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# Merton Council

## Planning Applications Committee

### Membership

#### Councillors

Linda Kirby (Chair)  
Najeeb Latif (Vice-Chair)  
David Dean  
Russell Makin  
Simon McGrath  
Peter Southgate  
Billy Christie  
Rebecca Lanning  
Joan Henry  
Dave Ward

#### Substitute Members:

David Chung  
Edward Foley  
Stephen Crowe  
Daniel Holden  
Carl Quilliam  
John Dehaney

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

**Date: 26 September 2019**

**Time: 7.15 pm**

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

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# Planning Applications Committee

## 26 September 2019

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting 1 - 10
- 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 18 Belvedere Grove, Wimbledon Village, SW19 7RL 11 - 22  
Application Number: 19/P0818 Ward: Village  
  
Officer Recommendation: GRANT Planning Permission subject to conditions
- 6 120 The Broadway, Wimbledon, SW19 1RH 23 - 34  
Application Number: 19/P2523 Ward: Trinity  
  
Officer Recommendation: GRANT Planning Permission Subject to Conditions
- 7 18 Commonsides West, Mitcham, CR4 4HA 35 - 48  
Application Number: 19/P0544 Ward: Figges Marsh  
  
Officer Recommendation: Grant planning permission subject to conditions.
- 8 High Path Estate, South Wimbledon, SW19 2TG 49 - 94  
Application Number: 19/P1852 Ward: Abbey  
  
Officer Recommendation: GRANT Planning Permission subject to conditions
- 9 Southey Bowling Club, 72 Lower Downs Road, Raynes Park, SW20 8QQ 95 - 102  
Application Number: 19/P1809 Ward: Dundonald  
  
Officer Recommendation: Grant planning permission subject to conditions
- 10 6 Parkside Gardens, Wimbledon, SW19 5EY 103 - 134  
Application Number: 19/P0140 Ward: Village  
  
Officer Recommendation: GRANT Planning Permission subject to conditions

- |    |                                                                                                                                                                                                                                                                   |           |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 11 | 225-231 Streatham Road, Streatham, SW16 6NZ<br>Application Number: 19/P0866    Ward: Graveney<br><br>Officer Recommendation: Grant Permission subject to conditions and a S.106 legal agreement.                                                                  | 135 - 178 |
| 12 | 22 West Side Common, Wimbledon, SW19 4UF<br>Application Number: 19/P2414    Ward: Village<br><br>Officer Recommendation: GRANT Planning Permission subject to conditions.                                                                                         | 179 - 190 |
| 13 | 41-47 Wimbledon Hill Road, Wimbledon, SW19 7NA<br>Application Number: 18/P1947    Ward: Hillside<br><br>Officer Recommendation: GRANT Planning Permission Subject to Conditions and S106 Agreement<br><br>NOTE: THIS ITEM HAS NOW BEEN DEFERRED TO FUTURE MEETING | 191 - 214 |
| 14 | TPO (No.741) 43 Lancaster Road, Wimbledon, SW19 5DF<br>TPO Number: 741                      Ward: Village<br><br>Officer Recommendation: That the Merton (No.741) Tree Preservation Order 2019 be confirmed without modification.                                 | 215 - 220 |
| 15 | Planning Appeal Decisions                                                                                                                                                                                                                                         | 221 - 224 |
| 16 | Planning Enforcement - Summary of Current Cases                                                                                                                                                                                                                   | 225 - 228 |

## **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

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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).

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# Agenda Item 3

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## PLANNING APPLICATIONS COMMITTEE

22 AUGUST 2019

(7.15 pm - 9.17 pm)

PRESENT Councillor Najeeb Latif, Councillor David Dean,  
Councillor Russell Makin, Councillor Simon McGrath,  
Councillor Peter Southgate, Councillor Billy Christie,  
Councillor Rebecca Lanning and Councillor Joan Henry,  
Councillor David Chung and Councillor John Dehaney.

ALSO PRESENT Neil Milligan - Building and Development Control Manager  
Lisa Jewell – Democratic Services Officer

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

Apologies for absence were received from Councillors Linda Kirby and Dave Ward.

Councillors David Chung and John Dehaney attended as substitutes.

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

There were no declarations of interest.

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

RESOLVED: That the minutes of the meeting held on 18 July were agreed as an accurate record.

### 4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

Supplementary Agenda: Amendments and modifications to the Officer's report were published in a Supplementary Agenda. This applied to items 6 and 9.

Order of the meeting – The Chair announced that the items would be taken in the following order 7, 9, 6, 8, 5, 10 and 11.

### 5 83 DORA ROAD, WIMBLEDON, SW19 7JT (Agenda Item 5)

Proposal: Alterations to previously approved extensions following previously approved planning permission 18/P0952, including: insertion of rooflight over new extended flat roof, changes to front rooflights, new window in front elevation, removal of rear chimney stack, changes to rear dormer and side (northern) elevation windows.

The Committee noted the officer's report and presentation.

In reply to members' questions the Building and Development Control Manager replied:

- If people get a planning permission and then build something that does not match the permission then they are taking a risk. However in this case what is being proposed is probably more acceptable than the original permission.
- Issues relating to the guttering need to be resolved between the applicant and neighbours – this is not a matter for planning.

RESOLVED

The Committee voted to Grant planning permission subject to conditions.

6 24 THE GRANGE, WIMBLEDON, SW19 4PS (Agenda Item 6)

Proposal: Application to Vary Condition 2 (Approved Plans) attached to LBM Planning Permission Ref.19/P0155 (Dated 21/02/2019) relating to the erection of a single storey link to the existing Coach House at 24 The Grange, excavation of basement and erection of a single storey rear extension (Amendment involves revisions to the footprint of approved basement).

The Committee noted the officer's report and presentation and additional conditions and informative in the Supplementary Agenda – Modifications

The Committee received a verbal representation for one objector who made comments including:

- This is the third planning application, the first was rejected and dismissed by the inspector. The second was approved
- This application seeks to increase the size of the basement
- There is a miscalculation in the Planning Officers report, it is not an extra 110m<sup>2</sup> it is an extra 150m<sup>2</sup>
- This is not a minor material amendment; it increases the basement by 93% outside the curtilage
- In the appeal decision the Inspector considered the proposals excessive – why have planning officers not taken this into account?

The Committee received a verbal representation from the Applicant who made points including:

- The additional area is 130m<sup>2</sup> when viewed against footprint – the objectors figures are wrong
- The appeal on the previous scheme was dismissed owing to the proposed ground floor extension, the Inspector considered the basement on that scheme acceptable
- Following our second, successful, application we talked to Officers about extending into the roof space but they advised against this. We have now asked for an increase in the basement size, which will not be visible in the conservation area.
- This proposal is for a basement that is almost exactly the same size as the approved footprint, and is roughly half the size that could be allowed for this site



- It will be under only 16% of the garden and we have deliberately kept it well away from our boundaries.

In reply to members' questions the Building and Development Control Manager replied:

- Conditions requested by the Flood Risk Manager and Structural Engineer are in the Supplementary Agenda – Modifications
- The applicant says that the increase is 130m<sup>2</sup>
- The Appeal on the previous application was dismissed for reasons associated with a ground floor extension not the basement
- This proposed increase to the previously approved basement is still smaller than other recently approved basements in the area
- It is not for Planning to ask about the proposed use of the basement
- This proposal still has good separation from the boundary with neighbours

#### RESOLVED

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

7 101 HAMILTON ROAD, SOUTH WIMBLEDON, SW19 1JG (Agenda Item 7)

Proposal: Erection of a two storey detached building with accommodation at roof and basement level comprising 13 flats (5 x 1, 6 x 2 and 2 x 3 bedroom flats) and associated works

The Committee noted the officer's report and presentation.

The Committee received a verbal representation for one objector who made comments including:

- We knew that there would be development of this site but this proposal is overdevelopment
- Object to the extent of the digging and excavation required and the risks associated with this to my property owing to the soil type in the area. This was raised by the surveyor when I bought this property
- I also object to the roof terrace, this will overlook and affect my privacy. If the Screening is high enough to block overlooking it will then block sunlight to my property

The Committee received a verbal representation from the Applicant's agent who made points including:

- Please note that the applicant only acquired this site last year and was not involved in any previous activity at this site
- We have worked with Merton Planning Officers to deliver an efficient use of the site
- The proposal is for 13 units in a highly sustainable location, with a density that is acceptable according to the London Plan

- To address comments made by the Inspector on the previous application, this application has no building at the rear of the site, all of this area is outdoor amenity space
- All the 1 and 2 bedroomed units will be parking permit free. The 3 bedroomed family unit will get a permit, and to allow for this two on street parking spaces will be been created
- Condition 16 requires the Secured by Design plan
- There were no objections to the application from statutory consultees

In reply to the objectors comments the Building and Development Control Manager replied that all the relevant documentation had been submitted and assessed for the basement construction and no issues had been raised.

The Ward Councillor, Nigel Benbow, made a verbal representation to the Committee and made points including:

- Why have previous concerns with the design and parking not been taken into consideration? Parking is very difficult on Hamilton Road
- The development is still too large for Hamilton Road, and is out of keeping with the beautiful Victorian houses on this road
- The description of the property as 2.5 storeys is misleading, the proposal has a basement, ground floor, first floor, second floor and roof terrace.
- The roof terrace will cause a loss of privacy to neighbours
- The minimum distance between buildings should be 18-21m according to the London Plan – does this building achieve that?
- The proposal shows 6 wheelie bins – this will not be enough
- The development will not provide acceptable living conditions for residents
- £40,000 developer contributions to affordable housing is not enough
- This proposal is over-development

In reply to members' questions the Building and Development Control Manager replied:

- The Officers report presents a full consideration of the site in relation to Council Policy on Scattered Employment Sites. This site is problematic and Officers concluded that the site is unsuitable for employment land going forward owing to the predominantly residential nature of the area, and the size and access characteristics of the site itself. Also the Inspectors report on the previous application made no mention of the loss of the employment site. It is Officers view that if the Inspector had thought it was an issue she would have mentioned it.
- Wheelie bins were an issue when the application was first submitted but amendments have been made and a larger refuse area is now included, it be up to site management to ensure that bins are put out
- The application has been subject to an independent viability assessment and the recommendation of this assessment, that there is a contribution towards off-site affordable housing of £40,000, has been offered. There is no on-site affordable housing.
- The previously refused application was for 9 units but they were of a different style and that proposal included another building at the back of the site -

which is not part of this application. This application is very different and the Officer's report details how this scheme has addressed the Inspector's concerns with the previous scheme. This scheme has been amended during the application process.

- The rules on distances between building, 18-21m, are applied to window to window distance to prevent overlooking. In this case there is no direct overlooking onto Merton High Street so this distance is not required.
- The recommendations from the Metropolitan Police can be secured by condition if necessary. This will not cover all aspects as some are matters for future residents.
- The Conservation Officer made comments relating to scale and alignment on the street before amendments were made. The applicant addressed these issues and this enabled officers to recommend approval
- Assume that the screening is of the usual height of 1.7m. This screening is now set back on the roof and will not be seen. Including the basement this is a 4 storey building with amenity space on the roof.
- From the street the basement cannot be seen and so this proposal will appear as a 3 storey building with screening on the roof and is similar to the building next door. It would be incorrect to refer to the roof terrace as an extra storey.
- We could add a condition to ensure soft landscaping at the rear of the development
- Although Merton Policies advise against single aspect units, Officers recognise that it is not always possible to provide all dual aspect units on constrained sites such as this one.
- The Council's Flood Risk Officer and Structural Engineer are satisfied with the applicants proposed methods to prevent basement flooding
- The Council's Sustainability Officer has approved the application

Members made comments on the application including:

- The Applicant has made a good job of the design and the illustrations look very nice, but this building will be 3 storeys at the front with visible screening on the roof which will give it the appearance of a 4 storeys at the front. With the basement this will be a 5 storey building.
- The application has a number of single aspect dwellings but Merton Planning Policies seek to avoid single aspect dwellings and we should not accept them as they are against policy.
- There are issues around the employment land status of the site
- The history of this site is not positive and yet this application is the biggest proposal of all
- There is a sense that the developer is trying to cram too much onto the site. Although the density is acceptable this application does not fit the context of the streetscene
- This is a very beautiful historic road, and although the applicant has done a good job this proposal is just too big and should be rejected on bulk and massing

- There is shortage of housing in the Borough and the accommodation in this proposal will suit some people. We should make something of this site, we should accept the Officer's recommendation to grant planning permission.
- The scheme is against policy as it has single aspect accommodation, also it has no affordable housing and so will not assist with housing shortages, many people would not be able to afford such flats

A proposal to refuse for reasons of Bulk and Massing being too great, was proposed, seconded and carried by the vote.

## RESOLVED

The Committee agreed to:

1. REFUSE Planning Permission for the following reasons:

- The Bulk and Massing of the Proposed building is too great in its setting/ streetscene

2. DELEGATE to the Director of Environment & Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refusal including references to appropriate policies

8 FLAT 1, 237 KINGSTON ROAD, WIMBLEDON, SW19 3NW (Agenda Item 8)

Proposal: Erection of single storey rear extension

The Committee noted the officer's report and presentation.

The Committee received a verbal representation for one objector who made comments including:

- This application makes no significant changes to the previously refused scheme
- This is the fourth application, all the previous ones have been refused by Merton, with the most recent also being dismissed by the Planning Inspector. None of the reasons for refusal have been addressed by this proposal. The applicant has consistently ignored Officer's advice.
- The proposal is not modest, it takes up the majority of the garden in a Conservation Area. It would compromise security and is out of proportion with the existing building and would cause material harm.
- The applicant has been told that the lease does not allow for this extension

In reply to members' questions the Building and Development Control Manager replied:

- The Committee needs to be clear about their reasons for refusal and the inspectors reasons for dismissing the appeal. Officers have interpreted the

Inspectors reasons being that the previous rear extension design was inappropriate, but not that it did not respect the original form of the property.

- There has been one appeal on this property
- This application is wider and higher than the application that went to appeal. It is now 1.1m wider than the existing property.

Members made comments including:

- This proposal still does not respect the original form of the property
- Previous refusals were based on width and height, this proposal is wider and higher then these applications
- The Inspector did reject the Committees previous reason for refusal that the extension would affect the occupiers of the flat above, but as this application is now higher I think that this reason is valid.

A proposal to Refuse the application for the same reasons as the previous application was proposed and seconded and agreed by the vote.

RESOLVED

The Committee voted unanimously to:

1. REFUSE Planning Permission for the following reasons:

- The proposed single storey extension would, by virtue of its bulk, scale and width, result in a disproportionately large addition which would not be sympathetic to the form of the existing building contrary to Policy CS14 of the Core Planning Strategy 2011 and Policies DMD2 & DMD3 of the Sites and Policies Plan 2014.

&

- The proposed single storey extension would, by virtue of its width, depth, height, proximity to the neighbouring property above and roof form, result in material harm to the amenities of the occupiers of the residential flat above the application site, Flat No.2, 237 Kingston Road, Wimbledon, SW19 3NW, by way of loss of outlook, contrary to Policies DMD2 and DMD3 of the Sites and Policies Plan 2014

2. DELEGATE to the Director of Environment & Regeneration the authority to make any appropriate amendments in the context of the above to the wording of the grounds of refusal including references to appropriate policies

9 LAND ADJACENT TO 163A MOSTYN ROAD, MERTON PARK SW19 3LS  
(Agenda Item 9)

Proposal: Erection of a 1 bed, single storey detached dwellinghouse. Resurfacing of existing access routes and associated security gates.

The Committee noted the officer's report and presentation and information in the Supplementary Agenda – Modifications

The Committee received verbal representations from two objectors who made comments including:

- The development will cause inconvenience and disruption to residents
- There is a tree that is not mentioned in the application, and residents will not approve its removal
- The development will block the emergency access to South Merton Station
- Residents will not allow access
- How will the CCTV operate and who will be responsible?
- How will the locked gates operate and who will have keys?
- Who will own and upkeep the road?
- Other residents have not been consulted
- Will the lighting be high or low lighting?
- The application will disturb wildlife especially the resident colony of hedgehogs, who hibernate between October and April. They would need openings to get through the fences.

The Committee received a verbal representation from the Applicant who made points including:

- We have worked for five years to develop this proposal and have worked closely with council Officers
- Application is now recommended for approval by Merton Officers and we have met the requirements of the Metropolitan Polices' 'Designing Out Crime' Officer
- The site is in an established residential area, close to the station with a good ptal rating. The development will be a modern one bedroomed bungalow and screening. No new access will be created.. This will be a simple and quick build and existing access will be resurfaced
- All residents will have a key to the gates, and the lighting will be low level. Security will be improved by installing CCTV
- The site is currently poorly used as a fly-tip and could provide hiding place for criminals. This development will regenerate, restore access and increase security of the site.
- The Bungalow meets London Space standards and amenity space standards

In reply to points raised by the objectors the Building and Development Control Manager replied:

- All development causes some temporary disruption but this will be a small and quick build.
- There will be a legal agreement to prevent parking on site
- Cannot consider the legal advice regarding access arrangements as part of the planning process
- The tree is not very healthy and is not subject to a TPO
- CCTV, emergency access and lighting are matters for building control not Planning
- The gates and access are not matters for planning this is a matter between the residents and applicant

- A condition regarding wildlife, in relation to Hedgehogs, can be included

In reply to members' questions the Building and Development Control Manager replied:

- This is not a standard site, so as for a property with a long drive, residents will need to move their refuse to the main highway for collection
- The 14m separation distance is not relevant because it occurs at a point where it is not possible to have overlooking
- The development would certainly improve the surfaces in the area but it would be a personal view on whether it would improve the environment and enhance the area.
- It is a car free development and is close to South Merton Station

Members made comments including:

- Most alleyways are overgrown and underused, this seems like a good use of the area.
- This area is currently very overgrown
- We can make the development parking permit free but there is on street parking at Aylward Road, and this development could add to pressure on that road.
- Concerns are all about access and if the site is developable
- Alley gate schemes can be fraught, all parties have to agree

A member proposed a motion to refuse for the reason that the backland nature of the development left it removed from the standard services and amenities. However this did not receive a seconder.

An additional condition, regarding hedgehog protection measures, was proposed and seconded, and therefore included in the vote.

RESOLVED

Granted Planning Permission subject to conditions in the report, an additional condition regarding Hedgehog protection, and S106 agreement

The wording of the additional condition is delegated to the Director of Environment and Regeneration

## 10 PLANNING APPEAL DECISIONS (Agenda Item 10)

The Committee noted that the appeal against their decision to refuse application 17/P2574 (Former Sparrowhawk Site, 159 Commonsides East, Mitcham) had been dismissed by the inspector.

RESOLVED: The Committee noted the report on Planning Appeal Decisions

## 11 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 11)

RESOLVED: The Committee noted the report on Current Enforcement cases



## PLANNING APPLICATIONS COMMITTEE 26 SEPTEMBER 2019

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
19/P0818	06/03/2019
<b>Address/Site</b>	18 Belvedere Grove, Wimbledon Village, London, SW19 7RL
<b>Ward</b>	Village
<b>Proposal:</b>	Construction of enlarged basement to existing dwelling and extensions and alterations to the rear and side, and front porch.
<b>Drawing Nos</b>	3.15.05B, 3.15.01B, 3.15.02B, 3.15.03, 3.15.04B, 3.15.06B, 3.15.07B, 3.14.02, 3.14.01A, 3.14.03B, 3.13.01B, 3.12.06, 3.12.05B, 3.12.02A, 3.12.01, 3.11.01B, 3.12.03B, 3.12.04B, 3.14.04B Amended plans received 14/06/19) Aboricultural Report (BS5837:2012 Report), Construction Management Plan (24/08/19), Surface Water Drainage Strategy (Reference 88988-100719-Money-BelvedereGrv), Basement Impact Assessment (January 2019),
<b>Contact Officer:</b>	Charlotte Gilhooly (020 8545 4028)

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### RECOMMENDATION

**GRANT Planning Permission subject to conditions.**

### CHECKLIST INFORMATION.

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 4
- External consultations: 1
- Controlled Parking Zone: Yes

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### 1. INTRODUCTION

- 1.1 The application has been brought before the Planning Applications Committee for consideration in light of the number of objections received.

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site is located at 18 Belvedere Grove, which is a large two storey detached property located on the south east side of Belvedere Grove. The property benefits from a rear garden and off-street parking to the front. The site is located in Wimbledon North Conservation Area (Sub-Area 4: Belvedere), in an Archaeological Priority Area (Tier II) and opposite the rear of the property is a Grade II Listed Building at 7 Belvedere Drive. There are no further constraints.

## 3. **CURRENT PROPOSAL**

The application seeks permission to:

- Lower and enlarge the basement extension by from 22.51sqm to 180sqm to allow for a sunken terrace with French doors. The basement will be 16.3m deep, 14.07m wide on the east side, 6.34m wide on the west side and 2.71m high.
- Remove current rear extensions and erect a three storey projecting gable. The gable will be extended as far as the consented extension at no 20 Belvedere Grove and will be 9.13m deep from the existing roof/rear wall, 5.72m high (from first floor level) and 6.1m wide (7m wide including overhang)
- The ground floor plan will also be extended either side of the gable to create a wraparound single storey and side extension. This element of the proposal will be 5.22m deep from the existing rear wall on the west side, 15.34 (15.59m including overhang) on the east side and 13.21m wide, (13.44m wide including overhang), with a maximum roof height of 3.76m.
- Replace various existing windows at the rear with timber framed windows.
- Remove a chimney breast on the west side elevation and install a large new stained glass window.
- Erect new boundary treatment at the front of the property. The pillars will be constructed from brick and will be 1.13m high, the metal railings 1m high and the entire boundary treatment will be 14.23m wide.
- A filled in porch area.

### 3.1 Materials

The proposed walls of the basement will be rendered in a cast stone colour. The gable will be constructed of bricks to match the existing building, red accents to arches and quoins with cast stone sills. The gable roof, and the lower roofs either side of it, will be clad in terracotta tiles. The proposed windows for the new rear extension will be timber framed casements and French doors.

- 3.2 The proposal would be loosely designed in the Arts and Crafts style.

### 3.3 Amended plans

The proposal has been amended during the application process so that the proposed rear gable does not extend further than the rear extension currently under construction at 20 Belvedere Grove.

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

- 94/P0975: Demolition of prefabricated garage, part of side and rear walls of existing house and part of front boundary fence. (Conservation Area consent) - Grant conservation area consent.
- 88/P1352: erection of a rear dormer roof extension. Grant permission (subject to conditions) 20-01-1989.
- 94/P0976: erection of a single storey side extension (incorporating a garage) and rear extension (planning permission). Grant permission subject to conditions 09-02-1995.
- Various tree work applications.

#### 5. **CONSULTATION**

5.1 Consultation letters were sent to the occupiers of neighbouring properties and site notice erected.

5.1.1 In response to the consultation, eight letters of objection have been received. The summary of objections are as follows:

5.1.2 External

- The proposal is out of keeping to the character of the property and surrounding properties in Belvedere Grove.
- The proposal is overdevelopment for the site and its surroundings
- The proposal will result in a loss of privacy and overlooking.
- The proposal will result in a sense of enclosure to neighbouring properties.
- The proposal would conflict with the Wimbledon North Character Area Assessment would lose the spaciousness between the properties.
- The proposed infill space over the existing garage would be detrimental to the character of the road and contrary to Merton Council Planning advice.
- The proposal would lead to diminished space around the building and would result in gap filling as a result of the raised garage roof between 18 and 20 Belvedere Grove and therefore detrimental to the character of the area.
- The Basement Impact Assessment does not consider the longer term effects on groundwater from the basement or the substantial excavation to the rear of the house: section 8 of the Report stops after considering only the temporary construction works, and then reference is made to future work needing to consider pumping of water, SUDS and flooding. This is of concern to the owners of 20 Belvedere Grove. The BIA has been prepared on the basis of there not being a basement in existence at No. 20 at the time of the BIA being prepared. However, the basement permission is being implemented and will exist before any works might start at No. 18. My client's work on their own property has shown that the soil is solid clay with various perched water tables and run-off from the surrounding area, leading to waterlogged soil. The extensive excavation and change in garden levels shown at No. 18 will lead to changes in the flow of water across No 18's land and on adjoining land, but this is not fully considered in the BIA: the presumption seems to be just that all will be fine during construction and that - on sites adjoining that have been assumed to have no basements - any water can just go onto neighbouring

land.

- The proposal rear massing would be overbearing and result in a loss of light and privacy for neighbouring properties, It is noted there is no technical study on the impact on amenity.
- The proposal is contrary to the Inspectors views on a similar scheme at 20 Belvedere Grove – which was dismissed by the Inspector.
- The large and extensive basement will require a suitably designed retaining wall with associated risk to our garden and structure which will also involve a strict laser monitoring regime with associated escrow funds. Further representations from our planning specialist to follow.
- The mass of gable would reduce light and cast a shadow on the upper floors of 20 Belvedere Grove.
- The proposal will affect ground water levels.
- Although what is shown will tidy up the front garden, there seems to be very little greenery proposed. To mitigate the loss of garden at the back, could more borders be introduced and a permeable drive surface be introduced in the front to absorb rain water and so help reduce local flooding?
- Only one building in the road has a crown roof. It is therefore considered out of keeping to the character of the area.
- The second and third floor rear extensions at the rear should not extend back beyond the similar floors which have been agreed for 20 Belvedere Grove. Otherwise our access to light at 22 Belvedere Grove will be significantly compromised.
- Concern over basement developments and the effect on the water table.
- The proposal will directly affect us (7 Belvedere Drive). Especially by the significant increase of the second and third floor. It would be better for us if the second and third floors were set back from the extension of the ground floor and basement floor.
- None of the plans show the decrease in size of the garden and the impact visually from the neighbouring properties.
- The proposal will set a precedent for those properties in Belvedere Grove to increase in size vertically by 25%.
- The proposal will have a negative effect on the ground water supply

### 5.1.3 Historic England

The site is located within the Tier 2 Archaeological Priority Area for Wimbledon Village and therefore there is potential for archaeological finds and features to survive in the vicinity. However, the proposed basement extension is largely within the footprint of the existing house, which is likely to have removed archaeological remains present, therefore the proposed basement extension will cause no further archaeological impact. No further assessment or conditions are therefore necessary.

## 5.3 Internal

### 5.3.1 Transport and Highways

The site is located in a Controlled Parking Zone (Zone VOn) where parking and loading is controlled from Monday to Saturday between 8:00am – 6:30pm.

The applicant has submitted a Construction Management Plan in support of the application.

The contractor should contact highways prior to any works (including demolition) commencing on site to agree relevant licences, access arrangements, suspension of parking bays, delivery times etc. – no vehicles are allowed to cross the public highway without agreement from the highways section

The applicant should contact David Furby in the Council's Highway Team on: 020 8545 3829 prior to any work starting to arrange for this works to be done.

Recommendation: Subject to above no other highway issues in connection with this application.

#### 5.3.2 Tree Officer

It is proposed to remove two low category trees as part of this development. No arboricultural objection is seen to the removal of those two trees. No arboricultural conditions are required.

#### 5.3.3 Flood Risk Officer:

Reviewed the application including the surface water drainage strategy by UNDA consulting.

An intrusive site investigation including 3No bore holes, established to a maximum depth of 8.45m below ground level (bgl), confirmed that made ground is present from the site surface to between 0.9m and 1.50m (bgl). Below this, Gravel strata was found to a maximum depth of 4.60m bgl. Clay Strata was encountered beneath the gravel. Groundwater was encountered in BH 2 and 3 at 4.50m bgl and 4.60m bgl respectively. Subsequent groundwater monitoring recorded a maximum water level of 2.18m bgl in BH2.

The proposed development will introduce 89.4m<sup>2</sup> of impermeable areas, with a corresponding increase in runoff. Surface water will therefore be pumped from the site via a private pumping station and rising main. In order to achieve a self-cleansing velocity within the proposed rising main, a discharge rate of 3.0l/s is required. Calculations indicate that a storage volume of 6.9m<sup>3</sup> will be required. This volume can be provided within a cellular attenuation tank measuring 10m<sup>2</sup> x 0.8m deep with a 95% void ratio, giving a total available storage volume of 7.6m<sup>3</sup>.

All attenuation facilities will be designed to accommodate and dispose of runoff from storms up to the 1:100 year + 40% climate change event, without flooding.

The proposed pump and all SUDS facilities will be maintained privately.

If you are minded to approve this application, please include the recommended conditions (see conditions list)

#### 5.3.4 Structural Engineer

The proposed works nearest to the highway is approximately 5.5m from the highway boundary and consists of underpinning the existing basement to an approximate level of 3.5m below ground level. Therefore, the proposed works have very low to no impact on the highway as the underpinning works are outside the zone of highway surcharge load influence.

On that basis, I have no comments or conditions on this application.

### **6. POLICY CONTEXT**

#### 6.1 NPPF - National Planning Policy Framework (2019):

Part 12 Achieving well Designed Places

Part 16 Conserving and enhancing the historic environment

#### 6.2 London Plan Consolidated 2016:

- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology

#### 6.3 Merton Sites and Policies Plan July 2014 policies:

- DM D2 Design considerations in all developments
- DM D3 Alterations and extensions to existing buildings
- DM D4 Managing Heritage assets

#### 6.4 Merton Core Strategy 2011 policy:

CS 14 Design

### **7. PLANNING CONSIDERATIONS**

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

#### 7.2 Character and Appearance

7.2.1 London Plan policies 7.4, 7.6 and 7.8, Core Strategy policy CS14 and SPP Policies DMD2, DMD3 and DM D4 require well designed proposals that are of the highest architectural quality and incorporate a design that is appropriate to its context, so that development relates positively to the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings, thus enhancing the character of the wider area. The site lies within the Belvedere sub-area of the Wimbledon North Conservation Area wherein the character comprises a mixture of traditional dwelling types set in large plots, largely detached.

### 7.2.2 Basement

Internally, the basement will be extended towards the rear and side of the property. The new basement rear wall will be excavated to allow for French doors and a sunken terrace/garden which will be excavated so that the new lower ground floor level will have a height 2.49m. The garden will therefore have a lower depth than neighbouring gardens. This will provide additional light into the proposed basement and provide an alternative access/escape route. As the basement does not take up more than 50% of the front, rear or side of the garden, the principle of the proposed basement is considered acceptable and compliant with policy DM D2. In addition the basement would not be visible from the front elevation apart from the single light well at the front of the site. Any views of the rear French doors at lower ground floor would be limited to the rear garden and neighbouring plots. Overall, the basement is not considered to be detrimental in appearance towards the host dwelling or surrounding Conservation Area and is therefore considered acceptable.

### 7.2.3 Two storey rear extension

The rear gable section has been amended during the application process so that it does not extend beyond the rear wall of the consented scheme at 20 Belvedere Grove. This neighbouring scheme is currently under construction.

The proposed gable is set down from the existing roof ridge and set in by 4.87m on the west side. While the gable is a large addition, given the overall size of the house and rear garden, it sits comfortably in its context and is not considered out of scale or proportion with the existing house. The proposed windows are of a size and proportion which are considered in keeping with the existing. In addition materials are considered to be in keeping with the existing property. The rear wall of the dwelling would be extended at full width. Although this creates a crown flat roof, this would be of limited size and officers do not consider this would be visually harmful to the Conservation Area or character of the dwelling. It is noted that the existing rear roof contains a large box dormer window of poor quality design. The proposal would remove this and result in a more traditional rear elevation appearance.

### 7.2.3 Single storey rear and side wrap around extension

The proposed single storey rear and wrap around extension would extend up to the side boundaries. But overall is of a scale and proportion which is considered in keeping with the existing house. This part of the extension will be pitched, not visible from the street scene and there would remain a separation distance at the side boundaries at first and second floor level, thereby avoiding a terracing affect.

### 7.2.4 The new hipped roof to the garage would be a visual improvement over the existing situation and the alterations to the front porch are minor in scale. Officers are satisfied that the proposed front alterations would respect the character of the dwelling and streetscene.

### 7.2.5 Overall, the proposal is considered acceptable to the character and appearance of the host building and the surrounding Conservation Area. The character of the Conservation Area would be preserved.

### 7.3 Neighbouring Amenity

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

The properties which may be affected by the proposal include 16 and 20 Belvedere Grove, and 7 and 9 Belvedere Drive.

#### 7.3.1 16 Belvedere Grove

As the proposed gable end extension is on the eastern side of the host buildings rear elevation, there is a separation distance of approximately 4.87m between the gable and the boundary line of this neighbouring property. As such this element of the proposal is not considered to be overbearing, visually intrusive or cause a loss of light to this property. The full width two storey rear extension would have a limited depth and although this would result in some increased sense of enclosure, it is not considered to be a harmful impact.

The single storey rear extension would extend further out into the rear garden by approximately 4.45m from the existing rear wall, at first storey by approximately 2m and at two storey level by 1.67m. Given the depth of the proposal and as the rear of these properties are south east facing, this element of the proposal is not considered to be detrimental to this neighbours amenity.

#### 7.3.2 20 Belvedere Grove

It is noted 20 Belvedere Grove has an approved planning permission (16/P1318) for a single storey and two storey rear extension which is currently under construction. The proposal extends up to this line at single storey and first floor level and it is noted 20 Belvedere Grove's approved scheme has a hipped roof, whereas this proposal has a vertical two storey gable.

The proposed rear gable end extension does not extend further than the approved scheme at 20 Belvedere Grove and there are no windows in the side elevation which could cause overlooking. The single storey side and rear extensions are pitched, with a shallow pitched roof. This element replaces an existing side extension and although the proposal would extend up to the boundary, it would remain in line with the extension under construction at number 20. Overall, the proposal is not considered detrimental to the amenity of this neighbouring property.

#### 7.3.3 7 and 9 Belvedere Drive

Due to the large rear gardens of these properties, there would be a separation distance of approximately 64m between the rear of 18 Belvedere Grove and the rear 7 and 9 Belvedere Drive. As such the proposal is not considered to impact on the amenity of these properties.

7.3.4 Overall the proposal is considered acceptable to the amenity of these neighbouring properties in terms of loss of day light/sunlight, quality of living conditions, privacy, visual intrusion and noise.

### 7.7 Parking



The proposal will not involve the loss of any car parking spaces. This element of the proposal is therefore considered acceptable.

## **8. CONCLUSION**

The scale, form, design, positioning and materials of the proposed extensions are not considered to have an undue detrimental impact upon the character or appearance of the Conservation Area, the host building or on neighbouring amenity. Therefore, the proposal complies with policies DMD2, DMD3 and DM D4 of the Adopted SPP 2014, CS14 of the LBM Core Strategy 2011 and 7.4, 7.6 and 7.8 of the London Plan 2016. It is not considered that there are any other material considerations that would warrant refusal of this application.

It is therefore recommended to grant permission subject to conditions.

## **9. RECOMMENDATION**

Grant planning permission

Subject to the following conditions:

1. A1 Commencement of Development
2. A7 Approved Plans
3. B3 External Materials (as submitted)
4. D11 Construction Times
5. H01 Landscaping/planting scheme
6. H09 Construction Vehicles
7. No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at the agreed runoff rate (no more than 3.0l/s with a minimum attenuation volume of 7.6m<sup>3</sup>), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

8. Prior to the commencement of development, the applicant shall submit a detail how groundwater will be managed and mitigated during and post

construction (permanent phase), to ensure there is no increased risk of groundwater levels on or off site.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

9. Details of screening to terrace
10. No use of flat roof
11. Remove permitted development rights for new windows in side elevations
12. The development shall be carried out in accordance with the Construction Management Plan dated 24/08/2019.

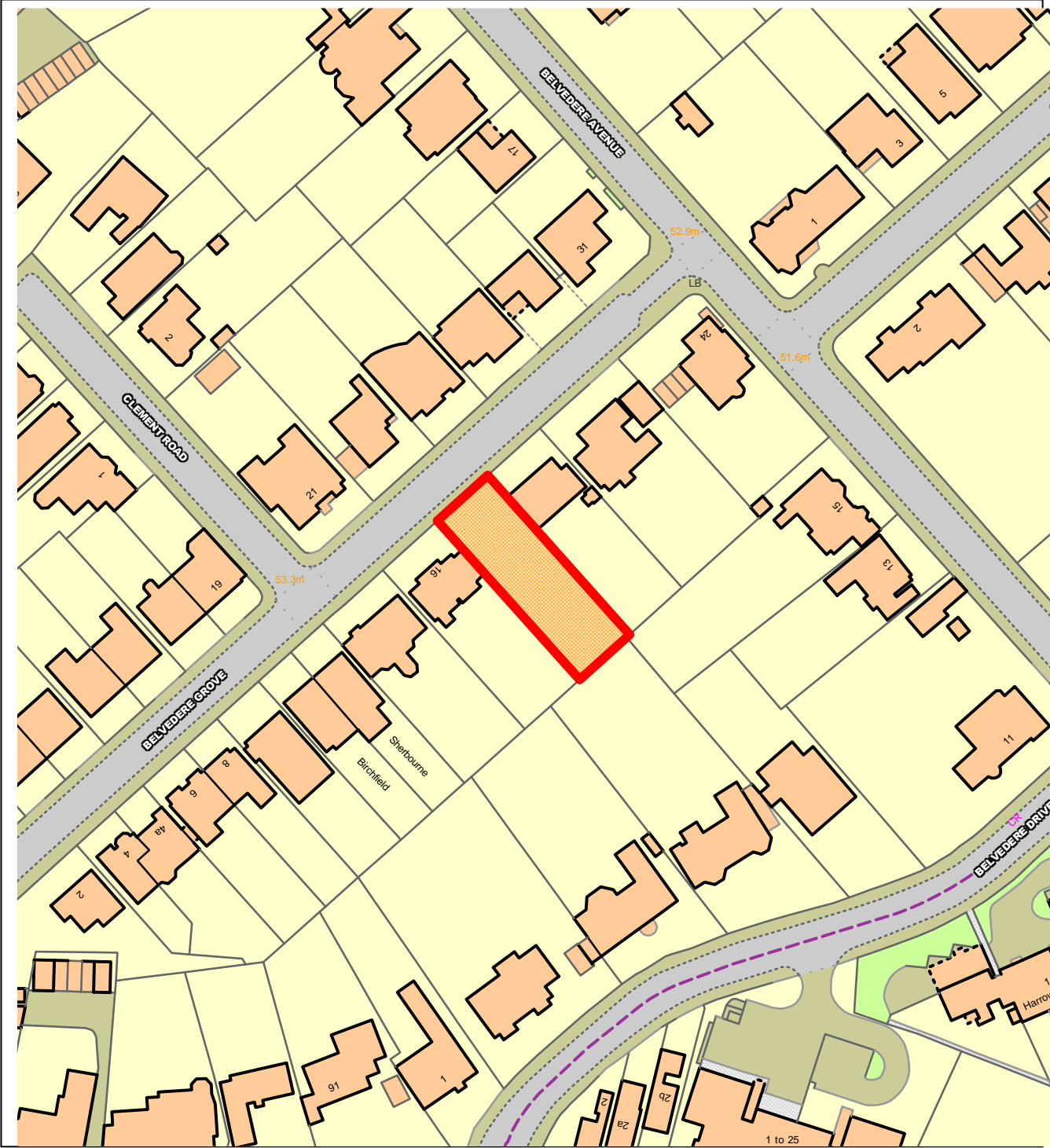
**Informatives:**

1. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
2. No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.
3. The contractor should contact highways prior to any works (including demolition) commencing on site to agree relevant licences, access arrangements, suspension of parking bays, delivery times etc. – no vehicles are allowed to cross the public highway without agreement from the highways section
4. The applicant should contact David Furby in the Council's Highway Team on: 020 8 545 3829 prior to any work starting to arrange for this works to be done.

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

# NORTHGATE SE GIS Print Template



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## PLANNING APPLICATIONS COMMITTEE 26 SEPTEMBER 2019

<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
19/P2523	03/07/2019
<b>Address/Site:</b>	120 The Broadway, Wimbledon, London, SW19 1RH
<b>Ward</b>	Trinity
<b>Proposal:</b>	Alterations and extension to six storey building, including front, rear and side extensions to fifth floor, remodelling of main entrance, formation of roof terrace and provision of screening/enclosure above fifth floor, plus the consolidation and relocation of roof-level plant and upward extension of northwest access stairway
<b>Drawing Nos:</b>	B1_02_2198(01), 2200(01), 2201(01), 2202(01), 2203(01), 2204(01), 2205(01), 2206(01), 2207(01), B1_04_2200(02), 2201(01), 2202(01), 2203(01), B1_05_2200(01), 2201(01), 2202(01) & MP_00_0000(01)
<b>Contact Officer:</b>	David Gardener (0208 545 3115)

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### **RECOMMENDATION**

**GRANT Planning Permission Subject to Conditions**

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### **CHECKLIST INFORMATION**

- Heads of agreement: None
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 123
- External consultations: None

### **1. INTRODUCTION**

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

## **2. SITE AND SURROUNDINGS**

- 2.1 The subject site, which is located on the north side of The Broadway in Wimbledon Town Centre, comprises a six-storey, mid terrace building with a mix of use within. The building was built in 2007/2008 and currently provides approximately 5,000 sq m of office accommodation at first-floor level and above, while the ground-floor is currently occupied by a convenience food retail outlet (Sainsbury's Local). The entrance to the office building from The Broadway is immediately to the east of the Sainsbury's store. The ground floor directly fronts the footpath of The Broadway with the first, second and third floors set back 1-2m behind this. The fourth and fifth floors also step back gradually behind the floors below. The western wing projects further forwards than the main part of the building towards The Broadway. There are substantial terraces located on the fifth and sixth floors. The rear elevation is slightly stepped as the height increases, however, less so than the front.
- 2.2 Off-street parking is located at the rear and basement of the building, which is accessed from Stanley Road. The site has excellent Public Transport accessibility (PTAL – 6b) and is also located in a Controlled Parking Zone (Zone – W3).

## **3. CURRENT PROPOSAL**

- 3.1 The proposal is for extensions to the existing building to provide an additional 305m<sup>2</sup> of office space. The extensions would extend the fifth floor of the building 8.3m to the north, 4.4m to the west and 3.9m to the south. The emergency stairwell would also be extended up to provide access to the sixth floor/roof. The sixth floor would contain a large roof terrace with the building plant relocated to this floor. The proposal would also involve the remodelling of the entrance and parapet level at ground-floor level
- 3.2 It is proposed that the extensions would be glazed with metal fins whilst the existing red brickwork on all elevations and floors would be stained dark grey.
- 3.3 The basement would be reconfigured with the existing cycle parking relocated and new showers, WCs, locker and changing room facilities installed.

## **4. PLANNING HISTORY**

The relevant planning history is shown below:

- 4.1 05/P0709 - Redevelopment of site consisting the erection of a building comprising basement, ground, part 3, 4, 5 and part 6 storey building for use as commercial floor space (class A1, A2, A3, A4, and/or A5 uses), at ground floor level, office use (class B1) accommodation and 86 residential units with associated car parking and amenity space. Permission granted subject to conditions 31/05/07;
- 4.2 08/P1857 - Variation of condition 5 attached to lbm planning approval 05/P0709 (dated 31/05/2007) relating to allocation of parking spaces in respect of the

redevelopment of site consisting the erection of a building comprising basement, ground, part 3, 4, 5 and part 6 storey building for use as commercial floor space (class A1, A2, A3, A4, and/or A5 uses), at ground floor level, office use (class B1) accommodation and 86 residential units with associated car parking and amenity space. Permission granted subject to conditions 14/08/08.

- 4.3 In May 2019, pre-application advice (LBM Ref: 19/P1956) was sought for extensions and alterations to existing office building.

## **5. POLICY CONTEXT**

- 5.1 Adopted Sites and Policies Plan and Policies Maps (July 2014):  
DM R1 (Location and scale of development in Merton's town centres and neighbourhood parades), DM D2 (Design considerations in all developments), DM D3 (Alterations and extensions to buildings), DM D4 (Managing heritage assets), DM F2 (Sustainable urban drainage systems (SuDS) and; Wastewater Infrastructure), DM T1 (Support for sustainable transport and active travel), DM T2 (Transport impacts of development), DM T3 (Car parking and servicing standards)
- 5.2 Adopted Core Strategy (July 2011):  
CS.6 (Wimbledon Town Centre), CS.7 (Centres), CS.12 (Economic development), CS.14 (Design), CS.15 (Climate Change), CS.18 (Active Transport), CS.19 (Public Transport), CS.20 (Parking, Servicing and Delivery)
- 5.3 London Plan (2016):  
5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable Design and Construction), 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)
- 5.4 National Planning Policy Framework 2019
- 5.5 Merton's Draft Local Plan (2020)

## **6. CONSULTATION**

- 6.1 The application has been publicised by means of a site notice procedure with individual letters sent to occupiers of neighbouring properties. In response 13 letters of objection have been received including a letter of objection from The Wimbledon Society. The grounds of objection are as follows:
- Impact on security due to users using the office building also able to access to residential areas
  - Disturbance during construction works
  - Noise from roof top plant
  - Wind impact
  - Excessive height, increase in height of building would also set a poor precedent
  - Risk of subsidence

- Loss of privacy/overlooking
- Loss of daylight/sunlight and outlook
- Impact of noise, dust and air pollution
- Staining of brick walls to dark grey/black not acceptable
- Potential change of use or grant of alcohol license to proposed coffee area on ground floor

## 6.2 Future Merton – Urban Design Officer

- 6.21 No objections to proposed design with the latest drawings shows a more coherent ground floor frontage which is also different from the adjacent residential element. A quality product and finish will be important here as a simple design is proposed. This should be adequately conditioned and samples presented for approval. There are still concerns regarding the dark grey/charcoal colour proposed for the stained brick and a convincing argument needs to be made given it is not a common palette in Wimbledon

## 6.3 Environmental Health

- 6.31 No objections subject to appropriate conditions relating to noise, vibration and submission of demolition and construction method statement.

## 7. **PLANNING CONSIDERATIONS**

The main planning considerations concern the principle of extending the offices, the design of the extensions, together with neighbouring amenity, parking, sustainability issues and heritage.

### 7.1 **Principle of Development**

- 7.11 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.

- 7.12 The site is within the Town Centre of Wimbledon and is currently occupied by office at first floor level and above. An increase in office space above commercial uses is supported as a suitable town centre use. Further, the proposed internal changes will result in a more flexible floorplate, aiding the upgrade to higher quality office accommodation in the town centre. The proposal is therefore considered to be acceptable in principle, subject to the policies of the Development Plan.

### 7.2 **Design and Impact on Streetscene/Grade II Listed Wimbledon Theatre**

- 7.21 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. Policy DMD2 seeks 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.

- 7.22 The proposed extensions, result in the removal of the current step-down feature to the west, which was originally designed to give deference to the older buildings to the east. It is considered that this design currently appears lop-sided, and this change will be positive. It is considered that the proposed extension is high quality and would successfully update the appearance of the building, with the elevations being glazed with metal fins. It is considered that this design approach was successful for the recent refurbishment and extension of No. 17 – 25 Hartfield Road. The proposed new ground floor entrance to the office is also considered to be acceptable with the retail façade also incorporated into the design creating a coherent frontage with the retail element and a separate character to the Jimmys/residential part of the building which is supported.
- 7.23 The applicant has provided further justification for the choice of dark/grey staining to the existing red brick following concerns raised by the Council's Urban Designer. It is considered that Wimbledon Town Centre, and in particular The Broadway, has a diverse of buildings, scale and materiality. Many older buildings which are smaller in scale are characterised by the use of brickwork in a mixture of London stock, yellow and red finishes. In contrast, the more recent proliferation of larger structures, including apartments, hotels and office buildings have utilised a wider palette of materials including concrete panels, metal panels, large areas of glazing and varied colours of brickwork. It is considered that in this instance the proposed stained brickwork colour although, not a common palette in Wimbledon would not have an unacceptable impact on the appearance of the building or wider area.
- 7.24 The Wimbledon Theatre which is a Grade II Listed building is situated approximately 50m to the south-west of the subject site. It is considered that the proposed extension and alterations will not be harmful to the setting of this building. This is due to both the nature of the extensions, being within the existing building footprint, and the location of the building being sufficiently separated from the subject site. Overall, the proposal would accord with all relevant design policies.

### 7.3 **Neighbouring Amenity**

- 7.31 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.

