.

7.7.5 In terms of cycle parking, this is provided to the frontage of the site and is considered to be acceptable.

7.7.6 The Council's Transport Planner has advised that there is no requirement to restrict the issuing of parking permits at the site as the proposal is unlikely to generate more than one further vehicle and parking pressure in the locality is not at such a high capacity that the addition of one small dwelling would have a significant impact on parking capacity in the area.

7.7.7 The proposal is considered to be acceptable in terms of parking and highway impacts.

7.8 Refuse and recycling

7.8.1 Policy CS20 of the Core Strategy (2011) states that the Council will seek

- to implement effective traffic management by requiring developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway.
- 7.8.2 The application shows that a refuse/recycling storage/collection area would be provided to the frontage of the site and this would be sufficient.
- 7.8.3 The proposal would therefore, comply with Policy CS17 of the Core Planning Strategy 2011.
- 7.9 Sustainable design and construction
- 7.9.1 New buildings must comply with the Mayor's and Merton's objectives on carbon emissions, renewable energy, sustainable design and construction, green roofs, flood risk management and sustainable drainage. The most relevant London Plan policies are 5.1 (Climate Change Adaptation), 5.2 (Minimising Carbon Dioxide Emissions) and 5.3 (Sustainable Design and Construction) which seek to minimise energy usage and reduce carbon dioxide emissions.
- 7.9.2 Policy CS15 sets out minimum sustainability requirements for development proposals.
- 7.9.3 The application is accompanied by supporting information in relation to sustainable construction.
- 7.9.4 The Council's Climate Change Officer has considered the proposals and concludes that subject to a suitably worded condition the proposed development would meet the relevant targets.
- 7.9.5 The proposal complies with Policy CS15 of the Core Planning Strategy 2011 and Policy 5.3 of the London Plan.
- 7.10 Flooding considerations
- 7.10.1 Core Planning Strategy CS16 Flood Risk Management and SPP Policy DM F1 requires that new development mitigate the impact of flooding in Merton. The submitted application involves building works within Flood Zone 2, which covers part of the rear garden.
- 7.10.2 It is of note that the applicant has provided supporting documents in relation to flooding impacts and the EA has previously reviewed these documents and raised no objection to the development (under application 16/P2832). However, it is of note that the current scheme includes a single storey extension whereas the previous scheme did not and therefore covers a greater ground surface area. The Environment Agency has

responded to the current application and advise that the EA's standing advice can be applied to the scheme.

7.10.3 The EA standing advice deals mainly with finished floor levels in relation to anticipated flood levels. The proposed finished floor levels would be well above the 1 in 100 or 1 in 1000 year climate change flood levels and as such, no concern or objection is raised in this regard.

7.10.4 The application has satisfactorily demonstrated that it would be acceptable in flooding terms, as per the previous application 16/P2832.

7.11 Response to representations

7.11.1 The majority of issues raised by objectors are addressed in the body of this report. However, in addition, the following comments are offered:

- There is a need for family housing in the borough. However, the housing mix policy is not applicable for the addition of a single dwelling and therefore there is no policy base to insist on additional family housing on the site.
- Any further subdivision would require planning permission and as such control would be maintained by the LPA.

8.0 SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of an Environmental Impact Assessment (EIA).

9.0 MAYORAL COMMUNITY INFRASTRUCTURE LEVY

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

10.0 MERTON'S COMMUNITY INFRASTRUCTURE LEVY

10.1 Merton's Community Infrastructure Levy was implemented on 1 April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure

should be collected except for affordable housing.

