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# Merton Council

## Planning Applications Committee Agenda

### Membership

#### Councillors:

Dave Ward (Chair)  
Stephen Crowe (Vice-Chair)  
Stephen Alambritis MBE  
Billy Christie  
David Dean  
Nick Draper  
Joan Henry  
Simon McGrath  
Carl Quilliam  
Peter Southgate

#### Substitute Members:

Eloise Bailey  
Ben Butler  
Edward Foley  
Edward Gretton  
Najeeb Latif  
Dennis Pearce

**Date: Thursday 11 February 2021**

**Time: 7.15 pm**

**Venue: This will be a virtual meeting and therefore not held in a physical location, in accordance with s78 of the Coronavirus Act**

This will be a virtual meeting and therefore not held in a physical location, in accordance with s78 of the Coronavirus Act 2020.

This is a public meeting and attendance by the public is encouraged and welcomed. This can be viewed at [www.youtube.com/user/MertonCouncil](http://www.youtube.com/user/MertonCouncil).

If you wish to speak in respect an application, please contact either [planning@merton.gov.uk](mailto:planning@merton.gov.uk) or the Development Control Admin Section on 020 8545 3445/3448 (9am – 5pm); or the Development Control hotline 020 8545 3777 (open 1pm – 4pm only) to register. **All requests to speak should be made by no later than 12 noon on the day before the meeting.**

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## Planning Applications Committee

11 February 2021

### Agenda

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting 1 - 4
- 4 Town Planning Applications  
  
The Chair will announce the order of Items at the beginning of the Meeting. A Supplementary Agenda with any modifications will be published on the day of the meeting. Note: there is no written report for this item
- 5 94 The Broadway, London, SW19 1RH 5 - 34  
  
Application No. 20/P3088  
Ward: Trinity  
Recommendation: Grant Permission Subject to Section 106  
Obligation or any other enabling agreement
- 6 Vista House and Prospect House, Chapter Way, Colliers Wood 35 - 64  
SW19 2RE  
  
Application No. 20/P2841  
Ward: Colliers Wood  
Recommendation: Grant prior approval subject to conditions
- 7 Fair Green Parade, London Road, Mitcham, CR4 3NA 65 - 116  
  
Application No. 20/P0823  
Ward: Cricket Green  
Recommendation: Grant Permission Subject to Section.106  
Obligation or any other enabling agreement, and relevant conditions
- 8 3 Hamilton Road, South Wimbledon, SW19 1JD 117 -  
148  
  
Application No. 20/P2774  
Ward: Abbey  
Recommendation: Grant Planning Permission subject to conditions

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9	25-27 Landgrove Road, Wimbledon, SW19 7LL	149 - 180
	Application No. 20/P3071 Ward: Wimbledon Park Recommendation: Grant Planning Permission subject to conditions and S106 Agreement	
10	49 Queen's Road, Wimbledon, SW19 8NP	181 - 206
	Application No. 20/P2779 Ward: Trinity Recommendation: Grant Planning Permission subject to conditions	
11	Planning Appeal Decisions	207 -
	Recommendation: That Members note the contents of the report.	210
12	Planning Enforcement - Summary of Current Cases	211 -
	Recommendation: That Members note the contents of the report.	216

**Note on declarations of interest**

Members are advised to declare any Disclosable Pecuniary Interest 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. For further advice please speak with the Managing Director, South London Legal Partnership.



# Agenda Item 3

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

## PLANNING APPLICATIONS COMMITTEE

14 JANUARY 2021  
(7.15 pm - 8.22 pm)

**PRESENT** Councillor Dave Ward (in the Chair),  
Councillor Stephen Crowe (Vice-Chair),  
Councillor Stephen Alambritis, Councillor Ben Butler,  
Councillor Billy Christie, Councillor David Dean,  
Councillor Joan Henry, Councillor Simon McGrath,  
Councillor Carl Quilliam and Councillor Peter Southgate

**IN ATTENDANCE** Sarath Attanayake (Transport Planning Project Officer),  
Tim Bryson (Development Control Team Leader (North)),  
Amy Dumitrescu (Democratic Services Officer),  
Jonathan Lewis (Development Control Team Leader (South)),  
Neil Milligan (Development Control Manager, ENVR) and  
Farzana Mughal (Democratic Services Officer)

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

An apology for absence was received on behalf of Councillor Nick Draper. Councillor Ben Butler was attending as his respective substitute.

### 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 10<sup>th</sup> December, 2021 were agreed as an accurate record.

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

The Chair advised that the order of the agenda was changed and that item 6 would be taken before item 5. For the purpose of the minutes, items were minuted in the order they appeared in the agenda.

### 5 1 HARTFIELD ROAD, WIMBLEDON, SW19 3RU (Agenda Item 5)

Proposal: Alterations and extensions to existing building to provide an additional 3 storeys of office accommodation (net increase of 3513sqm of Gross Internal Floor space (GIA)), plus plant enclosure at roof level and associated landscaping and public realm improvements.

The Committee noted the report and the plans presented by the Development Control Team Leader (North).

The Committee noted that there were no objectors registered to speak. The Committee also noted that applicant was not present at the meeting.

Councillor Paul Kohler (Ward Member for Trinity) had registered to speak and on behalf of his ward addressed the Committee the concerns raised by residents. He stated that the proposed development was out of scale, in terms of, the height of the building, out of character to the area conservation and the development would cause further issues in terms of traffic. He further explained that the proposed scheme would cause disruption for the residents and that the development did not meet the Council's Core Strategy.

During the debate members' raised and number of questions and comments. The Development Control Team Leader (North) addressed the following points including:

- That following consultation on the Future Wimbledon SPD, the building heights guideline across the town centre had been reduced and the subject site was shown as accommodating eight to ten storeys,
- Highways had not raised any concerns regarding the bus stop outside Wimbledon House and that Planning Officers' had no correspondents from Transport for London (TFL), in terms of, specifically moving the bus stop,
- It was clarified that there were 18 objections received with regards to the proposed scheme, however, there were 35 letters supporting the proposals,
- There was no guidance given from Government to resist office development due to the Covid-19,
- Highways Officers' and Transport Planner had no objections with regards to the proposal, subject to conditions, which included a Construction Management Plan,
- The proposed scheme would create jobs and potentially increase the number of employees working at the site,
- The scheme was not anticipated to improve the appearance of the building, it was to provide extensions to existing building for an additional three storeys of office accommodation.

Whilst the Committee was in support of the proposed application and recognised it would create more jobs in the area, a member expressed their concerns and stated that the proposed building was unattractive and did meet the criteria of Merton DMD.

The Chair moved to the vote on the officer's recommendation and it was

**RESOLVED** that the application number 20/P2567 be **GRANTED** planning permission subject to completion of s106 Agreement and conditions.

6 7 RURAL WAY, STREATHAM, SW16 6PF (Agenda Item 6)

Proposal: Demolition of existing building and erection of 3 x 3 bed terraced houses, associated landscaping and creation of amenity areas, parking and cycle storage.

Further to Minute No.13 on 13<sup>th</sup> February, 2020, the Committee noted the report and revised plans presented by the Development Control Leader (South). Members were reminded that an earlier and similar application was considered at Committee in February 2020, when members were minded to refuse the application, contrary to the officers' recommendation, due to concerns regarding overdevelopment and design.

Two residents had registered to speak in objection to the proposed scheme, and at the request of the Chair, had raised a number of points, including:

- That the revised scheme was mis-leading,
- Concerns to loss of trees,
- The scheme was not sustainable,
- There were not enough heat-pumps provided,
- The objectors were not aware that the proposed scheme was for a three dwellings and not for a six dwellings,
- This was a small cul-de-sac that was overcrowded and there was no space for parking.
- There were concerns to the current noise level, in particular, at night and to build more houses would increase the noise level and disturbance, this would have an impact for people working from home.
- Residents opposite to the proposed development had not been consulted.

Members' noted that the applicant was not present at the meeting.

In response to the objectors concerns and issues raised, the Development Control Leader (South) reported that:

- In terms of consultations, it was clarified that 14 properties, including opposite and to the rear were notified of the proposed scheme;
- The trees to the site were overgrown and did not necessarily add character or value to the street scene,
- If Members' were minded, a condition could be imposed for tree planting to be undertaken to the rear of the site.

In response to Members' questions and comments' the Development Control Team Leader (South) clarified that the revised planning application was for a three dwellings and were wider which would be in keeping with some of the two-storey dwellings in the area. In terms of sustainability and energy provision, there was a requirement for the development to attain the necessary carbon savings.

Furthermore, Members' welcomed the revised proposal and felt that this application was fit for purpose.

The Chair moved to the vote on the officers' recommendation and it was

**RESOLVED** that the application number 20/P3757 be **GRANTED** planning permission subject to completion of s106 Agreement and conditions.

7 PLANNING APPEAL DECISIONS (Agenda Item 7)

The Committee noted the Planning Appeal decisions.

8 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 8)

The Committee noted that there were no planning enforcement cases reported.

## PLANNING APPLICATIONS COMMITTEE

11 FEBRUARY 2021

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
20/P3088	30/09/2020
<b>Site Address:</b>	94 The Broadway, London, SW19 1RH
<b>Ward:</b>	Trinity
<b>Proposal:</b>	ERECTION OF A FOUR STOREY REAR EXTENSION AND INTERNAL RECONFIGURATION OF EXISTING RESIDENTIAL UNIT TO CREATE 4 ADDITIONAL RESIDENTIAL DWELLINGS.
<b>Drawing Nos:</b>	094TB-A-03-103; 094TB-A-03-104; 094TB-A-03-105; 094TB-A-03-106; 094TB-A-03-107; 094TB-A-05-108; 094TB-A-05-110; 094TB-A-06-109; 094TB-A-06-110
<b>Contact Officer:</b>	Calum McCulloch

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### RECOMMENDATION

Grant Permission Subject to Section 106 Obligation or any other enabling agreement

### CHECKLIST INFORMATION

Is a screening opinion required	No
Is an Environmental Statement required	No
Press notice	No
Site notice	No
Design Review Panel consulted	No
Number of neighbours consulted	8
External consultations	0
Internal consultations	3
Controlled Parking Zone	Yes - W3

## **1. INTRODUCTION**

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

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises a part two-storey, part three storey mid terrace property located on the north side of The Broadway. The site contains commercial on the ground floor and residential on the first and second floor containing a 4-bedroom unit.
- 2.2 The site is not a listed building and is not within a Conservation Area. It is located within Wimbledon Town Centre and is designated as a Primary Shopping Area and part of a Core Shopping Frontage in the Merton Sites and Policies Plan 2014.
- 2.3 The site benefits from access to the rear along Printers Yard. The buildings along the terrace on which the site forms part have been subject to infill development over the years, including at no. 100 and 102 The Broadway. The adjacent properties either side of the application site have rear outriggers however these are two or three storey and would appear original.