- 7.32 Residential properties ranging between 1 to 3 storeys in height, are located to the rear of the site along South Park Road and to the east of the site in the 2 & 10 Stanley Road which is between 6 and 7 storeys in height. The property to the west of the site at the rear (4, Printers Yard, 90A The Broadway) has recently received planning permission to convert to residential units.
- 7.33 It is considered that although the proposed extensions would increase the depth and bulk of the building on its north, south and west elevations at 5<sup>th</sup> floor level and above, the impact would be acceptable. It is considered that the proposal would result in a relatively modest increase in the overall height, bulk and massing of the building when viewed from surrounding properties, which combined with its high quality design and appropriate use of materials means it would have an acceptable visual impact. The applicant has submitted a daylight/sunlight report which shows that the proposal would have an acceptable impact on the daylight/sunlight levels of surrounding properties.
- 7.34 Concerns have been raised regarding noise impact from the plant, which is to be relocated to the roof. The Council's Environmental Health Officer has assessed the application and considers this to be acceptable subject to appropriate conditions relating to noise and vibration. In addition, a condition will be attached requiring 1.8m high screening is located on the east facing boundary of the proposed 6<sup>th</sup> floor terrace to prevent overlooking of flats at 2 & 10 Stanley Road. Overall, it is considered that the proposal would have an acceptable impact on neighbour amenity.

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

- 7.41 Policy 6.1 of the London Plan (2016) supports development which generates high levels of trips at locations with high levels of public transport accessibility and improves the capacity and accessibility of public transport, walking and cycling. Policy 6.13 states that in locations with high public transport accessibility, car free developments should be promoted and that for hotels, on-site provision should be limited to operational needs, parking for the disabled people and that required for taxis, coaches and deliveries/servicing. At a local level Policy CS.18 promotes active transport and encourages design that provides attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).
- 7.42 The proposal involves the intensification of the existing office use on the site. The site is in a location with a PTAL of 6b which means the site has excellent access to public transport. As such, it is not considered that any additional car parking is required for the development. No additional cycle parking spaces are proposed, however this is considered to be acceptable given the existing building is 5,000sqm and the proposed extension would add less than 500sqm of additional floorspace. The application however would result in improvements to cycling facilities with new secure cycle storage, lockers, showers and changing facilities proposed. Overall, the application would comply with relevant transport planning policies.

## **8. ENVIRONMENTAL IMPACT ASSESSMENT**

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

## **9. LOCAL FINANCIAL CONSIDERATIONS**

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

## **10. CONCLUSION**

- 10.1 No.120 The Broadway is located in Wimbledon Town centre and has excellent transport links (PTAL rating of 6b), which means it is a highly suitable location for a more intensive office development. It is considered that the proposal will respect its context in terms of its height, scale and massing and would be a high quality design, which responds well to its context. It is also considered that the proposal would not have an unacceptable impact on the amenity of occupiers of surrounding residential properties or the surrounding transport network given its sustainable location.

## **RECOMMENDATION**

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

- 1) The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: B1\_02\_2198(01), 2200(01), 2201(01), 2202(01), 2203(01), 2204(01), 2205(01), 2206(01), 2207(01), B1\_04\_2200(02), 2201(01), 2202(01), 2203(01), B1\_05\_2200(01), 2201(01), 2202(01) & MP\_00\_0000(01)

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

- 3) No development shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of

the London Plan 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) No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

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

- 5) H7 (Cycle Parking to be implemented)
- 6) Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new plant/machinery from the commercial/domestic use shall not exceed LA90-10dB at the boundary with any noise sensitive/residential property. A post construction/development noise survey shall be undertaken and submitted to the LPA to demonstrate compliance with the aforementioned criteria.

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

- 7) All mechanical plant shall be fitted with anti-vibration mountings, where necessary, to prevent vibration transmission to adjoining buildings.

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

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

The Statement shall provide for:

- hours of operation
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- measures to control the emission of noise and vibration during construction.
- measures to control the emission of dust and dirt during construction/demolition

-a scheme for recycling/disposing of waste resulting from demolition and construction works

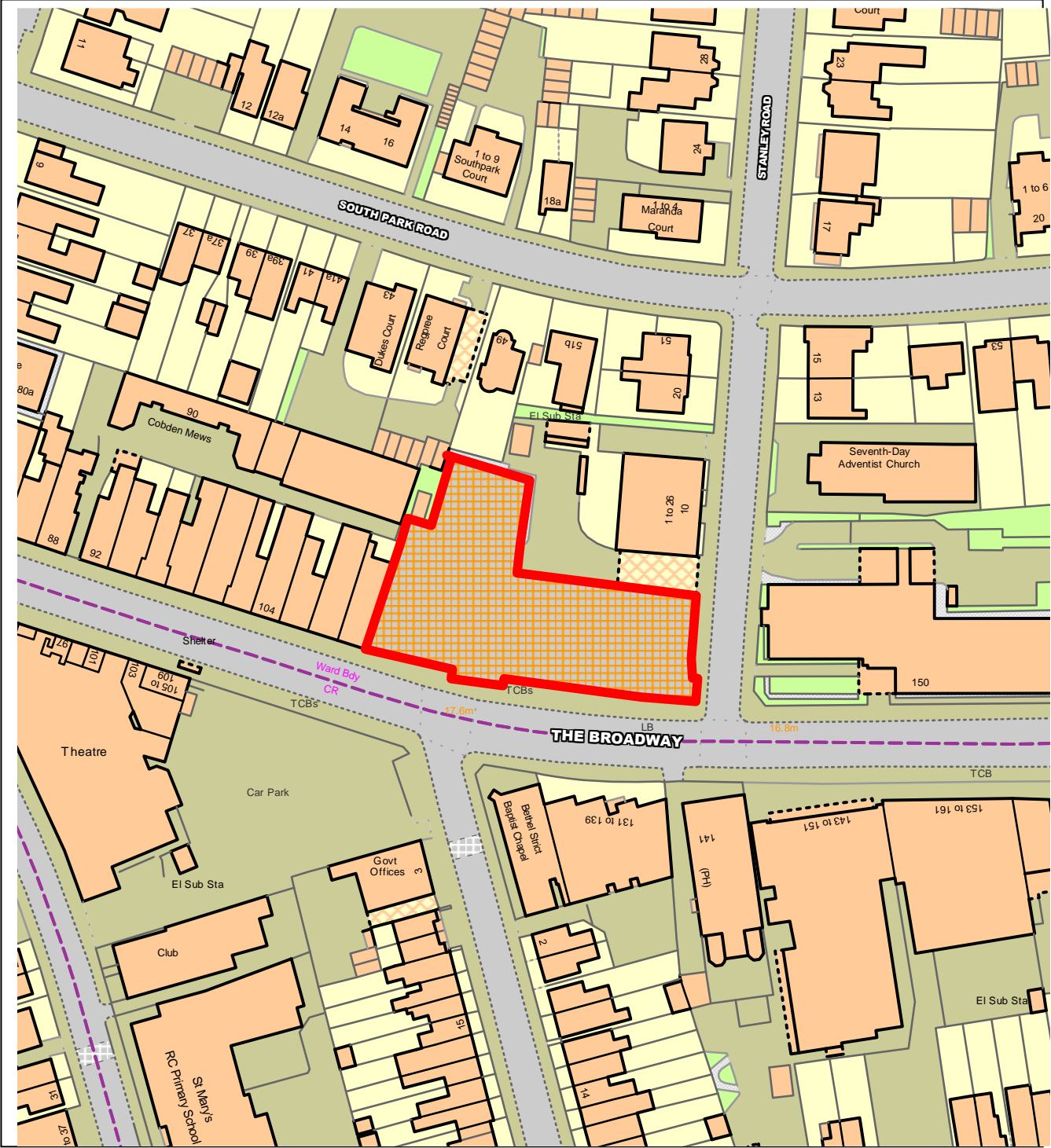
9) C10 (Balcony or external staircase (Screening details to be provided))

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

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# NORTHGATE SE GIS Print Template



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## PLANNING APPLICATIONS COMMITTEE 26 SEPTEMBER 2019

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
19/P0544	30/01/2019
<b>Address/Site:</b>	18 Commonsides West, Mitcham, CR4 4HA
<b>Ward:</b>	Figges Marsh
<b>Proposal:</b>	ERECTION OF A ROOFTOP EXTENSION TO FORM A TWO BEDROOM SELF-CONTAINED FLAT, EXTERNALLY CLAD WITH DARK GREY ZINC CLADDING TO MATCH THE EXISTING. (AMENDED)
<b>Drawing No.'s:</b>	18-478-PR01, 18-478-PR02, 18-478-PR03, 18-478-PR04C, 18-478-PR05A, 18-478-PR06A, 18-478-PR07C, 18-478-PR08A, 18-478-PR09A, 18-478-PR10A, 18-478-PR11.
<b>Contact Officer:</b>	Catarina Cheung (020 8545 4747)

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### RECOMMENDATION

**Grant planning permission subject to conditions.**

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### CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 17
- External consultations: 0
- Controlled Parking Zone: No
- Archaeological Zone: Zone 2
- Conservation Area: Mitcham Cricket Green Conservation Area, Three Kings Piece Character Area.

## **1. INTRODUCTION**

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

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises a newly constructed flatted development of two storeys facing toward Mitcham Common, located on the western side of Commonsides West in Mitcham. Permission for the demolition of the pre-existing detached house and construction of this development was granted at the meeting of the Council's Planning Applications Committee held on the 7<sup>th</sup> November 2013 (ref: 13/P1480 and 13/P1479).
- 2.2 West of the application site, at number 22, is another recently completed modern flatted development of three storeys. The freehold of numbers 18 and 22 are both owned by Danube Developments who have submitted the application the subject of this report. Immediately north of the application site is a short row of two storey (with roof accommodation) 1930s terrace dwellings. The rear of the plot backs onto the rear gardens of the terrace houses on Langdale Avenue.
- 2.2 The site is located within Mitcham Cricket Green Conservation Area, specifically the Three Kings Piece Character Area. The building is not locally or statutorily listed.

## **3. CURRENT PROPOSAL**

- 3.1 This application seeks planning permission for the erection of a roof extension to provide a 2 bed self-contained unit.
- 3.2 The roof extension would have the following dimensions and materials:
- 2.9m height;
  - 9.54m width;
  - Overall depth of 12.8m, including the front curved stairwell feature;
  - The extension would be externally finished in zinc cladding with vertical seams and a rendered white stairwell, both to match the existing, and solar panels are proposed on the flat roof of the development.
- 3.3 The 2 bed unit (Flat 5) would provide an internal GIA of 76.8sqm with access to 2 roof terraces, which face toward Mitcham Common, in total measuring 8.3sqm.

## **4. PLANNING HISTORY**

- 4.1 A number of discharge of condition applications were submitted and approved between 2014 and 2015 in relation to permission 13/P1479, discharging conditions 4, 5, 7, 9 and 10 (14/P1043, 14/P1081, 14/P1139 and 15/P2161).
- 4.2 13/P1479: Demolition of the existing bungalow and ancillary garage and erection of a new two-storey building providing four self contained flats comprising 2 three-bedroom flats and 2 two-bedroom flats with four off street parking spaces and a new vehicular crossover on to Commonsides West.  
– Granted Permission Subject to Section 106 Oligation or any other enabling agreement 04/03/2014

- 4.3 12/P2069: APPLICATION FOR CONSERVATION AREA CONSENT FOR THE DEMOLITION OF THE EXISTING BUNGALOW IN CONNECTION WITH THE ERECTION OF 3 x 4 BED DWELLING HOUSES WITH ASSOCIATED PARKING.  
**– Conservation Area Consent Refused 11/10/2012**  
**Reason - The demolition of the existing bungalow would result in the loss of a property that makes a positive contribution to the character of the Mitcham Cricket Green Conservation Area and the applicant has failed to demonstrate, in the absence of an approved scheme to redevelop the site that there are planning benefits that outweigh the harm that would arise from the loss of this property. The proposed demolition would therefore be premature and would detract from and fail to preserve the character of the Mitcham Cricket Green Conservation Area and would be contrary to policy 7.8 of the London Plan (2011), policy CS.14 of the Merton LDF Core Planning Strategy and policy BE.2 of the Merton Unitary Development Plan (2003).**
- 4.4 12/P2066: DEMOLITION OF EXISTING BUNGALOW AND ERECTION OF 3 x 4 BED DWELLING HOUSES WITH ASSOCIATED PARKING.  
**– Refused Permission 12/10/2012**  
**Reason 1- The proposed development would fail to contribute to meeting affordable housing targets and in the absence of a legal undertaking securing a financial contribution towards the delivery of affordable housing off-site would be contrary to policy CS.8 of the Merton LDF Core Planning Strategy (2011).**  
**Reason 2 - The proposals by reason of design, materials, bulk and siting, and the removal of trees from the site would: i) Be unduly dominant and result in the loss of garden space and space around the existing building where this contributes to the more open character of this part of the streetscene and the Conservation Area to the detriment of visual amenity; ii) Result in the loss of trees of amenity value and detract from the green setting of the site which contributes to the character of the area and the backdrop to the adjoining Metropolitan Open Land and fail to encourage biodiversity; iii) Fail to achieve a high standard of design that would complement the character of the area; iv) Result in cramped and unsatisfactory accommodation for future occupiers by reason of a ground floor living room and first floor bedrooms that would fail to meet minimum floorspace standards, and the absence of storage space. The proposals would be contrary to policies BE 1, BE.15, BE.16, BE.22, NE.11 and NE 2 of the Merton UDP (2003), policies CS 13 and CS 14 of the Merton Core Strategy 2011, policy 3.5 of the London Plan 2011, the London Housing Design Guide 2010 & the Draft Mitcham Cricket Green Conservation Area Appraisal and Management Plan 2010.**

## 5. CONSULTATION

### External

- 5.1 Public consultation was undertaken by way of letters sent to 17 neighbouring properties, Conservation Area site notice and press notice advertised in the

local paper. 7 representations were received during the initial consultation of the proposal, the summary of their objections are as follows:

- Overlooking and loss of privacy from roof extension to neighbouring properties and rear gardens;
- Impact on daylight;
- Overbearing visual impact through the bulk and massing of the proposed development;
- The additional storey was considered inappropriate when the building was originally designed and there is no reason why an alternative view should now be taken;
- Replicating the height and massing of 22 Commonside West would result in the building becoming a copy and the use of zinc cladding would lower the overall look of the property;
- Zinc cladding finish would appear more 'commercial property' than 'private dwelling';
- Lack of external amenity space;
- Loss of light into existing internal communal stairwell;
- Overdevelopment of the site and introduce an incongruous dense urban form to Commonside West;
- Cluttering of front balconies with household items;
- Noise pollution on roof simply by birds landing and walking across the existing roof structure, it is feared an additional level with a family walking above would significantly increase noise levels;
- Positioning of new internal staircase impeding access to existing flat;
- Objection to additional mains, foul and drainage services being run through existing flats;
- Construction management plan should be required;
- The additional flat would not be provided with on-site parking and will lead to illegal parking within the local area;
- No bike storage on the property, given the limited external amenity space there is no space to build such storage;
- The scheme would not relate well to the 1930s houses and would be incongruous in its setting, disingenuous to suggest that the scheme responds well to 22 Commonside West.

5.2 Following amendments a 14 day re-consult was undertaken and 7 objections were raised. The comments raised included the same issues as those summarised under section 5.1, with the following additions:

- The revised proposal continues to show a fundamental lack of respect for its context;
- Construction and site access would lead to an unacceptable impact on highway safety, the applicant has not got access to use the forecourt and would not be able to store materials there;
- The proposed development would have a significant impact on the existing occupiers' amenity in terms of noise and/or vibration from the construction works. Requests a Noise Impact Assessment;
- The proposed development, due to its massing would fail to respect the scale of the surrounding buildings, giving rise to an overly dominant and cramped

appearance along Commonsides West, resulting in material harm to the character of the area;

- Fails to demonstrate adequate waste and recycling capacity;
- Inconsistencies in planning application documents;
- Impact on wildlife, bats may be roosting on the roof;
- Contravening terms of the lease with existing occupiers;
- Developer greed;
- History of developer's unacceptably poor workmanship & building practice;
- Loss of amenity to existing flats.

#### Internal

5.3 Urban design officer – following amendments to the scheme, no objection is raised.

5.4 Conservation officer – following amendments to the scheme, no objection is raised.

5.5 Transport officer – The site lies within an area of a PTAL score of 3 which is considered to be a moderate rating. A moderate rating suggests that it is possible to plan regular journeys such as daily work trips or trips to and from school using public transport. The site is not located in a controlled parking zone and consequently the surrounding streets do not contain parking restrictions.

No parking is provided for the proposed flat. The existing parking layout shows four parking spaces for the existing four flats. The lack of parking for the proposed unit is unlikely to have a significant impact on the surrounding highway network.

Cycle parking should be installed on site in accordance with London Plan standards on cycle parking for new residential developments: 1 per studio and one bed dwellings and 2 per all other dwellings. The proposal should provide 2 cycle spaces (secure & undercover) to satisfy the London Plan standards.

Refuse arrangement would be as existing.

No objection raised subject to condition requiring cycle parking.

## **6. POLICY CONTEXT**

6.1 NPPF - National Planning Policy Framework (2019):

Part 5 Delivering a sufficient supply of homes

Part 12 Achieving well-designed places

Part 16 Conserving and enhancing the historic environment

6.2 London Plan 2016:

3.5 Quality and design of housing developments

5.1 Climate change mitigation

5.2 Minimising carbon dioxide emissions

5.3 Sustainable design and construction

5.17 Waste Capacity

- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage assets and archaeology

- 6.3 Merton Sites and Policies Plan July 2014 policies:  
 DM D2 Design considerations in all developments  
 DMD3 Alterations and extensions to existing buildings  
 DMD4 Managing heritage assets  
 DM T2 Transport impacts of development  
 DM T3 Car parking and servicing standards

- 6.4 Merton Core Strategy 2011 policy:  
 CS 14 Design  
 CS 15 Climate change  
 CS 17 Waste management  
 CS 18 Transport  
 CS 20 Parking servicing and delivery

- 6.5 Supplementary planning documents  
 London Housing SPG 2016  
 Technical Housing standards – nationally described space standards 2015

## 7. **PLANNING CONSIDERATIONS**

- 7.1 The key planning considerations of the proposal are as follows:
- Principle of development
  - Design and impact upon the character and appearance of the area
  - Impact upon neighbouring amenity
  - Standard of accommodation
  - Transport, parking and cycle storage
  - Refuse
  - Sustainability

### Principle of development

- 7.2 The National Planning Policy Framework, London Plan Policy 3.3 and the Council's Core Strategy Policy CS8 and CS9 all seek to increase sustainable housing provision and access to a mixture of dwelling types for the local community, providing that an acceptable standard of accommodation would be provided. Policy 3.3 of the London Plan 2016 also states that boroughs should seek to enable additional development capacity which includes intensification, developing at higher densities.
- 7.3 The development seeks to provide a further residential unit on site by increasing the density through the construction of an additional level. The principle of doing so is considered acceptable and in line with policies to increase provision of additional homes and seeking opportunities through intensification of the site.

- 7.4 However, the scheme is also subject to all other criteria being equally fulfilled and compliant with the policies referred to above.

#### Character and Appearance

- 7.5 Policy DM D2 of Merton's Sites and Policies Plan requires development to relate 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 and to use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting. The requirement for good quality design is further supported by the London Plan London Plan Policies 7.4 and 7.6 and Merton's Core Strategy Policy CS14.
- 7.6 SPP policy DM D3 further seeks for roof extensions to use compatible materials, to be of a size and design that respects the character and proportions of the original building and surrounding context, do not dominate the existing roof profile and are sited away from prominent roof pitches unless they are a specific feature of the area.
- 7.7 The proposed design has been amended to set the roof level back from the rear building line, imitating the existing 'staggered' floor plan. The materiality of the development would retain its timber cladding on the projecting first floor level, in order to remain distinguishable from number 22, and the new roof extension would be externally clad in zinc to match the existing.
- 7.8 The report to PAC in 2013 included comments which were made at the Design Review Panel in May 2012 about the two storey design, these comments included:
- Paragraph 5.11: It was felt that the building would benefit from a vertical element to help reinforce its predominantly horizontal form...it was considered that the stairwell was the obvious element of the form to express vertically and could extend beyond the roof height.
  - Paragraph 5.14: It was considered that in terms of form, scale and massing – and in order to help in the expression of the front elevation – **the building would benefit from an additional storey, albeit set back from the main building line**. This would aid the composition of the building and better relate to the scale and roof forms of the building either side. The proposed building was described as 'wide and low slung', 'something missing' and 'not quite finished'. It was felt that the cue for its height had been taken from the eaves level of the adjacent buildings, rather than some balance between their eaves and ridge lines.
- 7.9 Given the above, the roof extension in this proposal looks to address the comments toward the previous design. The roof extension would replicate the curved stairwell detail at the roof level which would be the building's defining prominent feature, it has been appropriately set back from the front building line to avoid a bulky mass, but would sit directly above the existing stairwell and be finished in matching white render which would draw the attention vertically when viewed from the streetscene.

- 7.10 Given the newly constructed development at number 22, which is of three storeys, the streetscene and context of the application site has evolved from when it was assessed in 2013. Whilst the height of the proposed development would be taller than that of its immediate buildings, it would not be viewed as inappropriately tall, but appears as an organic flow of buildings heights. The current two storeys appears somewhat 'stunted' and an additional level would balance the building out, and the roof addition has been designed sympathetically so as to appear like an original feature. The Conservation officer was consulted and raises no significant issues with the design and greater height.

#### Neighbouring Amenity

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

#### **Existing flats within Maria Court, 18 Commonside West**

- 7.12 Whilst there would be openings at the rear of the roof level, this addition would be set back from the rear building line by around 1m. Therefore, whilst there would be some views into the ground floor gardens, these would be somewhat skewed because of the setback. Furthermore, it is noted there are existing windows at the rear of first level flats which would have a similar outlook to those proposed on the roof level. It is considered views from Flat 5 would not be more intrusive as the existing situation, the Juliette balcony is in fact smaller in size than the first floor window measuring 2.4x2.2m (w x h), whereas the first floor bedroom window measures 2.5x2.8m.

- 7.13 Given the roof addition would not project beyond the main building lines of the existing building, it is not considered the development would obstruct outlook from the existing windows nor would it have a harmful impact in terms of light.

#### **17 Commonside West**

- 7.14 The roof extension would be set in from the boundaries of the first floor level. Toward 17 Commonside West there would be a separation distance of approximately 5.7m, and the one window proposed on the northern elevation would be obscured glazed. Therefore, it is not considered the roof addition would have an overbearing impact toward number 17 nor raise issues in terms of overlooking from the side window, whilst there may be some shading of sunlight, overall, daylight would remain acceptable.

- 7.15 The building line of number 18 sits further back within the site than number 17, therefore, the rear window and Juliette balcony of the roof extension would have very limited views onto number 17's immediate rear patio and garden area, there would be some views to the rear of the garden and outbuilding which would not be considered harmful.

#### **22 Commonside West**

- 7.16 As mentioned above, the roof extension would be set in from the first floor level's boundaries. Therefore, towards 22 Commonside West there would be a



set-back of approximately 4.8m.

- 7.17 It is also noted that the building line of number 18 does not project as far as number 22. Therefore, whilst concerns have been raised by the neighbouring occupiers in terms of overlooking, given the orientation of the buildings, it is considered that the Juliette balcony would have limited views into the southern neighbour's garden, and the kitchen window, which is set further back than the Juliette balcony, would have even more restricted views.
- 7.18 Consequently, overlooking into the neighbouring amenity area would not be considered materially harmful or unacceptable such as to warrant refusal. Given the orientation of the site, impact in terms of sunlight and daylight are not considered a significant issue, and being set back reasonably from number 22 raises little concern in terms of outlook.

### **Langdale Avenue**

- 7.19 There is one Juliette balcony and two windows proposed at the rear of the roof extension.
- 7.20 The middle window would serve a bathroom and would be obscure glazed so would remove overlooking opportunities toward Langdale Avenue.
- 7.21 The Juliette balcony would serve a bedroom, and the window, a kitchen. The outlook of the openings are comparable to those on the existing first floor level and at the roof level of 22 Commonside West. The roof extension has been set back approximately 1.3m from the rear building line, therefore the overall separation distance from the properties on Langdale Avenue would be at least 32m. This is a considerable set back and would unlikely introduce inappropriate overlooking, nor raise concerns in terms of impact toward neighbouring access to light or outlook.
- 7.22 The London Housing SPG 2016 suggests a minimum distance of 18-21m between dwellings where privacy is concerned. Given this guidance, a 32m separation distance in this instance does not look to uncomfortably encroach on the rear neighbours.

### Standard of accommodation

#### **Internal**

- 7.23 Policy 3.5 of the London Plan 2016 requires housing development to be of the highest quality internally and externally, and should satisfy the minimum internal space standards (specified as Gross Internal Areas –GIA) as set out in Table 3.3 of the London Plan. Table 3.3 provides comprehensive detail of minimum space standards for new development; which the proposal would be expected to comply with. Policy DMD2 of the Adopted Sites and Policies Plan (2014) also states that developments should provide suitable levels of sunlight and daylight and quality of living conditions for future occupants.

Flat	No. of bedrooms	No. of persons	No. of storey's	Proposed GIA	Required GIA	Compliant
1	2	4	1	76.8	70	Yes

7.24 Demonstrated by the table above, the proposed unit would meet the London Plan minimum space standards.

### **External**

7.25 In accordance with the London Housing SPG and Policy DMD2 of the Council's Sites and Policies Plan, it states that there should be 5sqm of external space provided for private outdoor space for 1-2 person dwellings and an extra 1sqm provided for each additional occupant.

7.26 In the previous proposal (13/P1479), the minimum private amenity area required for flats was 10sqm per habitable room as set out in Merton's UDP Policy HS1 (2003). Merton's UDP was superseded and replaced in 2014 by the Sites and Policies Plan.

7.27 The proposed unit would have access to 2 external balconies which would provide a total area of 8.3sqm of external amenity. This would be compliant with the London Housing SPG and Policy DMD2 of the Council's Sites and Policies Plan. Furthermore, the site directly overlooks Mitcham Common which is in walking distance from the site and offers plentiful access to open green space for future occupiers.

### Transport, parking and cycle storage

7.28 Core Strategy Policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management. Cycle storage is required for all new development in accordance with London Plan Policy 6.9 and Core Strategy Policy CS18. It should be secure, sheltered and adequately lit and Table 6.3 under Policy 6.13 of the London Plan stipulates that 1 cycle parking space should be provided for a studio/1 bedroom unit and 2 spaces for all other dwellings.

7.29 The site has a PTAL of 3 which is considered moderate, and is not located within a Controlled Parking Zone. The additional unit would not be provided with an on-site car parking space. The Transport officer has been consulted and has raised no objection to this arrangement, considering it unlikely the addition of one unit would have a significant impact on the surrounding highway network.

7.30 The drawings have indicated a space in the forecourt for the provision of cycle storage which is considered a suitable location for convenient access. A condition will be attached requiring further details of this cycle provision to be provided to the LPA.

### Refuse

- 7.31 An appropriate location for refuse storage has been indicated on the plans in accordance with policy 5.17 of the London Plan and policy CS 17 of the Core Strategy. A condition will be attached ensuring that the refuse provision is provided as indicated on the plans prior to occupation of the development.

### Sustainability

- 7.32 All new developments comprising the creation of new dwellings should demonstrate how the development will comply with Merton's Core Planning Strategy (2011) Policy CS15 Climate Change (parts a-d) and the policies outlined in Chapter 5 of the London Plan (2016). As a minor development proposal, the development is required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day.
- 7.33 In the absence of carbon emissions and water efficiency information being submitted, it is considered acceptable in this instance to secure the above requirements through the use of an appropriate pre-occupation condition.

### Other matters

- 7.34 Representations received have raised issues concerning the management of construction, including impact on the existing highways, parking arrangement and storage of materials. A condition will be attached requiring a Construction Logistics Plan and Construction Management Plan to be submitted prior to the commencement of development.
- 7.35 Overall, the proposed works are not considered to have an unacceptable impact toward neighbouring amenity and is considered to comply with Policies DMD2 and DMD3.

## **8. CONCLUSION**

- 8.1 The scale, form, design, positioning and materials of the proposed roof extension with associated facilities for the additional self-contained unit are not considered to have an undue detrimental impact upon the character or appearance of the surrounding Conservation area, the host building or on neighbouring amenity. Therefore, the proposal complies with the principles of policies referred to in Section 6 and it is recommended to grant planning permission subject to conditions.

## **9. RECOMMENDATION**

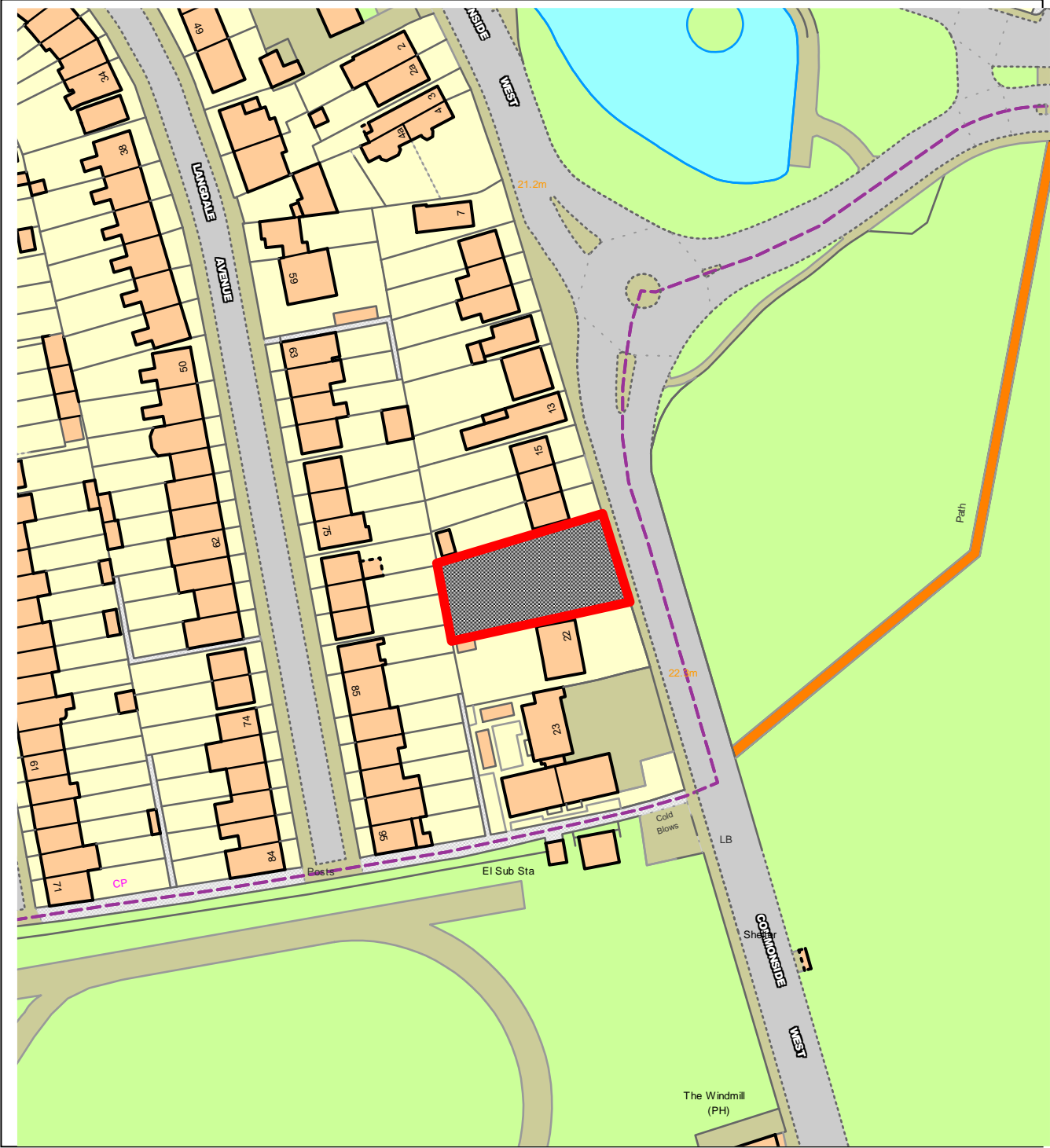
Grant planning permission  
Subject to the following conditions:

1. A1 Commencement of Development
2. A7 Approved Plans
3. B1 External Materials to be approved
4. C02 No Permitted Windows
5. C03 Obscure Glazing – before the development is first occupied, windows on the side (north and south) elevations shall be obscure glazed and fixed shut to a height of 1.7m above internal finished floor level and shall be

- permanently maintained as such thereafter.
6. C06 Refuse & Recycling – implementation
  7. C08 No Use of Flat Roof – no access to the flat roof on the second floor level other than the two terraces proposed on the front (eastern) elevation
  8. D11 Construction hours
  9. H06 Cycle Parking – details to be submitted
  10. H13 Construction Logistics Plan to be submitted – which to include a Construction Management Plan
  11. Non-standard condition – pre-occupation condition for sustainability
  12. INF Party Walls Act
  13. Note to Applicant – approved schemes
- 

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

# NORTHGATE SE GIS Print Template



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## PLANNING APPLICATIONS COMMITTEE 26 SEPTEMBER 2019

**APPLICATION NO.**  
19/P1852

**DATE VALID**  
10/05/2019

**Address/Site**

High Path Estate South Wimbledon SW19 2TG

**Ward**

Abbey

**Proposal:**

APPLICATION FOR APPROVAL OF RESERVED MATTERS (SCALE, LAYOUT, ACCESS, LANDSCAPE AND APPEARANCE) (PHASE 2) FOLLOWING OUTLINE PERMISSION 17/P1721 FOR THE COMPREHENSIVE PHASED REGENERATION OF HIGH PATH ESTATE COMPRISING DEMOLITION OF ALL EXISTING BUILDINGS AND STRUCTURES; ERECTION OF NEW BUILDINGS RANGING FROM 1 TO 10 STOREYS MAX, PROVIDING UP TO 1570 RESIDENTIAL UNITS (C3 USE CLASS); PROVISION OF UP TO 9,900 SQM COMPRISING OF USE CLASS A1 AND/OR A2, AND/OR A3 AND/OR A4 FLOORSPACE, INCLUDING FLEXIBLE WORK UNITS (USE CLASS B1), USE CLASS D1 (COMMUNITY) AND USE CLASS D2 (GYM).

**Drawing Nos**

See Appendix A

**Contact Officer:**

Awot Tesfai (020 8545 3571)

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### **RECOMMENDATION**

**GRANT Planning Permission subject to conditions.**

#### **CHECKLIST INFORMATION.**

- S106 Legal Agreement Signed: Yes
- Mayor of London Referral Complete: Yes
- Secretary of State Referral Complete: Yes
- Is a screening opinion required:
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted –No
- Design Review Panel consulted – Yes
- Number of neighbours consulted – 1333
- Press notice – Yes
- Site notice – Yes
- External consultations: Greater London Authority, Transport for London,

Environment Agency, Metropolitan Police (Secured by Design), Historic England (Greater London Archaeological Advisory Service), Historic England (Listed Buildings), Thames Water Utilities, , Sports England, Natural England, LB Croydon, LB Sutton, LB Wandsworth, LB Lambeth Royal Borough of Kingston, The Wimbledon Society, Battles Residents' Association, High Path, Community Association, Design Council, London Fire and Civil Defence Authority, Network Rail, UK Power Networks, National Grid Plan Protection, Sutton & East Surrey Water Company, British Telecom, NHS England, NHS Merton CCG,

- Number of jobs created – n/a
- Public Transport Accessibility Level (PTAL): Level 4-6 TFL Information Database (On a scale of 1a, 1b, and 2-5, 6a, 6b where zone 6b has the greatest accessibility)
- Flood Risk Zone 1

## 1. **INTRODUCTION**

### 1.1.1 **Executive Summary**

1.1.2 This section explains to members of Planning Applications Committee what is to be assessed under this reserved matters application and what is to be discharged later under planning conditions and S106 Legal Obligations.

1.1.3 Section 92 of the Town and Country Planning Act 1990 defines “Outline Planning Permission” as planning permission granted with the reservation for subsequent approval by the Local Planning Authority of matters not particularised in the application (“reserved matters”).

1.1.4 Reserved matters are those aspects of a proposed development which an applicant can choose not to submit details of with an outline planning application, (i.e. they can be ‘reserved’ for later determination). The outline planning application that was presented to Planning Applications Committee on the 08<sup>th</sup> March 2018 was granted with all matters reserved, subsequently meaning that all the details relating to scale layout, access, landscaping and appearance were to be assessed in the submission of a reserved matters application for each subsequent phase.

1.1.5 The current application seeks the following “reserved matters” for approval: appearance, landscaping, layout and scale. A definition for each of the reserved matters is contained within the Town and Country Planning (Development Management Procedure) (England) Order 2015 where it states the following;

1. ‘Access’ – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding access network.
2. ‘Appearance’ – the aspects of a building or place within the development which determine the visual impression the building or place makes, including



the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.

3. 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planting of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public art; and (e) the provision of other amenity features;
4. 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
5. 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

1.1.6 Whilst the above matters were “reserved” for further approval under the outline permission (ref: 17/P1721), the principle of the development has been approved and established. The principle of a mixed use development and the quantum of accommodation proposed are not before the Committee for consideration under the current application (this has been further explained in the following pages under ‘current proposal’).

1.1.7 In determining this application, it is relevant to consider whether there have been any material changes in planning circumstances since the outline planning permission was granted. Since the granting of the outline planning permission on 08 March 2018, the Development Plan remains as the Sites and Policies Plan 2014, Core Planning Strategy 2011 and the NPPF 2012 which remains in force.

1.1.8 Members should note that, if the reserved matters are approved, such an approval is not a planning permission in its own right but has to be read in conjunction with the outline planning permission, including the attached Section 106 Agreement to that permission. Planning conditions imposed on the outline planning permission will remain in force and would not, therefore, be repeated on any reserved matters approval.

1.1.9 Members should also note that there are some conditions applied to the outline consent which requires applicants to provide overarching documents that seek to provide general overview on some aspects of the scheme, as noted in the following; energy, lighting, refuse, arboriculture method statement, surface and foul water drainage, play space, fire statement, parking management plan, estate roads maintenance, and access plan, estate roads plan and specification and delivery and service management plan. These overarching documents have been provided with the first reserved matters application to demonstrate to officers how the applicants are going to address each of the above matters from a wider overarching perspective. Members should also note that for every condition the applicants will be required to submit an updated detailed document for each phase which is to firstly be agreed by the Local Planning Authority.

1.1.10 The applicant has fulfilled the requirements to provide overarching strategies for various conditions. However officers advise that this reserved matters application will not discharge the condition in full until details have been submitted pursuant to that condition and relevant officers have been consulted.

## 1.2 **Background**

1.2.1 The approved outline planning application was brought before PAC due to the development being a departure from the development plan with regards to the quantum of proposed non-residential floor space. Officers also considered it was appropriate for the development to be determined by Committee due to the scale and complexity of the proposals which concern the Council's involvement in subsequent compulsory purchase notices being served.

1.2.2 Following PAC approval of the outline planning application for High Path Phase 2 - 7 the application was referred to the Mayor of London for stage 2 referral and the Secretary of State referral for any direction.

1.2.3 The decision for the outline planning application was also subject to s106 Legal Agreement being signed and finalised. Officers can confirm that the s106 Legal Agreement between Clarion and Merton was signed on 29<sup>th</sup> April 2019.

1.2.4 Following signing of the s106 Legal Agreement and referral to the Mayor of London and the Secretary of State the Council issued the decision notice for the outline planning application.

1.2.5 This application is the reserved matters application for phase 2 redevelopment of the High Path Estate following approval of outline planning application ref; 17/P1721 with the following matters to be determined; scale, layout, access, landscape and appearance.

## 2. **SITE AND SURROUNDINGS**

2.1 High Path Estate is situated within Abbey Ward in South Wimbledon. The estate extends across 6.91 hectares. The application site is bounded between Merton High Street in the north, Abbey Road in the east, High Path in the south and Morden Road in the west. The Grade II Listed South Wimbledon Underground station is located to the north-west of the site, while to the south of High Path is the locally listed St John's Church, Merton Abbey Primary School, High Path Community and Resource Centre and the Elim Church.

2.2 The estate is made up of 608 residential units, a small portion of commercial and community uses, some open/play spaces, and about 422 car parking spaces (excluding garages and driveways). The residential units consist of a mix of social rented and private ownership (as a result of right to buy). The

site comprises affordable homes in the social rent and affordable rent tenure.

- 2.3 There are a mix of residential building typologies across the estate which reflect its 30 year build out period between 1950's – 1980's. The oldest part of the estate is on the west, adjacent to Morden Road: the 4-storey Priory Close, Gilbert Close, and Ryder House were built in the late 1950's. The centre of the estate, extending towards the east, was developed in the 1960's and includes: 4-storey Ramsey House, Eleanor House, a row of six 2-storey terraced houses on Pincott Road, 12-storey Marsh Court, May Court and Hudson Court, and a number of other 3/4-storey blocks distributed towards the east. The row of 3-storey buildings fronting Merton High Street, closest to South Wimbledon Station were built in the 1970's while the 2-storey buildings closer to Abbey Road, were built in the 1980's.
- 2.4 This reserved matters submission relates to phase two which comprises 0.61 hectares. Phase 2 is formed of two parts, the flatted developments which are situated on the northern side of High Path and corner of Pincott Road, the mews are situated on the north side of High Path adjacent to the phase 1 sit, these make up the existing Marsh Court. The other part of the phase two development is situated on the western side of Abbey Road which is currently made up of the terraced houses known as Lovell House.

### 3. **CURRENT PROPOSAL**

- 3.1 This application seeks approval for the reserved matters elements of the proposed High Path Phase 2 Estate Regeneration application which will assess; scale, layout, access, landscaping, and appearance. The assessment for height, width and positioning of this phase 2 development; including number of residential/ non-residential floor space, amount of vehicle parking space, amount of play space and overall principle of development was agreed in the Outline Planning Application that had been presented to Planning Applications Committee on 08 March 2018.

Phase Two of the project seeks Reserved Matters approval for Layout, Access, Scale, Appearance and Landscaping and proposes: "The demolition of Marsh Court and the construction of a 5 to 10 storey building with 187 sqm of commercial floor space (Use Classes A1, A2, A3, B1 & D1) at ground floor and 105 residential dwellings (Use Class C3) between ground and 9th floor; the demolition of Lovell House and construction of 8 x 3-storey houses (Use Class C3) on Abbey Road;

The reserved matters for phase 2 submission shows a block of flats 5 to 10 comprising of 105 residential dwelling and construction of 8 x 3-storey houses on Abbey Road. The proposal for phase 2 also includes 187 sqm of commercial floor space (Use Classes A1, A2, A3, B1 & D1) at ground floor.

In addition to detailed plans and elevations the reserved matters application is accompanied by a number of documents including; design and access statement, planning statement and a design code and these are detailed in full in Appendix A to this report.

As noted above the submission is accompanied by details of the applicant's overarching strategies for various technical issues which are required to be submitted with the first reserved matters submission. The overarching strategy conditions do not require discharging.

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

- 4.1 There are numerous entries under the planning history for the High Path estate dating from 1956 to 1996 pertaining to its initial development and subsequent infill schemes.
- 4.2 The most relevant and recent applications have been listed below;
- 4.3 16/P3738 – Land to the north and east of Marsh Court, Pincott Road, bound by High Path, Pincott Road, Nelson Grove Road and Rodney Place inclusive of garages, Marsh Court Play Area and The Old Lamp Works, 25 High Path, London, SW19 2JL, comprising *demolition of existing structures associated with the old lamp works, all garages (74 in total) and marsh court play area to provide residential accommodation (134 units - class c3) in buildings of three - nine storeys, provision of car parking (31 spaces including 5 disabled spaces), cycle parking (249 spaces), landscaping and public realm works together with associated utilities and infrastructure; GRANTED 05/10/2017.*
- 4.4 17/P1721 – OUTLINE PLANNING APPLICATION (WITH ALL MATTERS RESERVED, EXCEPT IN RELATION TO PARAMETER PLANS) FOR THE COMPREHENSIVE PHASED REGENERATION OF HIGH PATH ESTATE COMPRISING DEMOLITION OF ALL EXISTING BUILDINGS AND STRUCTURES; ERECTION OF NEW BUILDINGS RANGING FROM 1 TO 10 STOREYS MAX, PROVIDING UP TO 1570 RESIDENTIAL UNITS (C3 USE CLASS); PROVISION OF UP TO 9,900 SQM OF COMMERCIAL AND COMMUNITY FLOORSPACE (INC REPLACEMENT AND NEW FLOORSPACE, COMPRISING: UP TO 2,700 SQM OF USE CLASS A1 AND/OR A2, AND/OR A3 AND/OR A4 FLOORSPACE, UP TO 4,100 SQM OF USE CLASS B1 (OFFICE) FLOORSPACE, UP TO 1,250 SQM OF FLEXIBLE WORK UNITS (USE CLASS B1), UP TO 1,250 SQM OF USE CLASS D1 (COMMUNITY) FLOORSPACE; UP TO 600 SQM OF USE CLASS D2 (GYM) FLOORSPACE); PROVISION OF NEW NEIGHBOURHOOD PARK AND OTHER COMMUNAL AMENITY SPACES, INCL. CHILDREN'S PLAY SPACE; PUBLIC REALM, LANDSCAPING, LIGHTING; CYCLE PARKING (INCL VISITOR CYCLE PARKING) AND CAR PARKING (INC WITHIN GROUND LEVEL PODIUMS), ASSOCIATED HIGHWAYS AND UTILITIES WORKS – *Granted Outline Planning Permission subject to s106 on 24/04/2019.*

#### **5.0 CONSULTATION**

##### **5.1 EXTERNAL CONSULTTEES**

###### **5.1.1 Greater London Authority**

- 5.1.2 No objections have been raised for this reserved matters application. GLA

were consulted on the outline planning application (ref: 17/1721) for both Stage 1 & 2 consultations and were satisfied with the proposed scheme. GLA were also satisfied with the financial viability assessment that was presented and the amount of affordable housing that would be provided subject to continues review during the development stage via an affordable review mechanism to ensure that if there is any surplus then this would be used for the provisions of affordable housing.

### **5.1.3 Metropolitan Police (Designing out crime unit)**

5.1.4 Several meetings with the architects and the developers have taken place prior to this point in the application process as mentioned in the Design and Access statement. The last meeting held with the Design architects was on 12th November 2018. Having given due consideration to the details of the security and safety features from the information provided, the officer has no comments or recommendations. The design appears to have included Secured by Design and Designing out Crime measures as intrinsic considerations. The officer is satisfied to continue working with the architects and developers in relation to Condition 38 Secured by Design of the outline planning permission 17/P1721 to ensure the requirements are achieved.

### **5.1.5 Environment Agency**

5.1.6 We have no comments to make on the approval of reserved matters for the above site.

### **5.1.7 Transport for London**

5.1.8 TfL have noted that the applicants have provided 2 disable car parking bays to reflect the needs of the residents who will be moving into the development (Clarion knows exactly which residents will occupy this phase). There is potential to convert more (even beyond the required 3%) but it seems unreasonable knowing that it is unlikely that they will be unused. TfL acknowledge that is fine for now but they should identify a third space which is large enough to be converted to disabled parking.

5.1.9 The applicants state that they could find space for additional cycle spaces but find it reasonable to commit to monitoring the needs of residents as part of the Travel Plan and deliver cycle storage as and when it becomes required to meet the requirements of the draft London Plan.

5.1.10 TfL are satisfied that the cycle storage will be set out in accordance with guidance of LCDS.

### **5.1.11 Historic England (GLAAS)**

5.1.12 The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National

Planning Policy Framework (NPPF) and the GLAAS Charter. NPPF section 16 and the Draft London Plan (2017 Policy HC1) make the conservation of archaeological interest a material planning consideration. Having considered the proposal with reference to information held in the Greater London Historic Environment Record and/or made available in connection with this application, I conclude that the proposal is unlikely to have a significant effect on heritage assets of archaeological interest. There is no additional archaeological advice to add for the reserved matters application, subsequent to our previous advice for application 17/P1 721. A programme of archaeological trial trenches was recommended for the wider development site; however as the archaeological trenches at the Lamp Works site to the immediate east of the Phase 2 site did not contain significant archaeological remains, the Phase 2 site can be discounted from the archaeological evaluation area. No archaeological Written Scheme of Investigation is necessary for the Phase 2 area. No further assessment or conditions are therefore necessary.

#### **5.1.13 Historic England (Development Management)**

5.1.14 No objections to this proposed application.

#### **5.1.15 Sports England**

5.1.16 Sports England have decided to make no comment and state that they have already commented at the outline planning application stage with no objections to this scheme. Sports England have also stated that there is no further comments to be made given that the number of homes on this site is below 300.