11.0 CONCLUSION

- 11.1 The principle of development is considered to be acceptable.
- 11.2 The proposal is considered to be acceptable in planning terms and would provide one additional dwelling to add to the Borough's housing stock. The scheme would represent an infill scheme that complements the character of the area and provides a reasonably good standard of accommodation. In addition, the majority of the development proposed has been previously found to be acceptable and granted planning permission.
- 11.3 Therefore, the recommendation is to grant permission subject to conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION

Grant Permission Subject to Conditions:

Conditions:

- 1. A.1 Time Limit
- 2. A.7 Approved Plans
- 3. B2 Materials to match
- 4. C.7 Implementation of Refuse and Recycling
- 5. H04 Provision of vehicle parking
- 6. H.9 Construction Vehicles
- 7. L2 Energy and water usage.
- 8. Cycle Parking (implementation)
- 10. No demolition or construction work in connection with this permission shall be carried out outside the hours of 08.00 and 18.00 on Mondays to Fridays inclusive, 08.00 to 13.00 on Saturdays and there shall be no such work carried out on Sundays or Public Holidays.

INFORMATIVE:

1. 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

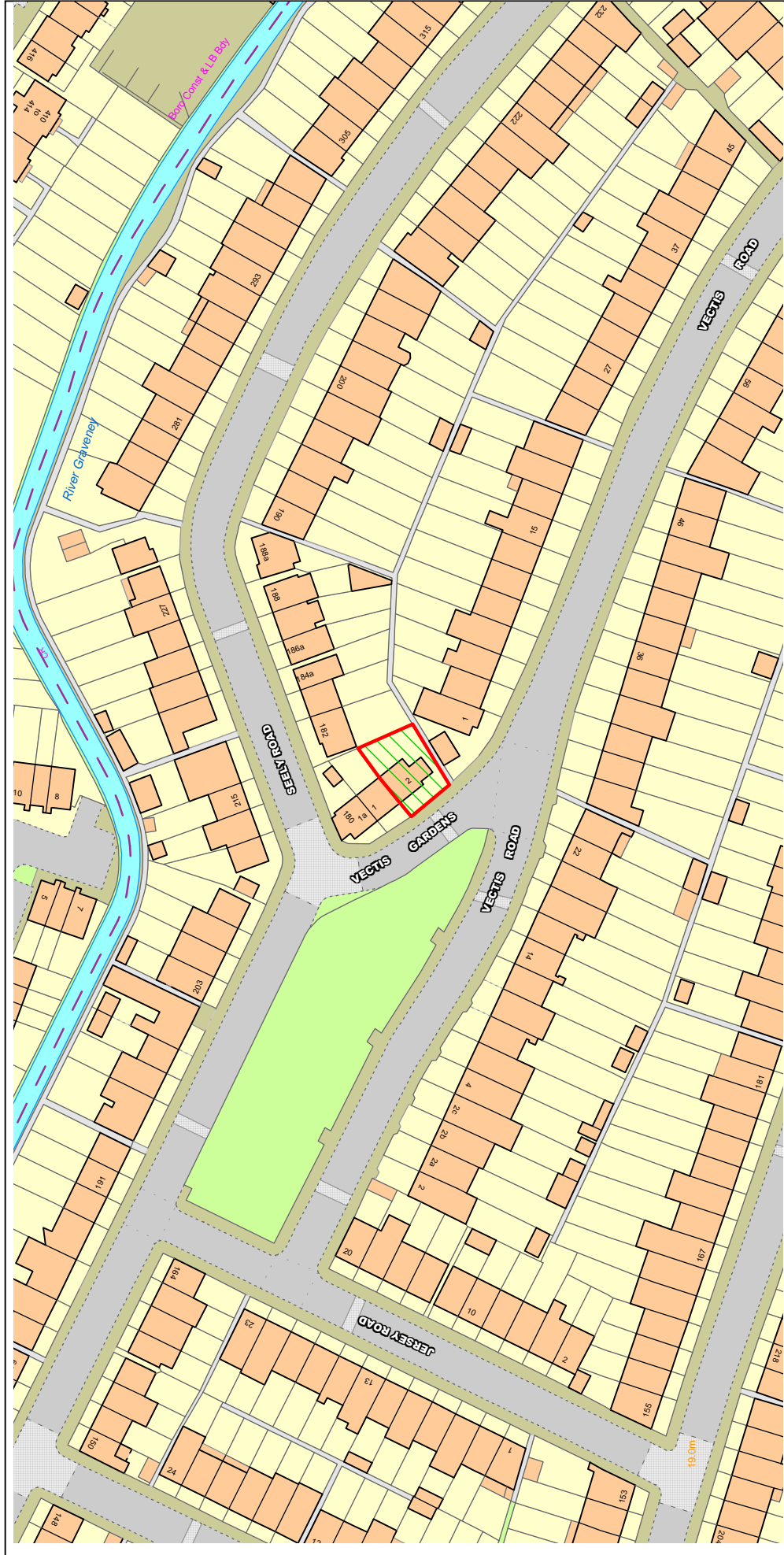
2. Water efficiency evidence requirements for post construction stage assessments must provide:
 - Documentary evidence representing the dwellings 'As Built'; detailing:
 - the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / 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'.