## **3. CURRENT PROPOSAL**

- 3.1 The application is seeking the following:
- Demolition of existing rear extensions
  - Erection of four storey extension to create 4 x self-contained flats. The unit mix comprises:
    - 3 x 1B2P unit & 1 x 2B3p units
  - It is proposed to retain the commercial unit at the front of the site at ground floor level.

### **Amendments**

- 3.2 A non-material amendment was made to the plans increasing the size of bins accommodated in the bin store area.

## **4. PLANNING HISTORY**

- 4.1 20/P1928 - ERECTION OF A FOUR STOREY REAR EXTENSION AND INTERNAL RECONFIGURATION OF EXISTING RESIDENTIAL UNIT TO CREATE 5 ADDITIONAL RESIDENTIAL DWELLINGS (6 UNITS PROVIDED IN TOTAL) - Refuse Permission - 14/08/2020 Reasons for refusal:
- The proposed development by virtue of its scale and bulk would appear incongruous with its immediate context resulting in material harm to the character and appearance of the area.

- The proposed development would cause material harm to the amenity of adjacent occupiers through unreasonable sense of enclosure and diminished outlook
- The proposed development would generate additional pressure on parking in the area, and in the absence of a legal agreement securing a 'car free' agreement.
- The proposed development would result in the loss of a four-bed family sized unit and there are no three bed-room units proposed to mitigate this loss.

Appealed – Appeal pending determination

- 4.2 88/P1553 - RETENTION OF 1.3 SATELLITE DISH AT SECOND FLOOR LEVEL TO REAR OF EXISTING BETTING SHOP - APPLICATION GRANTED - 16/02/20
- 4.3 MER1087/69 - USE OF GROUND FLOOR PREMISES AS A BETTING OFFICE - GRANT PERMISSION SUBJECT TO CONDITIONS - 15/01/1970
- 4.4 MER1085/83 - ALTERATIONS TO BETTING SHOP - GRANT PERMISSION SUBJECT TO 5 YEAR CONDITION ONLY - 13/07/2020
- 4.5 MER1086/83 - DISPLAY OF AN INTERNALLY ILLUMINATED PROJECTING BOX SIGN - GRANT PERMISSION SUBJECT TO CONDITIONS - 08/02/2020

## 5. CONSULTATION

### External

#### Neighbour consultation

- 5.1 Letters were sent to neighbouring occupiers to the site. A total of 13 objections were received for the application raising the following points:
  - Overlooking towards rear of properties on South Park Road
  - Loss of light for properties on South Park Road due to height
  - Concerns over parking pressure
  - Concern that of the third floor
  - Concerns that Printers Yard is not maintained by Merton Council. Therefore, there is no traffic management or street lighting. There are issues with access as a result of rubbish bins and cars blocking the road.
  - Concerns that increased population will increase anti-social behaviour.
  - Concerns over noise from balconies – Printers Yard is an echo chamber. If a balcony is permitted on the third floor the noise would be amplified and heard in the surrounding area.
  - Loss of light and increased sense of enclosure toward no. 92 The Broadway.

- Concerns from the commercial occupiers of Finling Associates (Unit 2, Printers Yard, 90A the Broadway):
  - No established ownership of Printers Yard meaning it is unmaintained, unduly and unsecured. This legal anomaly should be resolved before planning permission is granted.
  - Car usage is a problem with cars constantly blocking the Mews. There are frequently cars parked at the end of the Mews, and down the main access route. There would be difficulties with emergency access with an adverse impact on safety of staff
  - Insufficient Waste Storage for four households. There are continual problems with unsightly overflowing bins, vermin, and noise as glass bins are filled or emptied.
  - Loss of character and amenity
- Objection from ground floor unit (no. 96 The Broadway) with the following concerns:
  - Negative impact on character and appearance.
  - Loss of sunlight and diminished climate of garden.
  - Increased traffic along the Mews
- Development should not go ahead based on the principle of no. 100 The Broadway and numbers 96-98 The Broadway. No. 100 stopped two houses quality sunlight for Cobden Mews.
- Concerns over loss of three-bed unit.
- Loss of light and increased sense of enclosure in respect of Cobden Mews
- Objection from the commercial occupier no. 1 Cobden Mews, 90 the Broadway:
  - Concerns over the condition of Cobden Mews
  - Negative impact of people parking on the commercial property
  - Negative impact on rubbish
  - Scale of building works harm the character and appearance of the area.
- Objection from Wimbledon Society:
  - Proposed dwellings are single aspect and therefore will receive limited light.
  - There is limited amenity space
  - No energy statement to accompany the application.
- One representation was received highlighting the opportunity to install artificial Swift Nests into the development.



## **Internal**

### Council Transport Planner:

- No objections subject to:
  - Unilateral undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.
  - Cycle parking (secure & undercover)
  - Refuse collection: condition
  - 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.

### Council Waste Services:

- Firstly, the use of wheelie bins is a preferred option for these properties considering its location.
- Secondly, for the proposed arrangement to be considered, applicant/developer would have to confirm that LBM/Veolia will not be held responsible for any damage to the wall/ access road caused by manoeuvring the bins for collection. I will recommend some padding of the side access wall to minimise damage. This confirmation should be an attached condition.

### Environmental Health Officer:

- No objections subject Construction Method Statement attached as condition.

## **6. POLICY CONTEXT**

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

- Chapter 5 Delivering a sufficient supply of homes
- Chapter 9 Promoting sustainable transport
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 14 Meeting the challenge of climate change, flooding and coastal change

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

- Policy 3.3 Increasing housing supply
- Policy 3.4 Optimising housing potential
- Policy 3.5 Quality and design of housing developments

- Policy 3.8 Housing choice
- Policy 3.9 Mixed and balanced communities
- Policy 5.1 Climate change mitigation
- Policy 5.2 Minimising carbon dioxide emissions
- Policy 5.3 Sustainable design and construction
- Policy 6.3 Assessing effects of development on transport capacity
- Policy 6.9 Cycling
- Policy 6.13 Parking
- Policy 7.1 Lifetime Neighbourhoods
- Policy 7.4 Local Character
- Policy 7.5 Public Realm
- Policy 7.6 Architecture
- Policy 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- Policy 8.2 Planning obligations
- Policy 8.3 Community Infrastructure Levy

### **Merton Core Strategy (2011)**

- Policy CS 8 Housing Choice
- Policy CS 9 Housing Provision
- Policy CS 14 Design
- Policy CS 15 Climate Change
- Policy CS 17 Waste Management
- Policy CS 18 Active Transport
- Policy CS 19 Public Transport
- Policy CS 20 Parking, Servicing and Delivery

### **Merton Sites and Policies Plan (2014)**

- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM H4 Demolition and redevelopment of a single dwelling house
- DM D2 Design considerations in all developments

- DM D3 Alterations and extensions to existing buildings
- 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

## **7. PLANNING CONSIDERATIONS**

7.1 The material planning considerations in the assessment of this planning application are as follows:

- Principle of development
- Character and appearance
- Neighbouring amenity
- Standard of accommodation
- Housing mix
- Traffic, Parking and Highways Conditions
- Sustainability
- Refuse

### **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 states that boroughs should seek to enable additional development capacity, which includes intensification, developing at higher densities.

7.3 The proposed development would result in a net increase of 3 residential units in Wimbledon Town Centre. Intensification of land is encouraged in the Local and London Plan, therefore the provision of 4 residential units would be in line with policy.

Overall, the principle of development is acceptable however is subject to compliance with the below planning considerations, which include the planning history of the site.

### **Character and Appearance**

7.4 London Plan policies 7.4, 7.6 and 7.8, Core Strategy policy CS14 and SPP Policies DMD2, DMD3 require proposals to respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their

surroundings.

- 7.5 The proposal is comprised of a four storey rear extension projecting from the rear of the original block. The extension adopts a gable form which corresponds to the gable form on the host building and the gable outrigger located next door at no. 92. The ridgeline of the extension would match the ridgeline of the main building therefore would not be visible from the Broadway.
- 7.6 The extension would be set away from the boundary with no. 96 by 1.24m maintaining some legibility of the original rear elevation.
- 7.7 The depth of the four storey extension would measure 8.33m (10.9m including the ground floor cycle store and bin store).
- 7.8 The architectural appearance of the proposal is generally considered good quality. The rear elevation comprised of brick, timber slatted balconies and contemporary windows would assimilate to acceptable level with the terrace when viewed from Printers Yard.
- 7.9 Rear projections are a common feature of the surrounding terraces at the rear. Whilst larger than existing rear projections in the immediate vicinity, the scale proposed extension would not be visually overbearing, would be subservient to the host building and would assimilate to acceptable level with the mews Character of Printers Yard. The depth and width of the proposal has been reduced in comparison to the previously refused scheme.
- 7.10 For the points outlined above, the proposed development is not considered to cause material harm to the character and appearance of the and would accord with Policies DMD2 and DMD3 in the Merton Sites and Policies Plan 2014

### **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.
- 7.12 The proposed development adjoins no 92 to the west and no. 96 and 98 the Broadway to the east. These properties are similar to the application site comprising commercial on the ground floor and residential on the upper floors. The impact on each of these is considered in more detail below:
- No. 92 the Broadway*
- 7.13 No. 92 comprises commercial on the ground floor and residential on the upper floors. No. 92 has two rear facing windows on the rear elevation of the outrigger at first and second floor levels. These serve a kitchen (residential) and bedroom respectively. There is also another bedroom window located at second floor level on the principle rear elevation (see existing plans for ref. 20/P1484). The proposed rear extension would project 2m beyond the first and second floor windows, and roughly 8m beyond the third floor window as referred to above. There would be some increased sense of enclosure in respect of these windows but given the projection forward of the rear elevation of no. 92 has been reduced by 2.5m since application 20/P1928, and the removal of the third

floor dormer, Officers consider the proposal would preserve suitable levels of openness and daylight towards these windows. There are no windows proposed in the western flank wall therefore there would be no impact from increased overlooking. Overall, the proposal would not harm the amenity of the no. 92.