#### **5.1.17 Natural England**

5.1.18 Natural England has no comments to make on this application.

#### **5.1.19 Thames Water**

5.1.20 Thames Water would advise that with regard to surface water network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. Thames Water would advise that with regard to the combined waste water network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided. On the basis of information provided, Thames Water would advise that with regard to water network infrastructure capacity we would not have any objection to the above planning application. Thames Water recommend an informative to be attached to this planning permission. The proposed development is located within 15m of a strategic water main. Thames Water request that a condition be added to any planning permission to ensure no piling takes place until a piling method statement (detailing depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to

subsurface water infrastructure, and the programme: the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water.

**5.1.21 London Borough of Croydon**

5.1.22 No objections received

**5.1.23 London Borough of Wandsworth**

5.1.24 No objections received

**5.1.25 Royal Borough of Kingston**

5.1.26 No objections received

**5.1.27 The Wimbledon Society**

5.1.28 No objections received

**5.1.29 Battles Residents Association**

5.1.30 No objections received

**5.1.31 Merton Green Party**

5.1.32 No objections received

**5.1.33 Councillors**

5.1.34 No objections received

**5.1.35 INTERNAL CONSULTEES**

**5.1.36 Green and social Infrastructure**

5.1.37 No objections received, consulted on outline application was considered acceptable and no objections raised to this scheme.

**5.1.38 Biodiversity**

5.1.39 No objections have been raised to this scheme, the outline permission was granted subject to planning condition 12 (Ecology and Biodiversity), whereby the applicants are required to provide a detailed and ecology and biodiversity strategy to the Council for approval in writing.

**5.1.40 Open Space and Play Space**

5.1.41 No objections raised for this scheme as the principle of development which

includes amount of play space and open space has been agreed at the outline planning application and its suitable designation, maintenance and management have been appropriately secured by under Schedule 16 of S106 Legal Obligation).

#### **5.1.42 Urban Design and Conservation**

5.1.43 There has been extensive dialogue between officers and applicants and two pre-planning application discussions along with three pre-planning application discussions with the architects prior to this application being submitted. The officers had pointed out the need for the design, appearance and form to draw on local characteristics and include architectural treatments that provided visual interest and good use of material composition. The applicants were also required to include architectural features that provided insets and projecting elevations and setbacks at top floor level in order to create a scheme that consisted of adequate proportion in terms of vertical and horizontal arrangements and was sympathetic in visual appearance when viewed from the street level context and the overall relationship with the character and appearance of the wider area. Following working amendments and revisions to the scheme the final design is now considered to be acceptable in terms of design, form heritage matters and overall appearance. The rationale behind the design is discussed in the Planning considerations section of this report under scale layout and appearance.

#### **5.1.44 *Design Review Panel feedback for the proposed blocks***

5.1.45 The phase two reserved matters application was presented to the design review panel on 27th September 2018.

5.1.46 The Panel liked the main element of the proposal which relates to the development of an individual style based on and thorough analysis of the local context. The panel commended its playfulness. They went on to discuss various detailed aspects of this feature. They felt that the 'screen' of the arches needed to work well with the windows behind and that there needed to be a sufficient sense of depth. If the arched element was going to stand out as different to its adjacent buildings, then the demarcation between the two needed to be clearer. At ground level this depth was also recommended, perhaps by use of an arcade, though this needed to be well designed to deter potential anti-social behaviour. The arched form of the building needed to show calmness and depth and the top could perhaps meet the sky in a better way

5.1.47 The internal courtyard was liked but a number of questions were raised regarding the amount of daylight penetration and whether the tree species and size chosen was suitable. Strong management was needed to ensure the interface between private and communal amenity space worked well and did not undermine the landscape concept for the whole space. There needed to be a clear plan for management and maintenance access. On the frontage, the Panel commended the layout providing individual front



doors for all ground floor units. However, the main concern the Panel had was that some of the flats were single aspect, with narrow internal corridors. The Panel recommended the applicant look at ways of increasing the number of dual aspect units. They also recommended other ways of making the internal corridors more pleasant places and stressed the importance of quality routes to front doors.

#### **5.1.48 *Addressing the design review panels comments***

5.1.49 The applicants addressed the concerns raised in the design review panel since the phase 2 scheme was awarded an amber. There have been extensive pre-planning application discussions with the applicants to overcome some of the concerns raised by the panel. Members should note that whilst some of the proposed properties would comprise of single aspect windows these are not north facing and would allow acceptable levels of daylight and sunlight throughout the day. In terms of the narrow corridors provided in the previous scheme that had been presented to the panel these have since been amended and is now considered acceptable to the satisfaction of the Councils Urban Design Officer.

#### **5.1.50 *Design Review Panel feedback for the Abbey Road Houses***

5.1.51 A Design Review Panel was held on 27 September 2018, which reviewed an earlier design for the Abbey Road Houses. The panel complemented the contemporary approach taken for the Abbey Road houses. The large rear gardens were commended, as was the restrained materials palette. The key comments for improvement from the design panel were; internal layout - the early internal layout proposal was considered to look small and dark, particularly at ground floor; facade articulation - it was noted that elements of the frontage presented an overly solid and defensive feel to the street; and rhythm - it was suggested that indents in the roof parapet articulation could create a more dynamic and contextual appearance to the houses.

#### **5.1.52 *Addressing the design review panels comments***

5.1.53 The applicants design team took on board the constructive comments received from the panel and had worked up a design by incorporating the following approach; a re-designed internal layout that generates a larger kitchen-living-dining space at ground floor, with a separate access to the kitchen; the window sizes, location and proportions have been revisited to generate visual interest in the facade composition and the top parapet articulation has integrated indents to break-down the continuous roofline and as such would reduce the perceived overbearing and over-massing appearance which now relates well with the contextual elevation of the wider area and provides an uplift in the character and appearance of the neighbouring street scene.

#### **5.1.54 *LBM Highways & Transport***

5.1.55 Highway and transport officers have reviewed the scheme for the purposes

of assessing layout and have raised no objections to the proposed development for phase 2 of this reserved matters application. .

#### **5.1.56 Refuse comments**

5.1.57 LBM Waste officer accepts the refuse strategy presented by the applicant and the six main issues which are as follows; reduced vehicle movements, commercial collections, conventional waste collections and size of vehicles.

#### **5.1.58 Climate Change and Energy**

5.1.59 Officers have reviewed the overarching energy strategy submitted with this reserved matters application and confirm acceptability of the document.

#### **5.1.60 Sustainable Design**

5.1.61 The council will secure BREEAM targets for all eligible non-domestic uses, in accordance with the submitted sustainability statement, via the use of a BREEAM standard pursuant to condition 24 attached to the outline permission (ref: 17P1721).

#### **5.1.62 Trees**

5.1.63 Officers have reviewed the overarching arboriculture method statement that has been submitted with this reserved matters application and confirm acceptability of the document.

#### **5.1.64 Flood Risk and Drainage**

5.1.65 No objections to this proposed phase 2 application. The officer has required further clarity to be provided as part of the overarching surface and foul water drainage strategy pursuant to condition 35 of the Outline Permission (ref: 17/P1721). As such resolution of this will be dealt with separately.

#### **5.1.66 Environmental Health**

5.1.67 Environmental health have not objected to this proposed application and have no comments to make following approval of the outline planning application. The outline planning application had imposed several conditions relating to noise, air quality, odour and land contamination matters which will all be discharged in further consultation with Environmental Health prior to commencement of above ground works.

#### **5.1.68 Economic Development**

5.1.69 No objections raised for this proposed scheme and the relevant matters relating to economic vitality as a result of the development at High Path has been assessed as part of the outline planning application that was presented to Planning Applications Committee on 08<sup>th</sup> March 2018.

### 5.1.70 Public Health

5.1.71 Public Health have not commented or objected to this planning application. In accordance with Schedule 16 of S106 Legal Obligation the applicants are required to provide a primary health care needs assessment to determine the capacity of the needs of health care in the area as a result of the high path development and associated population growth.

### 6.2 Neighbour Consultees

6.2.1 The planning application was publicised by means of site and press notices, together with individual letters to **1333** nearby addresses sent on 30<sup>th</sup> May 2019. The Council received **2** objection response from neighbouring residents.

6.2.2 All of the representations received are summarised by subject matter below:

**Table 1: Objections Received**

Objections received	Officers response
<i>Gilbert close, Morden Road</i> Unhappy with the proposed development as this would demolish and privatise major residential buildings on Morden, in which residents have had no say whatever.	Members should note that the issues relating to density of development have been assessed in the outline planning application on 08 <sup>th</sup> March 2018. This is not to be revisited for assessment in this reserved matters application.
<i>Priory Close High Path</i> Unhappy with the demolition of High Path, and concerned about where the resident will live as he is a private rental tenant.	Members should note that the proposed housing mix has been assessed and agreed in the outline planning application by both the Council and the Mayor of London.

## 7.0 POLICY CONTEXT

7.1.1 By virtue of s38 (6) of the Planning and Compulsory Purchase Act (2004), the starting point for the consideration of this outline planning application is the Development Plan. The Council is required to make decisions in accordance with the Development Plan unless other material considerations indicate otherwise. The Development Plan for the London Borough of Merton comprises:

- The London Plan (2016);
- Merton Estates Local Plan ((2018)
- Merton LDF Core Planning Strategy (2011)
- Merton Site and Policies Plan (2014)

Any other supporting and relevant guidance

### **National Planning Policy Framework (2019)**

7.1.2 The specific policy areas considered directly relevant are as follows:

- Building a strong, competitive economy;
- Promoting sustainable transport;
- Delivering a wide choice of high quality homes;
- Requiring good design; and
- Promoting healthy communities.

### **The London Plan (2016)**

7.1.3 The London Plan (2016) is the overall strategic plan for London, and it sets out a fully integrated economic, environmental, transport and social framework for the development of the capital for the next 20-25 years.

7.1.4 The London Plan was published on 14th March 2016. The policies relevant to this application are:

- 2.3 Growth Areas and coordination corridors;
- 2.6 Outer London: vision and strategy;
- 2.7 Outer London Economy;
- 2.8 Outer London Transport;
- 2.13 Opportunity and intensification areas;
- 3.1 Ensuring Equal Life Chances for All;
- 3.3 Increasing housing supply;
- 3.4 Optimising housing potential;
- 3.5 Quality and design of housing developments;
- 3.6 Children and young people's play and Informal Recreation Facilities;
- 3.7 Large residential developments;
- 3.8 Housing choice;
- 3.9 Mixed and balanced communities;
- 3.10 Definition of affordable housing;
- 3.11 Affordable housing targets;
- 3.12 Negotiation affordable housing on individual private residential and mixed use schemes;
- 3.13 Affordable housing thresholds;
- 3.16 Protection and enhancement of social infrastructure;
- 3.18 Education Facilities;
- 5.2 Minimising carbon dioxide emissions;
- 5.3 Sustainable design and construction;
- 5.7 Renewable energy;
- 5.13 Sustainable drainage;
- 5.15 Water use and supplies;
- 6.2 Providing public transport capacity and safeguarding land for transport;
- 6.3 Assessing effects of development on transport capacity;
- 6.7 Better Streets and Surface Transport;

- 6.9 Cycling;
- 6.10 Walking;
- 6.13 Parking;
- 7.2 An inclusive environment;
- 7.3 Designing Out Crime;
- 7.4 Local character;
- 7.5 Public realm;
- 7.6 Architecture;
- 7.8 Heritage Assets and Archaeology;
- 7.14 Improving air quality;
- 7.15 Reducing and Managing Noise, Improving and Enhancing the Acoustic Environment and Promoting Appropriate Soundscapes.
- 8.2 Planning Obligations;
- 8.3 Community Infrastructure Levy;

### **London Borough of Merton LDF Core Planning Strategy (2011)**

- 7.1.5 The relevant policies in the Merton LDF Core Planning Strategy (2011) are:

- CS.2 Mitcham;
- CS.7 Centres;
- CS.8 Housing choice;
- CS.9 Housing provision;
- CS.11 Infrastructure;
- CS.12 Economic development;
- CS.13 Open space, nature conservation, leisure and culture
- CS.14 Design;
- CS.15 Climate change;
- CS.16 Flood risk management;
- CS.18 Active transport;
- CS.19 Public transport;
- CS.20 Parking servicing and delivery;

### **London Borough of Merton Site and Policies Plan (2014)**

- 7.1.6 The relevant policies in the Merton Site and Policies Plan (2014) are:

- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM C1 Community facilities
- DM E2 Offices in town centres
- DM E4 Local employment opportunities
- DM D1 Urban design and the public realm
- DM D2 Design considerations in all developments
- DM D3 Alterations and extensions to existing buildings
- DM F1 Support for flood risk management
- DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
- DM O1 Open space
- DM O2 Trees, hedges and landscape features

DM EP2 Reducing and mitigating noise  
DM T2 Transport impacts of development  
DM T3 Car parking and servicing standards  
DM T4 Transport infrastructure  
DM T5 Access to the Road Network

### **London Borough of Merton Estates Local Plan (February 2018)**

- 7.1.1 OEP 1 Vision
- OEP 2 Strategy
- OEP3 Urban Design Principles
- EP H1 Townscape.
- EP H2 Street network
- EP H3 Movement and access
- EP H4 Land use.
- EP H5 Open Space.
- EP H6 Environmental protection.
- EP H7 Landscape
- EP H8 Building heights.

### **OTHER DOCUMENTS AND GUIDANCE**

- 7.1.2 Mayors Affordable Housing & Viability SPG (August 2017)
- Mayors Housing SPG (March 2016)
- Mayors Sustainable Design & Construction SPG (April 2014)
- Mayors Play and informal Recreation SPG (2011)
- Mayors Homes for Londoners Draft Good Practice Guide to Estate Regeneration (February 2018)
- London Borough of Merton 'Planning Obligations SPD' (2006)

## **8.0 MAIN PLANNING CONSIDERATIONS**

8.1 Outline planning permission (ref: 17/P1721) was granted with all matters reserved except in relation to height parameters, however it did establish the principle of the proposed development, including the provision of residential development, the re-provision of existing car parking spaces and the provision of 9,900 sq.m of non-residential floor space.

8.2 It is also important to note that the outline permission and associated s106 agreement secured the quantum and tenure mix of affordable housing provision. Phase Two will deliver 113 new homes in a mix of unit sizes and types. 93 of the 113 homes in this phase will comprise affordable housing, this is equivalent to 82.3% affordable housing.

8.3 Given the above, the reserved matters for consideration under the current application are as follows;

- Scale
- Layout
- Access
- Landscaping
- Appearance

8.4 Members should note that there will be some overlap between the reserved matters criteria and the assessment criteria with not all assessment criteria fitting neatly into unique reserved matters headings.

8.5 Officers also note for background reasons that a significant amount of illustrative material has already been submitted and taken into consideration which helped steer the officer's assessment of the outline planning application that was granted by PAC on 08<sup>th</sup> March 2018.

## 8.6 **Scale**

8.6.1 In this reserved matters application under scale officers have reviewed the development in terms of its height, bulk and massing. Member should note that the issues relating to density of development have already been agreed in the outline planning application and are not for consideration in this outline planning application.

### 8.6.2 ***Height, bulk and massing***

8.6.3 For the purpose of accessing scale under this reserved matters application members should note that the overall height and width of the proposed development has already been agreed in principle at the outline planning application stage. This application for reserved matters is looking at the refined details of the proposal in terms of height, bulk and massing which informs the scale of the development that has already been agreed under reference: 17/P1721. The proposals involves the demolition of two site areas; Marsh Court which is sighted on the corner of Pincott Road and High Path and Lovell House sighted on Abbey Road.

8.6.4 In assessing this submitted reserved matters application the drawings show that the heights of Phase Two buildings fall below the parameters that had been granted consent at the outline planning application stage, the variations of the heights are illustrated in the table below;

	Outline Parameter	Phase Two Proposal
Block 2A	37m (up to 10 storeys)	33m (10 storeys), 29m (9 storeys) & 23m (7 storeys)
Block B	27m (up to 8 storeys)	23m (7 storeys), 20.5m (6 storeys), 16.5m (5 storeys) & 13.5m (4 storeys)
Abbey Road	16m (up to 4 storeys)	9.2m (3 storeys)

8.6.5

8.6.6 It is expected that new residential developments should consider the height, scale and boundaries of the surrounding buildings, character and residential amenity. The new development should also consider the impact on heritage assets. The proposal has been designed taking in to consideration the context of existing buildings which reflect the current typology of buildings in Phase 2. The Abbey Road houses sit within a street dominated by typical suburban terraced houses. The proposed height of Block A reflects its existing prominence at the corner of Pincott Road and High Path and its eventual location adjacent to the Neighbourhood Park (forming part of a later phase of developments). Block B is a lower building which allows the buildings to step down to the houses on Rodney Place and to integrate with the approved Phase One development.

8.6.7 The proposed developments vary in height levels of between three storey houses (along Abbey Road); four storeys with a fifth set-back on the mews; six storeys with a seventh set-back along High Path; seven storeys with two storeys set-back along the park; and ten storeys for the corner landmark building.

8.6.8 All proposed heights fall below the maximum height parameters that was set-out in the masterplan and aligns well with the High Path Phase One developments. The approach to massing suggests higher blocks facing the neighbourhood park (allowing greater spacing between buildings), with the tallest corner element acting as a significant gateway landmark building. The design of the buildings are considered appropriate in their context which provides adequate street level perception and as such relates well with; activity, entrances, lighting, materials and landscaping creating an articulated and distinctive building base.

8.6.9 **Landmark Building** (gateway building)

8.6.10 The Landmark Building (site 02A) is to be sighted on the corner junction of Pincott Road and High path which would comprise of a ten storey corner building. This building has been reduced in height and massing from what had been granted consent at the outline planning application (17/P1721). The variation in the height difference as noted in the above table indicates that the maximum height parameter in the outline application would be reduced from 37m (10 storeys) to 33m for the 10 storeys and would be further stepped down to heights of 29m (9 storeys) and 23m (7 storeys) for the adjoining proposed buildings as noted below.



#### 8.6.11 ***The Mansions***

8.6.12 The Mansions block (site 02A) which is situated on the northern side of the corner 'Landmark' Building would rise to 29m high and comprise of 9 storeys which would be set down lower than the existing Marsh Court building. As noted in the design code there would be a set-back on this building at the 7<sup>th</sup> floor and the remaining two floors would be accommodated within the set-back.

#### 8.6.13 ***High Path Block***

8.6.14 This building (site 02B) is sited on the lower block on High Path situated on the north side of High Path (Road), the height of this building would be 23m comprising of 7 storeys with the set-back at 6<sup>th</sup> floor level. Noting again that the existing height of Marsh Court is 10 storeys and the proposal would substantially reduce the height and massing of this building.

#### 8.6.15 ***The Mews***

8.6.16 The Mews (site 02B) are situated on the inner side of the blocks facing High Path Phase 1 which was formerly the site of the 'Old Lamp Works'. The proposed building has been carefully designed to integrate with the Phase 1 site which was granted planning consent under planning application reference number 16/P3738 on October 2017. The proposal comprises a height of 20.5m which is formed of 6 storeys high. Although the adjoining Phase 1 building would comprise of 7 storeys given that there is a natural topographical slope west to east as such the height of these adjoining buildings would be set at the same level and there would be no significant harm in terms of over-massing impact.

#### 8.6.17 ***Abbey Road Houses***

8.6.18 These buildings are designed as 'Town Houses' sited on the western side of Abbey Road, which take into consideration the existing building context formed of dwelling houses. The height of these properties comprise of 9.2m in height and formed of 3 storeys. The site currently accommodates Lovell House (a 3-storey block with gardens) with a separation gap for vehicle and pedestrian access to an electricity substation to the rear (south-west) corner. The 3-storey houses fall below the maximum parameter heights and are staggered to provide relief to the façade and street scene.

8.6.19 In response to the discussions that have taken place between the architects and planning officers the proposals with their setbacks are thought to represent a satisfactory design solution. The proposed set back of the buildings also create a continuous building frontage, providing definition to the buildings outlook.

8.6.20 Furthermore, the roof forms of the proposals retain the distinctive and eye catching variations of along façade, and create interest to their elevations, which will be seen in approaches to the development.

- 8.6.21 ***Impact on amenity - Daylight, sunlight and privacy/overlooking of neighbours***
- 8.6.22 Officers consider that scale and layout requires a detailed assessment of the above criteria.
- 8.6.23 Members should note that the outline planning application approved the scheme in terms of height and width parameter and the positioning of the building, as this was tested with the appropriate daylight and sunlight assessment. The assessment concluded that there would be no impact on the amenities of neighbouring properties from loss of daylight, sunlight.
- 8.6.24 London Plan 2016 policy 7.6 states that development must not cause unacceptable harm to the amenity of surrounding land and buildings. Sites and Policies Plan 2014 Policy DM D2 titled 'Design Considerations in all developments' continues this approach and requires developments to ensure a high standard of privacy and amenity for its users and neighbours
- 8.6.25 The Mayor's Housing SPG indicates that BRE guidelines on assessing daylight and sunlight should be applied sensitively to higher density development in London, particularly in central and urban settings, recognising the London Plan's strategic approach to optimise housing output (policy 3.4) and the need to accommodate additional housing supply in locations with good accessibility suitable for higher density development (policy 3.3). Quantitative standards on daylight and sunlight should not be applied rigidly within built urban areas without carefully considering the location and context and standards experienced in broadly comparable housing typologies in London.
- 8.6.26 In regards to the London Borough of Merton Estates Local Plan (Sept 2018), Daylight and Sunlight is mentioned in the following policies/supporting text: Policy OEP 3 - Urban design Principles: "(supporting text paragraphs 2.43 and 2.49). All private, communal and public amenity space must be of a high quality design... Including good sun/daylighting".
- 8.6.27 The importance of this policy is recognised highly particularly when concerned with relationship and setting of Developments It is considered that developments which are too dense or poorly designed may result in cramped internal layouts, overlooking or daylight issues" Policy EP H7 Landscape:
- 8.6.28 The applicants provided Daylight, Sunlight and Overshadowing assessment of the proposed development and also the effect of their proposals on neighbouring dwellings as part of the outline application. These have been prepared in accordance with Council policy following the methods explained in the Building Research Establishment's publication "Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice" (2nd Edition, Little fair, 2011), known as "The BRE Guide".
- 8.6.29 The former is unchanged, but the latter has been further refined in this reserved matters application, to incorporate changes to the detailed massing of the proposals, particularly relating to the amended design for the houses on Abbey Road which have been set back further west and extended further on the northern and southern

boundary of the site. The updated assessment includes a more detailed assessment of neighbouring properties assessed to have noticeable day and sunlight effects.

#### 8.6.30 **Daylight Assessment**

8.6.31 Whilst a daylight/sunlight assessment was undertaken for the outline planning application approved in March 2018 this assessment for reserved matters relates to the finer details for the assessment of layout. The outline consent was granted as it was considered there would be no impact from the proposed development on daylight and sunlight and as a result the principle of development was agreed confirming acceptability of the height and width parameters of the High Path scheme. The proposed scale and layout of this proposed phase 2 has not significantly changed and therefore there remains no harm. The proceeding assessment goes on to assess the finer details of the development which in principle have been agreed.

8.6.32 The Vertical Sky Components (VSC) and Average Daylight factors (ADF) tests have been carried out on all habitable rooms in both Blocks 02A and 02B of the proposed development and all 8 nos. of 3-storey houses along Abbey Road. The results of the daylight assessment indicate that a majority of the units within the proposed development will experience appropriate levels of daylight, above the BRE minimum targets. The following breakdown shows the percentage of rooms meeting the minimum ADF per site:

- *Block 02A: 85%*
- *Block 02B: 79%*
- *Abbey Road Houses: 80%*

#### 8.6.33 **Sunlight Assessment**

8.6.34 The results of the sunlight assessment indicate that a majority of the units within the proposed development will meet the minimum sunlight requirements both annually and during the winter months or have compensating factors such as a view towards a high quality landscaped communal amenity space, or access to a south-facing balcony. The following breakdown shows the percentage of living rooms that meet the BRE sunlight requirements per site:

8.6.35 The applicant's assessment demonstrates that 14no windows to habitable rooms in neighbouring dwellings would have a noticeable loss of daylight to a level below the BRE Guide recommendations (the angles and Vertical Sky Component (VSC) tests). However, following surveys of a representative sample of rooms in neighbouring dwellings, they have been able to assess the No Sky Line areas (NSL) of the rooms lit by the affected windows; these show that only 1 of the affected windows light a room that would be adversely affected to a noticeable degree within the BRE Guide criteria. NSL is a measure of the distribution of diffuse daylight within a room.

8.6.36 As before, the sunlight tests on living room windows show one house affected; it would still receive sufficient year-round sunlight but fall short for winter sunlight hours. It remains the case that this is to windows not affected by loss of daylight, and to a dual aspect house with good sunlight access to their other façade (all the affected

neighbouring houses, like all the proposed dwellings in this development, are of dual aspect).

- 8.6.37 For gardens, the assessment again shows most neighbouring gardens to already have only marginal sunlight access, due to their east west alignment and high fences. Officers consider that the proposal may bring greater security to these gardens and perhaps some residents would feel confident to reduce the height or open up these fences to increase their sunlight access. The applicant's consultant's further work on this has been to assess sunlight levels in late spring and summer months (the BRE Guide assessment is based on the spring equinox i.e. March 21st). This shows sunlight levels when gardens are most likely to be used. This interestingly shows that sunlight levels in the afternoon are less and less affected by the development so that by June they are not affected at all.
- 8.6.38 In conclusion, officers are satisfied that the daylight, sunlight and overshadowing effects of the proposal would not result in significant harm in what is a suburban location. This was also considered in the context of the outline planning permission. Officers also consider that the minor harmful effects on neighbours in this respect are outweighed by the public benefits (most significantly affordable housing) and improvement in the streetscape and urban environment and providing these neighbours with greater security, privacy and protection from noise and pollution. This is in addition to the need for affordable housing already identified within the outline permission (ref: 17/P1721) and as secured by the associated s106 agreement.

## **8.7 Layout**

- 8.6.1 In terms of the assessment for layout under this reserved matters application members should note that there have been two minor changes to the proposed building footprints from what had previously been assessed in the outline planning application. These relate to infilling a gap between the north and south part of the flatted block to enclose a courtyard for the flatted blocks on the corner junction of Pincott Road and High path and creating a further set-back from the street for the terraced houses on Abbey Road.
- 8.6.2 This reserved matters application is to assess layout, whilst the outline planning application has in principle agreed the width parameters and general positioning of the buildings this reserved matters consideration will assess the refined detail submitted showing form and development pattern for the proposals. Members should note that the parameters (width) and positioning of the buildings are not up for consideration in this reserved matters application.
- 8.6.3 The proposed layout is a result of the design development of the Phase Two scheme, following feedback from officers on pre-application meetings. The updates include improvements to the design, location and arrangement of communal entrances, routes through the buildings, a better relationship between streets and landscaped courtyards and a more articulated building footprint.

- 8.6.4 The applicants were required to be mindful to the ground floor arrangement for the apartments, suggesting to: maximise on street entrances to ground floor dwellings; avoid ground floor amenity space facing High Path due to traffic and vehicular flow exposure.
- 8.6.5 With regards to the houses along Abbey Road the proposal has largely been informed by the urban form of surrounding plots which have a traditional approach to layout, with buildings defining the plot edges and generating private gardens to the rear. Defensible space at the front of the houses also offers a privacy buffer between street, footpath and the private internal areas.
- 8.6.6 **Standard of accommodation**
- 8.6.7 **Block buildings**
- 8.6.8 The proposed buildings have been designed taking into consideration typical Victorian style urban blocks, which create legible, clear routes and provide active frontages along the streets, creating a clear definition for the public spaces, defensible spaces and the communal courtyard.
- 8.6.9 The proposed communal corridors provide natural daylight and views to both the courtyard and the neighbourhood park, enabling a better sense of orientation throughout the block. Furthermore the corridors provide larger spaces in front of entrances, creating a sense of ownership and defensible space.
- 8.6.10 In assessing the internal layouts of the block buildings officers have assessed these in line with the London Housing SPG, Nationally Described Space Standards and Building Regulations.
- 8.6.11 The one bedroom properties will be provided in 'Block A and will be located with floors 02 to 09. These units will be located on the western side of the block facing the Neighbourhood Park.
- 8.6.12 The one bedroom apartments have been designed to have an open plan living/kitchen/dining area. In most cases, the entrance lobby provides direct views to the outside allowing adequate levels of natural light. And in order to gain maximum benefit of the good levels of daylight/sunlight the layout of the amenity spaces would be provided in front of the bedroom, with an access door directly of the living space.
- 8.6.13 The One bedroom wheelchair accessible apartments would be located on the northern side of the site at ground floor level with access either directly from the street, or through a dedicated communal entrance in block 02A.
- 8.6.14 The proposal has also thought for spacious approach areas to the front of wheelchair accessible homes, this would ensure good levels of manoeuvrability for wheelchair users. The internal layout allows for wide corridor/door width and provides adequate wheelchair turning circles with good levels of access to the rooms, which have all been designed well to provide useable space provision.

- 8.6.15 The proposed two bedroom units would be located in Block 02B at floor levels 02 to 05. These apartments would be sited on the south-eastern side of Block 02B and have been designed to have flexibility in separating the kitchen from the living/dining area. The bedrooms are sited on the northern side of the apartment with windows facing the eastern side and thus ensuring adequate levels of daylight/sunlight to the flats with good levels of access to large dual aspect balcony.
- 8.6.16 The bedrooms have been designed to mirror each other and laid out with provision of access from one central corridor, with the bathroom and storage space located directly opposite and also accessed from the same corridor. In this instance layout design of the proposal would ensure adequate levels of privacy and noise sensitivity is maintained for the proposed flats.
- 8.6.17 The utility cupboards, as well as the cycle stores, have not been accounted as part of the storage provision for any of the dwellings. Storage areas can also be accessed from the corridor, allowing adequate access to all occupants. The kitchen/living/dining and amenity spaces are then sited on the southern side of the apartment which are considered to host more communal uses with higher levels of noise and disturbance associated from this parts of the flat.
- 8.6.18 The proposed three bedroom apartments would be located in Block 02B, at floor levels 01 to 06 and sited on the southern side of Block 02B facing High Path.
- 8.6.19 These apartments have been designed to have separate living/dining areas from the kitchen. These homes are dual aspect and are located strategically within the blocks to provide easy access to the communal courtyard and associated children's play. It is worth also noting that all 3 bedroom or larger dwellings are also provided with an additional toilet, separate from the family bathroom which has been further developed in design following the applicants consultation with existing residents of High Path and also as a result of further discussions at pre-planning application stage with Planning Officers.
- 8.6.20 The proposed scheme for High Phase 2 would also include two bedroom maisonettes that would be sited in Block 02B located on the southern side of the site facing High Path.
- 8.6.21 The 2 bedroom two storeys maisonettes provide on street private entrances, generous kitchen/living/dining spaces at ground floor with storage spaces, alongside two double bedrooms at first floor, located behind a full width south facing terrace.
- 8.6.22 The design of the maisonette properties has incorporated a traditional style approach with kitchen/living and dining space being located at ground floor level and the bedrooms with family bathrooms located at first floor level. There is a long corridor at the ground floor entrance that serves the living space and a guest toilet with ample space for storage including separate cycle storage space, as such it is considered that this proposed design has taken into consideration the advice set in the Mayors Housing Design guidance.

8.6.23 The proposal would create 4 bedroom maisonettes in this Phased development, this follows a similar approach to the 2 bedroom adjoining maisonettes and would also be located on the southern side of the site facing High Path. These properties are dual aspect dwellings with kitchen/dining space separate from the living area and bedrooms at the first floor. A full width south facing terrace would be provided at first floor level that would be accessed from the bedrooms and designed with appropriate screening to shield views across to the neighbouring Harris Academy.

#### **8.6.24 Abbey Road Houses**

8.6.25 A terrace of eight 3 bedroom houses is proposed along Abbey Road, with a traditional approach to parking, front and rear gardens. This assessment takes into consideration the modest set-back of the proposed terraced houses from the proposed plans that had been presented at the outline planning application.

8.6.26 Rear gardens provide patio areas for socialising and entertaining, as well as lawns for play and planting. Garden stores are provided at the ends of the gardens.

8.6.27 Each house integrates enclosed refuse and cycle stores within the front garden for easy access.

8.6.28 Following pre-planning application discussions with the applicants the main elements in design improvements to this part of the proposed scheme have been well thought out and applied which includes the following amendments to the design layout; most elements have been: providing a separate access to the kitchen • additional storage at ground floor level, stair location amended, flexible study space provided at first floor level, and improved more rationalised storage and bedroom layout on top floor level.

8.6.29 The proposed layout of these houses has taken a well thought out plan, the front garden comprises of adequate space with defensible boundaries and provision for refuse/recycling space and cycle storage. The entrance to the house would be met by a central corridor which would provide adequate access to all the rooms at ground floor level which accommodates kitchen/dining space at the front in order to provide active frontages to the street scene. The toilet facilities at the rear part of the properties and storage units are accessed via a long and wide corridor. The living area would be located at the rear part of the house with access doors that would lead out into the rear garden which provides adequate and usable private amenity space for the future occupants of this proposed development.

8.6.30 The first floor comprises of two double bedrooms that mirror one another which has been well laid out to provide adequate provision for a double bed, table and wardrobe. The family bathroom at first floor level is located directly opposite the bedroom and accessed via the central corridor. The layout of these dwellings include a study area which is situated at the front part of the house, and provides greater street overlooking and provision for additional light in-take into the corridor and staircase. The second floor accommodates the largest bedroom and benefits from dual aspect windows. This floor also accommodates generous storage spaces for both the bedroom at second floor level and a general shared storage space for the dwelling. The 8 proposed dwellings exceed Nationally Described Space Standards and London Housing SPG

requirements. The applicants have taken on board advice from Officers in providing a well-considered layout with adequate provision for internal storage space.

#### **8.6.31 *Conclusion on standard of accommodation for the proposed High Path Phase 2***

8.6.1 The detailed plans have been developed in strict accordance with the National Housing Standards and the scheme is considered acceptable in accordance with the minimum space standards listed below;

#### **8.6.2 *Privacy and overlooking***

8.6.3 Policy DM D2 of the Sites and Policies Plan 2014 titled 'Design Considerations in all Developments' states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of light spill/pollution, loss of light, quality of living conditions, privacy, visual intrusion and noise.

8.6.4 A design code has been submitted which sets out the principles for the strategic design of the phased development. The reserved matters application includes floor plan layouts for the individual properties and therefore allows assessment of privacy and overlooking.

8.6.5 The new properties along Pincott Road and High Path provides definition to the streetscape and focuses activity which is likely to promote natural surveillance to this busy road that is expected to accommodate a significant number of community uses on the southern side of the street. The buildings have therefore been designed to emphasise the intimate and narrow character of the street whilst ensuring impact on neighbouring amenities does not arise. The shape, size, location and materials of fenestration with recessed Juliette style balconies have been taken into consideration and designed to maintain privacy to dwellings, particularly at ground floor level.

8.6.6 In terms of separation distance of the properties looking out onto the courtyard the distance between window to window of block 02A and 02B would be 20m. Furthermore the proposal avoids having direct facing balconies, as such blocks 02A would provide balconies to the rear eastern elevation of the properties and blocks 02B would comprise of balconies to be located at the front eastern elevation of these blocks. There would also be adequate separation gap and insets to provide appropriate screening between neighbouring windows and balconies. The separation gap of block 02B sited on the eastern side of Phase 2 High Path and the nearest windows to the proposed Phase one properties would be 14m.

8.6.7 The Abbey Road houses would have rear gardens comprising of 13m in depth, the distance of the rear windows of the proposed Abbey Road houses to the nearest neighbouring back wall would comprise 28m.

8.6.8 Given the adequate separation distance between properties with setbacks in the layout of the buildings and terraces any, privacy and overlooking issues for



assessment arise primarily from the upper floor windows of the proposed blocks and balconies towards the rear of the respective terraces and neighbouring windows.

#### **8.6.9 *Parking and highway safety***

8.6.10 The assessment for layout will also review the fine-tuned details of the vehicle and cycle parking provisions. Members should note that the amount of parking provision for vehicle and cycles have already been agreed in the outline application for the masterplan of High path and this is assessment is now looking at the detail of phase two to determine how these elements will be delivered. The acceptability on the amount of parking has therefore already been agreed and this is not up for consideration in this reserved matters application.

8.6.11 Merton's Site and Policies Plan 2014 Policy DM T1 titled 'Support for sustainable transport and active travel' which states that the Council aims to promote the use of sustainable transport modes including public transport, walking and cycling, to alleviate congestion, promote social mobility, contribute towards climate change, air quality targets and improve health and wellbeing through increased levels of physical activity.

8.6.12 The reserved matters application does not seek to change the quantum of provision nor any other transportation aspects of the outline application but has provided additional information in accordance with a number of conditions subsequently imposed on that outline permission ref: 17/P1721.

8.6.13 With regards to the information submitted showing details of the displacement of existing residents parking it is noted that the proposals for Phase 2 will result in the loss of seven temporary car parking spaces provided as part of Phase 1. The completion of Phase 2 will result in additional provision of on-street and off-street parking spaces within the boundary of Phase 1, with further provision added with the subsequent construction Phases.

8.6.14 With regards to the allocation of new parking spaces with the exception of one off-street car parking space at Abbey Road, there are no off-street car parking spaces to be constructed as part of Phase 2, as such one car parking spaces will be allocated to future residents of Phase2.

#### **8.6.15 *Vehicle Parking***

8.6.16 17 car parking spaces are provided in Phase 2. Of these spaces 2 will be wheelchair accessible, 13 standard car parking spaces that can be adapted to wheelchair spaces if and when necessary and 2 standard size car parking spaces. Officers consider this to be acceptable.

#### **8.6.17 *Cycle Parking***

8.6.18 In line with minimum cycle parking standards, for the development of 113 units as part of Phase 2 of the development, the following cycle parking will be required;

8.6.19 Resident cycle Parking will deliver the following for the relevant property types; One bed 58 units – 58 cycle spaces; Two bed 55 units – 110 cycle spaces, As such a Total -168 cycle spaces are to be provided for this phase 2 development.

8.6.20 In accordance with Policy DM T1 of the Sites and Policies Plan 2014 the scheme will deliver secure cycle parking within the internal layout of the buildings, with some resident's cycle parking/storage to be provided within the dwellings themselves. Additional cycle stores will be accessible from street level, either by being located at ground floor level or through the provision of ramps and lifts.

8.6.21 The proposed scheme would also provide 4 cycle spaces for visitor parking in the form of Sheffield stands located on-street, the stands would be situated in a visible location, that is well lit and easy to access in line with Merton's Policies and relevant policies of the London Plan.

8.6.22 Cycle Parking is to be provided within safe, secure and sheltered locations within the development in accordance with London Plan, as such Officers conclude that the details provided for the cycle parking provision is considered acceptable.

#### **8.6.23 *Motorcycle and scooter parking***

8.6.24 The applicants have confirmed that motorcycle or scooter parking is proposed for Phase 2 of the development. As such Officers are satisfied with this.

#### **8.6.25 *Pedestrian and Cycle Routes***

8.6.26 The applicants have submitted details of Pedestrian and Cycle Routes. The proposal is to link the existing east to west cycle track along Merton High Street with the existing west to east cycle track along High Path; this will be along the western side of the proposed park.

8.6.27 The one-way cycle track along High Path outside the existing Trafalgar public house has the potential to be retained, or the footway amended, and the cycle lane re-routed through the proposed park. On these basis Officers consider the information that has been submitted for Pedestrian and Cycle Routes to be acceptable.

#### **8.6.28 *Designing out crime***

8.6.29 Designing out crime considerations have been carried out for the purpose of assessing layout for the reserved matters application. Members should note that the overall principle in terms of designing out crime and secured by design principles had been agreed in the masterplan for High Path which formed the outline planning application, which was considered acceptable

8.6.30 The Officer is satisfied with the information that has been submitted and is happy to continue working with the architects and developers in relation to Condition 38 Secured by Design of the outline planning permission 17/P1721 to ensure the

requirements are achieved prior to the commencement of the proposed works for the phase 2 development..

#### **8.6.31 *Waste and recycling storage***

8.6.32 For the purpose of assessing layout for this reserved matters application officers have reviewed the proposed siting of the refuse and recycling facilities. Members should note that whilst in principle the provision of refuse and recycling facilities was accepted in the outline consent this application is now seeking to review how phase 2 would deliver the agreed waste facilities. The total number and siting of the refuse/recycling bins has been granted with the outline consent.

8.6.33 London Plan 2016 policy 5.16 indicates that the Mayor is committed to reducing waste and facilitating a step change in the way in which waste is managed. The proposal makes adequate provision for waste and recycling storage and collection.

8.6.34 The Council's Waste Management Team has reviewed the arrangements for the purpose of assessing layout and is satisfied with the refuse strategy.

#### **8.6.35 *Energy and sustainability***

8.6.36 The NPPF and London Plan 2016 policies 5.1, 5.2, 5.3, 5.7, 5.8, 5.9, 5.10 and 5.11, and Policy DM EP1 of the Sites and Policies Plan 2014 and Policy CS 15 of the Core Planning Strategy 2011 set out the approach to climate change and requires developments to meet the highest standards of sustainable design, including the conservation of energy and water; ensuring designs make the most of natural systems and the conserving and enhancing the natural environment.

8.6.37 The Council's Energy and Sustainability Officer is satisfied with the overarching energy strategy (as noted above) that has been submitted with this reserved matters application.

#### **8.6.38 *Flexible Non-Residential Space***

8.6.39 Members should note that the outline planning application has already agreed the number of non –residential floor space comprising of 9,00sq.m.

8.6.40 The proposal includes 187 sq. m of flexible non-residential floor space. The entrance to this space is located at the corner of the Pincott Road and High Path making it accessible and easy to find. The outline permission was granted consent for up to 9,900 sq. m of non-residential floor space and so the principle of this element has already been established. As such it is considered that the relatively modest amount of floor space that has been proposed as part of this phase 2 scheme is a vital element of the High Path development given that this aims to provide a significant amount of diversity because of its prominent location to deliver a greater amount of vibrancy to this part of the neighbourhood park and also allowing natural surveillance to the area.

#### 8.6.41 ***Child Play Space***

8.6.42 In accordance with policy 3.6 of the London Plan 2016, development proposals that include housing should make suitable provision for play and informal recreation, based on the expected child population generated by the scheme and an assessment of future needs. This policy position is carried through in the Estates Local Plan Policy EP H5 titled 'Open Space' which seeks to ensure that development proposals provide suitably designed play spaces for all age groups having regard to the Mayor of London's Play and informal Recreation Supplementary Planning Guidance Document 2012, which underlines the need to make provision for children's informal or formal play space.

8.6.43 In assessing this proposed phase 2 reserved matters application and following the agreed principles for the play space strategy at the outline application stage it is considered that the proposed play strategy would deliver extensive and adequate formal play opportunities for children. As such this would deliver a significant improvement over the existing play facilities on site currently for the benefit of existing and future residents and the overall wider community.

8.6.44 The proposed development is considered acceptable in child play space terms and in accordance with the GLA

#### 8.6.45 ***Underground utilities***

8.6.46 At the time of assessing the outline application the location of the buildings relating to underground utilities was relatively unknown. To safeguard infrastructure Thames Water have recommended additional safeguarding conditions. The applicant is agreeable to having these conditions.

### 8.7 **Access**

8.7.1 Members should note that the applicants overarching accessibility strategy has helped inform the officer's assessment of this reserved matters submission.

8.7.2 Policy DM D2 of the Site and Policies Plan 2014 seeks to ensure that proposals for all developments deliver the highest practical standards of access and inclusion and also be accessible to all individuals. This objective is further amplified under the provisions Policy CS 14 of the Core Planning Strategy 2011. The proposals have also been assessed in accordance with the standards identified in Accessible London Supplementary Planning Guidance (2014, GLA).

8.7.3 The project is for 113 dwellings in total: 105 dwellings across the two apartment buildings, referred to as Block 02A (comprising 63 units) and Block 02B (comprising 42 units), with eight houses on Abbey Road Plot 14B. There are two main residential blocks and these two blocks have communal entrances; each block also has private entrances to dwellings at ground floor level. Block 02A comprises ground to eight storeys in its north part, with ground to ninth in the south part. Block 02A has two duplexes on the uppermost levels of its north part. Block 02B comprises ground to fourth storey in the north, with ground to fifth in its south part. Block 02B has three maisonettes at ground to first floor levels in its south part. Blocks 02A and 02B both

have their own refuse store, both being accessed from separate external doors outside of the building near each respective core.

8.7.4 The eight houses on Abbey Road Plot 14B are all 3-bedroom, 6-person homes spread over three storeys. They are accessed via private entrances on Abbey Road. There is car parking on-plot for Unit 08, and seven on-street parallel parking along the Mews Street. In addition, there is a vehicular access point to the south which will be used to service an existing substation.

#### 8.7.5 ***Access to the commercial unit***

8.7.6 The commercial units proposed in this phase occupies the south east part of Block A and is approximately 187 SQM. There is also a small temporary use area of 32.1SQM on the ground floor of the north part of Block A. There is some on-street parking provided on Pincott Road, High Path, Nelson Grove Road and the mews for the blocks 02A and 02B.

8.7.7 The ground floor dwellings facing the street would have individual entrances accessed directly from Pincott Road, High Path and the mews, which would suitably accommodate less mobile individuals and improve accessibility for all. Overall the scheme would provide 10.6% of wheelchair accessible and adaptable homes that are designed to wheelchair accessible standards. The remaining wheelchair accessible/adaptable homes have been provided on the upper storeys of block 02A, with the provision of two lifts.

#### 8.7.8 ***Access to communal entrances***

8.7.9 These are located closer to the street junctions next to vast open spaces which allows improved legibility, access and circulation. This would ensure a provision of direct access and establish a strong sense of arrival to the location. The proposed scheme provides a direct visual connection and easy access to the landscaped courtyard area. A key design feature to the building block at the corner of Pincott Road and High Path was to provide an active frontage design that would provide a feature corner access point, with the potential to provide a second access facility should the space be subdivided. This approach is considered to foster a sympathetic style of design that would suitably cater for the nature of this location given the high node of activity and commercial viability that is expected to take place at this setting. Furthermore this is also expected to align well with the significant activity expected as result of the nearby proposed neighbourhood Park.

#### 8.7.10 ***Access to residential communal gardens***

8.7.11 These are to be fully accessible and would provide adequate access from the lifts and stairs cores inside the building and with direct and accessible routes into these external residential spaces. All slopes / ramps in any residential communal parts including on dropped kerbs and in the residential gardens meet or exceed M4(3) standards, with no ramps only gentle slopes in fact, and all dropped kerbs are envisaged to be 1:15 at most as required. Approaches to homes and entrances do not differ where they serve wheelchair accessible dwellings but meet the higher standards everywhere. Dual lift access is provided in Block 02A, which serves the

majority of units, with a single additional lift serving Block 02B. Car parking provision commits all the available spaces around the main blocks to either meet or be easily adaptable to meet a reasonable standard of accessibility.

#### **8.7.12 Access to Car parking**

8.7.13 Car parking is provided for both parts of the development, being associated with homes grouped either in Abbey Road; or on the main development area bounded by Pincott Road, High Path, the Mews Street and (to the north of Phase 1) Nelson Grove Road.

8.7.14 The proposal would deliver 17 car parking spaces which would incorporate phase 1 and 2. This would be provided around the apartment blocks, including 2 wheelchair accessible bays, 13 wheelchair adaptable bays; and 1 on-plot parking bay with 7 on-street parking bays for the Abbey Road houses. Overall the number of parking to be provided for phases 1 to 7 will be 304, the amount of parking to be provided as part of the High Path regeneration scheme has already been agreed in principle at the outline application stage (ref: 17/P1721).

8.7.15 With regards to car parking on Abbey Road Houses and as noted above only one of the dwellings has on-site parking while all others will rely on on-street CPZ provisions: The on-plot parking meets the relevant highway standards for car parking provision standards, as this is sufficiently extensive and capable of being widened to 3300mm. The remaining 7 No Abbey Road Houses have access to unallocated CPZ bays as mentioned; these are 6m x 2.4m, parallel to Abbey Road and with a wide, clear pavement adjacent to each on one side, facilitating a transfer zone that exceeds the required 900mm in standards. The Abbey Road Houses car parking is considered to meet the required standards.