3. **INFORMATIVE**
This permission creates one or more new units which will require a correct postal address. Please contact the Street Naming & Numbering Officer at the London Borough of Merton

Street Naming and Numbering (Business Improvement Division)
Corporate Services
7th Floor, Merton Civic Centre
London Road
Morden
SM4 5DX
Email: street.naming@merton.gov.uk

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

NORTHGATE SE GIS Print Template



Text Details 2 Vectis Gardens

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Committee: Planning Applications Committee

Date: 18th October 2018

Wards: Colliers Wood

Subject: Tree Preservation Order (No.732) at 45, 51 & 53 Myrna Close,
Colliers Wood, SW19

Lead officer: HEAD OF SUSTAINABLE COMMUNITIES

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

Contact Officer Rose Stepanek: 0208 545 3815
rose.stepanek@merton.gov.uk

Recommendation:

That the Merton (No.732) Tree Preservation Order 2018 be confirmed without modification.

1. Purpose of report and executive summary

This report considers the objections & representations that have been made to the making of this tree preservation order. Members must take those into account before deciding whether or not to confirm the Order, with/without modification.

2. Details

- 2.1 On the 25 June 2018, the Council received a request from a local resident to make a tree preservation in respect of 3 trees that were reportedly in danger of imminent removal located in Myrna Close. A tree preservation order was made the same day in respect of 2 Tree of Heaven trees located in an amenity space in front of nos. 51 & 53 Myrna Close, and a Lime tree located within an amenity strip of land positioned between 2 car parking spaces in Myrna Close.
- 2.4 The Merton (No.732) Tree Preservation Order 2018 was made and this took effect on the 25 June 2018. A copy of the tree preservation order plan is appended to this report.

3. Planning history

- 3.1 Myrna Close was built in 1984. The land was formerly known as the Reliance (printing ink) Works, 105 Devonshire Road. These trees are thought to date from the landscaping of the original development.
- 3.2 On the 2 May 2018, a planning application (ref: 18/P1867) was submitted for the 'Application for lawful development certificate for the erection of a 1m high boundary to front of property.' The application included the proposal to remove the Tree of Heaven (listed as T3 in the Order) on the basis that it '...could be an obstruction to the erection of the garden wall and its roots might damage the surrounding access way.' The applicant is aware that under the Deed of Transfer of the Land there are restrictive covenants requiring the prior consent from the Council before erecting any fences and for the pruning/removal of any trees except in the course of good husbandry. Consent was granted (27/06/2018) for the erection of a 1 metre high fence, and the applicant was informed of the tree preservation order and the need to be observant of the recommendations under BS 5837:2012 'Trees in relation to design, demolition and construction'.