*No 96 the Broadway*

7.14 No 96 comprises commercial on the ground floor and residential on the upper floors. No 96 has a two-storey outrigger with a glass doorway at first floor believed to serve a kitchen. There are three windows at first and second floor levels on the rear elevation of no. 96. Two of these serve a toilet and landing respectively and therefore there would be no material harm to living conditions in relation to these windows. The other window at second floor level serves a bedroom (see existing plans submitted for ref 15/P1569). The proposed four storey extension would project roughly 8m beyond this rear bedroom window. The projection forward of this window has been reduced by 2m since previous application 20/P1484. Furthermore there is now a gap of 1.24m between the flank wall of the extension and the boundary with no. 96. Officers acknowledge there would still be some increased sense of enclosure. However, Officers are satisfied the window would be subject to suitable levels of daylight and openness and there would be no material harm to the living conditions of the bedroom the window serves.

7.15 There is not considered to be any harm cause through increased overlooking. There are four windows proposed on the eastern elevation at first and floor levels. These serve a bedroom and kitchen diner at first and second floor respectively and are subject to a condition of obscure glazing.

*No 98 the Broadway*

7.16 No 98 has residential windows located at an upper level similar to no. 96. No. 98 are already enclosed to the east by the four storey development at no. 100. There would be some increased sense of enclosure and loss of light as result of the proposed extension but taking into consideration the reduced scale of the proposal since application 15/P1569, the proposal would not harm the amenity of this property.

*1-3 Cobden Mews, 90 The Broadway*

7.17 The rear of the application site is located opposite a two storey commercial building. There would be some inter-visibility between the rear windows and outdoor terraces of the proposed flats and the commercial buildings. Officers do not consider this to be harmful relationship as there is a separating distance is roughly 12m.

*37-41 South Park Road*

7.18 Some objections raised concern that the proposed development would adversely impact the amenity of properties on South Park Road. The proposed extension would be sited 15m away from the rear garden boundaries of these properties. The commercial premises on Cobden Road also acts as an intervening barrier. Officers acknowledge there would be some inter-visibility between the third floor window and these properties. However, Officers do not

consider this to be harmful relationship given the separating distance.

- 7.19 Concern has been raised by some residents regarding the impact of noise from the proposed balconies. The proposed balconies are a modest size and therefore are unlikely to be used for use by more than two individuals at any given time. A balance must be struck between providing outdoor space for residents with the impact on noise. In this instance, the likely impact of noise generation is not considered significant enough to warrant refusal of the application.
- 7.20 For the reasons outlined above, the proposed development would not cause material harm to the amenity of nearby occupiers. Therefore the development fails to comply with Merton Sites and Policies Plan DMD2 and DMD3.

**Standard of accommodation**

- 7.21 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.

**Internal**

Unit No.	Level	Type	Proposed GIA (sqm)	Required GIA	Compliant
Unit 1	Ground and First	2B3P	79.7 m <sup>2</sup>	70	Yes
Unit 2	Second and Third	1B/2P	58.0 m <sup>2</sup>	58	Yes
Unit 3	First	1B/2P	54.0 m <sup>2</sup>	50	Yes
Unit 4	Second	1B/2P	50.4 m <sup>2</sup>	50	Yes

- 7.22 Demonstrated by the table above, the proposed units would meet the London Plan minimum space standards. The units would have an acceptable levels of outlook and daylight. Overall, the standard of accommodation is considered acceptable.

**External**

- 7.23 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.
- 7.24 14 m<sup>2</sup> and 4.5m<sup>2</sup> of outdoor amenity space has been provided for units 1 and 2 respectively. Officers are mindful that the site is subject to spatial constraints

limiting the ability for outdoor amenity space to be provided for all the units. Unit 3 and 4 are located in the fabric of the original building therefore it's unrealistic to expect these units to provide out door space. Taking into consideration the spatial constraints of the site in the town centre location the provision of outdoor amenity space is considered acceptable.

### **Housing mix**

- 7.25 Policy CS 14 also states that schemes involving dwelling conversions that result in the loss of an existing family sized unit must incorporate the re-provision of at least one family sized unit – a family sized unit is one which has at least 3 bedrooms.
- 7.26 The current building contains a 4 bedroom unit (a family sized unit). The proposed housing mix is 3 x 1B2P unit & 1 x 2B3p unit.
- 7.27 Although the proposed development would result in the loss of a family sized unit, the existing unit does not represent typically good family accommodation given its location above a commercial unit adjoining the high street. Further, the 4 bedrooms in existing are only served by a small kitchen/diner/living space, which makes it less desirable for families to accommodate. Officers note the loss of the existing 4-bedroom flat was a reason for refusal under the previous scheme, however, upon re-review under this new application, officers do not consider this to be such a short fall to warrant a refusal in its own right based on the better accommodation now proposed. Taking this into consideration, Officers consider the housing mix appropriate for the town centre location and the benefits of providing additional units would outweigh the loss of the existing four bed unit.

### **Transport and parking**

- 7.28 Policies CS20 (Parking, Servicing and Delivery) of the Adopted Merton Core Planning Strategy (2011) DM T2 (Transport Impacts of Developments) and (DM T3 (Car Parking and Servicing Standards) of the Adopted Merton Sites and Policies Plan (2014), require developers to demonstrate that their development would not adversely affect pedestrian and cycle movements, safety, the convenience of local residents or the quality of bus movements and/or facilities; on street parking and traffic management and provision of parking to the council's current standards.
- 7.29 The application site is well served by public transport being located within Wimbledon Town Centre and in close proximity to Wimbledon Underground and Railway Station and local bus routes. The Site has a PTAL of 6b. The site is located within Controlled Parking Zone (W3) with restrictions in place between Monday and Saturday 8.30am-11.00pm, Sunday & Bank Holidays 2.00pm - 6.00pm.
- 7.30 Five secure and undercover cycle parking spaces are provided at the rear of the site. The London Plan standard requires 1 space per 1 bedroom unit and 2 spaces per all other units for residential dwellings. Based on the proposed housing mix, a total of 5 parking spaces is required to satisfy London Plan standard therefore the proposal is compliant with this standard.

- 7.31 Given the good accessibility of the site to public transport, the existing parking pressures in the area and the policy drive for car free development, the proposal is acceptable in respect of transport and parking subject to a restriction on on-street residential parking permits for occupiers to be secured through a section 106 Agreement, as well as cycle parking provided to meet standards set out within the London Plan.
- 7.32 The Council's Transport Planner has reviewed the proposal and deemed the proposal acceptable subject to a permit-free legal agreement and installation of cycle parking.
- 7.33 Officers acknowledge concerns over ad-hoc parking along Printers Yard which is not under the control of the Council. However, it would be unreasonable to refuse the application on this basis given it is most likely occupants would adopt sustainable modes of travel due to proximity to excellent public transport links.
- 7.34 The proposed development is considered acceptable in respect of Policies CS20 (Parking, Servicing and Delivery) of the Adopted Merton Core Planning Strategy (2011) DM T2 (Transport Impacts of Developments) and (DM T3 (Car Parking and Servicing Standards) of the Adopted Merton Sites and Policies Plan (2014),

### **Sustainability**

- 7.35 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 in outlined in Chapter 5 of the London Plan (2016).
- 7.36 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.
- 7.37 The proposal offers opportunities to enhance the sustainability credentials of the existing building, as well as the proposed building. The Council's standard pre-occupation condition is put forward requiring evidence be submitted to show 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.

### **Refuse**

- 7.38 A bin store is proposed at ground floor level served by Printers Yard. The store would be accessed through sliding doors along the passageway allowing suitable access for waste operators.
- 7.39 Space for four 360 litre wheelie bins has been provided providing enough refuse capacity for the four units proposed.
- 7.40 Waste Services were consulted for the application and have confirmed wheelie bins are appropriate for this location. However, they have recommended some protective material is installed on the side elevation around the bins to avoid any accidental damage by refuse collectors. A condition has been put forward



requiring this.

## 8. CONCLUSION

- 8.1 The proposed development would result in a net increase of four residential units making a small contribution to Merton's housing supply in a sustainable location. The development has been reduced in scale, depth and width in comparison to previous application 20/P1928 and Officers are satisfied the proposal would not harm the character and appearance of the area nor cause material harm to the amenity of nearby occupiers. The proposed development would provide an acceptable standard of external and internal space taking into consideration the constraints of the site. The loss of the four bed unit in favour of four smaller units is considered acceptable given the town centre location and given the existing four bed unit fails to represent good family accommodation. The proposed development is considered acceptable in respect of all other planning considerations including Transport, Refuse and Sustainability subject to appropriate conditions and a permit free legal agreement.

## 9. RECOMMENDATION

- 9.1 Grant permission subject to:
- a) the completion of a Section 106 Agreement covering the following heads of terms:
    1. Future Occupiers of the proposed development are restricted from obtaining residents parking permits for the CPZ.
    2. The developer agreeing to meet the Councils costs of preparing (including legal fees) the Section 106 Obligations.
  - b) And subject to conditions

### Conditions

1. **A1 Commencement of development (full application):** The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.
2. **A7 Approved Plans:** The development hereby permitted shall be carried out in accordance with the following approved plans: 094TB-A-03-103; 094TB-A-03-104; 094TB-A-03-105; 094TB-A-03-106; 094TB-A-03-107; 094TB-A-05-108; 094TB-A-05-110; 094TB-A-06-109; 094TB-A-06-110.

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

3. **B3 External Materials as Specified:** The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority

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

Plan 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. **C03 Obscured Glazing:** Before the development hereby permitted is first occupied, the first and second floor windows in the eastern side elevation shall be glazed with obscure glass and shall permanently maintained as such thereafter

**Reason:** To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

5. **C07 Refuse & Recycling (Implementation):** Prior to occupation, the refuse and recycling facilities shall be fully implemented and made available for use..

**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.

6. **Protection to flank wall:** Details of appropriate measures to protect the eastern flank wall from accidental damage by waste operators shall be submitted to the Local Planning Authority. The protective measures approved shall be fully implemented prior to first occupation of any flat.

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

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

8. **CLP:** The development shall not commence until a demolition/Construction Logistics Plan (including a Construction Management plan in accordance with TFL guidance) should be submitted to LPA for approval before commencement of work.