8.7.16 The proposal would not provide on-plot car parking for the main blocks 02A and 02B other than in the form of on-street parking. It is also notable that in much of Pincott Road there will not be availability for car parking throughout the construction period, due to the required access for construction traffic. The works will necessitate suspension of parking on Pincott Road. This situation is temporary, however, and the measures proposed also take this into account. As stated, this proposal concerns the layouts, access and design of Phase 2. However the car parking provided by Phase 2 needs to ensure that the car parking requirements for Phase 1 are also satisfactory, as the two Phases are adjacent and share the surrounding roads; although the physical provisions described in this proposal refer only to elements within the Phase 2 boundary, the strategy for parking inclusive of disabled residents of both Phase 1 and Phase 2 is addressed in the submitted access statement that has been submitted in accordance with condition 15 of the outline permission (ref: 17/P1721).

#### **8.7.17 Access to Cycle Parking**

8.7.18 it is proposed that the access cycle stores are provided within the dwellings in line with the National Standards and London Housing SPG. This is to maximise active frontage at ground floor and avoid large communal cycle stores at ground floor which often remain underutilised. The cycle stores within dwellings can also provide

additional storage space for residents who don't own a bicycle. Stretcher lifts are being provided in each stair core to facilitate the easy access and transport of bicycles in and out of the building.

8.7.19 Access to cycle parking provision for the Abbey Road dwellings will be provided at the front of the houses and designated within safe, enclosed and accessible locations in line with guidance and policies.

#### **8.7.20 Access to Refuse and Recycling Systems/Storage**

8.7.21 The apartment buildings integrate temporary conventional refuse stores at ground floor. These will be functional until the underground refuse system will become fully functional, at which stage the refuse store in block 02A will be refurbished into a dwelling, while the one in block 02B will become permanent bulky waste store. Block 02A is served by the Underground Refuse Systems (URS's) which includes recycling. Food waste bins are also integrated within the public realm, next to the URS bins. These are located on the road side of the footpath, allowing unimpeded access along the footpath in a continuous straight line past them. They are adjacent to the communal entrances for the Block on Pincott Road.

8.7.22 The URS bins for Block 02B are located along the mews, in close proximity to the communal entrance. The detailed design of the refuse disposal has yet to be developed, but will require access for wheelchair users

8.7.23 The Abbey Road houses have their own waste and recycling facilities and are provided with enclosed bin stores in the front garden. Appropriate type/volume wheelie bins would be provided and collected by the Local Authority.

#### **8.7.24 Access to Emergency Evacuation Areas**

8.7.25 There are lifts provided to each of the cores in the residential Blocks 02A and 02B. Safe shelter areas are not deemed necessary, as there are no parts other than residential units above ground floor level, and these apartments themselves/communal corridors would sufficiently act as firefighting lobbies; Applicants will be required to satisfy Building Control Regulation and ensure significant consideration is given at the detailed design stage to the following: All designated escape routes allow access for all and provide ease of access to reach a place of relative safety independently, or to await instruction, assistance from staff / fire services or use of a lift from each part of the building; The appropriate management and control of firefighting lifts is expected to be part of the fire strategy that is to be approved under the provisions of Building Control Regulations.

### **8.8 Landscaping Hard and soft landscaping (including trees and boundary treatments)**

8.8.1 For the purpose of this reserved matters application the landscaping information provides a framework for open space, tree and shrub planting which details schedules that would be required under condition 27 of the outline planning permission (ref: 17/P1721).

- 8.8.2 The Sites and Policies Plan 2014 Policy DM 01, maintains protection of open spaces to ensure new development proposals do not have a negative impact on the local environment. Policy DM D1 seeks to ensure high quality design of buildings and places are delivered in the Borough, this policy aims at ensuring new development proposals impact positively on the character and quality of the public realm. Policy DM D2 indicates the importance of also delivering high quality design and protection of amenity within the Borough. This policy provides minimum amenity space standards that would be required as part of any new developments relating to dwellings and for flatted developments. Policy EP H7 of the Estates Local Plan Adopted 2018
- 8.8.3 In accordance with conditions 27 of the outline permission (ref: 17/P1721), a detailed plan showing; plant sizes, species, quantities and location of the proposed plants are to be submitted and approved in writing by the Local Planning Authority prior to the commencement of above ground works.
- 8.8.4 The overall public realm integrates Phase Two with its existing context and continues the Phase One design approach. Tree planting will be of a semi mature nature and will respond to the different environmental conditions within the courtyard and streetscape. The planting strategy will also follow the principles set-out in the outline masterplan and provide a hierarchy of species for each street. Defensible planting to the perimeter block follows the guidance within the design code, with hedging to the defensible private boundaries using an evergreen hedge with a soft light structure. Private amenity within the internal courtyard will use planting and railing as boundary treatment creating a physical and visual separation from the communal spaces. The mews street will continue the proposals from Phase One with raised planters for increased privacy to ground floor dwellings.
- 8.8.5 The submitted information provides a detailed and comprehensive solution to the landscaping and boundary treatments for all the building types as noted below.
- 8.8.6 ***Abbey Road Houses***
- 8.8.7 These buildings are designed as 'Town Houses' sited on the western side of Abbey Road. Proposals include kerb-side parking to the front of the properties and an improved pedestrian footpath. Bin storage walls and landscaping with railing enclose a small courtyard garden which breaks up the hard-landscaping and provides a buffer from the street. The houses benefit from substantial sized rear gardens that would allow sunlight during the early and late afternoon from the southern and western sides. Patios are placed in the north-east corners of the garden to make the most of evening sun from the south-west.
- 8.8.8 ***Mansion Block Buildings***
- 8.8.9 The Mansions block (site 02A) is situated on the northern side of High Path Phase 2. The streetscape proposals for this setting include mature hedges and railing that provide a clear demarcation between the public footpaths and recessed amenity spaces. Semi-mature tree planting provides definition to the street and the future neighbourhood park. Parallel street parking and the underground refuse system are



grouped into service clusters to avoid street cluttering and provide direct connections between the building entrances and the park.

#### **8.8.10 Landmark building and High Path Block**

8.8.11 The Landmark Building also known as the Gateway Building (site 02A) is to be located on the corner junction of Pincott Road and High path which would comprise of a ten storey corner building. This High Path Block building (site 02B) is sited on the northern side of High Path (Road) situated on the north side of High Path.

8.8.12 The buildings along High Path have been set back from the street at a minimum of 5m to allow for improved pedestrian and cycle routes. Private amenity for the ground floor dwellings facing High Path has been provided either on the first floor or facing the courtyard for increased privacy. Mature hedging will provide a clear demarcation and defensible space between the footpath and private entrances. Semi mature trees are inter-spaced between the wheelchair adaptable parking bays along High Path. Feature trees are proposed at the street junction to articulate the gateway building and its corner entrance.

8.8.13 The Mews (site 02B) are situated on the inner side of the blocks facing High Path Phase one which was formerly the site of the 'Old Lamp Works. The landscape proposals for this setting provide a shared surface street with equal priority for all modes of transport, creating a pedestrian friendly environment. Planting along the building edges create a privacy buffer zone to front gardens, while hedges are provided within the courtyard to define the private patios associated with the dwellings.

8.8.14 The Phase 2 scheme proposes to remove 151 trees and plant approximately 272 trees. The trees to be planted are all of advanced nursery stock size or larger, and as such will provide instant landscape impact.

8.8.15 Whilst a number of trees are to be removed to facilitate the development, there would be no removal of trees in 'Classification A'. The trees that are expected to be removed will be in Classification B, C & U and are considered of medium/low quality due to their health, form and or low potential for long-term retention. The Estates Local Plan 2018 titled 'Landscaping' recognises the importance of retaining significant trees or groups of trees and provides the bases from which to develop design proposals. It provides benefits in terms of promoting biodiversity, sustainable development t, contributing to flood risk mitigation and helping to reduce air pollution. Policy EP H7 provides a diagram which illustrates the grouping of existing trees considered to have high importance within the High Path Estate. The trees that are expected to be removed do not fall within the setting of the diagram illustration that has been identified in the ELP. Therefore, any resulting loss of amenity value is considered to be correspondingly low. This also needs to be considered in the context of the retention of the higher quality trees on the site combined with additional planting and corresponding biodiversity value.

8.8.16 Given the above and in consideration of the positive benefits associated with the planting of circa 272 trees and the well thought out landscaping proposal it is

therefore considered that the planning harm arising as a result of removing some of the existing trees is considered to be acceptable and in accordance with the above policies.

## **8.9 Appearance**

8.9.1 For the purpose of assessing the design and appearance of this proposed phase two scheme it is worth mentioning that the design code has been submitted in accordance with condition 46 of the outline permission (ref: 17/P/1721). The proposed phase two for High Path Phase is expected to deliver four of the character areas proposed in the Design Code, which will be; The Park Street, High Path, Old Works Court (the Mews) and Abbey Road Houses.

8.9.2 The NPPF should be considered alongside London Plan 2016 policies 3.5, 7.4 and 7.6, Sites and Polices Plan 2014 Policy DM D2 and Policy EP H1 of the Estates Local Plan Policy 2018 which states that all development must achieve a high standard of design and contribute to the distinctive character and amenity of the local area. Furthermore, developments should respect their surroundings by being sympathetic to the prevailing form, scale, materials and architectural detailing. Sites and Polices Plan Policy DM D2 also states that all new development should enhance and enrich built environment and create places and buildings that are high quality, attractive, sustainable, safe and easy to use.

### **8.9.3 *Block A Park Mansion Blocks (Pincott Road)***

8.9.4 The Park Mansion Blocks are to be located along the central neighbourhood park facing the Neighbourhood Park which takes its cue from the approved phase one mansion blocks, as such integrating well in design concept with the phase one adjoining building.

8.9.5 The proposed east side park mansions integrates 'the dormers', presenting a series of pop-up elements along the roofline which sit on a strongly expressed cornice, as such this animates the building frontage. The purpose of this design concept is to form 'the crown' of the park mansions and enable enhancement to the character of this building typology. The proposed elevation strategy associates the projecting bays and roof pop-ups to reinforce the vertical break-down of the mass into separate elements connected through recessed balconies. The applicants have drawn on local characteristics when designing this scheme as similar feature roofline and pop-ups can be found in the local context, particularly along Merton High Street.

### **8.9.6 *Materials***

8.9.7 The park mansion will use as primary facing material a multi-red wire cut brick combining lighter and darker shades of red, including grey inserts that will coordinate with the metal cladding proposed for the top setback floors, as well as the window frames. White precast panels and detail elements are used to articulate the building at ground floor, lintels and horizontal lines, this will help break up the elevation and provide a contrasting appearance between ground and upper floors. The proposed

deep window reveals have been provided to enhance further the layering and façade of the building.

#### 8.9.8 **Block A Landmark Corner**

8.9.9 In terms of treatments to the proposed elevation the design features relating to the arches have been designed with a traditional aspect with similar style characteristics reminiscent of Victorian building construction that frames the fenestration and balconies. The scheme would provide a prominent and generous corner entrance to the proposed non-residential space that would be situated at ground floor level. The proposed roofline would have an appropriate set-back

8.9.10 The pattern of this proposed building incorporates a design that creates an array of arches, the larger arches are located at the base of the proposed building in order to distinguish the commercial space from the residential space and provide a more visually enhancing appearance that allows a clear visual break to the Corner entrance. A significant amount of thought has been applied to this particular elevational treatment given the focal importance when arriving at this location particularly from the proposed neighbourhood park that is to be located on the western side of the site. The introduction of a feature corner entrance also generates a softer edge to the building, enlarging the public realm leading onto it and provides relief from the street junction. This aspect of the proposed design has progressed following pre-planning application discussions with planning officers and discussions at design review panel, as such the introduction of double and triple height arches (over two and three floors) breaks-up the horizontal massing of the building and generates a dynamic array of the solid/void pattern. In this instance it is considered that this concept of design avoids the alignment of openings at the top of the building, and as such allows the proposed 'roofline' to become more dynamic and reduce the appearance of massing of the proposed building.

#### 8.9.11 **Materials**

8.9.12 The proposed scheme has considered a light red multi brick for the main facing material to this building, with recess details to help break-up any appearance of massing below the arches. These also give a sense of stability and weight to the arches and enhance the design composition of the facade by breaking the vertical rhythm of the elevation. The 'voids' allow for deep reveals to accommodate the fenestration (with grey aluminium frames) and spandrel panels in between (precast concrete). The design intent is that the voids read as one element with colours and materials coordinated for windows, balcony fascia and balustrading, as well as the spandrel panels.

#### 8.9.13 **Block B High Path**

8.9.14 This element of the proposed scheme seeks to provide a smaller building, stepping down to meet the scale of the Mews Street and adjacent phase one building. This concept design provides is a style of elevation treatment that help distinguish and emphasise the landmark corner building. This proposal builds upon the vertical rhythm and proportions of the corner landmark building. The articulation and design

of the base facilitates provide a gradual transition between the phase one and the corner landmark buildings.

8.9.15 This building is to be sited along High Path and would provide interest and variation along this part of High Path which runs east to west. While the palette of materials is inspired by local context, the design approach to the elevations has incorporated a more contemporary style of approach, however this design also draws on a more simple style of design whilst also focusing on balanced proportions and as such creating a visually appealing character and appearance that would enhance this part of High.

8.9.16 The smaller block facing High Path follows a similar facade setting as block 02A, which builds upon the vertical rhythm and proportions of the corner building. However the design for this proposed block is much simpler and softer in appearance than the corner building this is done in order to further distinguishing the design of the corner block with the other buildings. The articulation of the base facilitates a gradual transition between the phase one block and the corner double height base, which provides a prominent feature when approaching the neighbourhood park entrance and. This would also provide significant enhancement to the wider public realm in line with urban design principles and in accordance with Policy DM D1 of the Sites and Policies Plan 2014. The massing of this proposed block complies with the submitted and agreed design code including the approved parameter plans. The design of the top floor has set back which helps reduce the perception of height from street level. The proposed design of the fenestration and private amenity has been incorporated to respond to internal layouts.

8.9.17 As part of the design feature to create a consistent transition between the landmark building and adjacent phase one block (across Old Works Court) the applicants have incorporated in their design horizontal datum lines placed that run in sequences above the fenestrations, thus providing a visual link with the adjoining proposed neighbouring blocks. The design of the proposed ground floor has incorporated a well thought-out articulation in the elevation treatments, in particular the treatment of the windows and entrances has symmetrical appearance and is well aligned with balanced vertical proportions that help break-up the horizontal element of the elevations, in this instance this also distinguishes the ground and upper floor levels without making an obvious and garish statement. The ground floor properties have been designed as maisonettes therefore the proposal incorporates a traditional feel for these properties by creating defensible spaces with low walls and planting that have recessed entrances.

#### 8.9.18 **Materials**

8.9.19 The High Path block integrates a balanced palette of materials similar as the other block buildings and has factored a style that is also considered sympathetic and consistent style of approach. The upper floors of this building would comprise of grey brick facing elevation, the recess panels and main elevation treatment would be in buff brick, the recess panels above windows including spandrel panels would comprise of grey brick. The window frames would comprise of bronze and also dark grey frames, and finally the balcony railings would be finished in black paint. That would complement the overall appearance of this building.

#### 8.9.20 **Block B Mews Street (also referred to as Old Works Court)**

8.9.21 These proposed buildings have been influenced by a traditional Victorian style design that is reminiscent of traditional mews, the proposed design also takes on board local context from around South Wimbledon, and the approved adjoining phase one building. The most prominent features of this scheme are the projecting bay windows that create a vertical break-down of the elevation, the repetition of which creates a rhythm along the street. The top floor of this building has been recessed to reduce the perception of height from the street level and as such would reduce any sense of over-massing appearance.

8.9.22 The applicants have stated the creative elements for these proposed mews blocks integrate patterns of design that has been inspired by William Morris, relevance to which William Morris once had a creative workshop in Abbey Mills and such a design rationale has been to pay homage to this significant matter and take on board local historical characteristics. The applicants seek to reflect this concept by designing perforated metal panels within the terraces.

8.9.23 While the projecting bays reflect the traditional approach, the composition and proportions of openings stand out through their asymmetrical design as such making some reference to contemporary style and thus providing a well-balanced design overall. Furthermore the grouping of windows and doors create a subtle established horizontal line by splitting the massing in two equal sections. The asymmetrical fenestration design shifts between the two building sections, introducing both interest and a dynamic rhythm, which takes on board the views expressed at the design review panel for the proposed pre-application discussions.

#### 8.9.24 **Materials**

8.9.25 The material composition would consist of the following; the façade for the top fifth floor set-back would comprise of sheer brick style finished in grey colour with soldier course detailing above the windows. The main façade elevation would be buff brick with soldier course detail above the windows and spandrel panel (sited below the window cills). The detailing of the balcony treatments would incorporate style inspired by William Morris print designs, this would take the form of indentations in to the perforated metal bronze panels in order to create decorative features. The ground floor would comprise of defensible space designed using raised planters as boundary treatments and the front doors to these dwellings would have recessed accessed from the main front elevation.

#### 8.9.26 **Abbey Road Houses**

8.9.27 The proposed developments of the Abbey Road dwellings directly reflect the appearance and scale of the street. The proposed design feature for these properties comprise of traditional style front and rear gardens with boundary treatments at the front of the houses that act as an area of defensible space and equally provides adequate provision for storage of refuse/recycling facilities with safe and enclosed cycle parking. The proposed terrace is arranged in a staggered design which provides

visual relief to the façade and the overall character and appearance of the street scene.

8.9.28 With regards to the surrounding neighbouring context, these are predominantly brick and pebble-dash, with limited areas of timber, render and metal panelling. To the rear of the site (along the west boundary) the locally listed Rodney Place presents a two storey massing and deep private gardens.

#### 8.9.29 **Materials**

8.9.30 The main façade of the Abbey Road houses would comprise of facing brick with different tones of lighter and darker red that will enhance the identity of each dwelling within the terrace. The brick layering will present projecting horizontal courses at ground floor that would articulate this level of the building. The mortar colour would be dark grey at ground level and lighter grey for the upper floors, which would suitably compliment the brick work and overall elevation. The proposed recess details between the different dwellings will further articulate each of the Abbey Road houses. The window surrounds would comprise of white brick and this would suitably enhance the feature of the building that would complement the proposed black metal framed windows.

#### 8.9.31 **Conservation and Design considerations**

8.9.32 The site does not lie within or immediately adjacent to a Conservation Area or a Historic Park or Garden. Wandle Valley Conservation Area is to the south-east, and Pelham Road Conservation Area is to the north-west of High Path Estate. Both conservation areas are at a reasonable distance away from the site. As such Officers consider that the proposed development by reason of design, use of materials and overall appearance would have no adverse impact on the setting of the conservation and heritage assets:

8.9.33 At the time of assessing the outline application the applicants had only provided indicative information on the materials for the proposed. Officers have recommended additional conditions for this reserved matters requesting sample materials to be provided. The applicant is agreeable to having these conditions.

### 9. **Conclusion**

9.1.1 The principle of development has already been established through the granting of outline planning permission for the erection of up to 1570 residential dwellings including 9,900sq.m of flexible non-residential floor space including associated neighbourhood park, community space, amenity spaces, children's play spaces, car parking and cycle parking. The proposed development is considered to be of an appropriate scale, layout, access, landscaping and appearance such that it would be acceptable in visual terms and not detract from the character and appearance of the area.

9.1.2 The development would provide sufficient separation to neighbouring dwellings to avoid any materially adverse impacts by way of overbearing form, loss of light or loss of privacy. Having regard to the separation distances, light, outlook and size

of accommodation, officers are satisfied that the proposed development would provide for an acceptable standard of accommodation. With regard to car parking, the proposed provision of spaces would accord with the Council's Guidelines and would therefore be acceptable.

- 9.1.3 Overall, it is concluded that the proposed development would be in accordance with the aims and objectives of the Sites and Policies Plan, Core Planning Strategy, Estates Local Plan and the NPPF and would be suitable to the site and the surrounding area. Officers consider that there are no adverse impacts that would significantly and demonstrably outweigh the benefits of the scheme, when assessed against the policies in the NPPF taken as a whole. In accordance with Paragraph 14 of the NPPF (the presumption in favour of sustainable development), the application should therefore be granted.

**Recommendation:**

**The Reserved Matters of Scale, Layout, Access, Landscaping and Appearance be APPROVED subject to the following conditions and informatives.**

**Conditions**

**1. Sample of materials**

No above ground works shall commence until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to and approved in writing by the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details.

**Reason:** To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Polices Plan 2014.

**2. Sample of surfacing**

No above ground works shall commence until details and samples of the surfacing materials of all those parts of the site not covered by buildings or soft landscaping, including any parking, service areas, roads and footpaths have been submitted in writing for written approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.

**Reason:** To ensure a satisfactory 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.

**3. Thames Water (no piling)**

No piling shall take place until a piling method statement (detailing depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

**Reason.** The proposed works will be in close proximity to underground water utility infrastructure. Piling has the potential to impact on local underground water utility infrastructure.

**4. Thames Water (construction close to water mains)**

No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset/align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

**Reason.** The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The work has the potential to impact on local underground water utility infrastructure.

**Informatives**

The applicant is reminded of the requirements of those conditions and S106 requirements attached to the outline permission 17/P1721 dated 29th April 2019 requiring the submission of overarching strategies for various technical issues and the need for these to have been approved before commencement of below ground works.

**1. Thames Water (minimum pressure)**

Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

**2. Thames Water (Underground Assets)**

The proposed development is located within 15m of Thames Waters underground assets, as such the development could cause the assets to fail if appropriate measures are not taken.



## APPENDIX A

### **Architecture drawing list:**

2000 0 Site Location Plan  
1001 1 Block Plan  
1002 0 Demolition Plan  
2011 1 General Layout Plan Level 00  
2050 0 Street Elevation 1  
2051 1 Street Elevation 2  
2052 1 Street Elevation 3  
2053 0 Street Elevation 4  
2054 1 Street Elevation 5  
2101 1 Ground Floor Plan  
2102 1 First Floor Plan  
2103 1 Second Floor Plan  
2104 1 Third Floor Plan  
2105 1 Fourth Floor Plan  
2106 1 Fifth Floor Plan  
2107 1 Sixth Floor Plan  
2108 1 Seventh Floor Plan  
2109 1 Eight Floor Plan  
2110 0 Ninth Floor Plan  
2111 0 Roof Plan A1 1/100  
2120 0 Block A&B North Elevation  
2121 1 Block A&B South Elevation  
2122 0 Block A East Elevation  
2123 0 Block A West Elevation  
2124 1 Block B East Elevation  
2125 0 Block B West Elevation  
2400 1 Block A Level 00 Type Plans 1  
2401 0 Block A Level 00 Type Plans 2  
2402 1 Block A Level 01 Type Plans1  
2403 0 Block A Level 01 Type Plans2  
2404 1 Block A Level 02 Type Plans1  
2405 0 Block A Level 02 Type Plans2  
2406 1 Block A Level 03 Type Plans1  
2407 0 Block A Level 03 Type Plans2  
2408 1 Block A Level 04 Type Plans1  
2409 0 Block A Level 04 Type Plans2  
2410 1 Block A Level 05 Type Plans1  
2411 0 Block A Level 05 Type Plans2  
2412 1 Block A Level 06 Type Plans1  
2413 0 Block A Level 06 Type Plans2

2414 1 Block A Level 07 Type Plans1  
2415 0 Block A Level 07 Type Plans2  
2416 1 Block A Level 08 Type Plans1  
2417 0 Block A Level 08 Type Plans2  
2418 0 Block A Level 09 Type Plans2  
2430 1 Block B Level 00 Type Plans 1  
2431 0 Block B Level 00 Type Plans 2  
2432 0 Block B Level 01 Type Plans 1  
2433 1 Block B Level 01 Type Plans 2  
2434 0 Block B Level 02 Type Plans 1  
2435 0 Block B Level 02 Type Plans 2  
2436 0 Block B Level 03 Type Plans 1  
2437 0 Block B Level 03 Type Plans 2  
2438 0 Block B Level 04 Type Plans 1  
2439 0 Block B Level 04 Type Plans 2  
2440 0 Block B Level 05 Type Plans 1  
2441 0 Block B Level 06 Type Plans 2  
2600 1 Block 14B - Site Plan  
2601 1 Block 14B - Type Plan and Elevations  
2602 1 Block 14B - Block Elevations

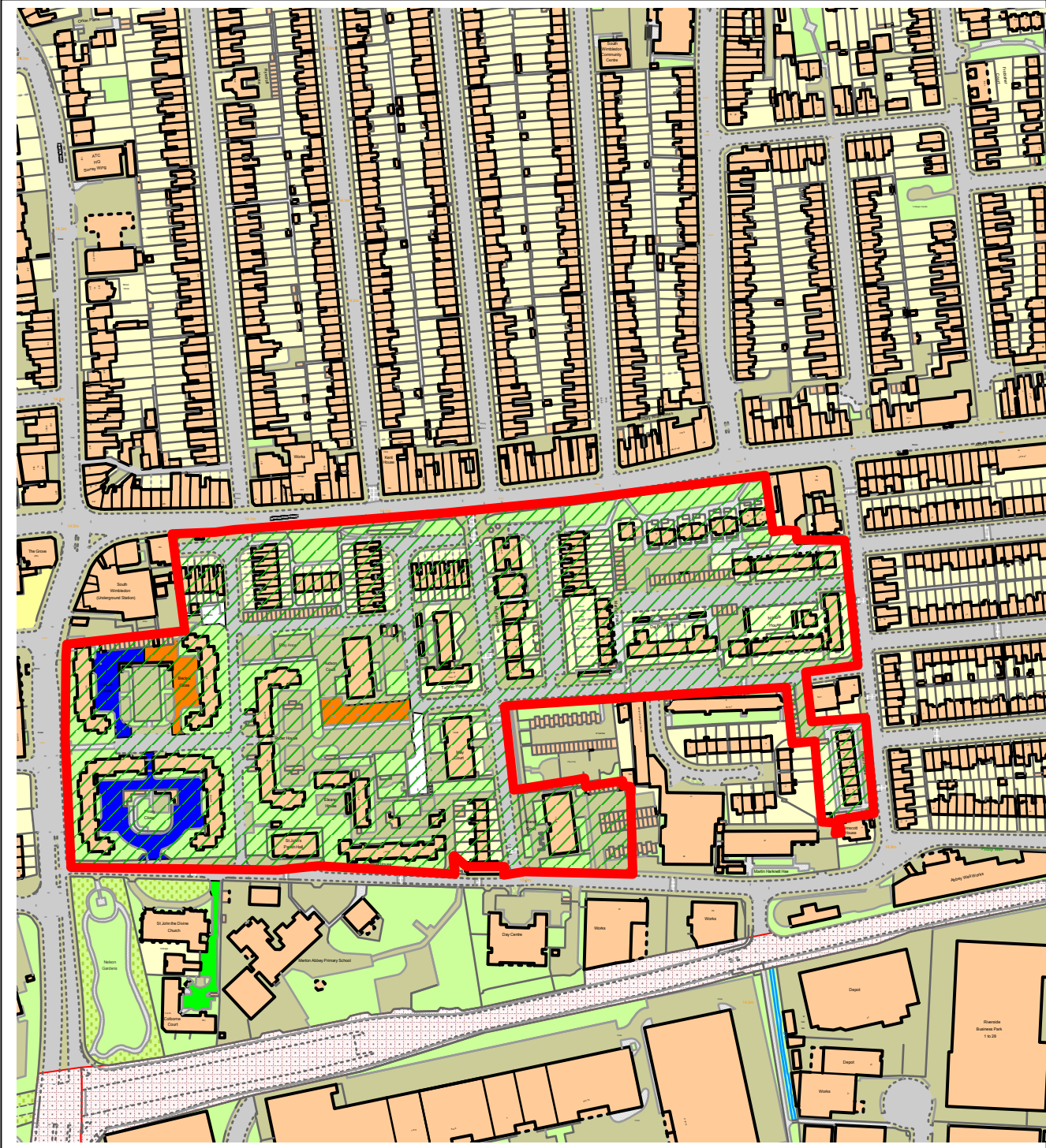
**Landscape drawing list:**

HP2-PRP-02Z-00-DR-L-02000 0 - Ph2 Block Plan GA  
HP2-PRP-14B-00-DR-L-02001 1 - Abbey Road GA

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

# NORTHGATE SE GIS Print Template



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**PLANNING APPLICATIONS COMMITTEE  
26 SEPTEMBER 2019**

**APPLICATION NO.**  
19/P1809

**DATE VALID**  
24/05/2019

**Address/Site:** Southey Bowls Club, 72 Lower Downs Road,  
Raynes Park, SW20 8QQ

**Ward:** Dundonald

**Proposal:** ERECTION OF NEW STORAGE SHED TO REPLACE  
EXISTING. MATERIALS TO MATCH NEW CHANGING  
ROOMS.

**Drawing No.'s:** L2494/sk82 Rev D, L2494/sk84 Rev B, L2494/sk89.

**Contact Officer:** Catarina Cheung (020 8545 4747)

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**RECOMMENDATION**

**Grant planning permission subject to conditions.**

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**CHECKLIST INFORMATION**

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 56
- External consultations: 0
- Controlled Parking Zone: Zone A1
- Conservation Area: No

**1. INTRODUCTION**

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

**2. SITE AND SURROUNDINGS**

- 2.1 The application site is a backland plot 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 application site is not in a Conservation area nor are the buildings on site locally or statutorily listed.
- 2.3 The bowling green is the only part of the site designated as open space under the Sites and Policies plan (this area measuring around 1,560sqm). 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.
- 2.4 The site is currently being redeveloped providing: a new two storey clubhouse on the eastern end of the plot (adjacent to the southern side of the bowling green), a single storey changing room in the northern corner and residential development toward the western end providing 9 new residential dwellings (3x2 bed and 6x4 bed) – construction is underway and near completion.

### **3. CURRENT PROPOSAL**

- 3.1 This application seeks planning permission for the erection of a single storey storage shed in the northern corner of the site to replace the existing, which has been demolished. The shed will enclose the controls for the irrigation system to the water tank (which was recently upgraded, and the need to protect the existing pipework) as well as be used for storage of the club's equipment for matches.
- 3.2 The shed would have the following dimensions:
- 2.24m width;
  - 6.4m depth;
  - 2.891m maximum height; and
  - 2.135m eaves height.

### **4. PLANNING HISTORY**

- 4.1 Relevant planning permissions:
- 4.2 1963-1968, permission was granted for a single storey extension (MER443/68) and erection of an indoor bowling rink with associated facilities (WIM6979).
- 4.3 1993-2002, permission was granted for the erection of single storey structures providing a toilet block (93/P0179) and changing rooms (02/P0859).
- 4.4 09/P0328 - ERECTION WITHIN CLUB GROUNDS OF A MARQUEE, SIZE 10 METRES x 4 METRES x 3 METRES HIGH – Grant permission subject to conditions 08/09/2009.
- 4.5 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.

- 4.6 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.
- 4.7 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. – Granted Permission Subject to Section 106 Obligation or any other enabling agreement 29/01/2018.
- 4.8 Applications to discharge conditions 3, 4, 5, 11, 12, 14, 15, 16 18, 22 and 23 were granted throughout 2018: 17/P3578, 18/P0858 and 18/P1609.
- 4.9 18/P3154: 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. - APPLICATION TO VARY CONDITION 2 (APPROVED DRAWINGS) ATTACHED TO LBM PLANNING APPLICATION 15/P4083, TO ALLOW FOR ADDITIONAL DORMER WINDOWS AND A/C UNITS. – Granted Variation of Condition Subject to Section 106 Obligation or any other enabling agreement 14/12/2018.
- 4.10 19/P1903: APPLICATION FOR DISCHARGE OF CONDITION 21 (TRAVEL PLAN) ATTACHED TO APPLICATIONS 15/P4083 & 18/P3154 IN RELATION 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. – Granted Discharge of Condition 15/08/2019.

## **5. CONSULTATION**

- 5.1 Public consultation was undertaken by way of letters sent to 56 neighbouring properties and a site notice displayed outside the premises. 6 representations were received (though it is noted some are from the same address,

considering this, would only be 4 representations), the summary of their objections are as follows:

- Inaccurate/deceptive proposal description as there has not been a shed on this part of the site for well over a year;
- Height of the outbuilding and proximity to the boundary would result in a loss of light and overbearing visual impact;
- The extension will create a large section of the alley limiting oversight from other houses which could aid access for burglaries at the rear;
- The development would encourage fly tipping;
- Maintenance of the outbuilding given a small gap between the boundary fence and proposed extension;
- Increase in noise levels and disturbance as club members would regularly access the new shed.

## **6. POLICY CONTEXT**

### 6.1 NPPF - National Planning Policy Framework (2019):

12. Achieving well-designed places

### 6.2 London Plan 2016:

7.4 Local character

7.6 Architecture

### 6.3 Merton Sites and Policies Plan July 2014 policies:

DM D2 Design considerations in all developments

DMD3 Alterations and extensions to existing buildings

DM O1 Open space

### 6.4 Merton Core Strategy 2011 policy:

CS 13 Open space, nature conservation, leisure and culture

CS 14 Design

## **7. PLANNING CONSIDERATIONS**

7.1 The planning considerations for the proposed erection of a storage shed relate to its impact on the character and appearance toward the application site and surrounding area, and its impact toward neighbouring amenity.

### Character and Appearance

7.2 London Plan Policies 7.4 and 7.6, Core Strategy Policy CS14 and SPP Policies DMD2 and DMD3 require high quality well designed proposals that will respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings.

7.3 In relation to the size of the plot and allocated use for the Bowling Club, the shed is seen to be of a reasonable scale which would not be considered dominant or excessive; though it is noted it would be of larger scale to conventional garden sheds seen at the rear of residential properties along Abbott Avenue, these cannot be directly compared given the different usage requirements and scale of land.

7.4 Overall, the proposed shed is considered of an acceptable scale and form.



### Neighbouring Amenity

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

### **Abbott Avenue**

- 7.6 Whilst the proposed shed would have a maximum height of 2.891m, this would be set back from the boundary line by 0.29m. Furthermore, there is an alley which separates the site of Southey Bowls Club from the rear boundary of the properties along Abbott Avenue which spans approximately 1.7m. This would total a separation distance of 1.9m. There are also existing single storey structures/sheds at the rear of numbers 1 and 3 Abbott Avenue.

- 7.7 Given the above, it is not considered the proposed erection of the shed would result in detrimental impact toward neighbouring sunlight or daylight, nor be visually intrusive to such a harmful degree which to warrant refusal.

### **Lower Downs Road**

- 7.8 The proposed shed would be positioned behind the existing water tank and be set back from the boundary line of properties on Lower Downs Road by at least 5.9m. This is considered a reasonable distance which would unlikely raise concerns in terms of light, outlook or overshadowing issues.

- 7.9 Overall, the proposed erection of the shed is not considered to be prominently positioned on site so would not have a detrimental impact toward neighbouring amenity, and thereby complies with Policies DMD2 and DMD3.

## **8. CONCLUSION**

- 8.1 The scale, form, design, positioning and materials of the proposed shed are not considered to have an undue detrimental impact upon the character or appearance of the surrounding area, the host building or on neighbouring amenity. Therefore, the proposal complies with the principles of policies referred to above, under Section 6, and it is recommended to grant planning permission subject to conditions.

## **9. RECOMMENDATION**

Grant planning permission  
Subject to the following conditions:

1. A1 Commencement of Development
  2. A7 Approved Plans
  3. B3 External Materials as specified
  4. Non-standard condition – The development hereby permitted shall not be occupied at any time other than for ancillary storage uses for the Southey Bowls Club.
  5. Note to Applicant – approved schemes
- 

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# NORTHGATE SE GIS Print Template



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## **PLANNING APPLICATIONS COMMITTEE 26 SEPTEMBER 2019**

<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
19/P0140	17/12/2018
<b>Address/Site</b>	6 Parkside Gardens, Wimbledon, London, SW19 5EY
<b>Ward</b>	Village
<b>Proposal:</b>	Part demolition of existing building (retention of dwelling façade) and erection of a replacement 2 storey dwellinghouse including accommodation at roof and basement levels, car lift in front garden and new front boundary treatment.
<b>Drawing Nos</b>	01 01, 02 00 Rev A (SEPT 2019), 02 01 Rev A (SEPT 2019), 02 02 Rev A (SEPT 2019), 02 03 Rev A (SEPT 2019), 02 04 Rev A (SEPT 2019), 02 05 Rev A (SEPT 2019), 02 06 Rev A (SEPT 2019), 02 07 Rev A (SEPT 2019), 02 08 Rev A (SEPT 2019), 02 09 SEPT 2019 and 02 24 SEPT 2019 SEPT.
<b>Contact Officer:</b>	Stuart Adams (0208 545 3147)

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### **RECOMMENDATION**

**GRANT Planning Permission subject to conditions**

### **CHECKLIST INFORMATION.**

Heads of agreement: - N/A  
Is a screening opinion required: No  
Is an Environmental Statement required: No  
Has an Environmental Impact Assessment been submitted – No  
Press notice – Yes  
Site notice – Yes  
Design Review Panel consulted – No  
Number of neighbours consulted – 7  
External consultations – Historic England  
PTAL Score – 1b  
CPZ – VN

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## 1. **INTRODUCTION**

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

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a two storey detached house located in Parkside Gardens, Wimbledon. The current property is a two-storey detached dwelling with dormers and pitched roofs and habitable accommodation in the roof voids areas, displaying the influence of the Arts and Crafts movement in its design. The house is faced in render at the upper levels and has a brick ground floor that has been painted. Features also include timber detailing to the projecting porch and the eaves and red clay tiled roof.
- 2.2 The property has been subject of previous extension works (approx.1967) when a one storey garage has been erected on the North side of the house.
- 2.3 The surrounding area is predominately residential in nature, comprising a variety of dwelling sizes, mostly that of large two storey detached houses set within large, well maintained plots with good sized landscaped rear gardens.
- 2.4 The application site is located within Archaeological Priority Zone (Wimbledon Village), controlled parking zone (CPZ) VN and within the Wimbledon North Conservation Area (sub area 6 – Wimbledon House).

## 3. **CURRENT PROPOSAL**

- 3.1.1 Part demolition of existing building (retention of dwelling front façade) and erection of a replacement 2 storey dwellinghouse including accommodation at roof and basement levels, car lift in front garden and new front boundary treatment.
- 3.1.2 The proposal was amended during the assessment of the application. The following amendments were made:
- Reduction to the height of the two storey side extension roof, and set it further back from the frontage
  - Reduction to the massing of the building at the rear (on the side with no 7). The length of garage has been reduced; the master bedroom is set-off the boundary by 2.7m, an increase of 0.6m. Additionally, the rear gable has been pushed further back by 1.6m.

- The timber gable detailing has been retained, as has the window and porch detailing.
- The size and configuration of the terrace above the ground floor extension has been amended. Whilst the size of this terrace has increased, it is set further away from the boundary with Number 7 and includes a 1.8m screen to avoid potential overlooking.
- Reduction to the extent of the southern elevations, such that the development has been pushed back from the boundary with Number 5 and a passageway leading front the front garden through to the rear garden has been included.
- The Construction Traffic Management Plan has been amended to include amendments to the on street loading bay. The bay has been moved 1.5m further back from 5 Parkside Gardens, following discussions with the Councils Transport Planner.

3.1.3 The proposal also includes the provision of a two-storey extension in place of the existing garage. The design of this extension is subservient to the proposed main dwelling. The proposed replacement dwelling would not project any further forward than the existing dwelling by reason of the retained façade, thereby retaining the front building line created by the façade and the adjacent dwellings.

3.1.4 Due to the poor condition of the existing windows, and the difference in types of glazing and the window frame finishes (timber, PVC) all existing windows are to be replaced with dark framed, slimline, double-glazed bronze windows to match the existing fenestrations. The appearance, the number of mullions and transoms of the new windows are to match the existing windows. The entire roof is to be re-tiled to match the existing house. The existing timber structure of the roof is to be investigated and replaced if needed. The entire front elevation is to be preserved, re-rendered and repainted . The existing yellow colour to be changed to white to match the neighbouring houses at No.5 and No. 6. The front brick wall to match the height of No.7. The brick finish to match the existing. The side brick walls to match the height of the existing. The existing drainage pipes to be replaced with new ones and repositioned to fit the new scheme.

3.1.5 Two pedestrian and one car gate would facilitate the access to the property via the proposed front boundary brick wall and gates. It is proposed to maintain the existing vehicle access adjacent to number 7 Parkside Gardens.

3.1.6 Currently, the site provides a small degree of forecourt parking. The proposed development will place the majority of car-parking within the basement to be accessed via a car-lift. Space will remain on the forecourt for a small amount of parking (two spaces).

- 3.1.7 Secure cycle parking is proposed within the ground floor garage and within the small bike stores to the side of the dwelling.

#### Front façade

- 3.1.8 The proposal includes the retention of the front façade. Before the demolition stage will start the existing foundations of the retained front façade will be investigated to determine the depth and the implications of the proposed construction.
- 3.1.9 Following the results of the investigation and considering the risks involved with the building of the new basement construction the footings of the preserved façade will be underpinned. Underpinning will be divided in sections to ensure that at least two thirds of the wall is supported at all time.
- 3.1.10 A separate structural scheme will be designed and implemented to temporary prop the existing façade until it can be integrated in the final construction.
- 3.1.11 The existing building behind the retained façade will be demolished at the next stage. Due to the poor state of the roof this will be entirely demolished preserving just the wall of the front façade.

#### Car Lift

- 3.1.12 In the front garden, a car lift is proposed. Due to its design, it will blend with the proposed paving while in a fixed position. The car lift would have an overall operation lasting less than two minutes. Safety features such as a monitoring control panel eliminate the need for fences at ground level, resulting in a seamless design. Low level bollards surrounding the lift serve to keep the area safe as the lift is in motion.

### **4. PLANNING HISTORY**

- 4.1 19/T1898 - Rear garden: horse chestnut pollard to be removed. replacement planting proposed. 3no. holly (adjacent to large sweet chestnut) to be remove – Grant - 27/06/2019
- 4.2 19/P0054 - Demolition of existing dwelling house and erection of a replacement 2 storey dwellinghouse including accommodation at roof and basement levels, car lift in front garden and new front boundary treatment – Pending decision.
- 4.3 89/P0207 - Erection of 1.9m high front boundary wall – Grant - 20/06/1989



- 4.4 MER902/80 - Permanent use for the retention of bathroom and kitchen on 2nd floor – Grant - 24/11/1980.
- 4.5 MER582/75 - Retention of bathroom and kitchen – Grant - 04/09/1975
- 4.6 MER541/71 - Retention of bathroom and kitchen – Grant - 29/07/1971
- 4.7 MER238/68 – Garage – Grant - 11/04/1968
- 4.8 MER207/66 - Retention of bathroom and kitchen on 1st floor – Grant - 30/06/1966
- 4.9 WIM6911 - To remove the ground and 1st floor bay and formation of new casement windows – Grant - 11/07/1963
- 4.10 WIM2833 - Application for temporary consent to the formation of a bathroom / kitchen – Grant - 11/07/1956

## 5. **CONSULTATION**

- 5.1 The application has been advertised by Conservation Area site notice procedure and letters of notification to the occupiers of neighbouring properties.
  - 5.1.1 In response to consultation on the original proposal, 8 letters objections were received (including one from Parkside Residents Association). The letters raised the following objections:

### Design

- The proposal does not preserve or enhance the character and appearance of the area.
- Out of keeping
- Excessive scale and overly dominant.
- Overbearing roof space will significantly erode the spacious and tranquil character of the Conservation Area
- Cramming the maximum out of the site
- Proposal is at odds with NPPF as it does not add to the overall quality of the area or include good architecture, layout, effective landscaping and is not sympathetic to local character and history, including the surrounding built environment.
- Design is not inspiring, imaginative or of high quality
- Fills the entire site from side to side which is surly inappropriate
- Does not meet the design requirements of policy DM D2 and DM D4.
- Loss of open aspects at both sides, including views of and over the mature trees.

- Properties at 5 and 7 Parkside Gardens are both noted as important features of the Conservation Area. Numbers 1 – 7 are described as forming a harmonious group. The application fails to preserve the group value of these houses by introducing a building that would be out of scale with an incongruous roofline that would dominate its neighbours.
- The existing rhythm of distinctive and well-separated historic houses, with clear breathing spaces between, and the distinctive historic composition of materials and fenestration will be lost if the out of scale redevelopment proposed is granted.
- Overdevelopment
- Light wells are out of keeping
- Historic front porch and windows replaced with plain modern windows
- Far greater footprint than existing
- Use of vast amounts of black tiled roof

#### Basement

- Concern with surface water flows, how will this be addressed?
- Construction of the basement so close to neighbours and concern with structure damage to neighbours
- Very large, densely packed residence with a disproportionately enormous basement
- Shutter and propping will be needed for the basement on land of 5 Parkside Gardens, which amounts to trespassing.

#### Neighbour Amenity

- Bulk would loom over neighbouring gardens and houses
- Create an oppressive sense of enclosure
- Loss of privacy
- Unsightly rainwater pipes, flues etc
- Overbearing
- Disruption during construction (including on the highway)
- Overshadowing and loss of light
- How will noise from air handling machinery, the enclosed plant room and car lift be dealt with?
- Sunday work should not be allowed

#### Highways

- Concern with construction traffic impacts
- The loading bay would block access to the driveway of 5 Parkside Gardens
- The amount of basement car parking encourages undesirable environment impacts

### Sustainability

- There is no indication in the application as to why the existing building, which is apparently structurally sound, could not be adapted to meet the Council's sustainability requirements?
- The large-scale demolition is in conflict with reductions in CO2 requirements.

### Other

- Set a precedent
- Loss of trees
- The Greater London Historic Buildings and Areas should also be consulted on this application.
- Poorly located site notice
- No public benefit from the proposal

### Parkside Residents Association

- The property is noted as making a positive contribution to the Conservation Area
- The character Assessment describes nos 1- 7 Parkside Gardens as a harmonious group of houses. It also cites, as a feature of this location, the space between and around buildings, which add variety and interest to the street scene, offer spaciousness and allow glimpses or wider views... beyond the building contributing to the open aspect and spacious and tranquil character of the road. Consistent with this description, there are at present clear gaps between the property and its neighbours at nos 5 and 7 Parkside Gardens.
- The proposal envisages a new building considerably larger than the present house and extending beyond the existing footprint, especially at the rear. The existing gap with no 5 will be closed by a new extension built up to the boundary line.
- A basement will also be excavated extending beyond the ground floor footprint of the proposed house and under a large part of the front garden and also under part of the rear garden.
- The proposed side extension which infills the gaps between the property and 5 and 7 Parkside Gardens compromises the current views between the houses to the planting, tree etc at the rear and will materially diminish the open spacious aspect which is a feature of this part of the Conservation Area. Policy DM D3 (iv) requires spaces between buildings to be respected where, as in this case, they contribute to the character of the area.
- Note the appeal decision at 6 Greenoak Way for a single storey side extension where the inspector noted that the space at the side of the subject property contributes positively to the setting of the Conservation Area. In the inspectors view would harm the setting of the Conservation Area.

- The design, bulk and increased scale of the proposed new house and its overly dominant and incongruous roofline will compromise and undermine the current harmony of the surrounding group of houses at nos 1 – 7 Parkside Gardens noted in the Character Assessment and will appear particularly dominant on relation to No 5.
- The proposals fail to relate positively to the siting, rhythm, scale, density, proportions, height, materials and massing of the surrounding buildings and existing street patterns as required by policy DM D2. In this context, unsympathetic and out of character with this setting.
- In the rear garden the basement excavation will result in the loss of a mature horse chestnut tree which is currently visible from Parkside Gardens and is of townscape value because it contributes to the character and appearance of the Conservations Area. Its removal is contrary to policy DM D2.
- The extensive fenestration on the rear elevation and the proposed balcony and terrace at first floor level will result in direct overlooking and loss of privacy for both 5 and 7 Parkside Gardens.
- As one of the large first floor windows serves a bathroom, it is suggested that the will required to be obscured glazed. New and larger windows in the elevation facing no 5 will also result in loss of privacy.
- The basement extends under a large part of the front garden area. It is not clear if the area of excavation is less than 50% of the front garden area as required in policy DM D2. There is also concern as how any exhaust emissions from the vehicles will be safety ventilated and without any negative impact upon neighbouring amenity?
- As part of the basement area directly abuts the boundary with no 5 the applicant must demonstrate that the requirement in policy DM D2 to safeguard the structural stability of ... nearby buildings will be met.
- Notwithstanding the above, if the Council is minded to grant permission, conditions relating to working hours, prevent the use of the terrace and removal of PD rights should be imposed.