4. Legislative Background

- 4.1 Section 198 of the Town and Country Planning Act 1990 (as amended), empowers Local Planning Authorities to protect trees in the interests of amenity, by making tree preservation orders. Points to consider when considering a tree preservation order are whether the particular trees have a significant impact on the environment and its enjoyment by the public, and that it is expedient to make a tree preservation order.
- 4.2 When issuing a tree preservation order, the Local Planning Authority must provide reasons why the tree has been protected by a tree preservation order. In this particular case 8 reasons were given that include references to the visual amenity value of the trees in the area; that the trees should be protected in line with BS 5837:2012; that the trees have an intrinsic beauty; that the trees are visible to the public view; that the trees make a significant contribution to the local landscape; that the trees form part of our collective heritage for present and future generations; that the trees are an integral part of the urban forest; that the trees contribute to the local bio-diversity; and that the trees protect against climate change.
- 4.3 Under the terms of the provisional status of an Order, objections or representations may be made within 28 days of the date of effect of the Order. The Council must consider those objections or representations before any decision is made to confirm or rescind the Order.

5. Objections & representations to the Order

- 5.1 The Council received objections from 7 residents within the specified timescale for objections/representations to be made. Since that date, a further objection and 8 representations in support of the tree preservation order have been made to the Council. Given the strength of views with regards to this matter, it is suggested that all of the views are taken into account before reaching a decision.
- 5.2 The main objections to the Order relate to the Tree of Heaven listed as T3, although all comments have been summarised as follows:
 - That branches are shed during windy days;

- Fallen leaves are a slip hazard;
- A tree surgeon (who was employed to carry out work elsewhere) said the tree was rotten inside;
- Want to create play area with planting beneath;
- The tree is too tall;
- The roots from are damaging the access way;
- The canopy of the tree blocks out the street lamp, causing security concerns;
- Provides a hide-away and place for congregation and anti-social behaviour;
- Leads to extensive littering;
- Risk of damage to property/cars should the tree fall;
- The Council has acted in an undemocratic manner without carrying out a consultation exercise before making the tree preservation order;
- All 3 trees should be cut down and replaced with dwarf varieties;
- Roots are under the house;
- The Lime tree (T1) sheds a sticky substance;
- The street lamp is obscured by the Lime tree (T1);
- The trees are not well maintained.

5.3 The representations/supporters to the Order can be summarised as follows;

- Object to the destruction of the trees;
- Trees enhance the area;
- Trees absorb carbon dioxide and produce oxygen;
- Trees help give the area character;
- They are well established mature trees and their removal would leave no mature trees;
- The police are of the opinion that the trees should be left in place as this helps with security;
- The border should be tidied up and cared for.

6. Planning Considerations

6.1 The Tree Officer would respond to each of the objector's respective points as follows:

- All trees are capable of shedding branches in windy conditions. A photo was provided to demonstrate that a relatively small branch had been shed recently. A well maintained tree should reduce such incidences to a low risk;

- As with any tree, the fallen leaves should be swept up;
- The tree has been inspected and there are no obvious visible signs of decay;
- The planning application form for 18/P1867 makes no mention of the creation of a children's play area. In any event this could be done with the tree in place;
- The height of the tree is normal for the species. The tree is located approximately 9 metres from the nearest property and the canopy could be reduced in size to create a smaller form and be maintained as such. The canopy of the tree shows that the tree has been reduced in size on at least one previous occasion;
- There are two small areas of damage where roots have lifted the tarmac. One area of damage is maintained by the Council and the second area is to a communal footway. Both areas can be repaired without the need to remove the tree;
- The street light is located adjacent to the Lime tree. The canopy of T3 could be lightly raised to ensure light spillage from the street lamp reaches the foot path around the tree;
- The erection of the 1 metre high fence should eliminate this risk;
- The erection of the fence should help to reduce or eliminate this nuisance. The restrictive covenant (no.4) in the Deed of Transfer of the Land requires the land to be maintained. In its present condition the land appears to be untidy and neglected. This is more likely to attract undesirable littering;
- A healthy well maintained tree is less prone to sudden catastrophic failure than an unmanaged tree. The tree should be regularly inspected to ensure there are no identifiable problems which may require some form of arboricultural management;
- The Council has acted within its legal duties to make a tree preservation order where an immediate threat has been identified. The period for making objections/representations is where people's views can be considered on the matter;
- This Order is concerned with the existing trees. No condition for replacing the trees can be attached to an Order which has not been confirmed;
- According to the geological map for the area, the properties are founded on river terraces i.e. sands and gravel. Without any evidence to the contrary it can be assumed that there is a low risk of structural damage to the properties;
- The Lime tree sheds Honey Dew which is caused by aphids feeding on the sap of the tree. This is a common problem and should not be seen as a reason to remove a tree;
- The branches should be cut back from the lamp to prevent any obscuring of light;