**Reason:** To ensure the safety of pedestrians and vehicles in 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.

9. **No access to flat roof:** Access to the flat roof fronting The Broadway 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

10. **Hours/days of construction:** No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

**Reason:** To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

11. **Climate Change:** 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.

12. **Cycle Parking:** 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.

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# NORTHGATE SE GIS Print Template



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All external surfaces and materials to match existing.

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REV	No.	Description	Date
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Client

Edgewater Group

Project Address

94 The Broadway, London, SW19 1RH

Dwg No

094TB-A-02-101

Drawing

Proposed Visualization -Front

Reason for Issue

Planning

Issue Date

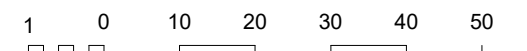
18.09.2020

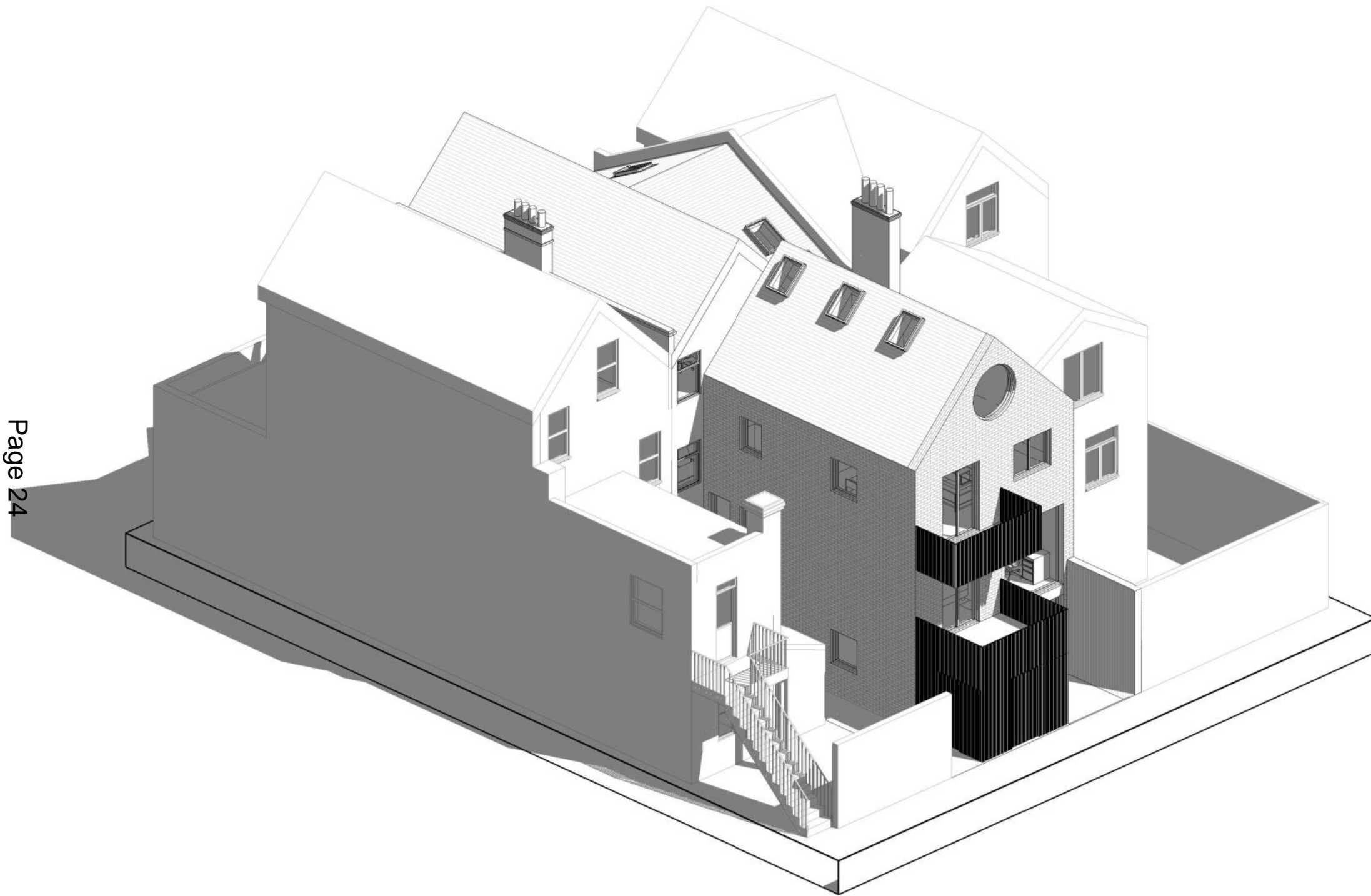
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R.Z.

Scale

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REV	No.	Description	Date
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Client

Edgewater Group

Project Address

94 The Broadway, London, SW19 1RH

Dwg No

094TB-A-02-102

Drawing

Proposed Visualization- Rear

Reason for Issue

Planning

Issue Date

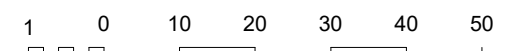
18.09.2020

Drawn by

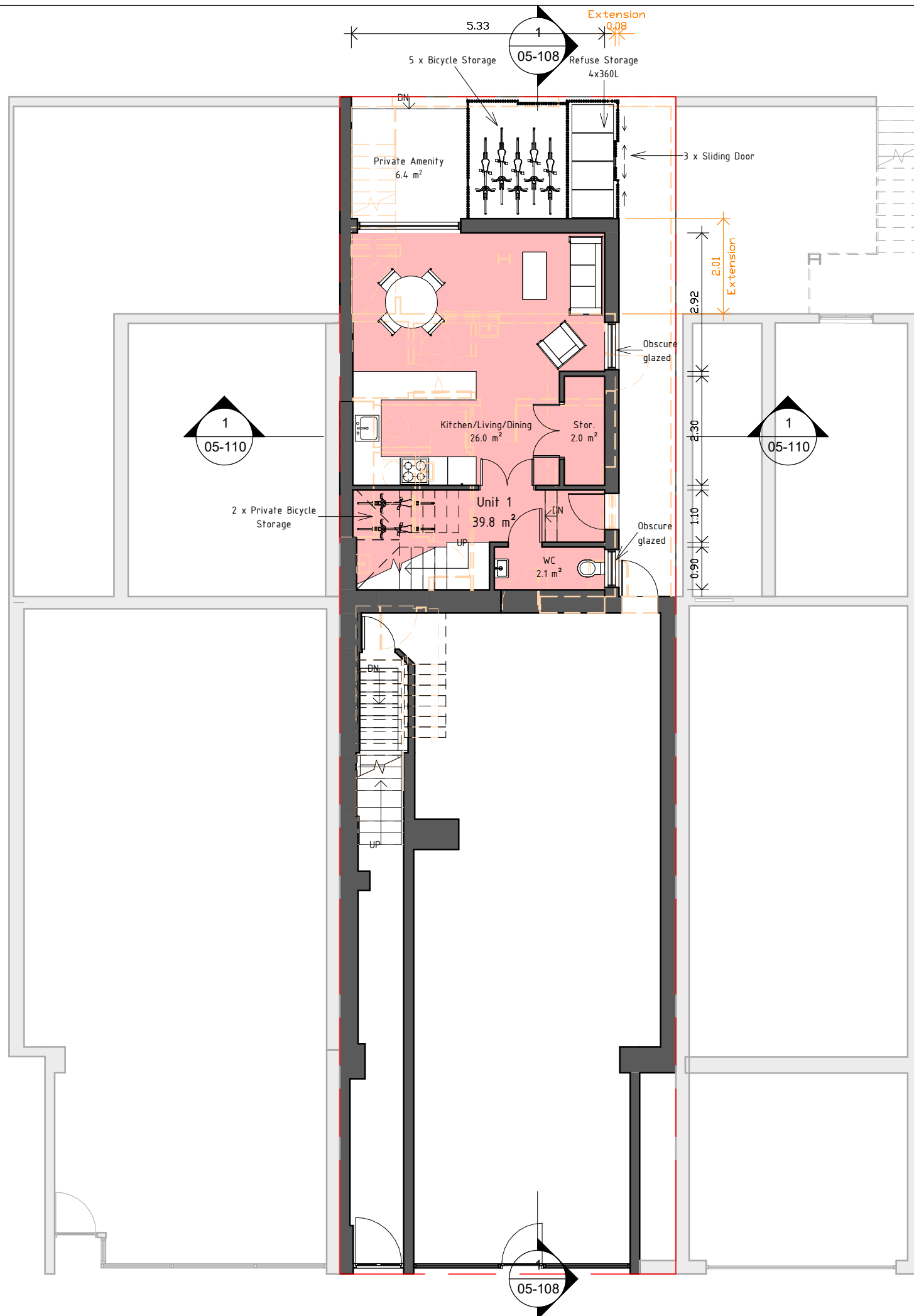
R.Z.