5.1.2 In response to re-consultation, a further 8 letters of objection were received (including one from Parkside Residents Association & an independent structural report from 5 Parkside Gardens). The letters of objection raised the following points:

#### Design

- Design of the house is still very large
- The 2 storey side extension still closes the gap and undermines the setting.
- The parking lift with no turn table is retained and is out of keeping with Parkside Gardens.
- Negative impact on the Conservation Area

#### Basement

- The issues arising from surface ground water flows have not been addressed in the original application and no further information has been provided.
- No consideration of the cumulative impact of the basement appears in any of the reports as required by Design Supplementary Planning Document.
- There is no updated supporting engineering document to demonstrate how the works will now be undertaken (impact on no 5)
- The basement plan does not show sufficient room for domestic plant and air circulation and does not show flues.
- Basement should be much smaller in size
- The original engineering plans appear to be unchanged
- Proposed basement is 5 times large than immediate neighbor at 5 and may give rise to serious issues with diverted water flow.

#### Neighbour Impact

- Overlooking is unresolved (proposed North Elevation) showing unchanged windows over 3 floors.
- Overlooking from terraces
- The parking lift will give rise to noise and will impact on neighbour amenity.
- Any temporary structure should not overlook adjacent properties and invade privacy.
- Still overshadows the neighbouring properties
- Side screen to terrace will be an eyesore

#### Sustainability

- The solar panels appear to be at the wrong angle and are inaccessible.

#### Highways

- Construction traffic impacts are not addressed (proposed loading area). Block visibility, making vehicle access to 5 Parkside Gardens drive a nuisance, damage to property, injury to persons and failure to meet Health and Safety requirements.
- Impracticable for construction vehicles to move quickly if necessary given the scale of the works.
- The number of construction vehicles associated with the development needs to be checked?
- Traffic and management plans submitted to the Council are inaccurate and misleading
- Traffic Management Plans require regular review
- The loading bay should be moved well away from the entrance to 5 Parkside Gardens drive to allow safe parking and a better view of

oncoming traffic.

#### Other

- Plans need to be updated to clearly show what area are proposed as terraces.
- The bike shed shown on the ground floor plan remains unclear as to its height and whether it is joined to 5 Parkside Gardens?
- The revisions are very insignificant and do very little to mitigate the original objections.

#### Parkside Residents Association

- Two storey side extension still infills the gap between the property and 7 Parkside Gardens. Compromises the current view between the houses to the planning, trees etc at the rear and will materially diminish the open spacious aspect, which is a feature of this part of the Conservation Area.
- Appeal at 6 Greenoak Way highlights the importance of retaining a visual gap between properties.
- Overlooking and loss of privacy
- The side screen on the balcony close to 7 Parkside Gardens will not eliminate overlooking of that property.
- It is not confirmed that the area of the basement to the front of the house is less than 50% of the front garden as required by planning policy DM D2.
- Concern how exhaust emissions from vehicles will be safely ventilated and without any negative impact upon neighbouring properties.
- Close proximity of basement to neighbours must demonstrate safeguard of structural stability of nearby buildings.
- Construction Management Plans which addresses neighbours concerns is required.

#### Independent structural report from 5 Parkside Gardens

The following is the executive summary taken from the Technical Review of the Impact of the Proposed Basement at No.6 on No.5 Parkside Gardens Report (09/04/2019) by elliotwood (engineering a better society):

The application documents demonstrate that the proposal, if approved, would give rise to a number of serious engineering, geotechnical and hydrogeological issues and would have an unacceptable impact on the amenity of local residents. These include:

- Resulting in structural instability to the property at No. 5 Parkside.
- Causing flooding as a result of failure to account for and mitigate the impacts of groundwater and drainage.

- The technical reports submitted in support of the planning application contain contradictory and erroneous damage estimates relating to the potential for cracking and propping of No.5.
- The technical reports propose impractical propping solutions which require the consent of the Client. No such consent has been sought or granted.
- The technical reports propose enclosing piles forming part of the basement works at No.5. Consent for these works has not been sought or granted and would amount to a trespass in land.
- Even if consent had been sought we would advise our Client against granting it, as the piles in question were not designed to support the proposed structure at No 6, and would result in out of balance lateral forces during excavation which could cause serious and irrevocable structural damage.
- The applications contain an inadequate and incomplete description of the construction and works sequence

In our professional view, the proposal does not meet Merton Council's basement policies and should be refused.

## 5.2 Councils Flood Risk Officer

5.2.1 Groundwater was encountered within both trial holes at depths ranging between 1.70mbgl and 3.00m bgl. Groundwater was noted to rise from its lowest elevation recorded at 3.00m bgl during the intrusive investigation to 2.30m bgl on 26th January 2016.

5.2.2 In terms of drainage, the strategy is to route the roof's surface water (as well as that from a small courtyard adjacent to the basement) via a control manhole to the public sewer. The drainage layout plan shows a trench soakaway to the rear of the property. The offsite flow rate will be restricted to 2.0l/s in the critical 100 years + 40% climate change storm event. The cellular crate attenuation tank upstream to the vortex restriction control will store the attenuation volume required. The attenuation volume needed is 20.2m<sup>3</sup> and the tanks' combined volume is 20.23m<sup>3</sup> plus additional volume in pipes and manholes.

5.2.3 If you are minded to approve this application, please include the following condition:

No development approved by this permission shall be commenced until the details of the final drainage scheme is submitted, based on detailed infiltration tests and hydraulic calculations for the 1 in 100 year +40% climate change rainfall event. The drainage layout and calculations must be submitted to and approved in writing by the Local Planning Authority, prior to commencement of development.

The infiltration tests and soakaway sizing calculations should be undertaken in accordance with BRE365. Should dewatering be required during construction, a detailed Construction Method Statement will need to address the measures to minimise silt dispersal and where waters will be discharged to.

### 5.3 Councils Transport Officer

#### Observations

- 5.3.1 The site lies within PTAL 1b The site lies within an area with a PTAL 1a, which is considered poor. A poor PTAL rating suggests that only a few journeys could be conveniently made by public transport.
- 5.3.2 The local area forms part of Controlled Parking Zone (VN). Restrictions are enforced from Monday to Saturday between 8.30am to 6.30pm. with a maximum stay of 28.5hrs for pay and display customers.
- 5.3.3 Parkside Gardens is a two-way residential road that is subject to a 30mph speed limit.
- 5.3.4 Parkside Gardens measures 7.1 metres in width in front of the site. The footway outside of the site measures 2.6m in width.
- 5.3.5 There are two existing driveways serving the site that measure 3.6m and 3.2m respectively.

#### Construction Traffic Management Plan

- 5.3.6 Construction vehicle activity will be predominantly undertaken on-street within a loading area adjacent to the site frontage.
- 5.3.7 The site is also served by a driveway and two vehicle crossovers. The arrangement seeks to accommodate vehicles on-street on single yellow lines in front of the site. The on-street loading area would maintain in excess of 3m clear carriageway width for passing traffic along Parkside Gardens.
- 5.3.8 Building material and concrete will be delivered off the public highway.

#### Recommendation

- 5.3.9 The amended plan received on 13/6/2019 overcomes the visibility objection. Raise no objection.



- Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work.
- Highways must be contacted prior to any works (including demolition) commencing on site to agree relevant licences, and access arrangements – no vehicles are allowed to cross the public highway without agreement from the highways section

The applicant should contact David Furby of Council's Highway Team on: 0208 545 3829 prior to any work starting to arrange for this works to be done.

#### 5.4 Councils Conservation Officer

- 5.4.1 This property is identified as one of a group of houses numbers 1 to 7 within the Wimbledon North Conservation Area. In the Character Assessment it states that they form a harmonious group with mostly clay tile hipped and gabled roofs, large chimneys, articulated front façades and a common palette of materials making a positive contribution to the street scene. Also under Positive Features no. 6 Parkside Gardens is identified as making a positive contribution in its own right.
- 5.4.2 This applicant originally wanted full demolition of this house. As a property which had been identified as having group value and made a positive contribution as a heritage asset we strongly resisted demolition as we considered that it would result in significant harm to the Conservation Area. Accepting that there was some scope for enhancement for this property we have this application for facade retention. There are concerns regarding facade retention because of the risk of failure and the subsequent loss of the original features and fabric we require to be preserved. There is particular concern with this application as the front façade will be suspended above the underground garage. However, the structural report has addressed these issues and we are satisfied that it will work.
- 5.4.3 The amended proposal we currently have will preserve the important front elevation features of this property. These are the single front facing gable, the arched porch feature which is incorporated with the front ground floor bay and the replacement windows replicating the original design. The window design will be carried around the whole building. The roof will be removed but will be replaced with a very similar design from the front elevation perspective but extending a little to the right but overall will not appear to be much different.
- 5.4.4 The applicants have responded to many of our comments consequently the amended design before us. They have removed the side extension on

the south side which has allowed space between the properties and has supported valuable views to the rear. They have reduced the height of the two storey side extension which replaced the existing garage. This has improved the balance of the building. This has also been set further back which makes it more subservient. Improvements have also been made to the rear to reduce the massing and impact on the neighbouring properties. The fenestration on the rear and side elevations is sympathetic to the original house and helps to maintain the original integrity of the building.

- 5.5 Councils Climate Officer – No objection subject to conditions
- 5.6 Councils Tree Officer
  - 5.6.1 Planning consent has been given for the removal of the pollarded Horse Chestnut tree (T2 in the arb. report) under 19/P1898. No objection subject to conditions.
- 5.7 Historic England – No further assessment or conditions are necessary
- 5.8 Councils Environmental Health Officer – No objection
- 5.9 Councils Structural Engineer – No objection subject to conditions

## 6. **POLICY CONTEXT**

- 6.1 Merton Core Planning Strategy (July 2011)
  - CS8 – Housing Choice
  - CS9 – Housing Provision
  - CS14 - Design
  - CS15 – Climate Change
  - CS18 – Active Transport
  - CS19 – Public Transport
  - CS20 - Parking, Servicing and Delivery
- 6.2 Adopted Merton Sites and Policies Plan (July 2014)
  - DM H2 Housing Mix
  - DM.D2 Design Considerations in All Developments
  - DM D3 Alterations and extensions to existing buildings
  - DM.D4 Managing Heritage Assets
  - DM.EP2 Reducing and Mitigating Noise
  - DM T1 Support for sustainable transport and active travel
  - DM T2 Transport impacts of development
  - DM T3 Car parking and servicing standards
  - DM F1 Support for flood risk management
  - DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and

## Water Infrastructure

- 6.3 London Plan (July 2016)  
3.3 (Increasing Housing Supply),  
3.4 (Optimising Housing Potential),  
3.5 (Quality and Design of Housing Developments),  
3.8 (Housing Choice),  
5.1 (Climate Change Mitigation),  
5.3 (Sustainable Design and Construction).  
7.3 (Designing Out Crime)  
7.4 (Local Character)  
7.6 (Architecture)

## Other

- National Planning Policy Framework 2019
- National Planning Practice Guidance 2014
- Planning and Compulsory Purchase Act – 2004
- London Plan 2016 - Housing SPG 2016
- Draft London Plan 2018
- Draft Local Plan 2020

## 7. **PLANNING CONSIDERATIONS**

- 7.1 The principal planning considerations related to this application are the principle of development, façade retention, design of the building, impact upon the Wimbledon North Conservation Area, standard of accommodation provided, impact upon neighbouring amenity, parking/highways considerations and basement construction/flood risk.

### 7.2 **Amendments**

- 7.2.1 Following discussions with officers, the design of the scheme has been amended as follows during the assessment:
- Reduction to the height of the two storey side extension roof, and set it further back from the frontage
  - Reduction to the massing of the building at the rear (on the side with no 7). The length of garage has been reduced; the master bedroom is set-off the boundary by 2.7m, an increase of 0.6m. Additionally, the rear gable has been pushed further back by 1.6m.
  - The timber gable detailing has been retained, as has the window and porch detailing.
  - The size and configuration of the terrace above the ground floor extension has been amended. Whilst the size of this terrace has

increased, it is set further away from the boundary with Number 7 and includes a 1.8m screen to avoid potential overlooking.

- Reduction to the extent of the southern elevations, such that the development has been pushed back from the boundary with Number 5 and a passageway leading front the front garden through to the rear garden has been included.
- The Construction Traffic Management Plan has been amended to include amendments to the on street loading bay. The bay has been moved 1.5m further back from 5 Parkside Gardens, following discussions with the Councils Transport Planner.

### 7.3 **Principle of Development**

- 7.3.1 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.

### 7.4 **Façade Retention**

#### Policy

- 7.4.1 The application site is located within the Wimbledon North Conservation Area (within Sub Area 6 (Wimbledon House)). Therefore, planning permission is required for part and full demolition of buildings in a Conservation Area setting.
- 7.4.2 In national policy terms, Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that with respect to any buildings or other land in a Conservation Area special attention shall be paid to the desirability of preserving or enhancing the character and appearance of that area.
- 7.4.3 Policy DM D4 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) aims to conserve and where appropriate enhance Merton's heritage assets and distinctive character. Part d) of the policy states that proposals that result in the loss of a building that makes a positive contribution to a Conservation Area or heritage site, should also be treated as substantial harm to a heritage asset. Part f) of the policy states that proposal affecting a heritage asset or its setting should conserve and enhance the significance of the asset as well as its surroundings and have regard to the conservation, or reinstatement if lost, of features that contribute to the asset or its setting. This may include original chimneys, windows and doors, boundary treatments and garden layouts, roof covering or shop front.

## Context

- 7.4.4 The application site is located within the Wimbledon North Conservation Area (within Sub Area 6 (Wimbledon House)). The application site is therefore considered to be part of a heritage asset as identified within planning policy DM D4 (Managing heritage assets) of Merton's Site and policies Plan 2014. The policy aims to conserve and where appropriate enhance Merton's heritage assets and distinctive character.
- 7.4.5 The Council's adopted Character Appraisal (2008) for Sub Area 6 - Wimbledon House of the Wimbledon North Conservation Area states that:

### Nos. 1 – 7 Parkside Gardens

16.12.25 These are all two storeys plus roof accommodation, but vary in size. They form a harmonious group, where the mostly clay tile hipped and gabled roofs, large chimneys, articulated front facades and common palette of materials make a positive contribution to the street scene.

16.12.26 Nos. 1, 2, 4 and 5 are thought to be by the architects G. Hubbard and A.W. Moore. Nos. 1 and 2 are a wide fronted asymmetric, semi-detached pair. No. 4 is a formal, symmetrical design and No. 5 is a more narrow, cottage style property. Their collective distinctive features include decorative eaves and cornices, two storey bay windows, small paned windows, brick pilasters and corbels. Materials are clay tile, render, red brick and tile hanging.

### 16.20 POSITIVE AND NEGATIVE FEATURES

#### POSITIVES:

16.20.1 The main positive features are those described in the Character and Appearance Section above.

Elements that are considered to make a positive (i.e. not neutral or negative) contribution to the Conservation Area but are neither on the Statutory or Local Lists of buildings of historic or architectural interest are identified in Figure 16.1.

They are:

Parkside Gardens: Nos. 1, 2, 3, 5, 6, 12, 20, 23, 24, 25, 29, 31, 38, 46

It is recognised that the appearance of some of these buildings has been compromised by insensitive alterations over time.

- 7.4.6 The host building is identified within the Council's adopted Character Appraisal as making a positive contribution to the Conservation Area. The existing house is identified as forming part of a harmonious group, where the mostly clay tile hipped and gabled roofs, large chimneys, articulated front facades and common palette of materials make a positive contribution to the street scene.

#### Proposal

- 7.4.7 The application seeks to retain the front façade of the existing house and extend to the side and rear of the property. Following discussions between officers and the applicant, the scheme has been amended to replicate the original features (some of the original features are in poor condition) including windows, front porch and timber roof panels.

#### Conclusion (facade retention)

- 7.4.8 The merits of the proposal and the requirement that any development must conserve or enhance the Conservation Area, must be assessed against whether retaining the front façade (plus extensions) would meet the policy requirement.
- 7.4.9 As stated above, the existing house has been identified as having a positive impact on the Conservation Area due to its group value. Therefore careful consideration must be given to the proposal as loss/harm of a positive asset in the Conservation Area would be considered as causing significant harm to the character and appearance of the Conservation Area.
- 7.4.10 In this instance, officers consider that the simple form/detail and height of the front elevation is the primary feature of the house, which contributes towards its group setting status. As the proposal seeks to retain the front façade, replicate its detailing and retain the main roof height, it is considered that the main character of the house would be restored. However, this must also be considered against the proposal to extend the building to the side and rear and whether this would harm the group value.
- 7.4.11 It is acknowledged that the proposal would result in a considerable uplift in the footprint and massing of the building towards the rear and would reduce the gap to the side with 7 Parkside Gardens when compared to the existing house. The character appraisal acknowledges that the group value includes two storey houses that vary in size, as such, would the increased massing appear out of place or harm the group setting. The

only time when the increased massing of the house would be noticeable from the public realm would mainly be from views between the application site and 7 Parkside Gardens and less so between 5 Parkside Gardens. From street level, the height of the building would remain as existing and the horizontal ridge level and two twin pitched rearward roofs either side of the roof structure would help screen and reduce the overall dominance of the house when viewed from the street scene. Therefore, when viewed from the public realm, the proposed buildings size would not be overly dominant to harm the group setting for the reasons stated above. The principle of development in this instance is therefore considered to be acceptable, as the proposal would safeguard the requirement to conserve the Conservation Area as a minimum.

## 7.5 **Design**

- 7.5.1 The overarching principle of national and local planning policy is to promote high quality design. Planning policy DM D2 (Design considerations in all development) of Merton's Sites and Policies Plan states that amongst other considerations, that proposals will be expected to relate 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. Policy DM D3 (Alterations and extensions to existing buildings) of Merton's Sites and Policies Plan states that alterations or extensions to buildings will be expected to respect and complement the design and detailing of the original building, form, scale, bulk, and proportions of the original building, use external materials that will be appropriate to the original building and to its surroundings, respect space between buildings where it contributes to the character of the area and complement the character and appearance of the wider setting.
- 7.5.2 A number of objections have been received in regards to the size and massing of the proposed house, including its basement. The context of the area is a series of detached properties, which vary in scale, design and layout. There is no discernible definition of a more detailed pattern of development. Whilst it is clear that the proposed house would have a large uplift in footprint, floor area and massing, the size of the dwelling is considered to sit comfortably within the size of this large plot (80m long and 18m wide). A well-sized rear garden would be retained that responds to the general pattern of development in the area.
- 7.5.3 A number of neighbouring objections have been received in regards to the size of the basement, however from a design perspective; the basement would have a limited impact upon the visual amenities of the street scene and Conservation Area. The rear courtyard serving the basement would not be visible from the street scene. The only evidence from the public

realm that the proposal includes a basement would be the inclusion of a car lift in the front garden area. The car lift would be designed to be flush with the front garden level (no balustrades, just five modest sized posts forming sensors and a control panel). The car lift would only be in operation for a limited period of time (2 mins) when the lift lowers below ground level to the basement and then returns back flush with the front garden level. Whilst car lifts are not a characteristic of the area, given its restricted visual impact within the frontage of the garden, there is no objection in this instance. Both the car lift and basement would have a limited impact on the visual amenities of the street scene and Wimbledon North Conservation Area.

- 7.5.4 From the Parkside Gardens street scene, the eaves and ridge height of the building would remain as existing. Following amendments, the single storey element on the side with number 5 Parkside Gardens has been removed, and the house now retains a 1.3m gap from the boundary with 5 Parkside Garden (notwithstanding the small bike store). The two storey side extension has been pushed 0.9m behind the front façade, its form/height has been lowered (ridge sits at same level as eaves of main roof) and the flank wall would be inset between 1.2m – 1.4m from the boundary with 7 Parkside Gardens.
- 7.5.5 Concerns from neighbours in regards to loss of gaps between properties and views of trees to the rear of the site have been noted. The existing house has a slightly forward projecting single storey garage on the side with 7 Parkside Gardens. The existing garage is set 1.4m from the boundary and first floor flank wall of the main house is set 4m from the boundary. The proposal would result in a reduction in the gap from the boundary, however the two storey side extension would have a subordinate design approach, being set back from the frontage of the house, between 1.2m and 1.4m from the site boundary and would include a lower ridge level (same height as the existing eaves level). Whilst the gap between the neighbour would be reduced, gaps between properties within this part of Parkside Gardens vary in size and as such the reduction is not considered to be out of keeping, and thereby the proposal would not result in harm to the street scene and the Wimbledon North Conservation Area.
- 7.5.6 It should also be noted that the applicant has accepted a landscaping condition that includes three new trees, two within the frontage and one within the rear garden in the similar location to the existing tree to be removed but set further back into the garden.
- 7.5.7 In conclusion, the proposal is considered to respect the size of the plot, Parkside Gardens street scene, general pattern of development in the



area and as such would conserve the character and appearance of the Wimbledon North Conservation Area.

## **7.6 Impact upon neighbouring amenity**

### 7 Parkside Gardens

- 7.6.1 The proposed house is inset away from the site boundary with this neighbouring property at both ground floor and the upper levels. This neighbour building is also inset away from the boundary and sits within a large and wide plot, thereby giving the property and garden an open character. The proposed house would project a considerable distance beyond the rear building line of this neighbouring property, however, the proposed house would have a stepped design approach at the rear. The flank walls are set away from the site boundary (1.4m at ground floor and at least 2.7m at first floor level). The fact that the neighbouring property is also situated within a wide and open plot helps to ensure that the proposed building would not appear overbearing.
- 7.6.2 The proposed house would be located well away from the neighbours rear facing windows/doors to ensure that there is no undue loss of outlook or light. This neighbour has a number of side facing windows, however there is a good level of separation between neighbours. It should also be noted that these side facing windows would generally serve non-habitable rooms and or provide secondary forms of outlook and light. Following amendments to the side extension (pushed back and lowered in height), the extension is now set back from the neighbours two storey corner bay window. It is considered that this window would still receive good levels of outlook and light.
- 7.6.3 The side facing dormer window would need to be fitted with obscure glass and fixed shut in order to prevent overlooking and loss of privacy to this neighbour. A planning condition would be imposed on any planning permission.
- 7.6.4 The proposed first floor terrace would need to be fitted with a 1.8m high side screen on the side with 7 Parkside Gardens. Given the close proximity of the terrace, the screen is required in order to prevent overlooking and loss of privacy to the neighbour. A planning condition requiring details of materials and its retention would be imposed on any planning permission.
- 7.6.5 The applicant has indicated that the terrace at roof level would not be used as an amenity space, but just to serve as light/outlook for the loft rooms. A planning condition would be imposed on any planning permission to prevent its use to only in an emergency.

## 5 Parkside Gardens

- 7.6.5 This neighbour has been extended with a large single storey rear extension along the boundary with the application site. The neighbours existing rear extension would therefore assist in reducing the visual dominance of the proposed building when viewed from this neighbouring property and rear garden area.
- 7.6.6 The proposed house would not project beyond the neighbours existing single storey rear extension or beyond the front building line. The upper floors of the proposed house would project above the single storey rear extension and beyond the original rear building line of this neighbouring property, however the upper level of the proposed house is set off the boundary and is well distanced from the neighbours rear facing windows to ensure that there would be no undue loss of outlook or light.
- 7.6.7 This neighbour has a number of side facing windows, however, there is a good level of separation between neighbours and these side facing windows generally serve non-habitable rooms and or provide secondary forms of outlook and light. In order to ensure that there is no undue loss of privacy, the proposed side facing windows at the upper levels will need to be obscured glazed and fixed shut, this can be secured via a planning condition.
- 7.7.8 The proposed first floor terrace would be located on the other side of the house, well away from this neighbours boundary. The level of separation from the neighbouring property would ensure that there would be no undue loss of privacy or overlooking.

## Car Lift

- 7.6.9 The car lift would only be in operation for a limited period of time (2 mins) when the lift lowers below ground level to the basement and then returns back flush with the front garden level. At no point would a car be suspended above ground level (like some other car lifts). The car lift simply lowers a car to the basement area for car parking. The applicant has stated that the noise levels of the car lift is a quiet system. It is unlikely that the car lift would be in operation for long periods of time and therefore it is not considered that the proposal would create undue impact upon neighbouring amenity. It should also be noted that the Council's Environmental Health Officer raises no objection.

## **7.7 Standard of Accommodation**

- 7.7.1 The proposed house would comfortably exceed the minimum space standards set out in the London Plan, with each habitable room providing

good outlook, light and circulation, it is considered the proposal would provide a satisfactory standard of accommodation. In addition, the proposed house would well exceed the Councils minimum amenity space of 50sqm of private amenity space required by policy DM D2. The proposed house would therefore comply with policy 3.5 of the London Plan (July 2011), CS.14 of the Core Planning Strategy (July 2011) and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) in terms of residential amenity.

## **8. Traffic, Parking and Highways conditions**

- 8.1 The application would not increase the number of residential units on the site but would simply result in a larger single dwelling. Whilst the proposal would include basement car parking, the front garden area would only allow for the parking of one car in front of the car lift (and one car above the car lift if permitted due to car lift sensors). Whilst basement parking could give the owners of the property the ability to park more cars on the site, there is no evidence to suggest that this would cause adverse impact upon highway conditions, as the proposal is only for a single family dwelling.
- 8.2 Given the small scale nature of the development, it is unlikely that the development would generate significant levels of additional vehicle movements to and from the site to cause adverse harm to highway conditions or local traffic flows.
- 8.3 The neighbour at 5 Parkside Gardens raised a concern of retaining suitable access from their drive due to the close proximity of the proposed on street loading bay. Following discussions with the Councils Transport Planner, the Construction Traffic Management Plan has been amended so that the loading bay is set 1.5m further away from the existing driveway at 5 Parkside Gardens. The Councils Transport Planner has confirmed that there is no objection subject to condition (Demolition/Construction Logistic Plan).

## **9 Trees**

- 9.1 The applicant has submitted an arboricultural report which the Councils Tree Officer has confirmed is acceptable. The Councils Tree Officer has confirmed that they have no objection to the application subject to conditions relating to tree protection, site supervision and details of landscaping.
- 9.2 Objections have been received in regards to the loss of the Horse Chesnut Tree within the rear garden. However, it should be noted that the Council raised no objection to its removal under tree application 19/T1898.

In reaching the decision to allow removal of the tree, the Tree Officers were of the view that this pollarded Horse Chestnut in the rear garden, parts of which could be only glimpsed from the frontage, was not of such importance in terms of its public visual amenity to warrant its long-term retention through making it the subject of a TPO.

- 9.3 As part of the proposed landscaping condition, the applicant has agreed to include two trees within the front garden and one tree in the rear garden (similar location to the removed tree but further back into the garden). The introduction of three new trees as part of the redevelopment of the site will help ensure that the development contributes towards soft landscaping in the area.

## 10. **Sustainability**

- 10.1 Planning policy CS15 (climate Change) of Merton's adopted Core Planning Strategy (2011) seeks to tackle climate change, reduce pollution, develop low carbon economy, consume fewer resources and use them more effectively.

- 10.2 Planning Policy 5.2 of the London Plan (2016) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be Green: use renewable energy

- 10.3 The applicant has submitted an updated energy statement. The Councils Climate Change Officer has confirmed that she has no objection subject to condition.

## 11 **Basement Provision**

- 11.1 Planning policy DMD2 (Design considerations in all development) states that to ensure that structural stability is safeguarded and neighborhood amenity is not harmed at any stage by the development proposal, planning applications for basement developments must demonstrate how all construction work will be carried out.

- 11.2 The Councils Structural Engineer has reviewed the applicants Construction Method Statement and plans and confirmed that the documents demonstrate that the proposed basement can retain the front façade and can be built safely without adversely affecting the surrounding natural and built environment. They have confirmed no objection subject

to conditions. Further, the Councils Flood Risk Officer has reviewed the proposal and raised no objection.

- 11.3 As set out in the design section of this committee report, the proposed basement would have a limited impact upon the visual amenities of area as there would be no front light wells. Only a car lift within the front garden would provide evidence that the proposal includes a basement. There is no objection to the rear courtyard as this would not be visible from the public realm. Therefore, the proposed basement would have a limited impact upon the visual amenities of the street scene and Conservation Area.
- 11.4 The size of the basement, whilst large, complies with planning policy DM D2 (Design considerations in all development) as it does not cover more than 50% of either the front or rear garden. The proposed basement is therefore policy compliant in terms of size.

## 12 **Flooding**

- 12.1 Planning policy DM F1 (support for flood risk management) and DM F2 (sustainable urban drainage system (Suds) and; wastewater and water infrastructure) of Merton Sites and Policies Plan seeks to mitigate the impact of flooding in Merton. The applicant has provided a Flood Risk Assessment & Surface Water Management Plan, which the Councils Flood Officer has confirmed are acceptable subject to conditions.

## 13. **Local Financial Considerations**

- 13.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton's Community Infrastructure Levy was implemented on 1<sup>st</sup> April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

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

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

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

## 15. **CONCLUSION**

15.1 The proposed development would ensure that the character and appearance of the original building is respected to a degree whereby the group value (1 – 7 Parkside Gardens) of the street scene would be preserved. The extensions to the side and rear of the retained front façade are considered to respect the design of the original house, Parkside Gardens street scene and would conserve the Wimbledon North Conservation Area. The standard of residential accommodation proposed is considered to meet the needs of future occupiers, with an appropriate level of amenity space and room sizes with good levels of outlook and light. The proposed basement would not occupy more than 50% of the front or rear gardens and the Councils Structural Engineer and Flood Risk Officer have confirmed that the basement can be safety built without any undue impact upon neighbours or flooding. There would be no undue impact upon neighbouring amenity, trees, traffic or highway conditions. The proposal is in accordance with Adopted Sites and Policies Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions.

## **RECOMMENDATION**

GRANT PLANNING PERMISSION subject to the following conditions:

1. A.1 Commencement of Development
2. A7 Approved Plans
3. B.1 Materials to be approved
4. B.4 Details of Surface Treatment
5. B.5 Details of boundary treatment
6. C.01 No Permitted Development Rights (ext)
7. C.04 Obscured Glazing (upper floor and top floor side windows)
8. C.07 Refuse implementation
9. C.08 No use of flat roof (other than terraces shown on plans)

10. C.10 Balcony screening to be provided
11. D.11 Construction Times
12. F.01 Landscaping details (including tree new trees)
13. F.02 Landscaping implementation
14. F.09 Hardstanding
15. H.07 Cycle parking implementation
16. H.13 Demolition/Constriction Logistic Plan (including a Construction Management plan in accordance with TfL guidance)
17. H.14 Gates not open onto highway
18. No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day.'

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

19. No development approved by this permission shall be commenced until the details of the final drainage scheme is submitted, based on detailed infiltration tests and hydraulic calculations for the 1 in 100 year +40% climate change rainfall event. The drainage layout and calculations must be submitted to and approved in writing by the Local Planning Authority, prior to commencement of development. The infiltration tests and soakaway sizing calculations should be undertaken in accordance with BRE365. Should dewatering be required during construction, a detailed Construction Method Statement will need to address the measures to minimise silt dispersal and where waters will be discharged to.

Reason: To ensure the risk of groundwater ingress to and from the development is managed appropriately and to reduce the risk of flooding in compliance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of

Merton's Core Planning Strategy 2011 and policies, DM D2 and DM F2 of Merton's Sites and Polices Plan 2014.

20. Tree Protection: The details and measures for the protection of the existing trees as specified in the approved document 'BS 5837:2012 Arboricultural Report Impact Assessment & Method Statement' dated '29 November 2018' shall be complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.

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

21. Site Supervision (Trees) – The details of the approved document 'BS 5837: 2012 Arboricultural Report Impact Assessment & Method Statement' shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority the status of all tree works and tree protection measures throughout the course of the demolition and site works in accordance with the 'Site Inspection' details in the report. A final Certificate of Completion shall be submitted to the Local Planning Authority at the conclusion of all site works.

22. Details of car lift to be submitted

23. No works will commence on site until the below documents have been submitted to and agreed by the Local planning authority:

- Detailed Demolition Method Statement submitted by the Contractor responsible for the demolition of the existing property.
- Detailed design calculations, structural drawings and erection sequence drawings of the façade retention system submitted by the respective Consultant/Contractor responsible for the design/installation works.
- Detailed Construction Method Statement and construction/excavation sequence produced by the respective Contractors responsible for the piling, excavation and construction of the permanent retaining wall. This shall



be reviewed and agreed by the Structural Engineer designing the basement.

- If the distance between the piled retaining wall and the highway boundary is less than 4m - Design calculations, drawings, propping and de-propping sequence of the temporary works supporting the highway and adjoining properties required to facilitate demolition and excavation.
- If the distance between the piled retaining wall and the highway boundary is less than 4m - Design calculation and drawings (plan and sections) of the piled retaining wall and the permanent lining wall. The design has to be undertaken in accordance with Eurocodes. We would recommend using full height hydrostatic pressure and at-rest soil pressures for the design of all retaining walls and a highway loading surcharge of 10 KN/m<sup>2</sup> where applicable.
- Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from start to completion of the project works. The report should include the proposed locations of the horizontal and vertical movement monitoring, frequency of monitoring, trigger levels, and the contingency measures for different trigger alarms.

**Informative:**

1. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

2. Carbon emissions evidence requirements for Post Construction stage assessments must provide:
  - Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP

outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); OR, where applicable:

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

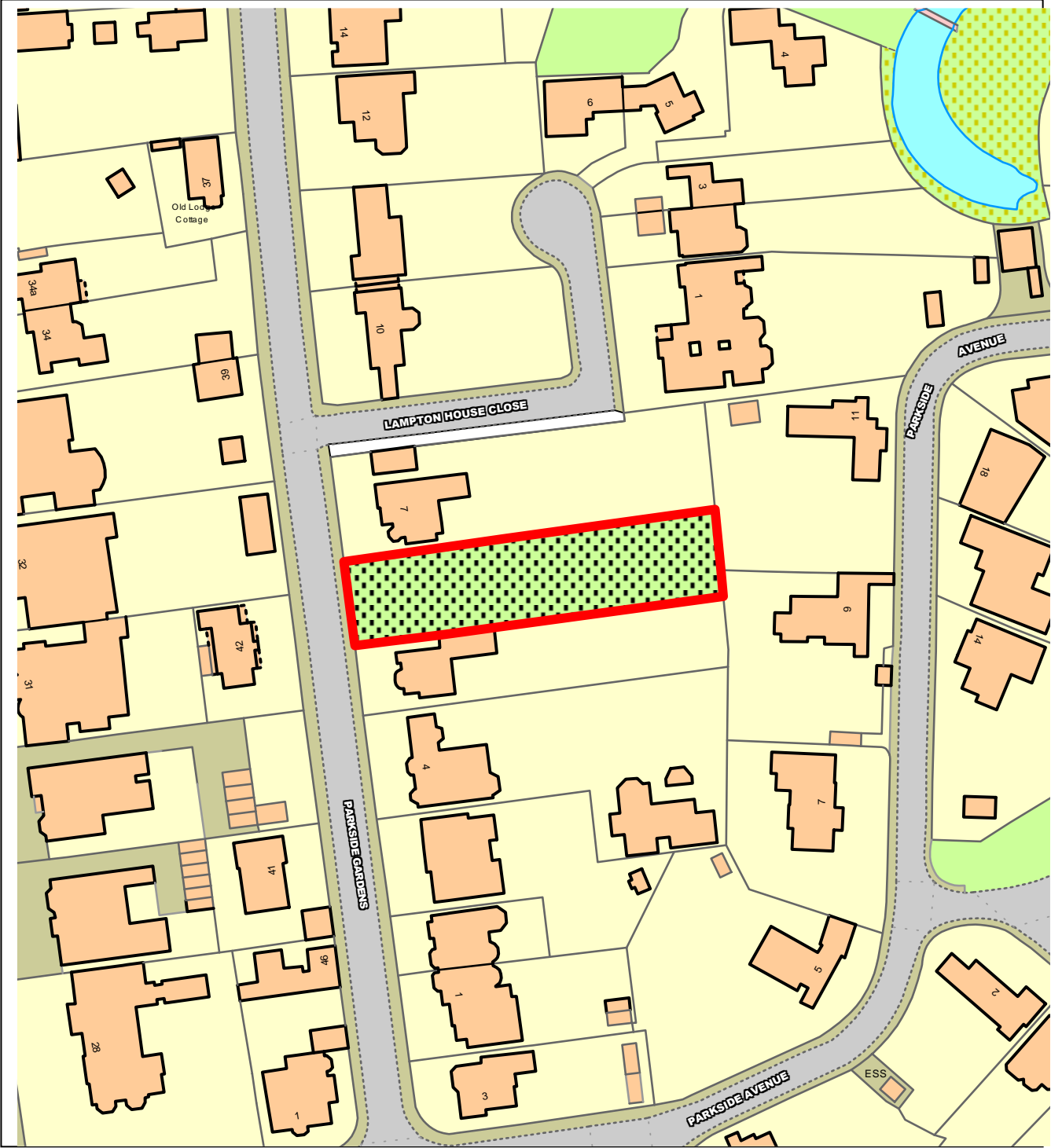
Water efficiency evidence requirements for post construction stage assessments must provide:

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

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

# NORTHGATE SE GIS Print Template



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## PLANNING APPLICATIONS COMMITTEE 26 SEPTEMBER 2019

**APPLICATION NO.**            **DATE VALID**

19/P0866                      04/03/2019

**Address/Site**                225-231 Streatham Road, Streatham, SW16 6NZ

**Ward**                            Graveney

**Proposal:**                    DEMOLITION OF EXISTING SINGLE STOREY BUILDINGS AND ERECTION OF A PART THREE, PART FOUR, PART FIVE AND PART SIX STOREY MIXED USE BUILDING COMPRISING RETAIL (CLASS A1) ON GROUND FLOOR AND 28 x RESIDENTIAL UNITS ABOVE

**Drawing Nos:**                1824 PL4/01 B, 1824 PL4/02 B, 1824 PL4/10 D, 1824 PL4/11 C, 1824 PL4/20 F, 1824 PL4/21 H, 1824 PL4/22 G, 1824 PL4/23 F, 1824 PL4/24 F, 1824 PL4/25 F, 1824 PL4/26 H, 1824 PL4/27 E, 1824 PL4/30 F, 1824 PL4/31 D, 1824 PL4/32 F, 1824 PL4/33 D, 1824 PL4/34 D, 1824 PL4/35 E and 1824 PL4/36 C.

**Documents:**                 See appendix A

**Contact Officer:**          Tim Lipscomb (0208 545 3496)

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### **RECOMMENDATION**

**Grant Permission subject to conditions and a S.106 legal agreement.**

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### **CHECKLIST INFORMATION**

- Heads of Agreement: Yes, affordable housing commuted sum of £741,647 with early stage and late stage viability review, restrict parking permits, provides car club membership, carbon shortfall contribution and cost to Council of all work in drafting S106 and monitoring the obligations.
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes (major application)
- Site notice: Yes (major application)
- Design Review Panel consulted: No
- Number of neighbours consulted: 96
- External consultations: Yes
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: Yes (Zone GC1)
- Green corridor – Yes (bordering the site to the south)
- Site of importance for nature conservation (SINC) – Yes (bordering the site to the south)

## 1. **INTRODUCTION**

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

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site is located at 225 – 231 Streatham Road and 1 The Bungalows. Along the northern boundary, the site has a frontage to Ridge Road, a residential cul-de-sac; along the western boundary, the site has a frontage to Streatham Road, a main arterial route; and along the southern boundary the site is bordered by railway tracks and associated buffer/embankment land. Streatham Road at the location of the site reduces in height as the road goes under the railway bridge. The site is roughly triangular in shape, coming to an elongated point where the railway land intersects Streatham Road. The site has an area of 975sq.m (0.0975ha). The site has a public transport access level of 3 (1 being poor and 6 being excellent).
- 2.2 The site is currently occupied by a parade of 4 single storey shops and a garage/workshop (225 – 231 Streatham Road) which front Streatham Road along with a single storey building (1 The Bungalows) that fronts The Bungalows. The remainder of the site is hardstanding and has been used for a variety of purposes including storage of plant and vehicles along with mechanical repairs (Use Class B8/Sui Generis). No. 1 The Bungalows has been associated with this use and has been used as an office and for storage. The B8/sui generis use does not appear to have been authorised, albeit it has become lawful for planning purposes through the passage of time (continued use for over 10 years). The site has a vehicle access from the Bungalows, near its junction with Streatham Road.
- 2.3 In terms of GIA, there is 268sqm of retail floor space on site currently and 42sqm of B1 office space.
- 2.4 The site has approximately 40m of frontage along Streatham Road and 19m of frontage along The Bungalows. Immediately to the south is an elevated railway line which is a designated 'green corridor' and 'site of importance for nature conservation' (SINC). There is a railway bridge bordering the southwest corner of the site where the railway crosses Streatham Road. Immediately to the east of the site is a residential property occupied by a bungalow (No.2 The Bungalows).
- 2.5 The area is characterised by varied development both in terms of architectural style and scale. The site is located within a mixed use area comprising shops, takeaways, cafes, auto- repairs, offices and residential premises. The Bungalows is a residential cul-de-sac which is characterised by a mixture of bungalows and two storey dwellings with pitched roofs. To the north of the site are two storey dwellings with high pitched roofs, the equivalent height of a three storey building. To the immediate west are two storey dwellings with pitched roofs. Immediately to the east are single storey dwellings, beyond which are two storey dwellings with pitched roofs. Beyond the railway bridge to the south are three storey buildings with pitched roofs, buildings of this scale are present on both sides of Streatham Road.

2.6 Immediately to the south of the railway bridge is 223 Streatham Road, which is a site occupied by a series of single storey buildings including offices for a coach depot (Mitcham Belle Coaches), garages and an MOT garage with the remainder of the site being hardstanding and being used for coach parking.

2.7 It is of note that the site is within a CPZ, whereas at the time of the previous application (16/P3598) it was not a CPZ (although the provision of the CPZ had been agreed by that time).

### **3. PROPOSAL**

3.1 This application seeks planning permission for the demolition of the existing single storey buildings on site and the redevelopment of the site to provide a part three, part four, part five and part six storey mixed-use building. The proposed building would provide 315sq.m of commercial floor space (Class A1 retail) at ground floor together with associated access, cycle parking, refuse storage and plant. The remainder of the building would comprise 28 residential units and a first floor courtyard to be used as a shared outdoor amenity space. The residential units would comprise: 21 x 1 bed and 7 x 2 bed. The building would have a total floor area of 2,287sq.m. The development would be car free.

3.2 The following accommodation is proposed:

Floor	Unit	Type	GIA (sqm)	Habitable rooms	Amenity space (sqm)
<b>First Floor</b>					
	1.01	2b/4p	81	3	9.2
	1.02	2b/3p	63	3	4.3
	1.03	1b/2p	51	2	5.4
	1.04	1b/2p	50	2	5.3
	1.05	1b/2p	51	2	4.2
	1.06	1b/2p	52	2	8.2
<b>Second Floor</b>					
	2.1	1b/2p	51	2	4.7
	2.2	1b/2p	50	2	5.4
	2.3	1b/2p	50	2	5.7
	2.4	1b/2p	50	2	5.3
	2.5	2b/3p	68	3	4.2
	2.6	1b/2p	52	2	8.0
	2.7	2b/3p	66	3	5.5
<b>Third Floor</b>					
	3.1	1b/2p	51	2	4.7
	3.2	1b/2p	50	2	5.4
	3.3	1b/2p	50	2	5.7
	3.4	1b/2p	50	2	14.7
	3.5	1b/2p	52	2	8.0
	3.6	2b/3p	66	3	5.5
<b>Fourth Floor</b>					
	4.1	1b/2p	51	2	4.7
	4.2	1b/2p	50	2	5.4
	4.3	1b/2p	56	2	7.1
	4.4	1b/2p	52	2	8.0
	4.5	2b/3p	66	3	5.5
<b>Fifth Floor</b>					
	5.1	1b/2p	51	2	4.7
	5.2	2b/3p	65	3	5.4
	5.3	1b/2p	50	2	5.0
	5.4	1b/2p	52	2	5.5

Unit mix	Units	%
1b/2p	21	75
2b/3p	6	21.4
2b/4p	1	3.6

- 3.3 The building footprint would encompass the majority of the site at ground floor level, other than an open area retained adjacent to the railway line, and would provide frontages to The Bungalows and Streatham Road. However, at first floor level and above, the eastern end of the building would align with the rear elevation of the adjacent bungalow to the east, the building would step progressively both vertically and horizontally toward the south and west of the site, culminating in a 6 storey point at the south-western part of the site. The majority of the building would be 6 storeys in height, with the building gradually stepping down to 3 storeys



towards the eastern part of the site. At ground floor level, the non-residential component of the building would provide an even frontage along Streatham Road and The Bungalows, while above the façade would be staggered.

- 3.4 The building façade would be predominately light and dark facing brickwork and metal clad balconies. Windows and doors would be recessed within the façade and would be grey aluminium.
- 3.5 The proposed building would have the following key dimensions:  
Heights:  
-10.2m (north-eastern part of the building)  
- 19.6m maximum height (south western corner)
- 3.6 The proposal is a revision of previously approved application 16/P3598, which permitted the erection of a five storey building providing retail at ground floor and 25 residential flats above. Since the granting of that planning permission further survey work by the applicant has revealed the presence of a major Thames Water underground pipe that runs east-west on the southern part of the site. The applicant advises that the pipeline requires a 5m easement/set-back distance on either side where no new buildings should be constructed. The previous scheme, 16/P3598, encroached into this area and therefore cannot be implemented.
- 3.7 The southern part of the site would be used as an extensive communal amenity space (the area above the Thames Water pipe), with an area of over 340sqm. The area would be soft and hard landscaped with raised planter beds and seating areas. Railings would be erected to the site boundary with Streatham Road to ensure that the amenity space is private. A set of gates would provide controlled access into the communal garden area from Streatham Road.
- 3.8 The main access to the commercial unit would be from Streatham Road with an additional entrance from The Bungalows (near the junction with Streatham Road). There would be dual access to the residential units: from The Bungalows, leading to an entrance on the southern side of the building via a single stair core and a lift, and via a pedestrian entrance from Streatham Road. The upper floors of the building would overhang the ground floor along the southern part of the building.
- 3.9 The existing advertisement hoarding adjacent to the railway bridge along Streatham Road would be removed.
- 3.10 The application originally proposed to provide two on-street disabled parking bays along The Bungalows, as was the case with application ref. 16/P3598. However, following concerns raised by the Council's Transport Planner these bays have been omitted from the scheme.
- 3.11 The scheme proposes 36 cycle parking spaces for the residential element of the scheme, within the integrated cycle store and four short stay cycle spaces to the frontage on The Bungalows for use by the ground floor retail use. In addition, two long term cycle spaces are proposed within the retail unit at ground floor level to serve the proposed retail use.

- 3.12 The application includes changes to the pavement surfacing at the junction of The Bungalows and Streatham Road to include the provision of tactile paving to the pavements around the bell-mouth of the junction. The application originally proposed alterations to the junction to form a narrower entrance to The Bungalows, however, following concerns raised by LB Merton Transport Planners, this element of the scheme has also been omitted.
- 3.13 The existing vehicular access, near the junction of The Bungalows and Streatham Road would be closed with the dropped kerb raised. An area of dropped kerb, approximately 4m in length, along Streatham Road is also shown to be raised. The dropped kerb which currently provides an access to the driveway of No.2 The Bungalows and the application site, located along The Bungalows, would be retained.
- 3.14 The scheme includes the planting of five street trees along Streatham Road and The Bungalows.
- 3.15 The scheme proposes 30.89% reduction in emissions over building regulations, to be achieved by installation of a 95 panel PV array, producing some 27,083Kwh/annum, with a carbon off-set payment of £26,946.
- 3.16 In terms of affordable housing, the scheme originally offered 4 x affordable rented units and 2 x shared ownership flats, or a financial contribution of £458,500. However, the independent review of this financial viability exercise indicated that an affordable housing contribution of 28% (8 Shared Ownership units) or 10% affordable housing (2 Social Rented units / 1 Shared Ownership unit), with a value equating to a financial commuted sum of £741,647 would be possible from the proposed development while still enabling it to remain viable. The applicant has provided a detailed account of their contact with Registered Providers (RPs), none of which have taken up the offer of managing affordable housing on site. Therefore, a commuted sum is proposed to contribute towards off-site affordable housing. The applicant has subsequently agreed the figure as £741,647..
- 3.17 The key differences between this current scheme and the previously approved scheme (16/P3598) are as follows:
- The currently proposed building is one storey higher with three additional units over the approved scheme (28 units as opposed to 25). Whilst the current scheme proposes an additional floor of accommodation, overall it would be marginally lower in height than the approved scheme. In terms of maximum height, the previous scheme had a height of 19.9m, whereas the current scheme has a maximum height of 19.6m. (The previous scheme featured a part pitched roof which increased the overall height of the building).
  - The footprint of the currently proposed building is significantly smaller than the approved, as the current scheme leaves a gap of 5m to the southern boundary (adjacent to the railway embankment) due to the presence of a major Thames Water underground pipeline that runs east-west along this part of the site. This area to the southern part of the site would be used as external amenity to serve the proposed development. The

upper floors would be cantilevered and would partially overhang the amenity area to the south of the building in the current proposal, whereas the previous scheme did not include a cantilevered element.