- It is for the landowner to maintain the tree. If this Order is confirmed then a tree works application would be required in the future.
- Restrictive covenant (4) (c) of the Deed of Transfer of the Land states that the tree (T3 in the Order) should be maintained ‘..in the course of good husbandry..’ As such this Order seeks to reinforce the provisions of that document.
- No objections/representations have been received in respect of the Tree of Heaven listed as T2 in the Order.

7. Officer Recommendations

7.1 The Merton (No.732) Tree Preservation Order 2018 should be confirmed without modification.

8. Consultation undertaken or proposed

None required for the purposes of this report

9. Timetable

N/A

10. Financial, resource and property implications

The Order may be challenged in the High Court and legal costs are likely to be incurred by Merton. However, it is not possible to quantify at this time, and may be recoverable from the property owners if the Court finds in favour of the Authority.

11. Legal and statutory implications

The current tree preservation order takes effect for a period of 6 months or until confirmed, whichever is the earlier. There is no right of appeal to the Secretary of State. Any challenge would have to be in the High Court.

12. Human rights, equalities and community cohesion implications

N/A

13. Crime and disorder implications

N/A

14. Risk Management and Health and Safety implications.

N/A

15. Appendices – the following documents are to be published with this report and form part of the report Background Papers

Tree Preservation Order plan

16. Background Papers

The file on the Merton (No.732) Tree Preservation Order 2018
Government Planning Practice Guidance on Tree Preservation Orders and trees in conservation areas.

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Annotations

- T T3
- T T2
- T T1
- CC3
- CC2
- CC1

MertonBoroughBoundaryEnvelope_Map

- London Borough of Merton
- Merton_Borough_Boundary

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Merton (No.732) Tree Preservation Order 2018

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Committee: Planning Applications

Date: 18 October 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/P2835**
Site: 82 Cannon Hill Lane, Raynes Park SW20 9ET
Development: Conversion of single dwelling into 2 X flats with a rear roof extension and single storey rear and side extension
Recommendation: Refused (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 18th September 2018

[**Link to Appeal Decision Notice**](#)

Application Numbers: **17/P2585**
Site: In front of St Mary's Living & Giving Shop, 38C High Street, Wimbledon SW19 5BY
Development: Prior approval for the installation of a freestanding payphone kiosk
Recommendation: Refused (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 19th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P2586**
Site: Outside Maplin 19 The Broadway, Wimbledon SW19 1PS
Development: Prior approval for the installation of a freestanding payphone kiosk
Recommendation: Refused (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 19th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P2589**
Site: Outside The Entertainer, 29 The Broadway, Wimbledon SW19 1PS
Development: Prior approval for the installation of a freestanding payphone kiosk
Recommendation: Refused (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 19th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P2591**
Site: Outside Elegant Stitch, 30 The Broadway, Wimbledon SW19 1RE
Development: Prior approval for the installation of a freestanding payphone kiosk
Recommendation: Refused (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 19th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P2590**
Site: Outside Touro Steak House, 44 The Broadway SW19 1RQ
Development: Prior approval for the installation of a freestanding payphone kiosk
Recommendation: Refused (Delegated Decision)
Appeal Decision: DISMISSED
Date of Appeal Decision: 19th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P2584**
Site: Outside Snappy Snaps, 5 The Broadway, Wimbledon SW19 1PS
Development: Prior approval for the installation of a freestanding payphone kiosk
Recommendation: Refused (Delegated Decision)
Appeal Decision: DISMISSED
Date of Appeal Decision: 19th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P2583**
Site: Outside Centre Court Shopping Mall, The Broadway SW19 8YA
Development: Prior approval for the installation of a freestanding payphone kiosk
Recommendation: Refused (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 19th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P2588**
Site: Outside Kaldi Coffee Shop, 1 Wimbledon Bridge SW19 7NF
Development: Prior approval for the installation of a freestanding payphone kiosk
Recommendation: Refused (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 19th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P2587**
Site: Outside Wimbledon Library, Wimbledon Hill Road SW19 7NB
Development: Prior approval for the installation of a freestanding payphone kiosk
Recommendation: Refused (Delegated Decision)
Appeal Decision: DISMISSED
Date of Appeal Decision: 19th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **17/P4382**
Site: 19 Prince's Road, Wimbledon SW19 8RQ
Development: Erection of a roof extension to provide 2 x flats
Recommendation: Refused (Delegated Decision)
Appeal Decision: DISMISSED
Date of Appeal Decision: 24th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P0340**
Site: 13 Palestine Grove SW19 2QN
Development: Erection of a two-storey side extension
Recommendation: Refused (Delegated Decision)
Appeal Decision: **ALLOWED**
Date of Appeal Decision: 27th September 2018