Scale

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Area Schedule (Rentable)		
Name	Area	Comments
Unit 1	79.7 m <sup>2</sup>	2B 3P 2 STOREY
Unit 2	58.0 m <sup>2</sup>	1B 2P 2 STOREY
Unit 3	54.0 m <sup>2</sup>	1B 2P
Unit 4	53.5 m <sup>2</sup>	1B 2P
	245.2 m <sup>2</sup>	

REV	No.	Description	Date
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**Client**

Edgewater Group

**Project Address**

94 The Broadway, London, SW19 1RH

**Dwg No**

094TB-A-03-103

**Drawing**

Proposed Ground Floor

**Reason for Issue**

Planning

**Issue Date**

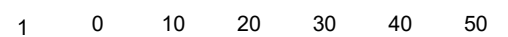
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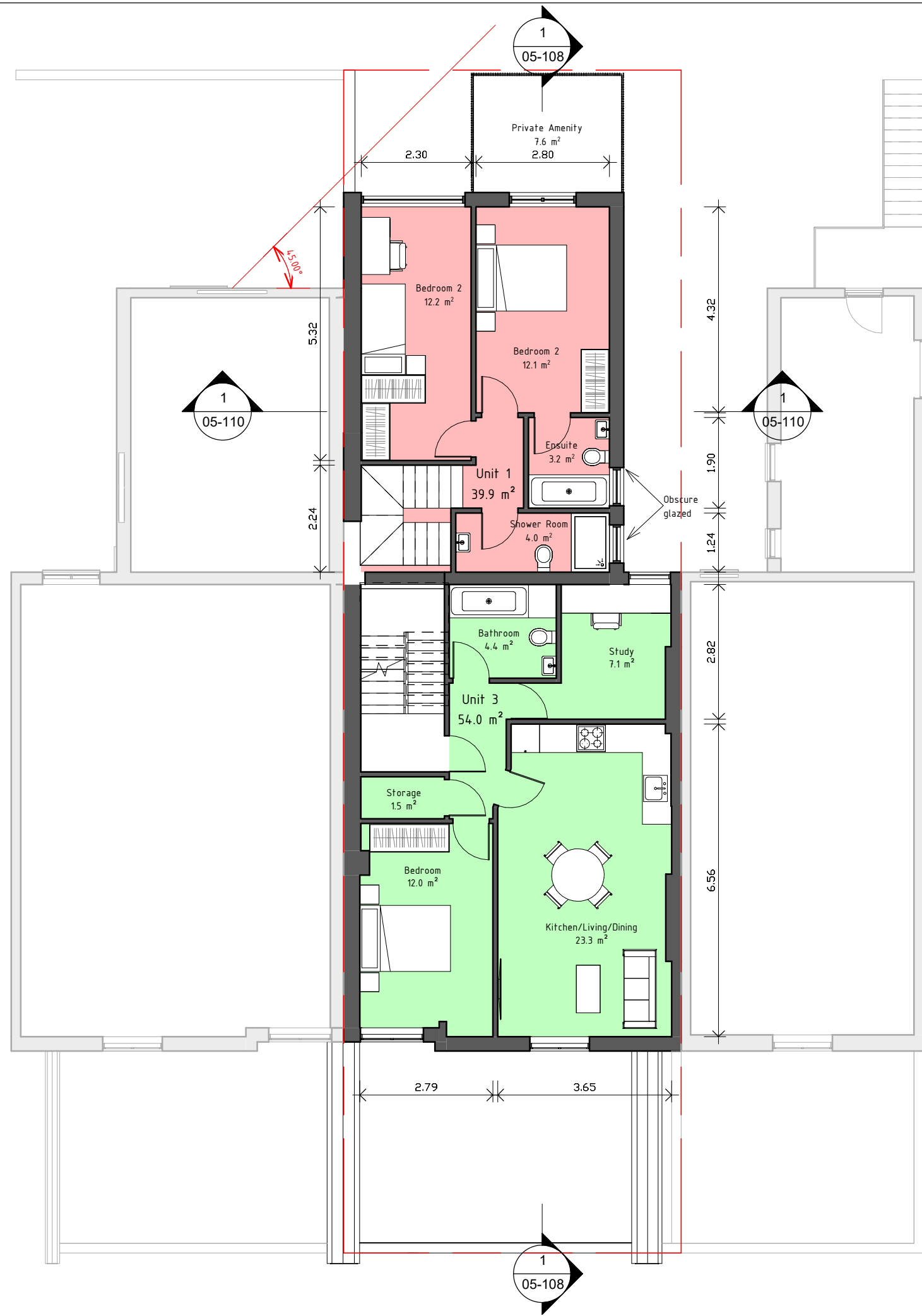
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**Scale**

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Unit 3	54.0 m <sup>2</sup>	1B 2P
Unit 4	53.5 m <sup>2</sup>	1B 2P
	245.2 m <sup>2</sup>	

REV	No.	Description	Date
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**Client**  
 Edgewater Group

**Project Address**  
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**Dwg No**  
 094TB-A-03-104

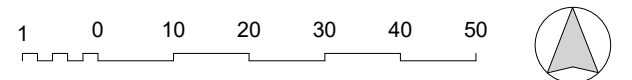
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 Proposed First Floor

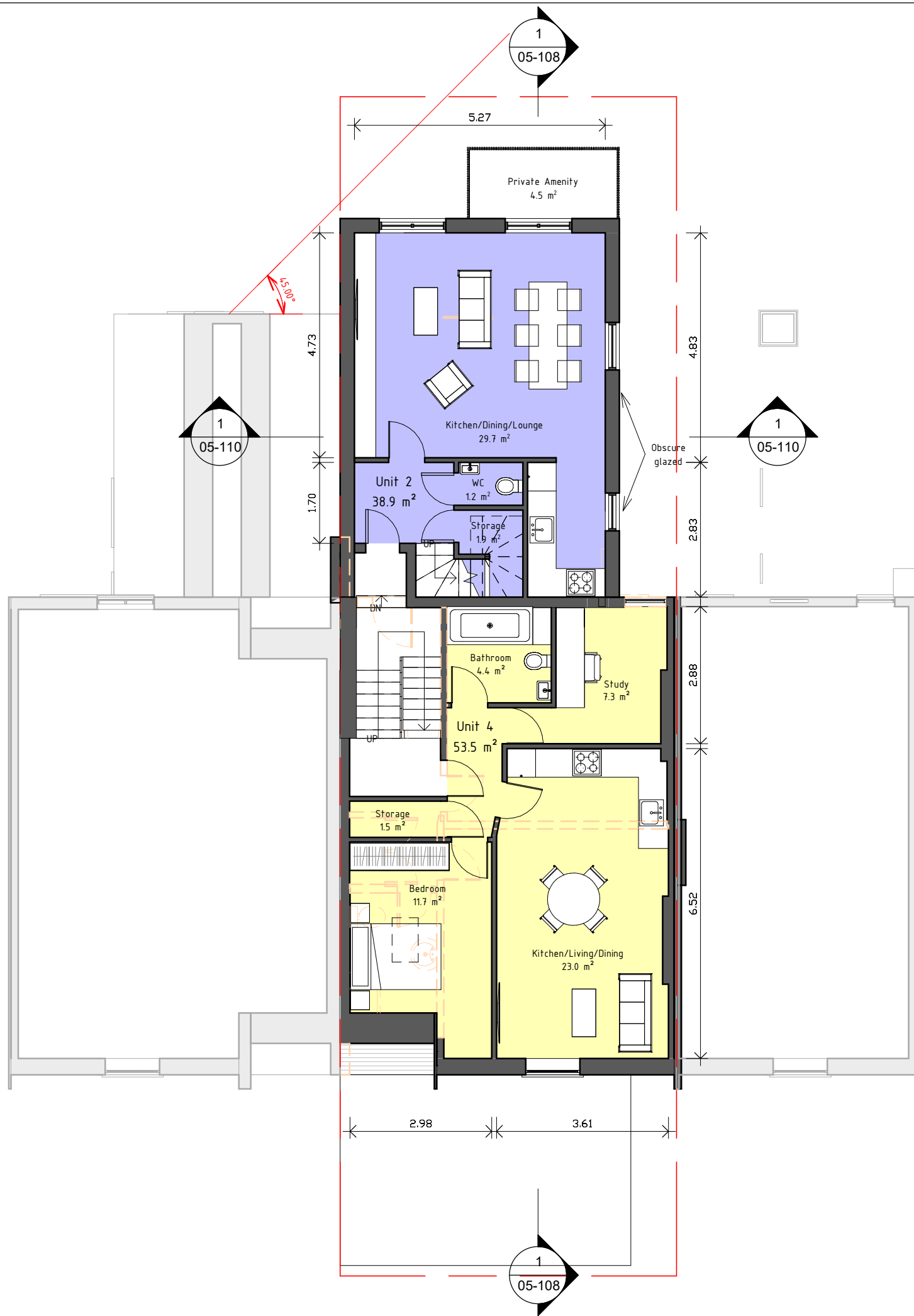
**Reason for Issue**  
 Planning

**Issue Date**  
 18.09.2020

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**Scale**  
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Unit 3	54.0 m <sup>2</sup>	1B 2P
Unit 4	53.5 m <sup>2</sup>	1B 2P
	245.2 m <sup>2</sup>	

REV	No.	Description	Date
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**Client**

Edgewater Group

**Project Address**

94 The Broadway, London, SW19 1RH

**Dwg No**

094TB-A-03-105

**Drawing**

Proposed Second Floor

**Reason for Issue**

Planning

**Issue Date**

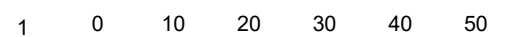
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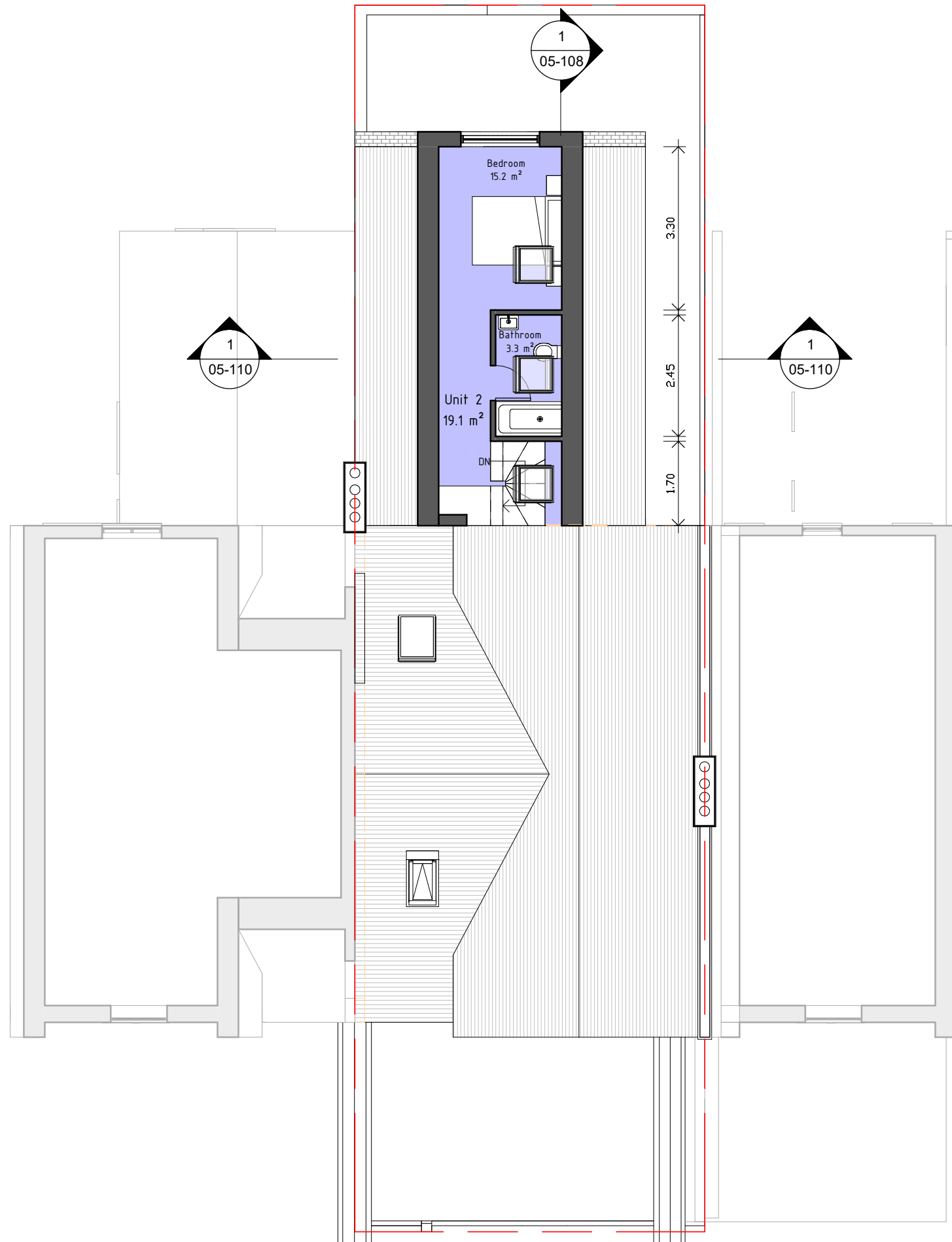
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Unit 2	58.0 m <sup>2</sup>	1B 2P 2 STOREY
Unit 3	54.0 m <sup>2</sup>	1B 2P
Unit 4	53.5 m <sup>2</sup>	1B 2P
	245.2 m <sup>2</sup>	