- The current scheme no longer includes on-street disabled parking bays.
- The previous scheme included 1 x 3 bed unit whereas the proposed scheme does not include any 3 bed units.
- The previous scheme included an affordable housing contribution of a commuted sum of £335,000, whereas the current scheme offers a commuted sum of £741,647.

3.18 The application is accompanied by the following supporting documents:

- Daylight and Sunlight Report (Amended )
- Sustainable Design and Construction Statement
- Sustainability Statement (Amended 03/06/2019)
- Transport Statement (Amended 03/07/2019)
- Land Quality Preliminary Risk Assessment
- Surface Water Drainage
- Financial Viability Assessment
- Creating Green Roofs for Invertebrates – A Best Practice Guide
- Design and Access Statement
- Noise Assessment
- Planning Statement (Amended 03/04/2019)
- Affordable Housing – contact with Registered Providers

#### 4. PLANNING HISTORY

4.1 Relevant planning history is summarised as follows:

4.2 89/P1195: Continued use for display and sale of motor vehicles with ancillary office – Refused.

**Reasons for refusal:**

- **The proposal represents an unneighbourly form of development which is detrimental to the amenities of local residents by reason of general disturbance and visual intrusion in the street scene, contrary to Policy E.30 of the Draft Reviewed Borough Plan.**

- **The proposal is leading to an increase in on-street parking to the detriment of the safety and convenience of pedestrians and highway users contrary to Policies M.13 and M.18 of the Draft Revised Merton Borough Plan.**

4.3 99/P1943: Continued use of the site for the following purposes;

A) Parking and storage of vehicles, plant and equipment associated with a concrete pumping business.

B) Parking and storage of vehicles, plant and materials associated with a construction site clearance landscaping business.

C) Retention of a portacabin for storage of tools and spare parts – **Refused.**

**Reasons for refusal: The use represents an unneighbourly form of development detrimental to the amenities of neighbouring residents through general disturbance caused by increased vehicular activity associated with the uses, visual intrusion, increased demand for on-street vehicle parking within The Bungalows, and obstruction of the public highway, detrimental to highway safety and residential**

amenity, contrary to policies W.8, M.12 and M.29 of the Adopted Unitary Development Plan (April 1996) and policies E.11, PE.3 and PK.3 of the Deposit Draft Unitary Development Plan (September 1999).

- 4.4 99/P1945: Application for a certificate of lawfulness in respect of the existing use for vehicle maintenance and repairs and storage of skips and other machinery – Refused.  
**Reason for refusal:**  
**The Existing Use began less than 10 years and therefore requires planning permission.**
- 4.5 01/P0533: Application for a certificate of lawfulness in respect of the existing use for servicing and repair of cars, vans and lorries – Refused.  
**Reason for refusal:**  
**The use of the site currently taking place is not solely the use the subject of the Application for the Lawful Development Certificate. As a consequence a number of elements of the said use began less than 10 years prior to the date of the Application.**
- 4.6 16/P3598 - Demolition of existing single storey buildings on site, comprising retail, a workshop, and a storage yard with associated office, and redevelopment of the site to provide a part three, part four and part five storey mixed-use building, comprising retail use at ground floor and 25 residential units above. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 23-06-2017.
- 4.7 17/P3632 - APPLICATION FOR DISCHARGE OF CONDITION 22 PART 1 (Contamination remediation strategy) ATTACHED TO APPLICATION 16/P3598 RELATING TO THE Demolition of existing single storey buildings on site, comprising retail, a workshop, and a storage yard with associated office, and redevelopment of the site to provide a part three, part four and part five storey mixed-use building, comprising retail use at ground floor and 25 residential units above. N.B: Parts 2 and 3 of condition 22 require separate discharge. Partial Grant Discharge of Condition 17-11-2017.

## **5. CONSULTATION**

- 5.1 Standard 21-day site notice procedure and individual letters to neighbouring occupiers. Representations have been received from 5 individuals, raising objection/commenting on the following grounds:
- There are already plenty of 1-2 bedroom units in the area, what is needed is 3-4 bedroom town houses for social housing.
  - There are a lot of empty shops on Streatham Road and this massive development has little consideration for what is needed for social housing.
  - Concerns regarding accuracy of Transport Statement.
  - Concerns regarding the impact on parking in Caithness Road and surrounding area.
  - Concern that refuse vehicle would block access to The Bungalows.
  - Cumulative impact of other redevelopment schemes in the area are such that parking on Caithness Road will become impossible.

- Query why a 6 storey building should be permitted in this area. Given that surrounding buildings are lower, this would not be in keeping, or any other developments in Mitcham or Tooting.

## 5.2 Internal consultees:

### 5.2.1 LBM Environmental Health Officer:

No objection subject to conditions relating to:

- Internal noise levels
- Noise levels from plant/machinery
- Air Quality Assessment
- External lighting to prevent light spillage
- Investigation and risk assessment (contaminated land)
- Remediation scheme (contaminated land)
- Investigation and risk assessment in the event that unexpected contamination is discovered
- Construction Method Statement

### 5.2.2 LBM Highway Officer:

No objection subject to conditions relating to:

- Construction Method Statement
- Travel Plan

And the following informative:

The Council's Highways section carry out all construction works within the public highway.

Oversail licences to be agreed with Merton Councils legal section  
Public/private highway to be defined by stainless steel studs, which are to be agreed with the highways section.

The material for the crossover construction is to be determined by the highway section and to their specification.

The highways section is to be contacted for the costs of the proposed dropped kerbs which will be constructed at the developer's expense.

All existing redundant entrances are to be reinstated back to footway at the developer's expense (planning H3).

Traffic orders for the disabled bays and changes to the existing traffic orders to be paid by the developer to the Traffic Section.

The highways section must be contacted prior to any works being carried out to agree the appropriate highway licences for this site.

### 5.2.3 LBM Transport Officer:

#### *Highway Network:*

The application site is accessed via A216 Streatham Road, which is a single carriageway road running on a north / south alignment from the A23 Streatham High Road to the A217 London Road. Streatham Road is approximately 11 metres wide in the vicinity of the site and subject to a 30m.p.h. speed limit.

CPZ:

The local area forms part of Controlled Parking Zone GC1. Restrictions are enforced from Monday to Friday between 8:30 am and 6.30 pm with a maximum stay of 2 hours for pay and display customers.

**Recommendation:** Raise no objection subject to:

- No occupant whilst residing using and /or occupying the development shall be eligible to purchase or procure the purchase of a parking permit for a residential Parking Bay within the CPZ.
- Condition requiring cycle parking (secure & undercover).
- Standard condition (refuse storage)
- The existing vehicular crossover to the site on Streatham Road and The Bungalows to be reinstated.

5.2.4 LBM Flood Risk Engineer:

No objection subject to a condition to ensure that site runoff is no greater than 6.6l/s.

5.2.5 LBM Tree and Landscape Officer:

No objection, subject to conditions to secure a landscaping scheme and replacement tree planting.

5.2.6 LBM Green Spaces:

Comments awaited.

5.2.7 LBM Climate Change Officer:

No objection subject to suitable conditions to ensure policy compliant CO2 reduction along with a carbon offset contribution of £26,946 to be secured by way of legal agreement.

5.2.8 LBM Urban Design Officer:

The ground floor active frontage seems improved from the previous scheme.

5.2.9 LBM Waste Management (refuse):

No objection raised subject to the provision of:

- 3x 1100L euro bin for refuse
- 3x 1100L euro bin for co-mingled recycling
- 1 x 240L wheelie bin for food waste recycling
- An area for the collection of bulky waste
- Residents not obliged to walk more than 30m with bins and refuse collection vehicle able to approach to within 10m of bin store.
- Separate bin stores for commercial and residential waste

5.2.10 External consultees:

5.2.11 Metropolitan Police – Designing out Crime Officer:

No objection. Recommendations offered in relation to:

- The height and security features of gates (to ensure they cannot easily be climbed).
- Provision of CCTV
- Standard of door locks
- Sufficient lighting across the site

#### 5.2.12 Thames Water:

No objection subject to conditions to ensure:

- No building over or construction within 5m, of the strategic water mains.
- No building over or construction within 3m of water mains
- No piling to take place until a piling method statement is submitted, to prevent damage to subsurface water infrastructure.

Informatives recommended:

- Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required.
- Guidance in relation to building within 15m of Thames Water underground assets.
- Guidance in relation to working near or diverting pipes.
- Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes.

#### 5.2.13 Environment Agency:

No objection.

We have reviewed the document 'Land Quality Preliminary Risk Assessment' (LQPRA) by Royal Haskoning (reference PB8866-RHD-ZZ-RP-Z-001 Draft/0.1 dated 23 January 2019). The site was previously used for vehicle activities and has a number of potentially contaminating materials in place. It is reported that it was once a scrapyard on unsurfaced ground. Oil is reported to seep up through the current hardstanding. The report makes reference to a possible former petrol filling station at the site with buried fuel tanks still present, but no information has been provided to confirm this. We agree with the report's conclusion that an intrusive investigation in accordance with CLR11 is required to assess the site's contamination status.

Conditions recommended:

- Site investigation scheme relating to contaminated land;
- Remediation strategy for unexpected contaminated land;
- A verification report demonstrating completion of the works set out in the approved remediation strategy and the effectiveness of the remediation;
- No drainage systems for the infiltration of surface water drainage into the ground are permitted;

- Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority Demolition of existing buildings.

#### 5.2.14 Network Rail:

No objections, provided that the following conditions are attached to any permission:

The Applicant shall enter into an asset protection agreement with London South East Asset Protection and Optimisation (ASPRO) before proceeding with any design/construction works at the site. This will relate to any work within Network (NR) zone of influence which potentially associate with risks to railway operation, such as:

- Enabling Works
- RC Frame Construction
- Lifting plans using tower/mobile crane
- Façade and Cladding

Submit for ASPRO acceptance the following to mitigate the risk of affecting the access to the station during construction:

- Traffic and pedestrian management plan during construction.
- Logistics and Construction Plan

#### 5.2.15 Merton Green Party:

Policy CS8 in the Council's core planning strategy sets a borough-wide affordable housing target of 50% for developments of 10 units or more units. The applicant's application form states that none of the 28 units will be affordable housing. We ask the Council to require that its 40% target will be met. We also ask that the Council's own appraisal of the applicant's financial viability assessment be published when completed, in line with its policy adopted last year.

#### 5.2.16 External Financial Viability Consultant (Summary of comments 21/06/2019):

From our analysis of the applicant's viability assessment we conclude that an affordable housing contribution of 28% scheme (8 x Shared Ownership) or 10% affordable housing (2 x Social Rent / 1 x Shared Ownership) is possible from the proposed development.

We also recommend that the council applies the viability review mechanisms at early and late stages of development as outlined within the Draft London Plan and Mayors SPG based on the conclusions of the Altair appraisal.

#### Additional comments (31/07/2019):

The affordable housing contribution would equate to a payment in lieu (commuted sum) of: £741,647



## 6. POLICY CONTEXT

- 6.1 National Planning Policy Framework 2019:
- 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:
- 2.6 Outer London: Vision and strategy
  - 2.8 Outer London: Transport
  - 3.3 Increasing housing supply
  - 3.4 Optimising housing potential
  - 3.5 Quality and design of housing developments
  - 3.8 Housing choice
  - 3.9 Mixed and balanced communities
  - 3.11 Affordable housing targets
  - 3.12 Negotiating affordable housing
  - 5.1 Climate change mitigation
  - 5.2 Minimising carbon dioxide emissions
  - 5.3 Sustainable design and construction
  - 5.10 Urban greening
  - 5.11 Green roofs
  - 5.13 Sustainable drainage
  - 5.14 Water quality and wastewater infrastructure
  - 5.15 Water use and supplies
  - 5.17 Waste capacity
  - 5.21 Contaminated land
  - 6.3 Assessing the effects of development on transport capacity
  - 6.5 Funding Crossrail and other strategically important transport infrastructure
  - 6.9 Cycling
  - 6.11 Smoothing traffic flow and easing congestion
  - 6.12 Road network capacity
  - 6.13 Parking
  - 7.2 An Inclusive environment
  - 7.3 Designing out crime
  - 7.4 Local character
  - 7.5 Public realm
  - 7.6 Architecture
  - 7.14 Improving air quality
  - 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
  - 8.2 Planning obligations
  - 8.3 CIL
- 6.3 LDF Core Planning Strategy (July 2011)
- CS 8 Housing choice
  - CS 9 Housing provision
  - CS 11 Infrastructure
  - CS 12 Economic development

CS 13 Open space, leisure and nature conservation  
CS 14 Design  
CS 15 Climate change  
CS 17 Waste management  
CS 18 Transport  
CS 19 Public transport  
CS 20 Parking servicing and delivery

- 6.4 Sites and Policies Plan and Policies Map (July 2014)  
DM R2 Development of town centre type uses outside town centres  
DM H2 Housing mix  
DM H3 Support for affordable housing  
DM E1 Employment areas in Merton  
DM E3 Protection of scattered employment sites  
DM E4 Local employment opportunities  
DM F1 Support for flood risk management  
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure  
DM O2 Nature conservation, Trees, hedges and landscape features  
DM D1 Urban Design  
DM D2 Design considerations  
DM D7 Shop front design and signage  
DM EP2 Reducing and mitigating noise  
DM EP3 Allowable solutions  
DM EP4 Pollutants  
DM T2 Transport impacts of development  
DM T3 Car parking and servicing standards  
DM T4 Transport infrastructure
- 6.5 Other guidance:  
DCLG: Technical housing standards - nationally described space standard March 2015  
Merton's Design SPG 2004  
Mayor's SPG - Housing 2016  
Mayor's SPG – Sustainable Design and Construction 2014  
Mayor's SPG – Character and Context 2014  
Mayor's SPG – Affordable Housing and Viability 2017  
Mayor's SPG – Play and Informal Recreation 2012

## 7. **PLANNING CONSIDERATIONS**

### 7.1 Key Issues for consideration

- 7.1.1 The key issues in the assessment of this planning application are:
- Principle of development
  - Need for additional housing, residential density and housing mix
  - Affordable Housing
  - Impact on visual amenity and design
  - Impact upon neighbouring amenity
  - Standard of accommodation
  - Transport, highway network, parking and sustainable travel
  - Sustainability
  - Flooding and sustainable urban drainage
  - Site contamination
  - Impact on biodiversity and SINC
  - Developer contribution

## 7.2 Principle of development

- 7.2.1 Policy DM E3 of the SPP seeks to protect scattered employment sites. The policy states that where proposals would result in the loss of an employment site (B1/B2/B8 type uses), they would be resisted except where: 'the site is located predominantly in a residential area and it can be demonstrated it is having a significant adverse effect on residential amenity, the site characteristics make it unviable for whole site employment, it has been demonstrated that there is no prospect of employment or community use on the site in the future. Where the above criteria cannot be met, the loss can be mitigated by providing employment as part of a mixed use scheme. While the SPP policy DM E3 seeks to resist the loss of scattered employment sites, the policy focuses on safeguarding premises or land that operate within B1/B2/B8 type uses, thus the reduction in floor space for the A1 uses does not conflict with adopted policy.
- 7.2.2 Policy DM R2 deals with the development of town centre uses outside town centres. The intention of this policy is to maintain and enhance the vitality and viability of Merton's town centres, whereby edge of centre and out of centre town centre type uses are restricted. However, as the proposal effectively is for a replacement of existing retail floor space it does not conflict with Policy DM R2.
- 7.2.3 The proposal, which seeks to deliver a mixed use scheme, presents an opportunity to significantly increase employment generation on the site. The existing shops on site are vacant and the use as vehicle and plant storage and repair is not considered to be compatible with the surrounding residential area. The scheme could generate approximately 12 jobs in the form of a use (A1 - retail) which would be entirely compatible with new dwellings, for which there is an acknowledged need.
- 7.2.4 Policy 3.3 of the London Plan 2016 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2019 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.
- 7.2.5 The site is an underutilised brownfield site which is considered to present opportunities for a more intensive mixed use development. It is further noted that the site is surrounded by residential development. The proposals would meet NPPF and London Plan objectives by contributing towards London Plan housing targets and the redevelopment of brownfield sites.
- 7.2.6 Given the above, it is considered the proposal is acceptable in principle; subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.
- 7.2.7 It is also of note that planning permission 16/P3598, which remains extant until 23 June 2020, has established the principle of a mixed use

development (retail and residential) and therefore, the principle of development is considered to be acceptable.

### **7.3 Need for additional housing, residential density and housing mix**

7.3.1 The National Planning Policy Framework requires Councils 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 states that the Council will work with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025. Within this figure of 4,107 new homes, the policy states that a minimum of 411 new dwellings should be provided annually. This is an increase from the 320 dwellings annually that was set out in the earlier London Plan and in Policy CS9 of the Core Strategy. The policy also 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. The draft London Plan includes a significantly higher figure of 1328 new homes annually. However, this is at draft stage and in addition the London Borough of Merton is disputing the small sites methodology. Therefore, only limited weight should be attached to this figure.

7.3.3 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report Draft 2017/19, p12). The latest (draft) Monitoring report confirms:

- All the main housing targets have been met for 2017/18.
- 665 additional new homes were built during the monitoring period, 254 above Merton's target of 411 new homes per year (London Plan 2015).
- 2013-18 provision: 2,686 net units (813 homes above target)
- For all the home completions between 2004 and 2017, Merton always met the London Plan target apart from 2009/10. In total Merton has exceeded the target by over 2,000 homes since 2004.

7.3.4 Table 3.2 of the London Plan identifies appropriate density ranges based on a site's setting and PTAL rating. The proposed development would have a density of 287 dwellings per hectare and 646 habitable rooms per hectare.

7.3.5 The area has a public transport accessibility level (PTAL) of 3, where 1 is poor and 6 is excellent. It is considered that the site is located within an urban area for the purposes of Table 3.2 of the London Plan.

7.3.6 The proposed density is above the relevant density range (70-170 dwellings per hectare and 200-450 habitable rooms per hectare), as set out in Table 3.2 for the setting (Central) and PTAL 3.

7.3.7 However, while density is a material consideration, it is not the overriding factor as to whether a development is acceptable; London Plan paragraph 3.28 states that it is not appropriate to apply the density ranges suggested in Table 3.2 mechanically. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, the impact upon neighbouring amenity, living standards for prospective occupants and the desirability of protecting and

enhancing the character of the area and the relationship with surrounding development.

- 7.3.8 In terms of housing mix, the scheme provides no three bedroom units. The site is however located in an area dominated by family housing and the proposals would diversify the local housing stock thereby meeting other aspects of the Council's housing policies. This approach to housing mix was supported at the time of the last application. It is noted that the previous scheme included just one three bedroom unit and as such this variation is not considered to be so significant as to warrant a refusal of the application.

#### **7.4 Affordable Housing**

- 7.4.1 The Council's policy on affordable housing is set out in the Core Planning Strategy, Policy CS8. For schemes providing over ten units, the affordable housing target is 40% (of which 60% should be social rented and 40% intermediate), which should be provided on-site.

- 7.4.2 In seeking this affordable housing provision Merton will have regard to site characteristics such as site size, site suitability and economics of provision such as financial viability issues and other planning contributions.

- 7.4.3 The Mayor's SPG on affordable housing and viability (Homes for Londoners) 2017 sets out that:

"Applications that meet or exceed 35 per cent affordable housing provision, by habitable room, without public subsidy, provide affordable housing on-site, meet the specified tenure mix, and meet other planning requirements and obligations to the satisfaction of the LPA and the Mayor where relevant, are not required to submit viability information. Such schemes will be subject to an early viability review, but this is only triggered if an agreed level of progress is not made within two years of planning permission being granted (or a timeframe agreed by the LPA and set out within the S106 agreement)...

... Schemes which do not meet the 35 per cent affordable housing threshold, or require public subsidy to do so, will be required to submit detailed viability information (in the form set out in Part three) which will be scrutinised by the Local Planning Authority (LPA)."

These requirements are reflected in the New London Plan – Consultation Draft (13th August 2018), which states that:

"to follow the Fast Track Route of the threshold approach, applications must meet all the following criteria:

- 1.meet or exceed the relevant threshold level of affordable housing on site without public subsidy,
- 2.be consistent with the relevant tenure split (Policy H7 Affordable housing tenure),
- 3.meet other relevant policy requirements and obligations to the satisfaction of the borough and the Mayor where relevant,
- 4.demonstrate that they have taken account of the strategic 50 per cent target in Policy H5 Delivering affordable housing and

have sought grant where required to increase the level of affordable housing beyond 35 per cent.”

7.4.4 Provided that the scheme meets the 35% provision, meets the tenure split set out in policy CS8 and demonstrates that the developer has engaged with Registered Providers (RPs) and the LPA to explore the use of grant funding to increase the proportion of affordable housing, then the proposal could be dealt with under the Mayor’s Fast Track Route, which would not require the submission of additional viability information.

7.4.5 However, the proposal does not meet the 35% provision of the new London Plan. The application is accompanied by a financial viability assessment which concluded that the scheme could not deliver the required proportion of affordable housing units and a reasonable profit but could deliver 4 x affordable rented units and 2 x shared ownership flats, or a financial contribution of £458,500.

7.4.6 The Council has employed an independent financial viability consultant to review the applicant’s offer. The external consultant concluded that the scheme could deliver an affordable housing contribution of 28% (8 x Shared Ownership) or 10% affordable housing (2 x Social Rent / 1 x Shared Ownership) is possible from the proposed development. For information, this would equate to a payment in lieu of £741,647 if the Council were to support a financial contribution as opposed to on site provision.

7.4.7 The applicant has sought to engage with Registered Providers (RPs) in order to provide affordable housing on site. The efforts made by the developer are documented in the submitted document: “Contact with Registered Providers about affordable housing”. This document sets out that contact has been made with the following Registered Providers but none have expressed an interest in the scheme due to the low number of units (some RPs wished to take on the whole site), or simply did not respond to the request:

- Optivo
- Moat
- PA Housing
- Sage
- Thames Valley
- Wandle Ability
- Catalyst
- Ekaya
- Finefair
- Humtum
- Kinsman Housing
- London & Quadrant
- Major
- Notting Hill

7.4.8 Notwithstanding the lack of success to date, officers would assert that for the time being there remains the opportunity for the applicant to pursue affordable housing providers. However, taking a pragmatic approach and one consistent with adopted policy, officers consider that it would be appropriate for the applicant to provide the council with the cash in lieu payment in the event a registered housing provider not purchasing the

affordable units within six months of at least 75% of the market units being occupied, and that during that period the units identified as affordable units shall not be let, sold or otherwise occupied unless to a registered housing provider;

- 7.4.9 An early stage and late stage viability review secured under a Section 106 agreement in accordance with the New London Plan and the SPG will be a requirement of the legal agreement to ensure that any changes in circumstances and the financial viability of the development are reflected in the affordable housing provision and any off site contributions.

## 7.5 **Impact on visual amenity and design**

- 7.5.1 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 (2016), 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.

- 7.5.2 Policy DM D2 seeks 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. Policy. Core Planning Policy CS14 supports this SPP Policy.

### Massing and heights

- 7.5.3 It is considered that a unique approach to development can be supported and that a step up in height (relative to the immediately surrounding development) may be acceptable subject to appropriate design and massing.

- 7.5.4 It is considered that a suitable approach to massing has been proposed which responds well to the surrounding context. The massing of the building would be focussed toward the western side (toward Streatham Road and the railway bridge) of the site taking advantage of the wide street frontage. In addition, it is focussed away from the residential dwellings to the east. The staggered height across the site creates a suitable transitional zone to the adjacent housing, while the western portion provides a high focal point. The perceived mass of the building is broken up by the use of a distinct base which encompasses the nested volumes above, recesses in the façade and contrasting materials, all of which work to break the building down into smaller components.

- 7.5.5 The building would incorporate a first floor courtyard/podium to the rear of the building, this open space would align with the rear garden of the adjacent bungalow while the main portion of the building (upper floors) would align with the rear elevation of the bungalow.

- 7.5.6 It is noted that there are no six storey buildings in the immediate vicinity of the site. However, given the isolated and unique nature of the site,

being a corner plot with two road frontages and being bordered by open space and a railway bridge to the west and south, the site is not considered to have the same constraints as other sites in the area i.e. the constraints on height for a mid-terrace building.

7.5.7 Immediately to the north of the site are two storey buildings with particularly high pitched roofs, the maximum height of these buildings roughly correspond with the four storey element of the proposed building (sitting slightly lower). In terms of the wider context, three storey buildings with pitched roofs are present on the southern side of the bridge. As the site occupies lower ground than the majority of surrounding development, the height is not considered to appear harmful to the character of the area.

7.5.8 In terms of overall height, it is noted that the proposed building would be marginally lower than the building previously approved under application ref. 16/P3598 and it is concluded that the impact on the streetscene would be similar to the previously approved scheme. Given the above, it is considered that the massing and heights would be acceptable in townscape terms.

#### Layout

7.5.9 The footprint is informed by the constraints of the site and by the building line established along The Bungalows. In addition, the Thames Water pipeline, a significant constraint not factored into the earlier design work, creates a significant barrier to development to the southern part of the site. As such the footprint of the building has altered considerably along its southern boundary since the previous scheme to take account of this constraint. The proposal is considered to make effective use of the site, as far as is possible, utilising the majority of the site at ground floor level (where possible) and taking a grid layout approach for the upper floors; the layout ensures considerable active frontage at ground level while allowing for multiple aspects for the residential units on the upper floors.

7.5.10 The commercial unit primarily fronts, and has entrances to, Streatham Road, which is considered to be appropriate given the busy nature of the road and would serve to replace the existing parade of shops. The unit is outward facing, providing a high level of connectivity between the public realm and the development.

7.5.11 The main residential entrance is located on The Bungalows. The placement ensures the entrance is positioned away from the foot traffic of Streatham Road, while still being highly visible from the public realm. In addition, the placement of the units above along with their window placement would further promote natural surveillance.

7.5.12 The provision of an extensive area of external amenity space to the southern part of the site is welcomed as it provides some degree of visual relief around the building and would be finished to a high standard. Coupled with a modest frequency of services along the neighbouring railway line, it has the potential to create a good quality usable external space for future occupants.

7.5.13 It is considered that the proposed layout is well thought out and based on sound urban design principles, the layout provides an inclusive design and promotes natural surveillance; when compared to the existing site, it



is considered the approach would enhance the character and vitality of the area.

#### Design and appearance

- 7.5.14 Paragraph 130 of the NPPF advises that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a development accords with clear expectations in plan policies, design should not be used by the decision-maker as a valid reason to object to development.
- 7.5.15 It is considered that the architecture would deliver an interesting and innovative approach to developing the site. Large ground floor windows along with the high base of the building would successfully delineate the commercial unit from the upper floor residential units, as well as to enhance the building's street presence. The ground floor façade fronting Streatham Road would feature a large shop front window and would result in less inactive edges to this elevation, which is an improvement in urban design terms over and above the previous permission 16/P2598.
- 7.5.16 The use of contrasting materials, recesses and horizontal separation between floors throughout the scheme successfully defines the individual façade elements. However, the success would be very much dependant on the exact materials used; therefore, a condition is recommended requiring samples of materials to be submitted for approval prior to the commencement of the development.

#### Signage

- 7.5.17 While any signs/advertisements would be subject to separate approval by way of advertisement consent, a shop signage strategy should still be incorporated into a proposal at design stage, as signage plays a major role in the appearance of any building and if retrofitted later, may compromise the design.
- 7.5.18 An indicative signage strategy has been provided which proposes a modestly sized fascia above the retail entrances; it is considered that the indicative signage strategy is acceptable, subject to advertisement consent.

#### Visual impact - conclusion

- 7.5.19 The changes since the approved scheme, 16/P3598, increase the bulk and massing proposed, as the top floor would cover a greater proportion of the site. However, in terms of height, which is a key factor in this assessment, the current scheme is marginally lower than that previously approved and it is considered that the proposed development would be acceptable in terms of its visual impact and would not result in a materially greater impact on the streetscene than the previously approved application 16/P3598.

## 7.6 Impact upon neighbouring amenity

7.6.1 London Plan policies 7.14 and 7.15 along with SPP policy DM D2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of light spill/pollution, loss of light, quality of living conditions, privacy, visual intrusion and noise.

### Light spill

7.6.2 Light spill from the proposal is not expected to be significant given the scheme is predominately residential and as the commercial unit faces the main street. However, there is an external amenity space which would likely require lighting, this space is adjacent to the rear gardens of the dwellings to the east and could impact upon their rear windows. As such, it is recommended to include a condition which would require external lighting to be positioned away from site boundaries.

### Visual intrusion and loss of light

7.6.3 Given the building would be a maximum of six storeys in height and would be replacing single storey structures, visual intrusion and loss of light are of particular concern. To mitigate these affects, the proposal has been designed to shift the massing toward Streatham Road, away from the dwellings to the east, the upper floors have been aligned with the building lines of The Bungalows and the first floor podium/courtyard aligns with the rear gardens of these properties.

7.6.4 The developer has provided a detailed daylight and sunlight assessment in support of the proposal which has been undertaken in accordance with BRE guidance 'Site layout planning for daylight and sunlight: a guide to good practice' (BRE, 2011) and the British Standard document BS8206 Pt2; the methodology used is the vertical sky component (VSC) and no sky line contour (NSC) for daylight and annual probable sunlight hours (APSH) for sunlight. Habitable rooms from all immediately surrounding dwellings have been assessed, including the units across Streatham Road.

7.6.5 With the exception of one window at No. 2 The Bungalows (the adjoining property to the east), the daylight and sunlight assessment finds that all potentially affected habitable rooms will retain good levels of sunlight in excess of BRE criteria. In addition, the assessment finds that all potentially affected habitable rooms will retain good levels of sunlight in excess of BRE criteria.

### No. 2 The Bungalows

7.6.6 As the only residential property that adjoins the site, particular attention should be paid to No. 2 The Bungalows. It is evident in the massing of the building that measures have been taken to reduce the impact upon this property. The rear elevation of the upper floors of the building aligns with the rear elevation of the adjacent bungalow so that the first floor courtyard/podium of the development aligns with the rear garden of this property. In addition, the first floor courtyard/podium is setback some 6m from the shared boundary, leaving a void adjacent to the rear garden; along the shared boundary would be a 2.15m high wall which is similar in height to the existing boundary fence. Given the above and as the

proposed development would be located to the west of the bungalow, it is not considered the proposal would unduly impact upon the adjacent property in terms of visual intrusion or in terms of loss of light to the rear garden.

7.6.7 The main windows serving habitable rooms are to the front and the rear of the property. However, the property has two flank windows facing the development site, one of which serves a bathroom while the other is unknown and may serve a habitable room. The daylight and sunlight assessment finds that the windows to the front and rear would not be unduly affected by the development and the flank window serving the bathroom would not be relevant for assessment; however, the remaining flank window would be affected to a point below BRE criteria, thus it would be considered to be adversely affected. However, it is noted that this window is very close to the boundary and relies upon light received across the development site; this places considerable constraint upon the development site and means that any scale of development, above that of the existing low-rise buildings, would result in material reductions in daylight. Given the relationship between the flank window and the development site and as only one window is considered to be adversely affected, it is not considered the impact upon No. 2 The Bungalows, in terms of loss of light, would be to such a degree as to warrant refusal of this application.

7.6.8 The impact on No.2 the Bungalows is considered to be no more harmful than that approved under application ref. 16/P3598. The amount of built form standing on the boundary with No.2 The Bungalows would be significantly lesser than that approved under application ref. 16/P3598 (as the southernmost part of the site would remain clear of built form). Therefore, the occupiers of No.2 The Bungalows would experience a greater level of outlook with the current proposal than the scheme previously approved under application ref. 16/P3598.

#### Privacy

7.6.9 It is not considered the proposal would impact unduly upon the privacy of neighbouring properties.

7.6.10 The elevations facing north, west and south are all overlooking public space, thus the only elevation of concern is the east facing elevation which is directed toward the residential properties of The Bungalows. In addition to the east facing windows, the communal terrace and private balconies/terraces could facilitate overlooking to the east. To ensure any overlooking is avoided, it is proposed to enclose terraces and balconies with suitable screening; a condition will be included requiring details of screening to be provided prior to occupation. The scheme has been designed to ensure that any windows facing towards the east are either obscurely glazed (to bathrooms) or are a secondary window to a habitable room (which could reasonably be obscurely glazed).

#### Noise

7.6.11 Notwithstanding the need to mitigate against the impact from neighbouring uses, including the operation of the railway line, on neighbouring use and within the development, it is considered that the impacts can be suitably addressed by way of conditions in the same way as was adopted for the consented scheme. Given the remainder of the

scheme is residential, the noise generated is expected to be comparable to the surrounding development. The previous application included communal roof gardens, whereas the majority of amenity space for the current scheme is provided at ground floor level to the southernmost part of the site. Therefore, the noise impact to neighbouring properties is likely to be less than in the previous approval as the amenity areas would not be elevated to the same degree as in the previous approval.

### Construction phase

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

## 7.7 **Standard of accommodation**

7.7.1 Policies 3.5 and 3.8 of the London Plan 2016 state that housing developments are to be suitably accessible and should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London Plan. Policy DM D2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of privacy, sunlight and daylight and quality of living conditions for future occupants.

7.7.2 All proposed units either meet or exceed London Plan standards. All habitable rooms are served by windows which are considered to offer suitable natural light, ventilation and outlook to prospective occupants. In addition, all units are considered to be suitably private. It is noted that lifts serve all floors providing step free access and that approximately 10% of units (three flats) meet M4(3) of the Building Regulations thereby providing units that are suitable for use as wheelchair user dwellings.

7.7.3 Dual aspect units are encouraged given the higher standard of living they offer, which includes better ventilation, increased daylight, increased sunlight hours and the ability to choose which side of the unit to open windows (when noise, odour or other nuisance is being generated on a particular side). Most units achieve some degree of dual aspect which has been achieved by utilising a grid layout, open walkways to the rear, thus facilitating rear windows to the units.

7.7.4 In accordance with the London Housing SPG, policy DMD2 of the SPP states that there should be 5sq.m of external space provided for 1 and 2 person units with an extra square metre provided for each additional occupant. All units are provided with either private balconies or terraces, the sizes of which generally meet the relevant standards. In addition to the private amenity space provided for each unit, the scheme would offer 345sqm of communal amenity space.

7.7.5 While the development is in close proximity to the railway, it is considered that any impact on prospective occupants can be addressed by technical solutions which would address noise and vibration. As such, it is recommended to include a condition controlling and limiting noise impacts.

7.7.6 As outlined above, the scheme is considered to offer a good standard of accommodation for future occupants.

## 7.8 **Transport, highway network, parking and sustainable travel**

7.8.1 London Plan policies 6.3 and 6.12, CS policies CS20 and CS18 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management; in addition, there is a requirement to submit a Transport Assessment and associated Travel Plan for major developments.

7.8.2 London Plan policies 6.9, 6.10 6.13, CS policy CS20 and SPP policies DM T1 and DM T3 seek to promote sustainable modes of transport including walking, cycling, electric charging points, the use of Travel Plans and by providing no more vehicle parking spaces than necessary for any development.

### Car and cycle parking provisions

7.8.3 It is proposed for the development to be car free. The site is within a CPZ with a PTAL of 3 wherein a car free development is considered to be acceptable, subject to suitable mitigation measures.

7.8.4 Given the above, officers consider that the development would not adversely affect parking pressure in the area. Objectors have raised concern regarding displacement parking on Caithness Road and Park Avenue, located some 120m south of the application site. Whilst there is a potential for some overspill parking, any future occupiers of the development would be aware that parking is not available on site and parking permits are not available. This will likely reduce the attractiveness to potential occupants who own cars and who might seek to park them elsewhere on the highway network. In addition, the provision of CPZs within the Borough is under constant review and if the parking in these roads reaches an extent where a CPZ is necessary, this can be considered by the Council through the usual procedures.

7.8.5 Notwithstanding the scheme's acceptability in terms of its potentially limited impact on parking conditions in the surrounding streets, a development must also be acceptable in terms of accessibility for prospective occupants. Car free developments are considered to be acceptable where they have a PTAL of 4 or above (in accordance with SPP policy DMT3); failing this, other mitigation measures can be implemented. The area has a PTAL of 3 which falls short of the requirement. Therefore, it is proposed to provide all units with a 3 year car club membership at the expense of the developer. It is noted that there are 2 car club bays in the vicinity of the site, at Ribblesdale Road and Dahomey Road which are within 550m and 565m of the site respectively. Given the site has a PTAL of 3 and in conjunction with the proposed mitigation measures (car club membership), it is considered that the site would be acceptable in terms of accessibility for prospective occupants.

7.8.6 The application originally proposed two disabled parking bays on The Bungalows. However, following highway safety concerns raised by the Council's Transport Planner these parking spaces have been omitted from the scheme. Notwithstanding the provision of parking for disabled

people helps deliver a more accessible built environment, in this case, it is considered that the provision of on-site disabled parking would prejudice the development of the site (given the existing constraint of the Thames Water pipe, which significantly reduces the developable area on site). Officers would highlight any disabled occupants of the proposed building would be eligible for a parking permit in the local CPZ under normal S106 clauses. As a matter of judgement it is considered that greater weight may reasonably be attached to the delivery of housing in this particular instance and that to refuse on the grounds of an absence of disabled parking bays could frustrate an otherwise acceptable scheme.

- 7.8.7 In terms of cycle parking, given 1 bed units require 1 cycle storage space and 2 bed (and above) units require 2 spaces, the residential element of the scheme would require a minimum of 35 spaces; it is proposed to provide 36 cycles storage spaces which would meet the policy requirement. Two long term cycle parking spaces for the ground floor retail development and four short stay spaces are proposed, which would be policy compliant and not objectionable.

#### Delivery, servicing and the highway network

- 7.8.8 Whilst the retail unit end occupier is unknown, and could be either food or non-food retail. Assuming a worst case scenario of a food retailer there could be in the order of nine deliveries over the course of a typical week with additional deliveries by suppliers as and when required i.e. bread, newspapers etc which would be received between 06:00 and 24:00. The residential element would be serviced by local authority refuse vehicles already serving The Bungalows and neighbouring residential areas.
- 7.8.9 The Transport Statement suggests that in terms of service and refuse vehicles, the retail element of the proposals would not generate more traffic than the existing lawful use on site. Transport planners raise no issue with the conclusions drawn by the statement.
- 7.8.10 It has been proposed to retain the existing dropped kerb on The Bungalows, in front of the residential entrance, to allow for refuse collection and vehicle turning. In addition, it is proposed remove the existing vehicle access to the site (close to the junction of Streatham Road and The Bungalows) by installing a raised kerb and reinstating the pavement; this would improve pedestrian safety when crossing The Bungalows.
- 7.8.11 The above provisions are considered to be acceptable and the development is not considered to unduly impact upon the safe operation of the highway network.

#### Sustainable Travel

- 7.8.12 Given the development would be car free, the residents would rely on cycling, public transport and car clubs. The development has a PTAL of 3 which is considered to be moderate; however, in reality there are no barriers to transport given there are multiple modes of public transport (bus, rail and underground) which are within walking distance (maximum 15 minutes) and operate frequently. The development offers policy compliant cycle storage along with free car club memberships for future

occupants. As such, it is considered the development would promote the use of more sustainable modes of transport.

- 7.8.13 In addition to the above, it is recommended to include a condition which will require details of travel plans to be provided, one for the commercial component and another for the residential component. The travel plans will provide education on sustainable travel for employees, residents and visitors.

#### Refuse storage/collection arrangements

- 7.8.14 Appropriate refuse storage must be provided for developments in accordance with policy 5.17 of the London Plan and policy CS 17 of the Core Planning Strategy.
- 7.8.15 The location of the refuse storage is considered to be appropriate for deposition by users and for collection. The storage provisions proposed are in line with Merton Council requirements.

### 7.9 **Sustainability**

- 7.9.1 London Plan policy 5.3 and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.

- 7.9.2 The submitted Sustainability Assessment has detailed the baseline energy requirements for the proposed development, the reduction in energy demand as a result of energy efficiency measures and the potential to achieve further CO<sub>2</sub> reductions using renewable energy technologies.

- 7.9.3 The baseline results have shown that if the development was built to a standard to meet only the minimum requirements of current building regulations, the total amount of CO<sub>2</sub> emissions would be 94,039Kg/year.

- 7.9.4 Following the introduction of passive energy efficiency measures into the development, the total amount of CO<sub>2</sub> emissions would be reduced to 87,464Kg/year, a reduction of 6.99%.

- 7.9.5 There is also a requirement to reduce CO<sub>2</sub> emissions across the development using renewable or low-carbon energy sources, where practical and feasible. Therefore the assessment has considered the feasibility of the following technologies:

- Wind turbines
- Solar hot water
- Photovoltaic systems
- Biomass heating
- CHP (Combined heat and power)
- Ground & Air source heating

- 7.9.6 The results of the assessment of suitable technologies relative to the nature, locations and type of development suggest that the preferred solution to be the installation of a 95 panel PV array, producing some 27,083Kwh/annum.

- 7.9.7 The SAP models for the development show a final gross emission level of 64,993Kg/year representing a total 30.89% reduction in emissions over the baseline model. The project would therefore comply with the zero carbon emissions policy subject to an off-set payment at £26,946.
- 7.9.8 It is recommended to include conditions, which would require evidence to be submitted which confirms the development has achieved the carbon savings outlined in the Sustainable Design and Construction Statement along with water consumption rates not exceeding 105 litres per person per day.
- 7.9.9 Subject to a S106 payment of £26,946 along with the above condition, it is considered the proposal would be policy compliant in terms of sustainability.
- 7.9.10 Payments to offset carbon shortfalls are used by Merton Council to fund projects which seek to reduce carbon generation in the borough; projects to date have focussed on schools and have included insulating building envelopes and pipes, boiler controls, lighting motion sensors and solar panels.
- 7.10 **Flooding and sustainable urban drainage**
- 7.10.1 London Plan policies 5.12 and 5.13, CS policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.
- 7.10.2 The site is not considered to be at risk of flooding; however, runoff flows from the site would contribute to the wider network. It is noted that the area under the railway bridge is prone to flooding.
- 7.10.3 The surface water drainage strategy for the development is to restrict post development runoff to 50% compared with existing rates. Based on an existing run-off rate of 13.1 l/s the post development flows will be restricted to 6.6 l/s with on-site storage provided to attenuate the 1 in 100 years plus climate change flows.
- 7.10.4 Attenuation would be provided in the form of either; green roofs, underground storage crates or tank, or permeable paving; or a by a combination of these methods to be determined at detailed design stage. This will achieve a total storage volume of 7.5 cubic metres sufficient to store the 1 in 100 years plus climate change critical storm.
- 7.10.5 The proposed measures are considered acceptable. It is recommended to include a condition to require details of drainage, attenuation and management to be submitted prior to the commencement of development.
- 7.11 **Site contamination**
- 7.11.1 London Plan Policy 5.21 and SPP policy DM EP4 state that developments should seek to minimise pollutants, reduce concentrations to levels that have minimal adverse effects on human or environment health and to ensure contamination is not spread.



7.11.2 In light of the former commercial uses on site, there is a potential for the site to suffer from ground contamination. Planning conditions are recommended that seek further site investigation work and if contamination is found as a result of this investigation, the submission of details of measures to deal with this contamination.

## 7.12 **Impact on biodiversity and SINC**

7.12.1 NPPF section 11, London Plan policies 7.5 and 7.21, CS policy CS13 and SPP policies DM D2 and DM O2 seek to ensure high quality landscaping to enhance the public realm, protect trees that significantly improve the public realm, to enhance biodiversity, encourage proposals to result in a net gain in biodiversity and to discourage proposal that result in harm to the environment, particularly on sites of recognised nature conservation.

7.12.3 The application site is dominated by hard-standing and buildings, which account for the entire site with the exception of two trees, with limited visual public amenity value. The limited area of vegetated habitat present is typical of disturbed urban land. The application site is considered to be of negligible intrinsic ecological and nature conservation importance. There is however a SINC adjoining the site to the south, which coincides with the railway land. In addition, the proposal would result in the loss of one street tree.

7.12.4 Five new street trees would be planted as part of the proposals, along with eight trees planted on site, which is an improvement overall in terms of biodiversity. The previous scheme, 16/P3598, proposed the loss of one street tree. However, the current proposal has been designed to ensure that this tree can be retained.

7.12.5 It is not considered the building itself would adversely impact upon the SINC; however, any light fall could have an impact on wildlife and associated habitats. It is therefore recommended to require an external lighting to be directed away from the SINC.

7.12.6 The design of the scheme provides an opportunity to install green roofs thereby enhancing the biodiversity of a site alongside a green corridor/SINC, in accordance with adopted policy objectives. It is noted that green roofs have also been suggested as part of the sustainable urban drainage strategy. Notwithstanding the proposed urban drainage strategy, it is recommended to require details of a landscaping and planting strategy to be submitted and implemented prior to occupation.

## 7.13 **Developer contributions**

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

7.13.2 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:

- necessary to make the development acceptable in planning terms;
- directly related to the development;
- fairly and reasonably related in scale and kind to the development.

7.13.3 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.

7.13.3 In this instance the delivery of affordable housing (off site contributions), a payment to offset the carbon shortfall, restrictions on parking permits (permit free) and an agreement for the developer to provide a 3 year car club membership for future occupants of the development would be secured via a S106 agreement.

7.13.4 Regulation 123 of the Community Infrastructure Regulations 2010 (as amended) restricts the use of planning obligations for infrastructure that will be funded in whole or in part by Merton's Community Infrastructure Levy.

## **7.14 Response to issues raised by objectors**

7.14.1 The majority of issues raised in objection letters are addressed in the body of the report. However, in relation to specific queries, the following officer response is provided:

- In relation to the submitted Transport Statement, the Council's Transport Planner has reviewed the submission and has considered the issue of the traffic parking survey being from data collected in 2016, rather than more recently. However, the Transport Planner is satisfied that the restriction on the issuing of parking permits would result in an acceptable planning outcome in terms of parking impact.
- It is acknowledged that there is a need for family sized housing in the borough. However, the scheme as submitted is not for townhouses but for flats and given that the previous scheme provided just 1 x 3 bedroom unit, it is considered that refusal on the grounds of failure to provide any three bedroom units would may appear somewhat inconsistent and would not warrant withholding permission.
- The refuse collection arrangements are demonstrated to be acceptable and would not result in The Bungalows being blocked for any significant length of time.
- The site is along the A216, not the A217 as suggested in the objector's letter. The speed limit along Streatham Road, in the vicinity of the site, reported in the Transport Statement is 30 mph. A number of adjoining residential roads are limited to 20 mph and further to the south the speed limit on Streatham Road is 20 mph. therefore the Transport Statement appears to be accurate in this regard.

## **8. CONCLUSION**

8.1 The proposal is considered to be acceptable in principle, providing a mixed use scheme potentially increasing employment on site and increasing residential density in line with planning policy. The proposal is considered to be acceptable in terms of design, responding appropriately to the surrounding context in terms of massing, heights, layout and materials; the proposal is considered to be an improvement as compared

to the existing site. The proposal would offer a limited affordable housing provision, for which to date no interest has been forthcoming from registered providers, or could deliver an equivalent cash in lieu payment, an offer which is supported by an independently reviewed financial viability appraisal.

8.2 The proposal has been sensitively designed to ensure it would not unduly impact upon neighbouring amenity. The proposal would offer good living standards for prospective occupants. The proposal would not unduly impact upon the highway network and it would promote and facilitate sustainable transport. The proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate levels of sustainability. The proposal would accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations which would warrant a refusal of the application.

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

## **RECOMMENDATION**

Grant planning permission subject to the completion of a S106 agreement with the following heads of terms:

1. The provision of 8 x Shared Ownership, or 1 x Social Rent / 1 x Shared Ownership on site. Failing that, a cash in lieu payment of £741,647 to provide affordable housing elsewhere in the borough; The applicant shall provide Merton Council with the cash in lieu payment in the event a registered housing provider has not purchased the affordable units within six months of at least 75% of the market units being occupied, during that period the units identified as affordable units shall not be let, sold or otherwise occupied unless to a registered housing provider;
2. The developer agreement to provide a 3 year membership to a car club for each residential unit of the development at the cost of the developer;
3. A carbon offset contribution of £29,946 on implementation of the development;
3. Restrictions put in place to prevent the future owner/occupiers (other than registered disabled motorists) of the development from applying for on-street parking permits within the surrounding Controlled Parking Zones;
4. The developer agreeing to meet the Council's costs of preparing (including legal fees) the Section 106 Obligations; and
5. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations.