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P1386**
Site: 153 Hillcross Avenue, Morden SM4 4AZ
Development: Erection of a first floor rear extension
Recommendation: Refused (Delegated Decision)
Appeal Decision: DISMISSED
Date of Appeal Decision: 27th September 2018

[Link to Appeal Decision Notice](#)

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: 18th October 2018

Wards: All

Subject: PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES

Lead officer: HEAD OF SUSTAINABLE COMMUNITIES

Lead member: CABINET MEMBER FOR REGENERATION, HOUSING AND
TRANSPORT COUNCILLOR MARTIN WHELTON

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:	817	¹ (801)	New Appeals:	(0)	(1)
New Complaints	37	(35)	Instructions to Legal	2	(0)
Cases Closed	21		Existing Appeals	1	(1)
No Breach:	12		<hr/>		
Breach Ceased:	9		TREE ISSUES		
NFA ² (see below):	0		Tree Applications Received	56	(31)
Total	21	(27)	% Determined within time limits:	95%	
New Enforcement Notices Issued			High Hedges Complaint	0	(0)
Breach of Condition Notice:	0		New Tree Preservation Orders (TPO)	1	(1)
New Enforcement Notice issued	1	(2)	Tree Replacement Notice	0	
S.215: ³	1		Tree/High Hedge Appeal	0	(0)
Others (PCN, TSN)	0	(0)			
Total	2	(1)			
Prosecutions: (instructed)	0	(1)			

Note (**figures are for the period 8th September 2018 to 10th October 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.

2.0 New Enforcement Actions

228 Lynmouth Avenue, SM4 4RP. The Council issued a S215 notice on 23rd July 2018 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 property". The notice will come into effect on 23/08/18.

The former laundry site, 1 Caxton Road, Wimbledon SW19 8SJ. Planning Permission was granted for 9 flats, with 609square metres of (Class B1) office units. 22 flats have been created. Instructions have been sent to legal services for the service of a planning enforcement requiring either the demolition of the development or build to the approved scheme.

33 Sutherland Drive, Colliers Wood, SW19. This matter concerns abandoned cars and general rubbish in the front, side and rear of the property. A s215 Notice has been authorised and will be issued requiring the tidying up of the Land.

100 The Broadway, Wimbledon SW19 1RH. This matter concerns a dilapidated shopfront. A s215 Notice has been authorised and will be issued requiring the shop front to be restored and tidied up.

118 Central Road, Morden SM4 5RL. A planning Enforcement Notice was issued on 25th June 2018 and came into effect on 1st August 2018 with a 2 months compliance period . the Notice requires the removal of the covering of the rear yard of the commercial garage.

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. A Planning Enforcement was issued on 16th March 2018 requiring the demolition of the single story wooden extension, with a one month compliance period. The Notice has not been complied with and to date no notification of an appeal has been received.