REV	No.	Description	Date
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**Client**  
 Edgewater Group

**Project Address**  
 94 The Broadway, London, SW19 1RH

**Dwg No**  
 094TB-A-03-106

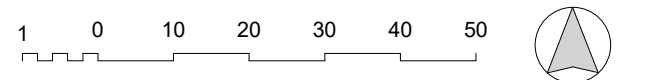
**Drawing**  
 Proposed Thrid Floor

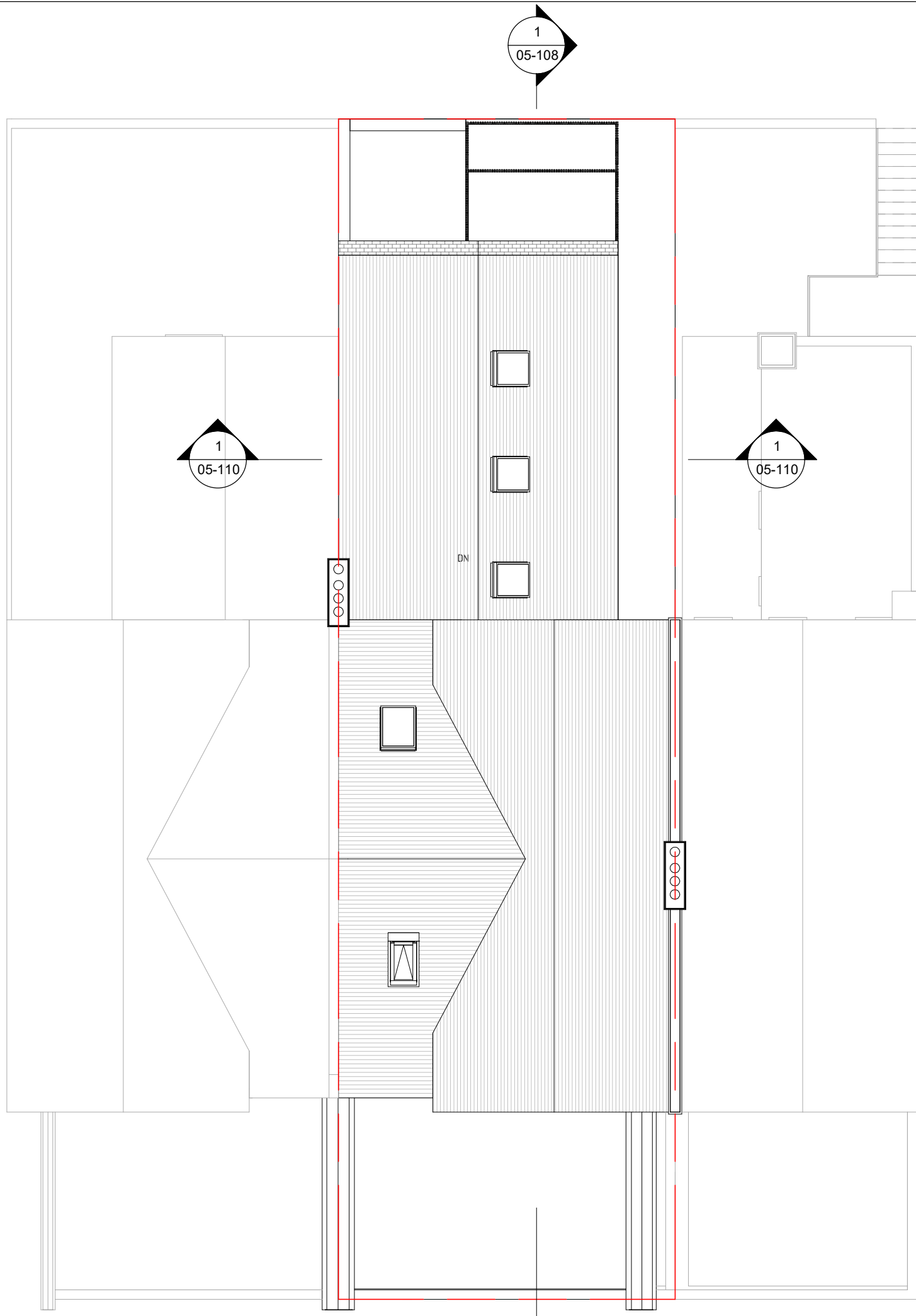
**Reason for Issue**  
 Planning

**Issue Date**  
 18.09.2020

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Client

Edgewater Group

Project Address

94 The Broadway, London, SW19 1RH

Dwg No

094TB-A-03-107

Drawing

Proposed Roof Plan

Reason for Issue

Planning

Issue Date

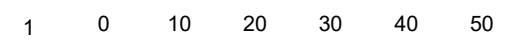
18.09.2020

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Client

Edgewater Group

Project Address

94 The Broadway, London, SW19 1RH

Dwg No

094TB-A-05-108

Drawing

Proposed Section 1

Reason for Issue

Planning

Issue Date

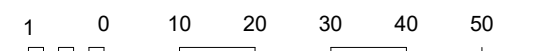
18.09.2020

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REV	No.	Description	Date
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Client

Edgewater Group

Project Address

94 The Broadway, London, SW19 1RH

Dwg No

094TB-A-05-110

Drawing

Proposed Section 2

Reason for Issue

Planning

Issue Date

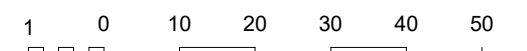
18.09.2020

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01 - Proposed South Elevation



02 - Proposed North Elevation

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REV	No.	Description	Date
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**Client**

Edgewater Group

**Project Address**

94 The Broadway, London, SW19 1RH

**Dwg No**

094TB-A-06-109

**Drawing**

Proposed Elevations

**Reason for Issue**

Planning

**Issue Date**

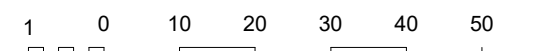
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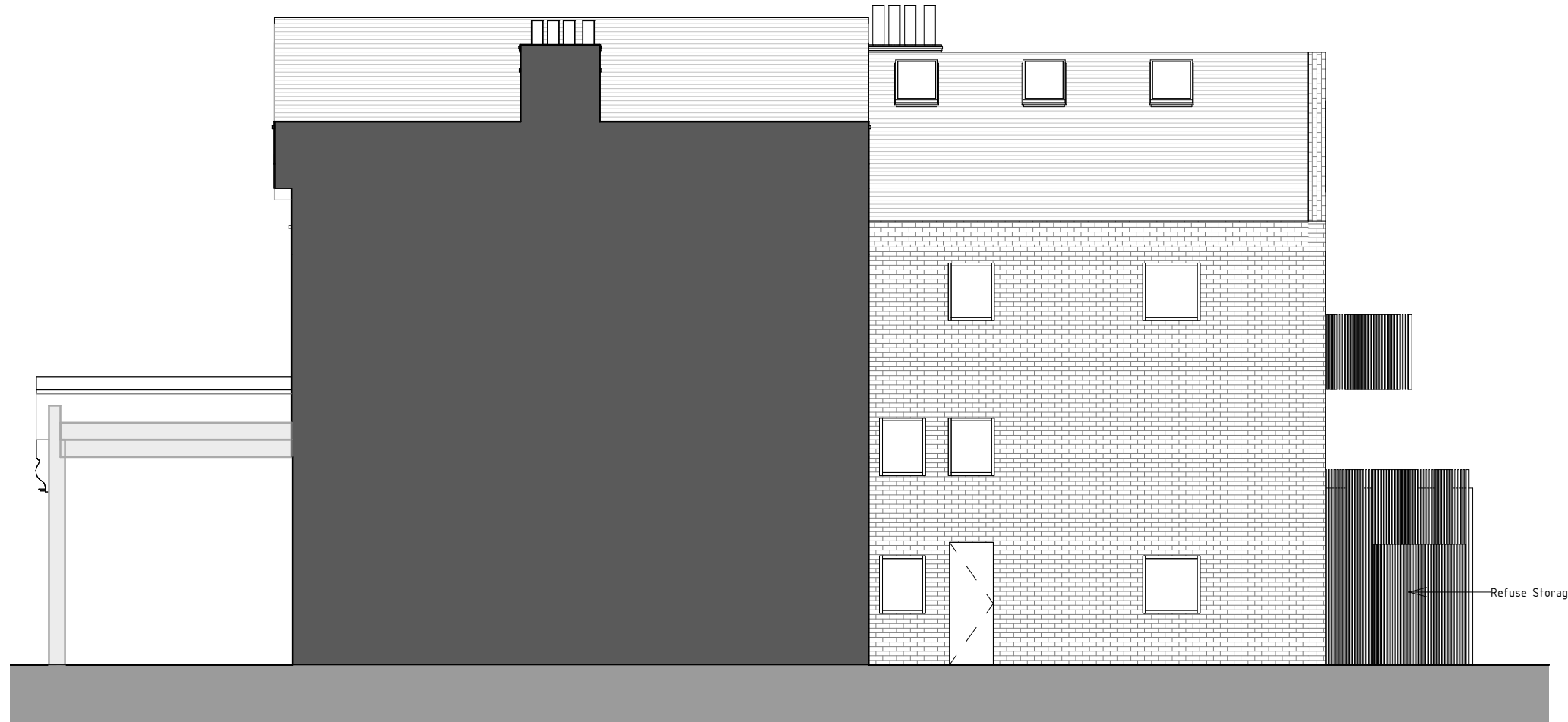
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**Scale**