And the following conditions:

1. The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: 1824 PL4/01 B, 1824 PL4/02 B, 1824 PL4/10 D, 1824 PL4/11 C, 1824 PL4/20 F, 1824 PL4/21 H, 1824 PL4/22 G, 1824 PL4/23 F, 1824 PL4/24 F, 1824 PL4/25 F, 1824 PL4/26 H, 1824 PL4/27 E, 1824 PL4/30 F, 1824 PL4/31 D, 1824 PL4/32 F, 1824 PL4/33 D, 1824 PL4/34 D, 1824 PL4/35 E and 1824 PL4/36 C. (and any associated documents).

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

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

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 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. No development shall take place until full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

Reason: To enhance the appearance of the development in the interest of the amenities of the 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, DM F2 and DM O2 of Merton's Sites and Policies Plan 2014.

5. Amended standard condition [Obscure glazing]: Before the development hereby permitted is first occupied, the applicant shall provide details of which windows are to be obscure glazed for approval to the Local Planning Authority. The development shall not be occupied until such details as have been approved are implemented; those measures shall be retained thereafter from the date of first occupation.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

6. The development hereby approved shall not be occupied 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.

7. Access to the flat roof of the development hereby permitted, other than areas specifically shown to be roof terraces or balconies on the approved plans, shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 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. Amended standard condition [Screening]: Before the development hereby permitted is first occupied, details of screening of the balconies and terraces shall be submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied unless the scheme has been approved and implemented in its approved form and those details shall thereafter be retained for use at all times from the date of first occupation..

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

9. The retail development hereby approved shall not be occupied until details of opening hours including servicing and delivery times have been submitted to and agreed in writing by the Local Planning Authority. The development shall be operated in accordance with the approved details.

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. No music or other amplified sound generated on the premises shall be audible at the boundary of any adjacent residential building.

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

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

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

13. The 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. These facilities shall be retained for the occupants of and visitors to the development at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

14. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. Before these details are submitted an assessment shall be carried out of the potential for disposing of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy 5.13 and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site as close to greenfield runoff rates (8l/s/ha) as reasonably practicable and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption by a public authority or statutory undertaker and any other arrangements to secure the operation of the scheme throughout its lifetime.

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.

15. The internal noise criteria in the SRL, Noise Impact Assessment, report number 14855A-T Dated 11 January 2019 shall be implemented to that standard as a minimum. The approved methods shall be implemented in strict accordance with the approved details prior to the first occupation of the development. A post development survey shall be undertaken to ascertain compliance and shall be submitted to and approved in writing by the LPA within 6 months of first occupation of any part of the development.

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 policy DM EP2 of Merton's Sites and Policies Plan 2014.

16. Noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new external plant/machinery shall not exceed LA90-5dB within the external amenity areas of any noise sensitive or residential property between the daytime hours of 0700hrs and 2300hrs. During the night (2300hrs to 0700hrs) noise levels, (expressed as the equivalent continuous sound level) LAeq (15 minutes), from any new external plant/machinery shall be controlled inside any noise sensitive or residential property to at least 10 dB(A) below the 30 dB(A) LAeq internal noise limit for bedrooms given in BS 8233:2014 assuming the bedroom windows are open to provide ventilation.

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 policy DM EP2 of Merton's Sites and Policies Plan 2014.

17. Standard condition [noise levels insulation]: No development shall commence until a scheme for the soundproofing of the building to prevent the transmission of noise and vibration both within and from external sources 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 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.

Reason: To safeguard the amenities of the occupiers of the proposed development 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.

18. Standard condition [kitchen extraction systems]: Prior to the installation of any kitchen ventilation system associated with the non-residential use, plans and specifications of the kitchen ventilation system, including details of sound attenuation and odour control measures shall 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.

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.

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

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

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

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

Reason: To ensure a safe and secure layout in accordance with policy DM D2 of the Merton Adopted Sites and Policies Plan 2014.

21. Prior to the occupation of the development hereby permitted, a Travel Plan relating to the commercial development and a separate Travel Plan relating to the residential development shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TfL and shall include:

- (i) Targets for sustainable travel arrangements;
- (ii) Effective measures for the on-going monitoring of the Plan;
- (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;
- (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

The development shall be implemented only on accordance with the approved Travel Plan. Page 170



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.

22. Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Reason: 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.

23. No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions in accordance with those outlined in the approved Sustainable Design and Construction Statement (dated 27<sup>th</sup> May 2019), and wholesome water consumption rates of no greater than 105 litres per person per day.

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

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

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

Reason: For the protection of Controlled Waters. The site is located over a Secondary Aquifer and within SPZ2 and it is understood that the site may be affected by historic contamination.

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

Reason: Should remediation be deemed necessary, the applicant should demonstrate that any remedial measures have been undertaken as agreed and the environmental risks have been satisfactorily managed so that the site is deemed suitable for use.

26. No drainage systems for the infiltration of surface water drainage into the ground are permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to Controlled Waters. The development shall be carried out in accordance with the approval details.

Reason: Infiltrating water has the potential to cause remobilisation of contaminants present in shallow soil/made ground which could ultimately cause pollution of groundwater.

27. Piling or any other foundation designs using penetrative methods shall not be permitted other than with the express written consent of the Local Planning Authority (by way of the submission of a Piling Method Statement prior to the commencement of development), which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater or subsurface water infrastructure. The development shall be carried out in accordance with the approved details.

Reason: Piling or other penetrative methods of foundation design on contaminated sites can potentially result in unacceptable risks to underlying groundwaters.

28. No piling or any other foundation designs using penetrative methods shall take place until a piling method statement (detailing the depth and type of piling to be undertaken and the methodology by which such piling will be carried out, including measures to prevent and minimise the potential for damage to subsurface water infrastructure or unacceptable risk to groundwater, and the programme for the works) has been submitted to and approved in writing by the local planning authority in consultation with Thames Water and the Environment Agency. Any piling must be undertaken in accordance with the terms of the approved piling method statement.

Reason: The proposed works will be in close proximity to underground water utility infrastructure and has the potential to impact on local underground water utility infrastructure and/or result in an unacceptable risk to ground water.

29. No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset / align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved in writing by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works have the potential to impact on local underground water utility infrastructure.

30. (Standard condition) Removal of redundant crossovers.

#### **Informatives:**

1. INF 15 Discharge conditions prior to commencement of work. INFORMATIVE  
This planning permission contains certain conditions precedent that state 'before development commences' or 'prior to commencement of any development' (or similar). As a result these must be discharged prior to ANY development activity taking place on site. Commencement of development without having complied with these conditions will make any development unauthorised and possibly subject to enforcement action such as a Stop Notice.
2. INF 08 Construction of Accesses. INFORMATIVE  
It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.
3. INF 09 Works on the Public Highway. INFORMATIVE  
You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.
4. INF 12 Works affecting the public highway. INFORMATIVE  
Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated

under the requirements of the New Roads and Street Works Act 1991 and the Traffic Management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.

5. INFORMATIVE:

The highways section carry out all construction works within the public highway

Oversail licences to be agreed with Merton Councils legal section

Public/private highway to be defined by stainless steel studs, which are to be agreed with the highways section.

The material for the crossover construction is to be determined by the highway section and to their specification.

The highways section is to be contacted for the costs of the proposed dropped kerbs which will be constructed at the developer's expense.

Traffic orders for the disabled bays and changes to the existing traffic orders to be paid by the developer to the Traffic Section.

The highways section must be contacted prior to any works being carried out to agree the appropriate highway licences for this site.

6. INFORMATIVE:

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

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

- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; AND

- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO<sub>2</sub> emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

7. INFORMATIVE:

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

- Documentary evidence representing the dwellings 'As Built'; detailing:

- the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);

- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:

- Water Efficiency Calculator for New Dwellings; OR

- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

8. INFORMATIVE:

1. The Applicant shall enter into an asset protection agreement with London South East Asset Protection and Optimisation (ASPRO) before proceeding with any design/construction works at the site;
2. Adopt ASPRO guidance and requirements and a list of NR deliverables will be provided to the developer in kick-off meeting;
3. Submit for ASPRO acceptance design, risk assessment & method statement (RAMS) for any work within Network (NR) zone of influence which potentially associate with risks to railway operation, such as:
  - Demolition of existing buildings
  - Enabling Works
  - RC Frame Construction
  - Lifting plans using tower/mobile crane
  - Facade and Cladding
4. Submit for ASPRO acceptance the following to mitigate the risk of affecting the access to the station during construction:
  - Traffic and pedestrian management plan during construction.
  - Logistics and Construction Plan

The developer is advised to contact the London South East ASPRO team at [AssetProtectionLondonSouthEast@networkrail.co.uk](mailto:AssetProtectionLondonSouthEast@networkrail.co.uk).

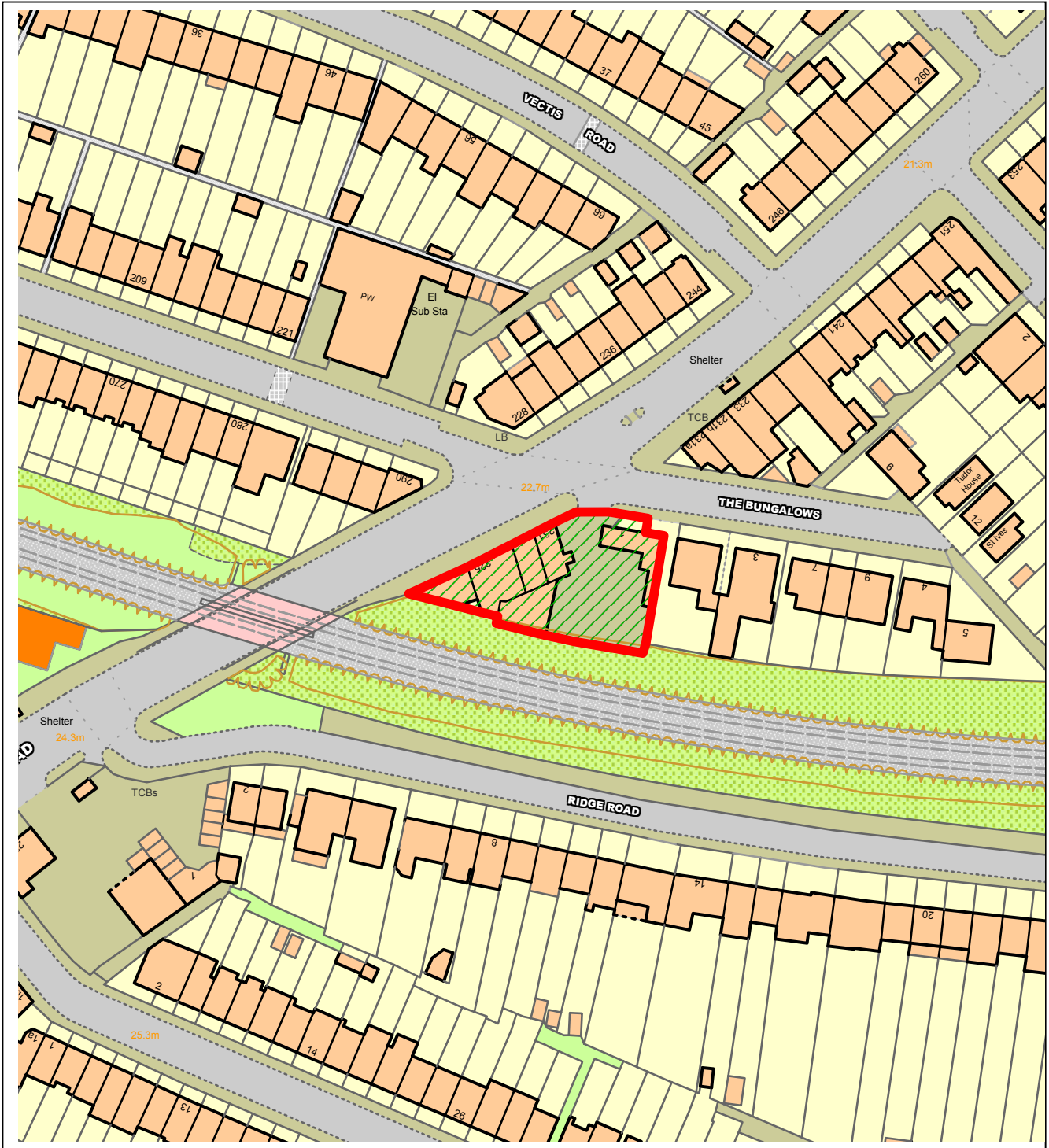
9. The proposed development is located within 15 metres of Thames Waters underground assets and as such, the development could cause the assets to fail if appropriate measures are not taken. Please read our guide 'working near our assets' to ensure your workings are in line with the necessary processes you need to follow if you're considering working above or near our pipes or other structures. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>. Should you require further information please contact Thames Water. Email: [developer.services@thameswater.co.uk](mailto:developer.services@thameswater.co.uk) Phone: 0800 009 3921 (Monday to Friday, 8am to 5pm) Write to: Thames Water Developer Services, Clearwater Court, Vastern Road, Reading, Berkshire RG1 8DB.
10. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required. Should you require further information please refer to our website. <https://developers.thameswater.co.uk/Developing-a-large-site/Apply-and-pay-for-services/Wastewater-services>
11. The applicant is advised to read the Thames Water guide working near or diverting our pipes. <https://developers.thameswater.co.uk/Developing-a-large-site/Planning-your-development/Working-near-or-diverting-our-pipes>
12. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.
13. The Environment Agency recommends that where soil contamination is present, a risk assessment is carried out in accordance with their guidance 'Piling into Contaminated Sites'. The Environment Agency will

not permit piling activities on parts of a site where an unacceptable risk is posed to Controlled Waters.

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

# NORTHGATE SE GIS Print Template



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## PLANNING APPLICATIONS COMMITTEE 26 SEPTEMBER 2019

<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
19/P2414	24/06/2019
<b>Address/Site</b>	22 West Side Common, Wimbledon, SW19 4UF
<b>Ward</b>	Village
<b>Proposal:</b>	Erection of a two storey side extension, single storey rear extension, excavation of basement and a single storey garage.
<b>Drawing Nos</b>	FP06, 19051-TW-400 Revision B2, EX01, FP01, FP02, FP03, FP04, FP05, FP07, FP08, FP09, FP10, FP11, CCL 10193/TPP Revision 1, CCL 10193/TCP Revision 2, CCL 10193/IAP Revision 2, CCL 10193 /TPP Revision 1, Heritage Statement June 2019, Ground Movement Assessment Ref: 17646/GMA June 2019, Construction Engineer's Method Statement and SuDS Strategy for Planning (including Basement Impact Assessment) Ref: 19051/CMS- June 2019 rev P2, For PLANNING, Heritage Statement (June 2019) BS 5837 Arboricultural Report Impact Assessment and Method Statement, Tree Schedule
<b>Contact Officer:</b>	Charlotte Gilhooly (020 8545 4028)

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### **RECOMMENDATION**

**GRANT Planning Permission subject to conditions.**

### **CHECKLIST INFORMATION.**

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 15
- External consultations: 2
- Controlled Parking Zone: No

## 1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee for consideration in light of the number of objections received.

## 2. **SITE AND SURROUNDINGS**

The site comprises a double storey, semi-detached dwelling located on the west side of Wimbledon Common. The site is within West Wimbledon Conservation Area and Wimbledon Common Archaeological Priority Tier 2. A single storey modern garage is sited to the south of the original dwelling. The property has a large brick front wall which provides privacy at the front of the site. 22 West Side Common and 22a West Side Common was originally constructed as one dwelling, however, have been subdivided, separated centrally. The dwelling on the subject site is locally listed. The character assessment states:

*“This is a two storey building which is thought to date from the eighteenth century, or possibly even earlier, but which certainly pre dates 1867. Its architectural style shows Dutch classical influence. The materials used include render and roof tiles. The design of the building does not relate closely to that of other buildings in the area. The most notable features of interest include the double pile hipped roof, the wrought ironwork to some of the first floor windows, and the general proportions of the casement windows. There have been some modifications to the building, including the removal of some chimneys and the use of new roof materials.”*

The surrounding area is characterised by substantial semi-detached and detached dwellings, with generous sized rear and side gardens which look out onto Wimbledon Common.

## 3. **CURRENT PROPOSAL**

The proposal is for the demolition of the existing single storey garage, the construction of a double storey side extension, a single storey rear extension, a basement and a single storey detached garage.

- 3.1 The proposal will have the following dimensions:
- Two storey side extension: 6.16m wide, (7.56m including rear bay window) 9.97m deep with an eaves height of 5.91m and a maximum roof height of 7.91m. The architectural style of the extension would mimic that of the original dwelling, however, will be minimally setback and lowered. There are proposed to be four new front windows, eleven side windows and four rear windows. This extension will have a similar footprint as the existing ground floor side garage.
  - The basement will be 9.51m wide at the south end, 9.68m wide at the north end, 9.47m deep and 2.99m high.
  - The free standing outbuilding/garage will be located at the front of the site and will be 4.85m wide, 9.3m deep and 2.32m high up to the eaves with a maximum roof height of 3.96m. This garage will occupy one car, with a shed contained at the end. The roof will match the existing dwelling material, while the walls will be white painted timber clad and the door will be oak.

- The single storey rear extension will be 3.47m wide, 5.64m deep with an eaves height of 2.81m and a maximum roof height of 4.32m. An open court yard will be located on the north east side.
- A white timber framed gate to allow vehicles on site will be 2m high and 2.74m wide.

### 3.2 Materials

The roof will be finished in reclaimed red clay hung tiles and chimney pots to match the existing. The walls will be painted render to match the existing. Proposed windows will be a mixture of timber framed box sash windows and timber framed casement windows.

No refuse storage is shown on the plans.

## 4. **PLANNING HISTORY**

- WIM1836: private garage – permission granted.
- WIM2095: alterations into 2 houses - permission granted.
- WIM2436: application for the erection of 1 dwelling house within the curtilage of one of the 2 houses formed by application wim2095 – permission refused.
- 02/P1714: application for a certificate of lawfulness in respect of proposed rooms in roof space with rear dormer - issue certificate of lawfulness.

## 5. **CONSULTATION**

5.1 Consultation letters were sent to the occupiers of neighbouring properties.

5.1.1 In response to the consultation, six letters of representation have been received. The summary of representations are as follows:

5.2 External:

5.2.1 Character

- This is a very large extension which will exacerbate the existing massing at 22, 22A and 23 West Side Common which form an uninterrupted block. This is out of place with other West Side Common residential properties.
- Concern about the potential damage the excavation and piling will cause to the mature Sycamore tree, the water table and disturbance caused by piling to neighbouring properties.
- The total size of the completed scheme will be much larger than most of the properties on West Side Common.
- The siting of the garage is very close to the boundary and would therefore make the garage visible from the street. By having the garage so close it would spoil views from the street and Wimbledon Common. If the garage was rotated 90 degrees or sited a metre away from the boundary wall the problem could be resolved.

## 5.2.2 Amenity

- It will obscure our views of the common from the first floor window (22A West Side Common).
- The flat roofed passageway connecting the proposed new gym, even though the plan shows it will be constructed mainly in glass, would not prohibit any inhabitants from obscuring the glass which would further compromise our right to light.
- The proposal will have a detrimental impact on the amount of light entering my kitchen window. (22A West Side Common).

## 5.2.3 Construction

- The proposed basement could cause damage to the foundations of 20B 20C, 20D, 21 and 22A as well as the mature Sycamore tree and old wall on the site.
- Whatever extension is approved, there should be safeguards in place to limit noise levels and disturbance during construction.
- Arrangements will need to be put in place in order to avoid obstructing West Side Common during the construction period.
- The proposal will cause excessive disruption to local residents because of increased heavy duty lorries carting away heavy spoils from the site. The area already suffers from heavy traffic.

## 5.3 Internal:

### 5.3.1 Tree Officer

The proposed development requires the removal of a moderate quality apple and Japanese Maple. Both trees have been given a 'C' category rating and are relatively insignificant in the local area. A third tree is proposed for removal due to the presence of significant decay through the main stems;

The arboricultural report sets out a satisfactory level of protection for all the trees, including those located in the green verge outside of this property.

Should you be minded to recommend a grant of planning permission for this development, then I would advise attaching the following planning conditions: (see below.)

### 5.3.2 Conservation Officer

- Concerns over the siting of the proposed garage and should be repositioned. The design is ok.
- Preference would be not to see the bay windows on the side. The internal gain does not outweigh the harm to the proposed extension.
- The lightwells are overly large and eat into the garden. If the bay is removed they can reduce the size of the light well to the basement bedroom. If they must have garden access to the basement I recommend that it is soft landscaped to become part of the garden.
- I am not sure of the purpose of the flat roof at first floor level.

#### 5.3.4 Flood Risk Officer:

The dwelling is located in flood zone 1 and is not shown to be in a high or medium surface water flooding location.

A high level drainage strategy has been provided by Axiom Structures Limited to support the application, although some drainage calculations and indicative drainage layouts have been included as an appendix to the Soils Ltd Basement Impact Assessment.

Based upon the 4 No. boreholes at the nearby school relatively shallow groundwater conditions are anticipated. Groundwater was struck in the four boreholes at depths ranging between 1.75 and 4.00m bgl. And rose to standing depths ranging between 1.01 and 2.05m bgl. High groundwater levels can also be inferred from the presence of an unlined pond 250m east of the site (Rushmere Pond) which typically has a water level of around 1m bgl. This risk needs to be considered and mitigated, both during and post construction.

It appears that the proposed works will not increase permeable surfaces and will reduce the flow of surface water using SUDS techniques to no more than 4l/s for events up to and including the 1 in 100 year plus 40% climate change allowance.

The drainage layout drawing shows a proposed soakaway in the rear garden and this should will need to be designed in accordance with BRE365, taking into account the potential for seasonal variation to occur particularly in winter and spring when high groundwater levels will exist.

If you are minded to approve this application, please include the following conditions: (see below).

## **6. POLICY CONTEXT**

### 6.1 NPPF - National Planning Policy Framework (2019):

Part 12 Achieving well designed places

Part 16 Conserving and enhancing the historic environment

### 6.2 London Plan Consolidated 2016:

- 7.4 Local character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology

### 6.3 Merton Sites and Policies Plan July 2014 policies:

- DM D2 Design considerations in all developments
- DM D3 Alterations and extensions to existing buildings
- DM D4 Managing Heritage assets

6.4 Merton Core Strategy 2011 policy:

CS 14 Design

**7. PLANNING CONSIDERATIONS**

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

Character and Appearance

7.2 London Plan policies 7.4, 7.6 and 7.8, Core Strategy policy CS14 and SPP Policies DMD2, DMD3 and DM D4 require well designed proposals that are of the highest architectural quality and incorporate a design that is appropriate to its context, so that development relates positively to the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings, thus enhancing the character of the wider area. The site lies within the Conservation Area which seeks to protect the distinct character of the area and views from the Common. The host building is locally listed and thereby makes a positive contribution to the character of the Conservation Area.

7.2.1 **Basement**

Internally, the basement will be extended at the side of the property and the new basement will be excavated to allow for a sunken external courtyard. This will provide additional light into the proposed basement and provide an alternative access/escape route. As the basement does not take up more than 50% of the front, rear or side of the garden, the principle of the proposed basement is considered acceptable and compliant with policy DM D2.

The courtyard/lightwell to the side of the property would be a large addition and would be visible once you are inside the curtilage of the property but as this part of the proposal is at the side of the building and screened by a large wall, it would not be visible from the streetscene. On this basis the basement and courtyard is not considered to be detrimental in appearance towards the host dwelling or surrounding Conservation Area and is therefore considered acceptable. However as this area is Archaeological Area Tier 2, there is a potential for archaeological finds. As such a condition is recommended.

7.2.2 **Two storey side extension**

It is considered that the proportions and the footprint of the proposed two storey side extension are acceptable in the way that they relate to the host dwelling and the constraints of the site. The width of the extension would respect the width of the host dwelling and the host dwelling would remain the dominant part of the building on the site.

The two storey side extension would be set down from the existing roof ridge and maintain the same angle of pitch as the roof pitch of the main building creating a subordinate appearance. Windows will have the same proportions as existing. Materials include reclaimed terracotta tiles, timber framed

windows, reclaimed chimney pots and decorative black painted wrought iron railings to basement courtyard to match existing balustrade railings. As such this element of the proposal is considered acceptable.

In addition as the site benefits from a large garden at the side of the property, there would be a separation distance at the side boundary of approximately 17m. As such, this element of the proposal is considered acceptable.

#### 7.2.3 Single storey rear extension

The single storey rear extension is traditional in style with a pitched roof and windows to match the existing building. In addition it is of a depth, scale and proportion and which is subordinate to the main building. In addition it will be in keeping with the appearance of the existing building and rear extension located at 22A West Side Common. This element of the proposal is therefore considered acceptable.

#### 7.2.4 Outbuilding

The outbuilding is of a scale, form and proportion which is not considered harmful to the character of the host building or surrounding Conservation Area.

While normally an outbuilding forward of the building line would be considered detrimental, it is considered that because it is largely screened by a high retaining wall, it would not be detrimental to the host building or surrounding Conservation Area.

7.2.5 Overall, the proposal is considered acceptable to the character and appearance of the host building and the surrounding Conservation Area. The character of the Conservation Area would be preserved by the proposal.

### 8. Neighbouring Amenity

The properties which may be affected include 20b, 20c, 21 and 22A West Side Common

#### 8.1 20b West Side Common

As most of the proposal is contained at the side elevation, the only part of the proposal which has the potential to affect the amenity of this neighbours property is the single storey rear extension. At 5.64m deep and 4.34m high combined with a separation distance of 19m, this element of the proposal is not considered to harm this neighbours amenity.

#### 8.2 20C West Side Common

The two storey side extension would extend the build form across the side of the site and thereby increasing the potential for overlooking. But as there is a separation distance of approximately 11m and there are already windows at the two storey level in this orientation, it would not increase the amount of overlooking substantially to be considered harmful to this neighbours amenity.

### 8.3 21 West Side Common

The proposed two storey side extension would extend the built form closer to the boundary of this property but as the properties along this side of are north east facing and there would remain a separation distance of approximately 17m at the side boundary, the proposal is not considered to impact the amenity of this property.

### 8.4 22A West Side Common

This property adjoins 22 West Side Common. As such the only part of the proposal which could affect this neighbours amenity is the single storey rear extension element.

8.5 It is noted the 22A has an existing single storey rear extension which has a window in the side elevation which looks out onto the rear garden/courtyard of 22 West Side Common. The proposed single storey rear extension adjoins the wall of this existing neighbouring extension. However as part of the design the applicant proposes an internal courtyard in order to allow light into this neighbouring property. As such and because the extension does not extend further than 22A's existing rear extension, this element of the proposal is considered acceptable.

8.6 Overall, the proposal is considered acceptable to the amenity of these neighbouring properties in terms of loss of day light/sunlight, quality of living conditions, privacy, visual intrusion and noise.

## 9 Parking

The proposal will not involve the loss of any car parking spaces. This element of the proposal is therefore considered acceptable. The proposed garage is positioned on site without affecting the highway.

## 10 Impact on Trees

The Council's Tree Officer has assessed the submitted information and has recommended the following conditions below. The 3 trees to be removed are not considered to be of visual significance to warrant there protection.

## 11. CONCLUSION

The scale, form, design, positioning and materials of the proposals are not considered to have an undue detrimental impact upon the character or appearance of the Conservation Area, the host building or on neighbouring amenity. Therefore, the proposal complies with the principles of policies DMD2, DMD3 and DM D4 of the Adopted SPP 2014, CS14 of the LBM Core Strategy 2011 and 7.4, 7.6 and 7.8 of the London Plan 2016. It is not considered that there are any other material considerations that would warrant refusal of this application.

It is therefore recommended to grant permission subject to conditions.

## 12. RECOMMENDATION

Grant planning permission



Subject to the following conditions:

1. A1 Commencement of Development
2. A7 Approved Plans
3. B1 External Materials to be approved
4. C03 Obscure Glazing
5. D11 Construction Times
6. E06 Ancillary Residential Accommodation
7. F01 Landscaping Planting Scheme
8. H01 Landscaping/planting scheme
9. H09 Construction Vehicles
10. Tree protection
11. Site supervision (trees)
12. No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) via infiltration or at the agreed runoff rate (no more than 3.9l/s), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

**Reason:** To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

13. **Condition:** Prior to the commencement of development, the applicant shall submit a detailed construction method statement (CMS) produced by the respective contractor/s responsible for building the approved works, to the approval of the Local Planning Authority. The construction method statement shall also detail how drainage and groundwater, will be managed and mitigated during and post construction (permanent phase) such as through passive drainage measures around the basement structure.

**Reason:** To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

14. No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and
  - A. The programme and methodology of site investigation and recording and the nomination of a competent person(s) or organization to undertake the agreed works.
  - B. The programme for post-investigation assessment and subsequent analysis, publication & dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the WSI.

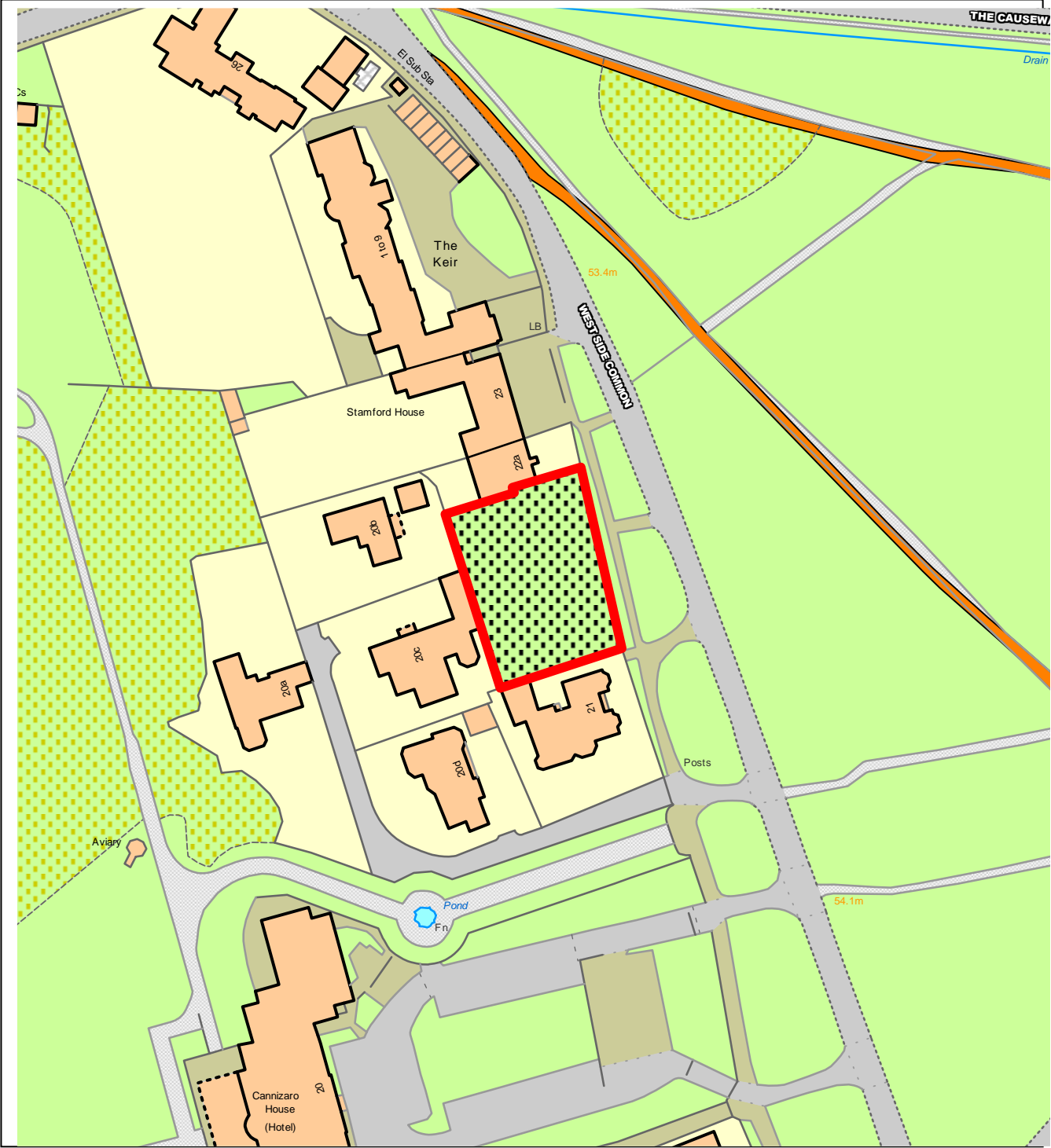
**Informatives:**

1. The written scheme of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of the Town and Country Planning (Development Management Procedure) (England) Order 2015.
2. No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).
3. No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

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# NORTHGATE SE GIS Print Template



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## PLANNING APPLICATIONS COMMITTEE 26 SEPTEMBER 2019

<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
18/P1947	17/09/2018
<b>Address/Site:</b>	41 – 47 Wimbledon Hill Road, Wimbledon, SW19 7NA
<b>Ward</b>	Hillside
<b>Proposal:</b>	Redevelopment of site to provide a mixture of class A1 (Retail), A2 (Financial and Professional Services) and C1 use (Hotel) involving the partial demolition of the existing building (facades fronting Wimbledon hill road and Alwyne road to be retained) including erection of 5 storey rear extension and excavation of additional basement level.
<b>Drawing Nos:</b>	1618 – PL1/11E, 12E, 13D, 14E, 15E, 16D, 17E, 18B, 19C, 20C, 21B, 22B, 23B, 24B, 25B, 26C, 27C, 35 & 36
<b>Contact Officer:</b>	David Gardener (0208 545 3115)

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### **RECOMMENDATION**

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

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### **CHECKLIST INFORMATION**

- Heads of agreement: Permit free, financial contribution for short stay cycle parking
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: Consulted at pre-application stage
- Number of neighbours consulted: 121
- External consultations: Historic England

### **1. INTRODUCTION**

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

### **2. SITE AND SURROUNDINGS**

- 2.1 The application site occupies a corner fronting both Wimbledon Hill Road and Alwyne Road. The site comprises a group of buildings fronting Wimbledon Hill Road, which are locally listed and commonly referred to as the Bank Buildings. The site is located within the Merton (Wimbledon Hill Road) Conservation Area. The sites Wimbledon Hill Road frontage is also within an Archaeological Priority Zone. The site has excellent Public Transport accessibility (PTAL – 6b) and is also located in a Controlled Parking Zone (Zone – W2).
- 2.2 Architecturally, the Bank Buildings are recognised as one of the most magnificent buildings in both the town centre and the Conservation Area. They are 3½ storeys high, and comprise a short terrace, which is designed in a highly ornate, and very richly detailed “Jacobean” classical style. It dates from 1885. The roof comprises a series of gables or half hips, where the ridges are oriented at right angles to Wimbledon Hill Road.
- 2.3 The bank buildings feature Class A1, A2 and D1 uses at ground floor level with Class B1 and D1 accommodation provided above. Nos. 45 and 47 feature modern single storey rear extensions, with an original two-storey building, formerly a coach house which is set back from Alwyne Road located behind. The immediate area comprises an eclectic mix of building styles and sizes. Examples of modern buildings include, Melbury House, a four-storey building, located opposite the site on Alwyne Road, and Central House, a part four/part five-storey office building, which abuts the rear of the site and also fronts Alwyne Road. Traditional three-storey Victorian terraces, comprising commercial uses at ground floor level and a mixture of office and residential uses above, are situated opposite the site on Wimbledon Hill Road. Residential properties are located further along Alwyne Road, Compton Road, and to the north of the site along Woodside.

### **3. CURRENT PROPOSAL**

- 3.1 Redevelopment of site to provide a mixture of class A1 (retail), A2 (financial and professional services) and C1 use (hotel) involving the partial demolition of the existing building (facades fronting Wimbledon Hill Road and Alwyne Road to be retained) including erection of 5 storey rear extension fronting Alwyne Road, and excavation of additional basement level.
- 3.2 The proposal would involve substantial demolition of the existing Bank Buildings with the retention of the existing facades fronting Wimbledon Hill Road and Alwyne Road. It should be noted that the application as originally submitted proposed to demolish more or less all of the internal walls. Plans have since been amended with the retention of significantly more of the buildings internal fabric. A new roof which would accommodate an additional floor would be erected over the Bank Buildings. This roof, which would be higher than existing and angled backwards, set back approx. 1.75m from the buildings Wimbledon Hill Road frontage. The new roof would also be glazed on its Wimbledon Hill Road frontage. The proposed 5 storey rear extension would be brick facing and feature a geometric shaped roof comprising a Rheinzink triangular tile, which would mirror the new roof to be constructed over the Bank

Buildings. The proposal would also include the restoration of the exterior of the Bank Buildings with new shop fronts proposed.

- 3.3 The proposed hotel, which comprises 76 rooms (this has been reduced from the 93 rooms originally proposed), would occupy the majority of the development. The hotel would occupy all floors apart from part of the ground floor which fronts Wimbledon Hill Road. The hotel would be accessed from Alwyne Road. Two commercial units (flexible A1/A2 use) would occupy the remainder of the ground floor with access from Wimbledon Hill Road. In total the proposal would result in the net loss of 379sqm of A1 use, 204sqm of A2 use, 221sqm of B1 use and 945sqm of D1 use, with a net gain of 3,897sqm of C1 (hotel) use.
- 3.4 The proposal would be car free with servicing taking place on street. Vehicles are expected to utilise either the existing loading bay on Compton Road, or 'dwell' on the single yellow lines running along the northern side of Alwyne Road. The site benefits from an existing Service access lane off Compton Road.

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

The following planning history is relevant:

##### 41 Wimbledon Hill Road

MER687/79 - Use of ground floor (rear) of forty-one as offices with access and escape from thirty-nine and forty-three and use rear yards forty-one and forty-three in connection with shops or offices. Granted, 15/11/1979.

MER478/82 - Alterations to premises including new front at ground floor level and rebuilding at rear in connection with use of premises as a bank. Granted, 05/08/1982.

03/P0594 - Change of use from offices to an education use (Class D1) (excluding shops on the ground floor and in the basement). Granted, 21/05/2003.

##### 43 Wimbledon Hill Road

99/P0314 - Proposed change of use of ground floor and basement from A1 (shops) to A2 (financial and professional services). Granted, 30/03/1999.

##### 45 Wimbledon Hill Road

No relevant planning history.

##### 47 Wimbledon Hill Road

02/P1696 - Change of use from retail (Class A1) to a restaurant/take-away (Class A3) with associated external alterations. Refused, 24/04/2003.

08/P0564 - Erection of a replacement shop front to ground floor retail unit. Granted, 21/05/2008.

41-47 Wimbledon Hill Road

09/P2346 - Refurbishment of existing building, demolition at part rear buildings, construction of new building at rear - 6 storey, use: retail, office, and 9 residential flats. Registered – There was a resolution to grant planning permission at Planning Applications Committee on 15<sup>th</sup> April 2010 subject to the signing of a S106 Agreement.

09/P2347 - Application for Conservation Area Consent for the refurbishment of existing building, demolition at part rear buildings, construction of new building at rear - 6 storey, use: retail, office, residential/9 flats. There was a resolution to grant planning permission at Planning Applications Committee on 15<sup>th</sup> April 2010 subject to the signing of a S106 Agreement.

14/P2241 - Demolition of rear building and construction of new building at rear - 6 storeys, change of use of first, second and third floors of existing bank building from language school/ office to create 23 residential flats (14 x 1 bed, 8 x 2 bed & 1 x 3 bed). Amalgamation of existing basement and ground floor commercial units (2 x class A1, 1 x class A2 & 1 x language school) to a single unit comprising either class A1, A2 or A3 use. Refused - 03/09/2014, for the following reasons:

- 1) The proposed development fails to provide a satisfactory standard of accommodation for future occupants, arising from a number of units failing to provide either adequate levels of natural daylight, outlook and/or amenity space. The proposal would therefore be contrary to policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).
- 2) The application has failed to provide any marketing evidence to demonstrate that community uses are no longer viable on the site, contrary to Policy DM C1 of the Adopted Sites and Policies Plan and Policies Maps (July 2014)
- 3) The proposed new building given its excessive height, prominent siting and unsympathetic design would relate poorly to the scale, height, and massing of surrounding buildings and would dominate and have a detrimental impact on the Bank Buildings, particularly when viewed from Alwyne Road, Wimbledon Hill Road and the wider conservation area contrary to policies DM D2 and DM D4 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

This application was also subsequently dismissed at appeal on 20/01/2015.

**5. POLICY CONTEXT**

- 5.1 Adopted Sites and Policies Plan and Policies Maps (July 2014):  
DM C1 (Community facilities), DM D1 (Urban design and the public realm), DM D2 (Design considerations in all developments), DM D3 (Alterations and



extensions to existing buildings), DM D4 (Managing heritage assets) DM R4 (Food and drink/leisure and entertainment uses), DM E1 (Employment areas in Merton), DM E4 (Local employment opportunities), DM EP2 (Reducing and Mitigating Noise), DM EP4 (Pollutants), DM R4 (Protection of shopping facilities within the designated shopping facilities), DM R5 (Food and drink/leisure and entertainment uses), DM R6 (Culture, arts and tourism development), DM T1 (Support for sustainable transport and active travel), DM T2 (Transport impacts of development), DM T3 (Car parking and servicing standards)

- 5.2 Adopted Core Strategy (July 2011):  
CS.6 (Wimbledon Town Centre), CS.7 (Centres), CS.12 (Economic development), CS.14 (Design), CS.15 (Climate Change), CS.18 (Active Transport), CS.19 (Public Transport), CS.20 (Parking, Servicing and Delivery)
- 5.3 London Plan (2016):  
4.5 (London's Visitor Infrastructure), 4.6 (Support for and enhancement of arts, culture, sport and entertainment), 5.2 (Minimising carbon dioxide emissions), 5.6 (Decentralised energy in development proposals), 5.3 (Sustainable Design and Construction), 5.9 (Overheating and cooling), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.13 (Parking), 7.2 (An inclusive environment), 7.4 (Local character), 7.6 (Architecture), 7.7 (Location and design of tall and large buildings), 7.8 (Heritage Assets and Archaeology)
- 5.4 National Planning Policy Framework 2019
- 5.5 Merton's Draft Local Plan (2020)
- 5.6 Wimbledon Hill Road Character Assessment (July 2006)

## **6. CONSULTATION**

- 6.1 The application has been publicised by means of Conservation Area press and site notice procedure and individual letters to occupiers of neighbouring properties. In response 42 letters of objection have been received. The grounds of objection are as follows:
- Detrimental impact of proposed roof and rear extension on historic Bank Buildings and surrounding area/excessive demolition of existing building
  - Another hotel not needed in Wimbledon/Excessive number of rooms proposed/poor quality hotel likely given specification
  - Servicing and waste management requirements of hotel underestimated
  - Excessive pressure on parking/traffic and congestion during construction/lack of vehicular drop off facility/unrealistic to assume that the majority of hotel guests will use public transport/existing servicing data inaccurate as it shows significantly more trips than what is actually taking place
  - General everyday disturbance of hotel use on surrounding properties e.g. commercial and taxi traffic/ 24/7 opening hours of hotel
  - Impact on air quality
  - Amalgamation of smaller units into larger units

- Lack of justification for proposed changes of use
  - Excessive height, scale and bulk/overdevelopment of site
  - Soil and drainage impact due to the double basement/increase in flooding/impact on utilities
  - Increase rubbish in local area
  - Police concerns including potential increase in crime and antisocial behavior/bomb impact
  - Alwyne Road is unsuitable for a busy hotel entrance
  - Highway safety
  - Inadequate consultation
  - Poor history of management
  - Loss of privacy/overlooking
- 6.2 One letter of support was received due to the development potentially enhancing the local commercial offering / civic amenity whilst preserving the fabric of an important local landmark.
- 6.3 Design and Review Panel (Pre-application - January 2017)
- 6.31 The Panel noted that a lot of work had already gone into developing the design concept, and that this elaborate locally listed building was in need of some improvement. The Panel felt that the basics of scale, height, massing and form had been got right. The applicant's approach centred around the three elements of the new shop-fronts, new roof form, and new elevation to Alwyne Road. The Panel felt that they were getting mixed messages about the design rationale for each of these elements, which did not quite fit together well.
- 6.32 The Panel were clear in that they felt this substantial building needed to be well grounded – having a degree of solidity at ground floor. Whilst they welcomed the improvements to the shop-fronts, they felt that the balance was not yet right between glazing and the solid elements of the shop-front partitions – the building appeared to floating. This seemed a bit incongruous in relation to what was above, though it was acknowledged that there may be scope for some expression of this style at the corner of the building.
- 6.33 Regarding the shop-fronts, it was recommended that the original features, such as the elaborate pilasters, should be retained, and historical photos be used to inform a modern interpretation for the shop-fronts. This sunny side of the street would benefit from traditional awnings to the shop-fronts. Regarding the roof extension, the Panel noted the given reasons for removing part of the original roof, but felt that the new roof form needed to work well from street level. The concept was clear in elevation, but from street level, the combination of old and new roof forms – notably the front profile detail of the new roof – appeared disjointed. It was suggested that it might be better to fill the gaps between the pitches, rather than oversail them with the proposed 'floating' roof – even if this mean adding more height for another storey.
- 6.34 The Panel felt that it was appropriate to use red brick for the Alwyne Road elevation, and that it should be less expressive than the existing building, but it was felt that the rhythm was not quite right and there was no sense of its quality

at the moment. The new brickwork and glazing clearly needed to relate to the charm of the existing building. It was felt that the hotel entrance needed to be subtle in advertising its presence, as it would not be appropriate for large signs to be attached to the building.

- 6.35 Regarding detailing, the Panel were concerned how the new roof plane would fit with the existing roof plane. It was questioned why the front elevation of the new roof was not parallel with the front elevation of the building. It was felt that considerably more work was needed in developing a successful roof design based on the submitted proposals. This was not clear from the images, but was very important to get right. The existing building had strong vertical elements, and it was felt that this was not being picked up well as it should in the proposals.
- 6.36 The Panel suggested that perhaps a more imaginative approach should be taken with the roof and that some terraces or open space were provided with the hotel rooms or as a communal facility (eg. Alexandra PH). It was also questioned whether a double basement would be viable and whether it would be considered by the council to endanger the locally listed building. It was also noted that the outlook from the internal courtyard would not be particularly pleasant.
- 6.37 Overall the Panel were impressed by the general concept and open-minded, creative approach to the design, but it was clear that considerably more work was needed to address a whole range of issues before the concept became a workable design.

VERDICT: **AMBER**

6.38 Design and Review Panel (Pre-application - September 2017)

The Panel noted that the applicant had taken on board the Panel's previous comments regarding making something special of the top of the building. In general the Panel welcomed this and were positive regarding the architectural approach. They were less sure about the visual impact and requested a CGI 'from the top deck of the 93 bus coming down Wimbledon Hill'.

- 6.39 They were also concerned about the detail of the interface of the new build with the historic building and felt this needed further work and refinement. On the frontage this was how the rooms were arranged in relation to windows and floor levels at the transition floor between the old and new. The Panel were concerned the floor levels would relate poorly to the front windows and that clear and accurate sectional drawings were required to demonstrate the proposed arrangement.
- 6.391 The Panel felt that on the frontage the applicant was trying to squeeze in one too many hotel rooms. From the drawings and images supplied, the Panel were concerned that the hotel room images showed rooms that were larger than most of those shown on the proposed plans. The Panel remained concerned about the quality of light and privacy in the hotel rooms at the lower

levels. This needed to be demonstrated to be acceptable to the planning authority although the Panel noted that the hotel provider seemed happy with the proposal. Privacy was also a concern from the pavement on Alwyne Road.