•22 St George's Road, Mitcham, CR4 1EB. The council issued an Enforcement Notice on the 7 May 2018 for 'erection of high fence and patio at the property. The notice requires removal of the fencing and decking from the Property and will take effect on 14th June 2018 with a compliance period of one month of this date unless an appeal is made. No appeal has been made. The notice has taken effect however; the legal team has been informed that the ownership details have changed. The new owners' details are pending and therefore we have to wait for the full detail update before we can enforce the notice. An appeal has been received on grounds (c) only (that planning permission is not required). The Council will submit its statement in due course.

•19 Fernlea Road, Mitcham, CR4 2HF. The Council issued an Enforcement Notice on 14th May 2018 for 'Change of use of outbuilding to a residential unit'. The notice requires the cease of the outbuilding as residential unit and will take effect on 28th July 2018 with a compliance period of one month of this date unless an appeal is made. No appeal has been made. The owner has complied, no further action.

•1 Castleton Road, Mitcham CR4 1NZ. The Council issued an Enforcement Notice on 13th June 2018 for 'Change of use of outbuilding to a residential unit'. The Notice requires the cease of the outbuilding as residential unit and will take effect on 28th July 2018 with a compliance period of one month of this date unless an appeal is made. No appeal has been made. The owner has complied, no further action.

29 Belgrave Walk, Mitcham, CR4 3QQ. The Council issued a Planning Enforcement Notice on 24th August 2018 requiring the removal of a first floor rear extension. The Notice will come into effect on 30th September 2018 with a 3 months compliance period unless an appeal was made before 30th September 2018. To date no appeal has been made.

17 Burley Close, Streatham, SW16 4QQ. The Council issued a Planning Enforcement Notice on 24th August 2018 requiring the removal of a tree house. The Notice will come into effect on 30th September 2018 with a 2 months compliance period unless an appeal was made before 30th September 2018. To date no appeal has been made.

Some Recent Enforcement Actions

- **39 West Barnes Lanes, SW20 0BL.** The council issued a S215 notice on 23rd July 2018 to requiring the land be cleared of rubbish. The notice came into effect on 23/08/18. The Land has now been cleared and the Notice complied with.
- **117 Haydons Road South Wimbledon SW19.** The Council re-served an Enforcement Notice on 9th February 2016 against the unauthorised conversion of the former public house into eight self-contained flats. The notice came into effect on 18th March 2016 as there was no appeal prior to that date and the requirement is to cease using the building as eight self-contained flats within 6 months. Six of the flats are vacant and the owners have instructed builders to remove all kitchens units. Court action is currently on-going to re-possess 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. The Notice has now been complied with. The owner has complied, no further action.
- **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. The Notice has been reissued and the Council has to consider Mental health issues in this matter.

3.00 New Enforcement Appeals

22 St George's Road, Mitcham, CR4 1EB. The Council issued an Enforcement Notice on the 7 May 2018 for 'erection of high fence and patio at the property. The notice requires removal of the fencing and decking from the Property and will take effect on 14th June 2018 with a compliance period of one month of this date unless an appeal is made. No appeal has been made to date.

Appeals determined

- **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. The appeal has been dismissed
- **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. Awaits for compliance

- **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.
- **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. Awaiting prosecution proceedings.

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. The rear window has been addressed and resolved. No further action under section 215 notice is required.

- **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.
- The people involved have been summoned to attend Lavender Hill Magistrates' Court on 10th July 2018. The defendants are required to attend the court and enter a plea to the offence of failing to comply with the requirements of a Planning Enforcement notice.
- The defendant's appeared at Lavender Hill Magistrates Court. But the case was deferred and sent to the Crown Court as the penalties available to the Magistrates Court were considered by the court, to be insufficient, should the defendants be found to be guilty. It is likely that this case will be heard at the Crown Court in August 2018. The Court has imposed a £1,000 fine plus costs of £1,500. The occupier was instructed to comply with the notice within one week by 15/08/2018. Officer's will visit and check for compliance.

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 – N/A**