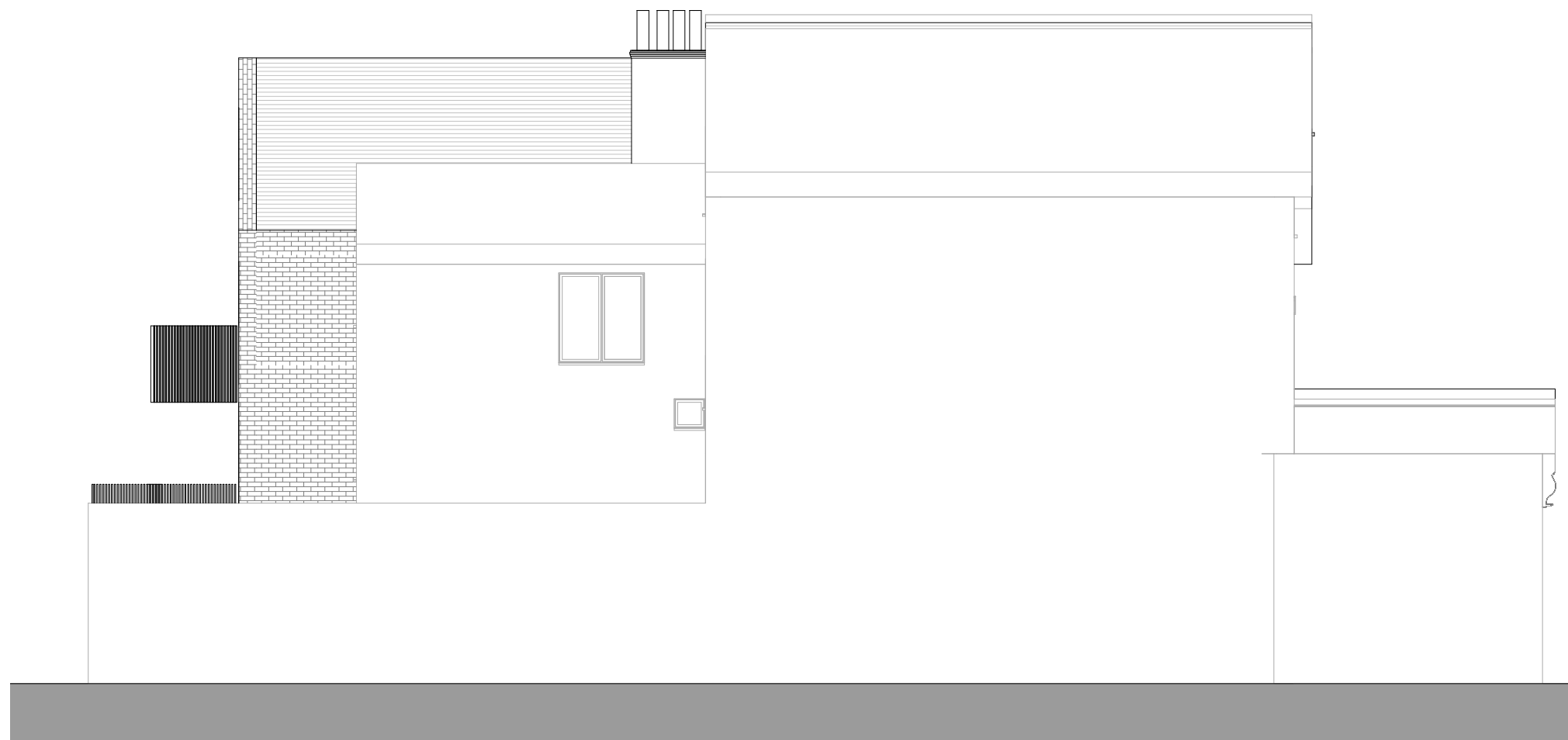
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03 - Proposed East Elevation



04 - Proposed West Elevation

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REV	No.	Description	Date
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Client

Edgewater Group

Project Address

94 The Broadway, London, SW19 1RH

Dwg No

094TB-A-06-110

Drawing

Proposed Elevations

Reason for Issue

Planning

Issue Date

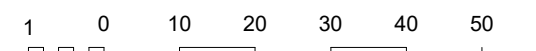
18.09.2020

Drawn by

Author

Scale

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**PLANNING APPLICATIONS COMMITTEE**  
**11<sup>th</sup> February 2020**

**Item No:**

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

20/P2841    04/09/2020

**Address/Site**                      Vista House & Prospect House, Chapter Way,  
Colliers Wood SW19 2RE

**(Ward)**                                      Colliers Wood

**Proposal:**                                      APPLICATION TO DETERMINE WHETHER  
PRIOR APPROVAL IS REQUIRED IN RESPECT  
OF THE PROPOSED ERECTION OF SIXTH  
FLOOR EXTENSIONS TO VISTA HOUSE AND  
PROSPECT HOUSE, TO CREATE 5 x NEW  
SELF-CONTAINED FLATS, PLUS THE  
INSTALLATION OF A VERTICAL WALL CYCLE  
STORAGE RACK FOR BOTH BUILDINGS AT  
GROUND FLOOR LEVEL

**Drawing Nos and  
Documents:**

WP-0730-A-VP-0150-P-00,  
WP-0730-A-VP-0160-P-05,  
WP-0730-A-VP-0162-P-06,  
WP-0730-A-VP-0163-P-06,  
WP-0730-A-VP-0164-P-07,  
WP-0730-A-VP-0165-P-07,  
WP-0730-A-VP-0250-E-00,  
WP-0730-A-VP-0270-E-00,  
Transport Technical Note from Vectos,  
September 2020  
Letter from EB7 on Daylight and Sunlight dated  
2<sup>nd</sup> September 2020  
Flood Risk Assessment from Ambiantal

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

---

**RECOMMENDATION**

**Grant prior approval subject to conditions.**

---

## **CHECKLIST INFORMATION**

- Heads of Agreement: **Not required**
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 268
- External consultations: Yes
- Conservation area: No (adjacent to Conservation Area)
- Listed building: Adjacent to Listed Buildings
- Flood Zone – 1/2
- Controlled Parking Zone: No
- Green corridor – 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 number of objections received.
- 1.2 This is an application under The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020, Part 20, Class A: Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats. Therefore, the only issues that can form material considerations are as follows
- (a) transport and highways impacts of the development;
  - (b) air traffic and defence asset impacts of the development;
  - (c) contamination risks in relation to the building;
  - (d) flooding risks in relation to the building;
  - (e) the external appearance of the building;
  - (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
  - (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light; and
  - (h) whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012(3) issued by the Secretary of State.
- 1.3 The assessment against these criteria is set out later in this report.

## 2. **SITE AND SURROUNDINGS**

- 2.1 The site consists of two stand-alone, purpose built block of flats, known as Prospect House and Vista House, which contain 55 and 69 units respectively. The buildings have a maximum height of 21m (7 storeys), with the top floor being set back from those below.
- 2.2 The two blocks form part of a larger development, which includes a third block known as Independence House. No development is proposed to this third block.
- 2.3 The buildings were constructed under outline planning permission ref. 00/P1879 and reserved matters approval ref. 03/P2004.
- 2.4 The blocks are located to the east of Watermill Way and to the South of Chapter Way.
- 2.5 Residential accommodation is provided above undercroft parking. Parking is also provided at the ground level of the blocks.
- 2.6 Prospect House benefits from a communal amenity deck at first floor.
- 2.7 The buildings are red brick with grey metal windows, balconies and panels.
- 2.8 Existing bin stores are provided within the undercroft of each building.
- 2.9 The site lies approximately 550 meters to the south of Colliers Wood Underground Station, serviced by the Northern Line.
- 2.10 The site sits within a mixed-use area, with commercial and retail uses to the north and east, residential to the south and residential and industrial to the west.
- 2.11 The site is to the east and north of Wandle Valley Conservation Area and the buildings form a background to the historic core of buildings at Merton Abbey Mills.
- 2.12 The site has a PTAL of 2/3. The site is not within a CPZ.

## 3. **PROPOSAL**

- 3.1 The application proposes to provide a single storey upward extension on part of the roof of both buildings to provide five residential dwellings.

- 3.2 Vista House would provide a 47sqm 1b/2p flat and an 80sqm 2b/4p flat. Prospect House would provide 3 x 2b/4p, ranging in size from 69sqm to 75sqm.
- 3.3 All of the units would have private external amenity space ranging in size between 7sqm and 18.5sqm.
- 3.4 The exterior of the proposed rooftop flats would be largely glazed, as are the existing rooftop units.
- 3.5 24 additional cycle parking spaces are proposed (eight spaces at Vista House and 18 at Prospect House), to be used by the future occupants and to supplement the cycle parking provision for existing residents. The cycle stores would be located within the car parking areas, adjacent to the existing bin stores.
- 3.6 Pedestrian and vehicular access to the site will be maintained as per the existing arrangement with vehicular access provided from Chapter Way and pedestrian access provided from both Chapter Way and Watermill Way
- 3.7 No additional on-site car parking is proposed.
- 3.8 Refuse provision is also accommodated within the existing integral bin stores on the ground floor. The scheme proposes that the additional units utilise the existing bin storage locations for residents, with additional bins proposed. (Vista House and Independence House currently accommodate 124 residential units, served by 28 x 1100l Euro Bins). The proposed plans show an additional 2 x 660l refuse and 2 x 660l mixed recycling containers, to serve the additional units.