- 6.392 As the proposal was for a very complex roof form merging with a highly detailed historic building, the Panel strongly recommended that the applicant take the time to produce a good quality model at an appropriately detailed scale. More detailed CGI images were also required that showed more of the local context. The Panel were of the view that there was an excellent concept at the top level, but that how it is realised is not yet fully resolved.
- 6.393 The quality of the concept needed to be evident throughout the building all the way to the basement. Currently there was an amazing top with a cheap and nasty hotel underneath. Other examples of how to do hotels in historic buildings were required to aid and inform the successful conversion of this building. Otherwise it was simply standardised plans behind a beautiful façade.
- 6.394 The Panel complemented the applicant on the effort taken to restore the shop-front level of the façade, but noted that it was only the façade of the locally listed building that was intended to remain. The Panel were also concerned about the somewhat mean entrance to the hotel. They suggested exploring the possibility of having the entrance through a new retail unit. They also recommended the top floor restaurant be open to the public.

VERDICT: **AMBER**

#### 6.4 Design and Conservation Officer

6.41 No objections subject to appropriate conditions.

#### 6.51 Future Merton - Transport Planning

6.51 The proposal is unlikely to have a significant impact on the surrounding highway network. As such, no objection is raised subject to financial contribution for short stay cycle provision in local area and conditions relating to the submission of a Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) prior to commencement of work.

#### 6.6 Historic England

6.61 Historic England were asked to consider the Bank Buildings for listing following submission of the application. It was however considered that following assessment of its historical and architectural interest that the criteria for listing had not been fulfilled. The building is, however, of clear local interest as a distinctive element of the conservation area and as an example of the spread of suburban bank branches in London in the late-C19. This is recognised by the prominence it is given within the conservation area Character Appraisal and by its local listing.

## 6.7 Future Merton - Flood Risk Officer

- 6.71 An outline CMS and ground investigation have been submitted. Groundwater was found within the boreholes/trial pits at a shallow depth of 0.4m. Therefore, due to the proposed basement depth and groundwater levels, it is expected that ingress of groundwater will be expected into the basement excavation during construction.
- 6.72 The drainage states that the existing site uses a combined system and discharges surface water to the foul network. We would require a separate system and this is proposed, with a new connection into the surface water sewer in Alwyne Rd.
- 6.73 The proposed drainage design will restricts the discharge rate to the existing 1 in 1 year rate of 10.91l/s for the 1 in 30 year event. For this an attenuation volume of 7.4m<sup>3</sup> is required. For the 1 in 100 year climate change event, an attenuation volume of 9.1m<sup>3</sup>. It is proposed to contain exceedance events within the lightwell.
- 6.74 We would advise that the applicant should consider the use of other methods for SuDS such as blue or green roofs and attenuation storage within oversized/buried downpipes in the fabric of the building. This could then contain flows above the 1 in 30 year event.

## 6.8 Structural Engineer

- 6.81 The submitted Construction Method Statement (CMS), Ground Investigation Report, Ground Movement Analysis and the Structural Survey demonstrate that the proposed development can be built safely without adversely affecting the surrounding natural and built environment. However, due to the close proximity of the excavation works/temporary works in relation to the highway and the depth of excavation (6.6m), we would require additional information to be submitted prior to commencement of works.

## 6.9 Metropolitan Police – Secured by Design

- 6.91 Have raised concerns regarding potential for crime and antisocial behavior activity.

## 7. **PLANNING CONSIDERATIONS**

The main planning considerations concern the design and appearance of the five-storey extension fronting Alwyne Road and the roof extension when viewed from Wimbledon Hill Road, the proposals impact on the character and appearance of the locally listed building and Merton (Wimbledon Hill Road) Conservation Area, principle of land uses, and the effect of the development upon neighbouring amenity, flood risk, sustainability and traffic/parking.

### 7.1 **Principle of Development**

- 7.11 There is strong policy support for a hotel use in this location given it is in Wimbledon Town Centre, has excellent public transport links (PTAL 6b), and has good public transport services to central London due to its close proximity to Wimbledon train station. The Adopted Sites and Policies Plan and Policies Maps (July 2014) policy DM R6 supports all proposals for culture and tourism development which are likely to generate a large number of visits in either Merton's Town Centres or other areas of the borough which have a PTAL rating of 4 or above. This policy states that Merton's retail study highlights that the borough needs a range of tourist accommodation and facilities to cater for the leisure tourism and business visitors and to make Merton's tourism and culture sector more viable and sustainable all year round. Research has emphasised that there is a need for high quality hotels with catering facilities with good public transport services to central London. Policy 4.5 (London's visitor infrastructure) of the London Plan (March 2016) also states that the Mayor will seek to achieve 40,000 net additional hotel bedrooms by 2036.
- 7.12 With regards to Merton's Core Planning Strategy, Policy CS6 encourages development that attracts visitors to the area all year round including high quality hotels and promotes a balanced evening economy through a mix of uses. It is considered that the proposed development would broadly comply with this policy given it would be predominantly a hotel but would also provide two new and refurbished commercial units (Use Class A1 and A2) at ground floor. Policy CS7 also encourages developments that attract visitors to the area all year round including high quality hotels whilst policy CS12 supports development of a diverse local economic base by encouraging the increased provision of the overall number and range of jobs in Merton. It should be noted that the proposal would enhance the job offer at the application site with a total of approx. 31 full time positions being created. Given the application site is also located in a secondary shopping frontage it is considered that the mix of A1 or A2 uses is also acceptable.
- 7.13 At present there is approximately 653sqm of Class A1 (Retail) space (basement and ground floor level at Nos. 41 & 47), 204sqm of Class A2 (Financial and Professional Services) space (basement & ground floor level at No.43), 221sq.m of Class B1 (Office) space at No.47 at first, second and third floor levels, and 945sqm of College Space at basement to third floor levels at Nos. 41 – 45.
- 7.14 The proposal would result in the loss of all existing B1 and D1 uses on the site. With regards to the loss of the Class B1 office use, policy E2 (Offices in town centres) states that the council will only support a change of use from office use on the upper floors of buildings in town centres where there it can be demonstrated to the council's satisfaction that there is no demand for the office use. It should be noted that no marketing evidence has been submitted however it is considered that given the proposed use is a hotel, which would also provide jobs combined with the fact that the office could potentially be converted into residential use through the prior approval process the loss of the office use would not be resisted in this instance.

7.15 The current D1 use is a language school and considered to be a 'community facility' which means policy DM C1 applies. This policy requires applications proposing a loss of community facilities will have to show that full and proper marketing has been undertaken (a minimum of 30 months) to demonstrate that community uses (Class D1 use) are no longer viable on the site. No marketing has been submitted with the application and as such this policy has not been complied with. However, it should be noted that there are a number of language schools in the vicinity of the application site whilst changes to permitted development have indicated a direction of travel towards the more flexible use of buildings with a presumption in favour of sustainable development, particularly in town centre locations. It should also be noted that the inspector in dismissing the appeal for the previous application (LBM Ref: 14/P2241) did not object to the loss of the Class D1 language school. Overall, it is considered that the proposed uses are acceptable.

## **7.2 Visual Amenity, Design and Impact on Merton (Wimbledon Hill Road) Conservation Area**

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

7.22 Within the site itself, are the Bank Buildings fronting Wimbledon Hill Road (Nos. 41 – 47). The Bank Buildings are locally listed, and are identified within the Wimbledon Hill Road for being a magnificent example of "Jacobean" classical style architecture front Wimbledon Hill Road. They are 3½ storeys high, with roofs featuring a series of gables or half hips, where the ridges are oriented at right angles to Wimbledon Hill Road.

7.23 In direct contrast, the immediate area also features a number of modern office buildings. Central House, which abuts the application sites rear boundary, and Melbury House, which is located on the other side of Alwyne Road at the junction with Wimbledon Hill Road. Central House is a part four/ part five-storey office building with a grey clad façade fronting Alwyne Road, and is of no particular architectural merit. Melbury House is a large modern four-storey red brick office building, which despite being sited in a prominent location has been identified in the Wimbledon Hill Road Character Appraisal for making 'a positive response to views from the upper part of Wimbledon Hill, as one moves down the hill towards the town centre.'

7.24 The proposed 5-storey extension would be located between Central House, and the rear of the Bank Buildings, fronting Alwyne Road. The extension would be brick facing and feature a geometric shaped roof comprising a Rheinzink triangular tile, which would connect to the new roof to be constructed over the Bank Buildings. The roofs Wimbledon Hill Road elevation would incorporate a glazed element. This is considered a high quality design solution which respects the Locally Listed building through its use of similar facing materials on its

elevations and windows with vertical proportions which relate to the windows of the Locally Listed Building, albeit with a more contemporary twist. The proposed extension is considered to be architecturally rich, and vastly improves views from in and around this part of Alwyne Road, which would benefit most from the proposal. Although, the roof form proposed for the extension and replacement roof over the existing building would have a complex shape and have a highly contemporary appearance, and as such would contrast from the traditional design of the existing building, it is considered that this is acceptable in this instance. The roof, although taller than existing, is set back from the building's Wimbledon Hill Road frontage, whilst its shape and form respects the existing building. It should be noted that the facing elevation to Wimbledon Hill Road would not be flat in its appearance and the 'staggered' sections of zinc and glazing which would also allow unobstructed views over rooftops from the top floor of the building would provide visual interest.

- 7.25 A previous proposal was refused by the Local Planning Authority and subsequently by the Planning Inspector (LBM Ref: 14/P2241) in part because of the excessive height, prominent siting and unsympathetic design of the rear extension which would relate poorly to the scale, height, and massing of surrounding buildings and would dominate and have a detrimental impact on the Bank Buildings, particularly when viewed from Alwyne Road, Wimbledon Hill Road and the wider Conservation Area. It should be noted that the previous proposal was a different design and was significantly taller than the current application.
- 7.26 The current development has been subject to significant scrutiny from both the Design and Review Panel and Council Officers given the sensitivity of the site and surrounding area. The application was reviewed twice by the Design and Review Panel at pre-application stage, both times receiving an Amber verdict. The Panel were generally supportive of the architectural approach. Concerns were raised regarding the detail of the interface of the new build with the historic building and felt that this needed further work and refinement. The Panel were also concerned the floor levels would relate poorly to the front windows and that on the frontage the applicant was trying to squeeze one too many hotel rooms. It is considered that the applicant has addressed the concerns raised by the Panel with the floor plates adjusted so that they are not visible through Windows on the Bank Building's Alwyne Road elevations, the number of hotel rooms have also been reduced, with larger rooms proposed in the Bank Buildings. A distinctive glazing strip has also been introduced between the extension and Bank Buildings creating an acceptable interface between the two elements. A condition will however be attached requiring drawings which clarify exactly how this works.
- 7.27 The existing shop-fronts will be replaced and the Design and Review Panel complemented the applicant on the effort taken to restore the shop-front level of the façade. The existing shopfronts are not original but the pilasters remain and the proposed shopfronts will feature a high quality bronze finished aluminium framing and fully glazed doors with curved glass recessed entrances and plinths . The unsympathetic modern rendered corner shopfront at No.47 Wimbledon Hill Road which has a significant negative impact on the overall



appearance of the Bank Buildings would be rebuilt in the style of Nos. 41 – 45. A condition will be attached requiring 1:20 scale drawing of the proposed shopfronts to ensure the detailing is of a high standard. To ensure that consistent and high quality advertising signage is displayed on the Bank Buildings, a condition will also be attached requiring the submission of a design code which future advertising signage applications would have to adhere to.

- 7.28 Overall, the proposal would result in new additions to a historic building in Wimbledon Town Centre. Officers conclude that the proposed rear and roof extension would be acceptable additions and would not result in a harmful impact on the setting of either the locally listed building or the Conservation Area. The important façade of the building would be enhanced, including new shop fronts more appropriate than the existing. National Policy, London Plan Policy and Local Policy encourage good design and the proposal is considered to deliver on this aspect. The proposal is therefore considered to be visually acceptable to the site and surroundings and complies with policy in this regard.

### 7.3 **Neighbouring Amenity**

- 7.41 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.

- 7.42 It is considered that there would only be a minimal impact on nearby residential properties. Commercial properties abut all sides of the application site, with Central House, a five-storey office building screening views of the extension from along Alwyne Road. The extension would be visible from properties located along Woodside, which have rear gardens that back onto Alwyne Road and flats located on the upper floors of 1 Compton Road, which is located to the east of the site. Melbury House, which is sited northwest on the other side of Alwyne Road, would more or less screen views of the proposal from properties along Wimbledon Hill Road. Although, the top of the extension would be visible from the upper floors of residential units on Wimbledon Hill Road given it extends over a significant section of the existing roof of the Bank Buildings. However, this element is set well back from the front elevation of the Bank Buildings and as such its impact is considered to be acceptable. It is considered that the building would not be visually intrusive or overbearing when viewed from properties on Woodside given it would only be visible from an oblique angle. Whilst only being marginally taller than Central House the extension sits north of the flats at 1 Compton Road, which already directly face the rear elevation of Central House so it is considered that the impact on these flats would be acceptable.

### 7.5 **Basement Construction and Flood Risk**

- 7.51 In addition to extending the existing basement level, the development would involve the excavation of an additional basement level so that the development

would feature a total of two basement levels encompassing the footprint of the application site. Exception to this is it being set in from the northwest corner at 1<sup>st</sup> basement level, and then set fully back from Wimbledon Hill Road at 2<sup>nd</sup> basement level. The development would retain the existing front and side façades fronting Wimbledon Hill Road and Alwyne Road. Following submission of the application, the applicant has since agreed to the retention of additional internal walls of the building.

- 7.52 The applicant has submitted a Construction Method Statement (CMS), Ground Investigation Report, Ground Movement Analysis and the Structural Survey. The Council's Structural and Flood Engineers have assessed the submitted details and are satisfied with the submitted information so far. The CMS demonstrates that the proposed development can be built safely without adversely affecting the surrounding natural and built environment. However, due to the close proximity of the excavation works/temporary works in relation to the highway and the depth of excavation (6.6m), it is recommended that additional information to be submitted. This can be dealt with through appropriate planning conditions.
- 7.53 Groundwater was found within the boreholes/trial pits at a shallow depth of 0.4m. Therefore, due to the proposed basement depth and groundwater levels, it is expected that ingress of groundwater will be expected into the basement excavation during construction. In terms of drainage, the existing site uses a combined system and discharges surface water to the foul network. The Council would require a separate system and this is proposed, with a new connection into the surface water sewer in Alwyne Rd. The proposed drainage design will restricts the discharge rate to the existing 1 in 1 year rate of 10.91l/s for the 1 in 30 year event. For this an attenuation volume of 7.4m<sup>3</sup> is required. For the 1 in 100 year climate change event, an attenuation volume of 9.1m<sup>3</sup>. It is proposed to contain exceedance events within the lightwell. It is advised that the applicant should consider the use of other methods for SuDS such as blue or green roofs and attenuation storage within oversized/buried downpipes in the fabric of the building. This could then contain flows above the 1 in 30 year event. Appropriate conditions are also recommended regarding flood prevention. Overall, it is considered that the proposal would accord with policies DM D2 and DM F2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

## **7.7 Parking and Traffic Issues**

- 7.71 It is important to note that paragraph 109 of the NPPF 2019 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy 6.1 of the London Plan (2016) supports development which generates high levels of trips at locations with high levels of public transport accessibility and improves the capacity and accessibility of public transport, walking and cycling. Policy 6.13 states that in locations with high public transport accessibility, car free developments should be promoted

- 7.72 The applicant has submitted a Transport Statement and Travel Plan with the application demonstrating that the transport impacts associated with the proposals can be accommodated within the surrounding transport network. No.41 – 47 Wimbledon Hill Road is well connected and has excellent public transport links (PTAL rating of 6b). The site is served by rail services from Wimbledon station and a number of bus services run along Wimbledon Hill Road. The proposal does not include any car parking, including disabled car parking, for employees or customers; however this is considered acceptable given the sites highly accessible location in this instance. A controlled parking zone also operates across the surrounding road network with Compton Road, Alwyne Road and Worcester Road all subject to Controlled Parking Zone restrictions between 08:30 and 18:00, from Monday to Saturday. The majority of spaces are for residents only with the bays which are shared between residents and visitors subject to a maximum duration of stay of 2 hours. Given these restrictions it is considered that car parking demand would be primarily accommodated in nearby public car parks. The applicant would also be required to enter into a S106 agreement requiring that the site is permit free restricting any employees or staff from applying for a business parking permit. It is considered that although Taxi drop offs will not be accommodated on site, this would not cause significant concern in this instance given this can be accommodated in the surrounding road network.
- 7.73 All delivery and servicing will take place on-street, due to the lack of available space on-site. Vehicles are expected to utilise either the existing loading bay on Compton Road, near the alleyway leading to the back entrance to the site, or 'dwell' on the single yellow lines running along the northern side of the Alleyway. The applicant has also proposed a booking system that will distribute servicing vehicles throughout the day. Deliveries will also be programmed to avoid the peak travel periods and arrival and departure of pupils at nearby schools. The proposed delivery times, which would be secured by a planning condition, would not take place between 8am and 9am or between 2:45pm and 4pm Monday to Friday. It is considered that given the sites highly urban location that any traffic impact from service vehicles would be very limited in this instance. The Council's Transport Planner has assessed the proposal and has raised no objections.
- 7.74 It is considered that the 19 long stay cycle spaces is acceptable and would comply with London Plan and local planning policies. Given the constraints of the site the proposal would not provide any short stay cycle spaces (7 short stay cycle spaces required). As such, the applicant will be required to provide a financial contribution of £1200 for short stay cycle provision in the local area secured via S106 Agreement. Overall, it is considered that the proposed scheme would comply with all relevant planning policies at National, regional and local level and would not have an unacceptable impact on the surrounding road network.

## **8. ENVIRONMENTAL IMPACT ASSESSMENT**

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

## **9. LOCAL FINANCIAL CONSIDERATIONS**

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

## **10. CONCLUSION**

- 10.1 No.41 – 47 Wimbledon Hill Road is located in Wimbledon Town centre and has excellent transport links (PTAL rating of 6b), which means it is a highly suitable location for a Hotel/mixed use development. It is considered that the proposal will respect its context in terms of its height, scale and massing and would be a high quality design, which responds well to its context. It is also considered that the proposal would not have an unacceptable impact on the amenity of occupiers of surrounding residential properties or the surrounding transport network given its sustainable location. Overall, the proposal includes significant benefits to the existing building and the town centre of Wimbledon.

## **RECOMMENDATION**

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

- 1) Permit free
- 2) Financial contribution of £1200 towards short stay cycle facilities
- 3) Paying the Council's legal and professional costs in drafting, completing and monitoring the legal agreement.

**And subject to the following conditions:**

- 1) The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1618 – PL1/11E, 12E, 13D, 14E, 15E, 16D, 17E, 18B, 19C, 20C, 21B, 22B, 23B, 24B, 25B, 26C, 27C, 35 & 36

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

- 3) No development shall take place beyond damp course proof level until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), have been submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out

until the details are approved, and the development shall be carried out in full accordance with the approved details.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 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) No development above damp course proof level until detailed drawings at 1:20 scale of all external windows and doors, including materials, set back within the opening, finishes and method of opening have been submitted to and approved by the local planning authority. Only the approved details shall be used in the development hereby permitted.

Reason: To ensure a satisfactory 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) No development above damp course proof level until detailed drawings at 1:20 scale showing glazing strip interface between existing building and proposed extension on Alwyne Road have been submitted and approved by the Local Planning Authority. Only the approved details shall be used in the development hereby permitted.

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.

- 6) No development shall take place beyond damp proof course level until details of the surfacing of all those parts of the site not covered by buildings, including any parking, service areas or roads, footpaths, hard and soft have been submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 7) 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 EP 4 of Merton's Sites and Policies Plan 2014

- 8) The development hereby approved shall not be occupied 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) No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

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

- 10) H7 (Cycle Parking to be Implemented)

- 11) The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

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

- 12) No occupation of the development shall be permitted until a Travel Plan is submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TfL and shall include:

- (i) Targets for sustainable travel arrangements;
- (ii) Effective measures for the on-going monitoring of the Plan;
- (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;
- (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

The development shall be implemented only on accordance with the approved Travel Plan.

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.

- 13) No occupation of the development shall be permitted until a Delivery and Servicing Plan (the Plan) has been submitted in writing for approval to the Local Planning Authority. No occupation of the development shall be permitted until the Plan is approved in writing by the Local Planning Authority and implemented in accordance with the approved plan. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use, unless the prior written approval of the Local Planning Authority is obtained to any variation.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.

- 14) No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority and in consultation with Thames Water. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at the agreed runoff rate (no more than 10.91l/s with no less than 7.4m<sup>3</sup> attenuation provision), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

- 15) Prior to the commencement of development, the applicant shall submit a detailed construction method statement (CMS) produced by the respective contractor/s responsible for building the approved works to the approval of the Local Planning Authority. The construction method statement shall also detail how flood risk and drainage will be managed during construction and how the risk to pollution of the water environment will be mitigated.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

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

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

- 17) No cooking odour shall be detectable at any residential property outside the development. Details shall be submitted and approved by the LPA prior to use.

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

- 18) All deliveries, loading, unloading or other servicing activities shall take place between the hours of 0700 and 2300 Monday to Sunday and on public holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy DM D2 of Merton's Sites and Policies Plan 2014

- 19) No development approved by this permission shall be commenced until a final scheme to reduce the potential impact of groundwater ingress both to and from the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall address the risks both during and post construction. Should dewatering be required during construction, the detailed Construction Method Statement will need to address the measures to minimise silt dispersal and pollutants detail where waters will be discharged to.

Reason: To ensure the risk of groundwater ingress to and from the development is managed appropriately and to reduce the risk of flooding in compliance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policies, DM D2 and DM F2 of Merton's Sites and Policies Plan 2014.

- 20) No works will commence on site until the below documents have been submitted and approved by the Local Planning Authority.

- Detailed Demolition Method Statement submitted by the Contractor responsible for the demolition of the existing property.
- Detailed design calculations, structural drawings and erection sequence drawings of the façade retention system submitted by the respective Consultant/Contractor responsible for the design/installation works.



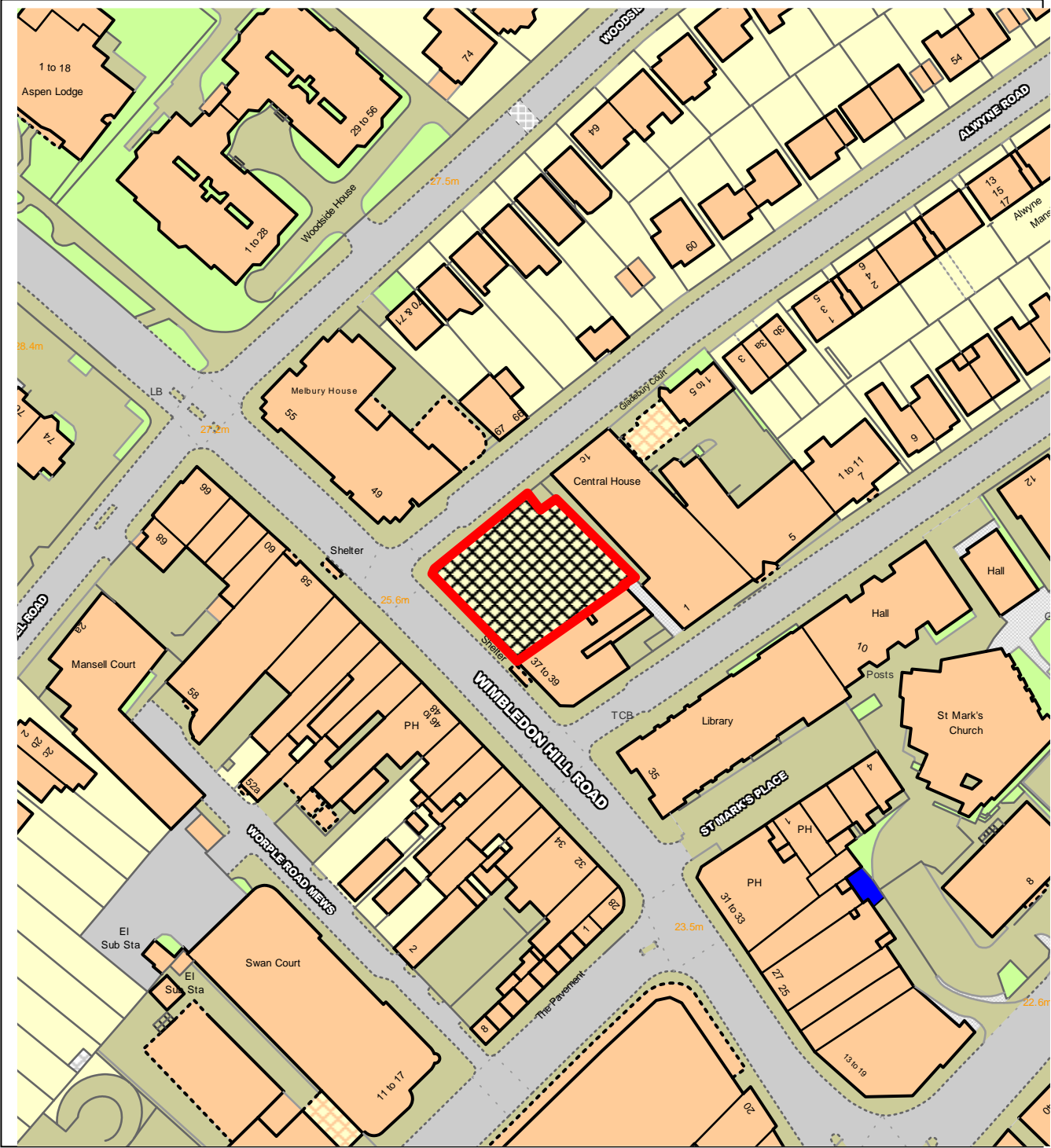
- Design calculations, drawings, propping and de-propping sequence of the temporary works supporting the highway and adjoining properties required to facilitate demolition and excavation.
- Detailed Construction Method Statement and the construction/excavation sequence produced by the respective Contractors responsible for the underpinning, piling, excavation and construction of the permanent retaining wall. This shall be reviewed and agreed by the Structural Engineer designing the basement.
- Detailed Construction/Excavation sequence Method Statement produced by the respective Contractors responsible for the underpinning, piling, excavation and construction of the permanent retaining wall. This shall be reviewed and agreed by the Structural Engineer designing the basement.
- Design calculation and drawings (plan and sections) of the One Storey RC Underpinning, Two Storey RC Underpinning, RC Contiguous Piles Wall and the permanent lining wall if any. The design has to be undertaken in accordance with Eurocodes. We would recommend using full height hydrostatic pressure and at-rest soil pressures for the design of all retaining walls and a highway loading surcharge of 10 KN/m<sup>2</sup> where applicable. Photograph 08 of the Structural Survey report shows a diagonal crack at the inner face of basement retaining wall at No. 47 Wimbledon Hill Road. This could be due to the reason that the resistance offered by this retaining wall is less than the applied lateral pressures. The designer has to take into account the strengthening of the existing basement walls as part of the scope of the design works.
- The GI Report and CMS have assumed the foundation depths of Nos 37 to 39 Wimbledon Hill Road to be the same as those of No 41 to 47 Wimbledon Hill Road, at 2.80 m below ground level. Foundation depths of the other sensitive structures identified are assumed to be 0.5 m below ground level. This has to be verified before undertaking any design works.
- Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from start to completion of the project works. The report should include the proposed locations of the horizontal and vertical movement monitoring, frequency of monitoring, trigger levels, and the contingency measures for different trigger alarms.

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

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# NORTHGATE SE GIS Print Template



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## PLANNING APPLICATIONS COMMITTEE

26 SEPTEMBER 2019

**Ward:** Village

**Subject:** Tree Preservation Order (No.741) at 43 Lancaster Road, Wimbledon, SW19 5DF.

**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:

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That the Merton (No.741) Tree Preservation Order 2019 be confirmed without modification.

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#### 1. Purpose of report and executive summary

This report considers the objection that has been made to the making of this tree preservation order. Members must consider the objection before deciding whether or not to confirm the Order, with/without modification.

#### 2. Planning History

- 2.1 In February 1991 planning permission and conservation area consent was granted for the demolition of the existing greenhouse and the erection of a single storey extension (Refs 90/P1184 & 90/P1185).
- 2.2 In December 2014, a pre-app meeting was held to discuss four options for the redevelopment of the site.
- 2.3 In November 2017, a planning application was submitted for the erection of a two storey dwelling house within part the rear garden (Ref 17/P4420). This application was withdrawn by the applicant on 13 December 2018.
- 2.4 Most recently, members of the Planning Applications Committee (July 2019) considered the proposal for the erection of a two storey extension, single storey rear and side extensions, provision of accommodation at basement level and conversion of roof space, including rear roof extension, erection of garage, new vehicular access onto Lancaster Road, together with associated landscaping works (ref: 19/P1743). Members were made aware of the issues surrounding the existing trees and were informed that as part of the consideration of the whole matter, a tree preservation order was being made in respect of the 'B' category trees on the site.
- 2.4 As a result of the planning process on this site, the Merton (No.741) Tree Preservation Order 2019 was made in respect of 7 trees on the site, and this took effect on the 2 July 2019. A copy of the tree preservation order plan is appended to this report.

### **3. Legislative Background**

- 3.1 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.
- 3.2 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 9 reasons were given that include references to the amenity value of the trees to the area; that the Order is required as a supplement to 19/P1743; that the trees have an intrinsic beauty; that the Order is necessary to ensure the trees are protected during the course of site work; 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 contributes to the local bio-diversity; and that the trees protect against climate change.
- 3.3 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.

### **4. Objection to the Order**

- 4.1 The Council has received an objection to the Order from an arboricultural expert acting on behalf of a local resident. The objection specifically relates to the Ash tree, listed as T7 in the Order.
- 4.2 The objections to the inclusion of T7 have been summarised as follows:
- The tree is located in a section of land which is surrounded by private residential gardens and has limited to no public visibility;
  - The tree is already protected by the conservation area, by its inclusion in the Tree Protection Plans associated with 19/P1743, and 18/P3738, which relates to the neighbouring property;
  - The tree is an Ash tree and is susceptible to Ash Dieback disease;
  - The tree is imposing on the neighbour's garden, which is already bordered by protected trees.

### **5. Planning Considerations**

- 5.1 The Tree Officer would respond to each of the objector's respective points as follows:
- The Council received a large number of objections in connection with planning ref:19/P1743, and several of those related to the trees and the proposed loss of trees at the site. The rear garden supports a number of mature trees and the Council received several requests for a tree preservation order to be made. This was limited to the best specimens, which are all the 'B' category trees, and includes the Ash tree. The degree to which trees should be visible to the public is not defined by the guidance on such matters. However, the Ash tree can be glimpsed from

the surrounding roads, and its canopy merges with the other trees giving a strong sense of an abundance of greenery. Local Planning Authorities are advised to take into account the trees relationship and contribution to the character or appearance of a conservation area, and to protect trees that are associated with a grant of planning permission. There is also the risk of future development pressure on the land, as can be evidenced by the previous planning application ref: 17/P4420, which sought planning consent for a two storey detached dwelling house in the rear garden to the property. This proposed the loss of trees in the rear garden of the property. This was subsequently withdrawn by the applicant;

- The conservation area protection is limited in value. Tree Preservation Orders provide the maximum amount of protection for trees, particularly where there is a grant of planning consent on a property. A Tree Protection Plan provides arboricultural guidance on the form of protection a tree should have during a development and carries no legal weight in itself. The use of planning conditions and a tree preservation order provides the maximum amount of legal weight required to ensure a developer abides by the council's decision on an application and implements the method for protecting trees as shown on the Tree Protection Plan;
- There is no evidence that this tree is infected with Ash Dieback Disease, as can be seen by the Tree Survey information presented as part of ref. 19/P1743, and the objectors own Tree Survey provided as part of ref. 18/P3738. Should this disease ever affect this tree, then a replacement tree could be sought under the tree preservation order. This would not be the case if the protection was limited to conservation area status;
- The information presented by the objector's own tree survey shows that the Ash tree is located approximately 23 metres from the rear of the property, and that less than 5 metres of the canopy overhangs the garden. There was no proposal to remove the tree at that stage, and the Tree Protection Plan shows methods for the protection of this tree from any potential harmful effects from the development. There is a considerable distance between the tree and the property and it is could not be described as 'imposing'.

## **6. Officer Recommendations**

- 6.1 The Merton (No.741) Tree Preservation Order 2019 should be confirmed without modification.

## **7. Consultation undertaken or proposed**

None required for the purposes of this report

**8. Timetable**

N/A

**9. 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.

**10. 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.

**11. Human rights, equalities and community cohesion implications**

N/A

**12. Crime and disorder implications**

N/A

**13. Risk Management and Health and Safety implications.**

N/A

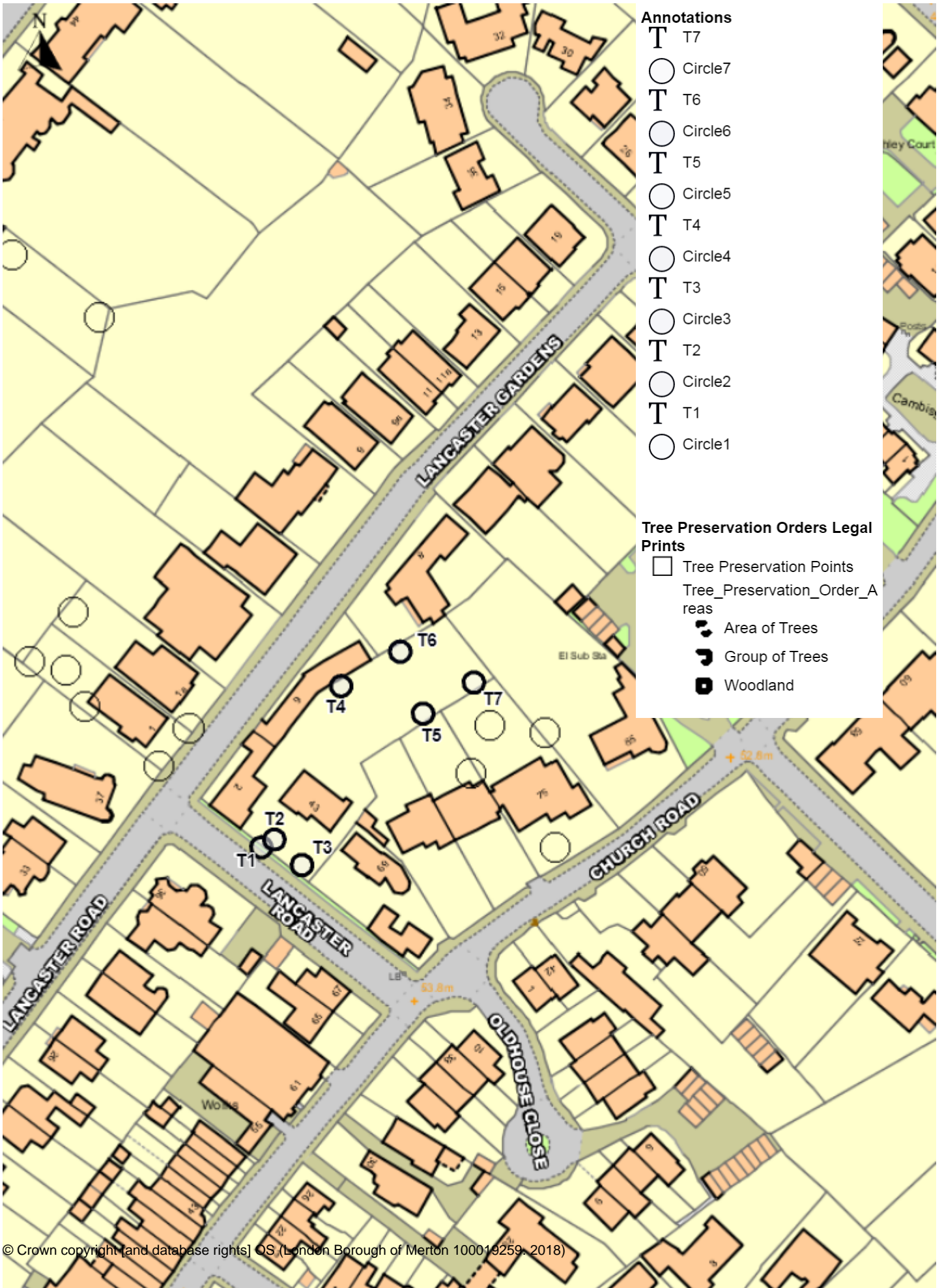
**14. Appendices – the following documents are to be published with this report and form part of the report Background Papers**

Tree Preservation Order plan

**15. Background Papers**

The file on the Merton (No.741) Tree Preservation Order 2019  
Government Planning Practice Guidance on Tree Preservation Orders and trees in conservation areas.





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**Merton (No. 741) Tree Preservation Order 2019**

**43 Lancaster Road Page 219**

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Committee: Planning Applications

Date: 26<sup>th</sup> September 2019

## **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.**

### **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](#)**

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### **DETAILS**

Application Numbers: **18/P2896**  
Site: 7 Spencer Road, Mitcham CR4 1SG  
Development: Erection of single storey rear extension  
Recommendation: Refuse (Delegated Decision)  
Appeal Decision: **ALLOWED**  
Date of Appeal Decision: 15<sup>th</sup> July 2019

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

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Application Numbers: **18/P3472**  
Site: 4 Benedict Road, Mitcham, CR4 3BQ  
Development: Erection of a part single storey, part two storey rear and side extension  
Recommendation: Refuse (Delegated Decision)  
Appeal Decision: **ALLOWED**  
Date of Appeal Decision: 2<sup>nd</sup> September 2019

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

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Application Numbers: **19/P0893**  
Site: 54 Marryat Road, Wimbledon Village SW19 5BD  
Development: Demolition of hosue and erection of new two storey detached dwellinghouse with basement level and rooms in roofspace  
Recommendation: Non-Determined  
Appeal Decision: **ALLOWED**  
Date of Appeal Decision: 29<sup>th</sup> August 2019

[Link to Appeal Decision Notice](#)

[Link to Costs Decision](#)

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Application Numbers: **18/P2256**  
Site: 33 Graham Road, Mitcham, CR4 2HB  
Development: Erection of two storey side and rear extension and rear roof extension to create 5 x self-contained flats  
Recommendation: Refuse (Delegated Decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 26<sup>th</sup> June 2019

[Link to Appeal Decision Notice](#)

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Application Numbers: **18/P3379**  
Site: 3 Aberconway Road, Morden SM4 5LN  
Development: Retention of existing side extension  
Recommendation: Refuse (Delegated Decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 13<sup>th</sup> September 2019

[Link to Appeal Decision Notice](#)

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Application Numbers: **18/P3788**  
Site: 26 Toynbee Road, Wimbledon Chase SW20 8SS  
Development: Erection of part single, part two storey side and rear extension, a rear roof extension and front porch.  
Recommendation: Refuse (Delegated Decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 19<sup>th</sup> August 2019

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

## [Link to Costs Decision](#)

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Application Numbers: **19/P0129**  
Site: 33 Graham Road, Mitcham CR4 2HB  
Development: Division of single dwellinghouse into 4 x self-contained flats, involving erection of a two-storey side and rear extension  
Recommendation: Refuse (Delegated Decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 23<sup>rd</sup> August 2019

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

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Application Numbers: **19/P0437**  
Site: 54 Lewis Road, Mitcham CR4 3DE  
Development: Demolition of side extension and erection of dwellinghouse  
Recommendation: Refuse (Committee Decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 15<sup>th</sup> August 2019

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

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Application Numbers: **19/P0920**  
Site: 6 Worple Avenue, Wimbledon SW19 4JQ  
Development: Erection of a front roof extension  
Recommendation: Refuse (Delegated Decision)  
Appeal Decision: **DISMISSED**  
Date of Appeal Decision: 9<sup>th</sup> September 2019

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

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### Alternative options

3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow

necessarily that the original appeal decision will be reversed when it is redetermined.

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.

## PLANNING APPLICATIONS COMMITTEE

**26 SEPTEMBER 2019**

**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 and 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 casework being dealt with by the Planning Enforcement Team and contains figures of the number of different types of cases being progressed, with brief summaries of all new enforcement notices and the progress of all enforcement appeals.

<b>Current Enforcement Cases:</b>	<b>973</b>	<sup>1</sup> (950)	<b>New Appeals:</b>	(1)	(0)
<b>New Complaints</b>	99	(43)	<b>Instructions to Legal</b>	<b>0</b>	(0)
<b>Cases Closed</b>	<b>76</b>		<b>Existing Appeals</b>	<b>3</b>	(2)
No Breach:	42		<hr/>		
Breach Ceased:	34		<b>TREE ISSUES</b>		
NFA <sup>2</sup> (see below):	0		<b>Tree Applications Received</b>	<b>90</b>	<b>(62)</b>
Total	76	(25)	<b>% Determined within time limits:</b>	<b>80%</b>	
<b>New Enforcement Notices Issued</b>			<b>High Hedges Complaint</b>	<b>0</b>	<b>(0)</b>
Breach of Condition Notice:	0		<b>New Tree Preservation Orders (TPO)</b>	<b>1</b>	<b>(1)</b>
New Enforcement Notice issued	5	(0)	<b>Tree Replacement Notice</b>	<b>0</b>	
S.215: <sup>3</sup>	0		<b>Tree/High Hedge Appeal</b>	<b>0</b>	<b>(0)</b>
Others (PCN, TSN)	1	(1)			
Total	6	(0)			
<b>Prosecutions: (instructed)</b>	<b>0</b>	<b>(0)</b>			

Note (*figures are for the period from 10<sup>th</sup> August 2019 to 12<sup>th</sup> September 2019*). The figure for current enforcement cases was taken directly from M3 crystal report.

<sup>1</sup> Totals in brackets are previous month's figures

<sup>2</sup> confirmed breach but not expedient to take further action.

<sup>3</sup> S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

## **2.0 New Enforcement Actions**

**47 Edgehill Road CR4 2HY.** This is concerning a rear extension not being built to the dimensions provided on the prior approval application. A Planning Enforcement Notice was subsequently issued requiring the demolition of the single storey rear extension. The Notice takes effect on 16th September 2019. The Notice has a compliance period of 3 calendar months, unless an appeal is made to the Planning Inspectorate before the Notice comes into effect. Having spoken to the planning inspectorate on 06/09/2019, no planning appeal has been electronically submitted, although from correspondences with the owner of the property, an appeal is expected.

**183A Streatham Road CR4 2AG.** An Enforcement Notice was issued on 1<sup>st</sup> May 2019 relating to the erection of a rear balcony to the existing rear roof dormer of the property. The Notice requires demolishing the rear balcony to the existing rear roof dormer and restoring the property to that prior to the breach. The Notice would have taken effect on 4<sup>th</sup> June 2019, with a compliance period of 2 months if no appeal is made. An appeal has now been lodged with the Planning Inspectorate.

**76 Shaldon Drive, Morden, SM4 4BH.** An enforcement notice was served on 14th August 2019 relating to an outbuilding being used as a self-contained unit. The notice requires the removal of all kitchen facilities, fixtures, fittings, cooker, worktops, kitchen units. The notice takes effect on 16th September 2019, with a compliance period of 1 month if no appeal has been lodged.

**74 Beeleigh Road, Morden, SM4 5JW.** An Enforcement Notice was issued on the property on 17th December 2018 for 'Without planning permission the erection of a single story front extension. The notice requires the owner to demolish the front extension; and would have taken effect on 21<sup>st</sup> January 2019 with a compliance period of four months of that date unless an appeal was made. An appeal was made under ground (A) That Planning Permission should be granted. The Council's statement has been submitted.

**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. A Planning Enforcement Notice was issued on 11th October 2018 requiring either the demolition of the development or building to the approved scheme. The Notice took effect on 18th November 2018 with a compliance period of 12 calendar months. An appeal was made but subsequently withdrawn the following day. The owner decided to comply with the approved permission and is in the process of returning some the residential units back to their authorised office use. Bath and shower units have been removed; the office units are currently being advertised for let. The garage flat is no longer being used for residential and is in the process of being returned to a garage. Planning Application 19/P1527 for Discharge of Conditions has been submitted and is currently being considered.

**2 Dahlia Gardens, Mitcham, CR4 1LA.** An enforcement notice was served on the 19th August 2019 for an outbuilding to be demolished and all materials resulting in this to be removed from the Land or to revert the outbuilding to be in accordance with permitted development rights under a previous application - 18/P0103. The Notice takes effect on 24<sup>th</sup> September 2019, unless an appeal is made before this date. The compliance period is 3 months from the date the enforcement Notice takes effect.

**33 HASSOCKS ROAD, LONDON. SW16 5EU:** This was regarding the unauthorised conversion from a single dwelling into 2 x self contained flats against a refusal planning



permission. A planning Enforcement Notice was subsequently issued on 10th September 2019 and takes effect on 15th October 2019. This Notice has a compliance period of 3 calendar months, unless an appeal is made to the Planning Inspectorate before the Notice takes effect.

**6 CARTMEL GARDENS, MORDEN SM4 6QN: (Notice 1)** This is regarding a side extension not built in accordance with approved plans. A planning Enforcement Notice was subsequently issued on 11th September 2019 and takes effect on 16th October 2019. The Notice requires the cessation of the use of side extension as separate self-contained unit, and the removal of all those fixtures and fittings that facilitate the unauthorised use of the extension including the permanent removal of the facilities in use for cooking facilities, kitchen unit, sink, worktop, appliances, and food preparation areas. This Notice has a compliance period of 3 calendar months, unless an appeal is made to the Planning Inspectorate before the Notice takes effect.

**6 CARTMEL GARDENS, MORDEN SM4 6QN: (Notice 2)** This is regarding the unauthorised use of side extension as a self-contained unit. A planning Enforcement Notice was subsequently issued on 11th September 2019 and takes effect on 16th October 2019 unless an appeal is made to the Planning Inspectorate before this date. The notice requires the demolition of the rear extension. This Notice has a compliance period of 3 calendar months.

### **Some Recent Enforcement Actions**

#### **Burn Bullock, 315 London Road, Mitcham CR4.**

A Listed Buildings Repair Notice (LBRN) was issued in 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 in 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 in April 2016 concluded that the required works had been carried out to an acceptable standard.

At a site visit in 2017 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. Repairs were made and inspected by the case officer and conservation officer in 2018 who have concluded that the works are satisfactory.

**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. Due to the time that has elapsed since the issuing of the Notice a new Notice was issued and served on 13<sup>th</sup> November 2018 giving 28 days in which to comply with the Notice. To date the Notice has not been complied and direct action is now under consideration.

Direct action has now been taken, with the site being cleared by contractors and is now in a satisfactory condition regarding the S215 notice. The property has been safeguarded and is under consideration on how to reinstate the property back into its residential use. A charge will also be placed on the property to recoup the cost of the works undertaken. The planning enforcement case is to now be closed.

- **399 Hillcross Avenue, Morden, SM5 4BY**

The Council served an enforcement notice on the 14<sup>th</sup> May 2019 to require the

following steps; - revert the property to a single dwelling; and to remove from the land all materials and debris resulting from the compliance. The property has been changed from a dwellinghouse into four separate flats without planning permission. The compliance date is the 24<sup>th</sup> September 2019.

This owner of the property has already complied with the enforcement notice and the property has been restored back to a single dwelling house. The case has now been closed.

### **7 Streatham Road, Mitcham, CR4 2AD**

The Council served two enforcement notices on 6<sup>th</sup> June 2019, requiring the outbuilding to be demolished and to clear debris and all other related materials. The second enforcement notice is for an unauthorised front, side and rear (adjacent to Graham Road) dormer roof extensions. An appeal was lost for the dormers to be considered permitted development, the notice requires the owner to demolish the unauthorised front, side and rear roof dormer extensions (adjacent to Graham Road) and to clear debris and all other related materials. Both Notices come into effect on 8<sup>th</sup> July 2019 unless appeals are made before this date. To date no appeal has been lodged.

The compliance date of the Enforcement Notice relating to the outbuilding to be demolished and to clear debris and all other related materials has now passed without compliance. A warning letter of prosecution has now been sent.

### **3.0 New Enforcement Appeals - 1 Existing enforcement appeals - 2 Appeals determined – 1**

**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. The Appeal has now been determined. With the outcome that the decking was considered to be Permitted Development, but the fencing has to be reduced in height or removed. The fencing has now been reduced as required and the Enforcement Notice has now been complied with.

### **3.4 Requested update from PAC – None**

- 4. Consultation undertaken or proposed - None required for the purposes of this report**
- 5. Timetable -N/A**
- 6. Financial, resource and property implications - N/A**
- 7. Legal and statutory implications - N/A**
- 8. Human rights, equalities and community cohesion implications - N/A**
  
- 9. Crime and disorder implications - N/A**
- 10. Risk Management and Health and Safety implications. - N/A**
- 11. Appendices – the following documents are to be published with this report and form part of the report Background Papers - N/A**
- 12. Background Papers None**