#### 4. RELEVANT PLANNING HISTORY

- 4.1 00/P1879 - REDEVELOPMENT OF THE SITE FOR RESIDENTIAL PURPOSES TOGETHER WITH ANCILLARY CAR PARKING (OUTLINE PLANNING APPLICATION). Grant Outline Planning Permission 07-06-2002
- 4.2 03/P2004 – APPLICATION FOR APPROVAL OF RESERVED MATTERS (EXTERNAL APPEARANCE AND DESIGN) FOR THE REDEVELOPMENT OF THE SITE FOR RESIDENTIAL PURPOSES TOGETHER WITH ANCILLARY PARKING FOR WHICH OUTLINE PLANNING PERMISSION WAS APPROVED UNDER PLANNING PERMISSION REF 00/P1879.

#### 5. Relevant policies.

- 5.1 The key policies of most relevance to this proposal are as follows:

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

- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places

## 5.3 **London Plan (2016)**

Relevant policies include:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.12 Flood risk management
- 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
- 6.9 Cycling
- 6.10 Walking
- 6.11 Smoothing traffic flow and easing congestion
- 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 Community Infrastructure Levy

## 5.4 **Merton Local Development Framework Core Strategy – 2011 (Core Strategy)**

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 14 Design
- CS 16 Flood risk management
- CS 17 Waste management
- CS 18 Transport

CS 19 Public transport  
CS 20 Parking servicing and delivery

5.5 **Merton Sites and Policies Plan – 2014 (SPP)**

Relevant policies include:

DM D1 Urban Design  
DM D2 Design considerations  
DM D3 Alterations and extensions to existing buildings  
DM D4 Managing heritage assets  
DM EP2 Reducing and mitigating noise  
DM EP3 Allowable solutions  
DM EP4 Pollutants  
DM F1 Support for flood risk management  
DM F2 Sustainable urban drainage systems (SuDS) and;  
Wastewater and Water Infrastructure  
DM T2 Transport impacts of development  
DM T3 Car parking and servicing standards  
DM T4 Transport infrastructure

5.6 **Supplementary planning considerations**

London Housing SPG 2016  
DCLG - Technical housing standards – nationally described space  
standard 2015  
London Character and Context SPG 2014  
Draft London and Local Plans

6. CONSULTATION

6.1 Press Notice, 21-day site notice procedure and individual letters to neighbouring occupiers. Representations have been received from 30 address points (41 individuals), raising objection on the following grounds:

- Overlooking and loss of privacy
- Overshadowing – Daylight and Sunlight Analysis ignores the impact on the existing buildings on the site and only focuses on neighbouring houses to the south.
- Over Development
- Parking pressure and lack of car parking provision for the new units.
- Waste accumulation
- Security concerns
- Pressure on services
- During the building works, will the lifts be out of bounds?  
What is the length taken to install new lifts?
- Noise and disturbance
- Access route into building does not comply with Council guidance



- Concerns regarding means of escape in the event of an emergency
- Loss of views for existing rooftop flats
- Adding to these already tall buildings results in an adverse impact on local character.
- No seamless join with existing rooftop units as the proposed units would be wider than the existing with a different external building line.
- Design and appearance will look out of synch and 'added on'.
- Concerns that vegetation would be removed and not replaced.
- Adverse impact on historic core of Merton Abbey Mills
- Building is already overcrowded.
- Land grabbing
- Congestion and environmental sustainability
- Anti-social behaviour is an increasing issue and adding more apartments will only make that worse.
- Safety of area, more flats attract more crime. The blocks already attract consistent theft of bikes and mopeds. This is evidence based with the local Police.
- Current problems include lack of parking, litter and general congestion, leading to an adverse impact on air quality.
- Disturbance throughout construction process – noise, damage to existing structure, inconvenience.
- Whilst construction impacts cannot usually be considered, in this case the residents affected would live on the site and therefore different considerations should apply.
- If the proposed construction works go ahead, we will effectively be forced out of our home and will be required to take action to recover financial losses from the Council.
- Concerns that Covid impacts may cause building works to be intermittent and occur for a longer time period.
- Additional Covid related concerns as many people are now working from home – dust, adverse impact on mental health, potential increase in exposure to Covid from contractors entering the building.
- Insufficient communal garden space to share amongst additional residential units.
- Residents were never informed that this could be a possibility and it is a "miss-selling of the original transaction".
- The surfacing of Chapter Way is in a very poor condition due to high usage – more usage will exacerbate this.
- Road access will be compounded with more cars, disabled access will be hindered further by an already congested area.
- Potential loss of value to existing properties.

- The current management company has been charging excessive charges – more flats may increase the service charge.
- Concerns that plans show discrepancies in terms of the number of units.
- Conservation will be negatively affected in terms of trees and wildlife by the adjacent river.
- Loss of open balconies, as they would now be covered by a balcony above.
- Renting out any properties in this building for the duration of the building works will be near impossible.
- The building of five new flats does not effectively help the Government or Council achieve their goal of increasing housing stock. The Council would be better to build new purpose built flats and houses on brown sites such as the one near Colliers Wood tube station rather than allowing the adaption of existing apartment blocks.
- Concern that proximity of substation would be detrimental to health.

6.2 **Internal consultees:**

6.3 LBM Environmental Health Officer:

Comments awaited.

6.4 LBM Highway Officer:

As this is off the public highway, and not considered a major site the only conditions that would apply are H9 (details of construction vehicles) and H12 (Delivery and Servicing Plan).

6.5 LBM Transport Officer:

Vista House and Prospect House fronts onto unadopted Private Street, Chapter Way and Watermill Way.

Parking is managed by a private management company and the Council have no remit for parking for the proposed development.

The proposal is unlikely to have a significant impact on the adjoining public highway.

6.6 LBM Flood Risk Engineer:

Advise reference to flood risk Standing Advice from the Environment Agency.

6.7 LBM Urban Design Officer:

The scheme has been presented at pre-application stage and raised no objections at the time for the additional units to the three existing blocks of flats. This remains the case.

6.8 **External consultees:**

6.9 Environment Agency:

No objection to the proposed development.

The proposed extension is within Flood Zone 1 at Vista House and Flood Zone 2 at Prospect house.

If the applicant wishes to temporarily store building materials and plant within 8m of the watercourse a Flood Risk Activity Permit will be required.

Informative: Flood Risk Activity Permit

Under the Environmental Permitting (England and Wales) Regulations 2016, you must submit plans to the Environment Agency and apply for a Flood Risk Activity Permit if you want to do work:

- In, over or under a main river
  - Within 8m of the bank of a main river, or 16m if it is a tidal main river (check the location of main rivers here)
  - Within 8m of any flood defence structure or culvert on a main river, or 16m on a tidal main river
- Flood risk activities can be classified as: Exclusions, Exemptions, Standard Rules or Bespoke. These are associated with the level of risk your proposed works may pose to people, property and the environment.

Further guidance on applying for flood risk activity permits can be found on the following link <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Flood risk activity permits are required irrespective of any planning permission and are not guaranteed.

7. **PLANNING CONSIDERATIONS**

7.1 Introduction

- 7.1.1 This is an application under The Town and Country Planning (Permitted Development and Miscellaneous Amendments) (England) (Coronavirus) Regulations 2020, Part 20, Class A: Development consisting of works for the construction of up to two additional storeys of new dwellinghouses immediately above the existing topmost residential storey on a building which is a purpose-built, detached block of flats.

7.1.2 Therefore, subject to various size/height restrictions, at the time of the application being submitted, the only issues that can form material considerations are as follows:

- (a) transport and highways impacts of the development;
- (b) air traffic and defence asset impacts of the development;
- (c) contamination risks in relation to the building;
- (d) flooding risks in relation to the building;
- (e) the external appearance of the building;
- (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;
- (g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light; and
- (h) whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012(3) issued by the Secretary of State.

## 7.2 Key Issues for consideration

7.2.1 Below is an assessment of the considerations against the qualifying criteria in A.1 of Class A, Part 20 of the regulations.

7.2.2 Development is not permitted by 0.1 of Class O if the site is or falls within, any of the following:

- (a) the permission to use any building as a dwellinghouse has been granted only by virtue of Class M, N, O, P, PA or Q of Part 3 of this Schedule;
- (b) above ground level, the building is less than 3 storeys in height;
- (c) the building was constructed before 1st July 1948, or after 5th March 2018;
- (d) the additional storeys are constructed other than on the principal part of the building;
- (e) the floor to ceiling height of any additional storey is—
  - (i) more than 3 metres in height; or
  - (ii) more than the floor to ceiling height of any of the existing storeys,whichever is the lesser, where such heights are measured internally;
- (f) the new dwellinghouses are not flats;
- (g) the overall height of the roof of the extended building would be greater than 7 metres higher than the highest part of the existing roof (not including existing plant);
- (h) the extended building (not including plant) would be greater than 30 metres in height;
- (i) development under Class A.(a) would include the provision of visible support structures on or attached to the exterior of the building upon completion of the development;

(j) development under Class A.(a) would consist of engineering operations other than works within the existing curtilage of the building to—

- (i) strengthen existing walls;
- (ii) strengthen existing foundations; or
- (iii) install or replace water, drainage, electricity, gas or other services;

(k) in the case of Class A.(b) development there is no existing plant on the building;

(l) in the case of Class A.(b) development the height of any replaced or additional plant as measured from the lowest surface of the new roof on the principal part of the new building would exceed the height of any existing plant as measured from the lowest surface of the existing roof on the principal part of the existing building;

(m) development under Class A.(c) would extend beyond the curtilage of the existing building;

(n) development under Class A.(d) would—

- (i) extend beyond the curtilage of the existing building;
- (ii) be situated on land forward of a wall forming the principal elevation of the existing building; or
- (iii) be situated on land forward of a wall fronting a highway and forming a side elevation of the existing building;

(o) the land or site on which the building is located, is or forms part of—

- (i) article 2(3) land;
- (ii) a site of special scientific interest;
- (iii) a listed building or land within its curtilage;
- (iv) a scheduled monument or land within its curtilage;
- (v) a safety hazard area;
- (vi) a military explosives storage area; or
- (vii) land within 3 kilometres of the perimeter of an aerodrome.

7.2.3 Officers can confirm that the site is not or does not fall within any of the criteria set out in part a) to o).

7.2.4 Section A.2 confirms that development is permitted subject to the condition that before beginning the development, the development must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to:

- (a) transport and highways impacts of the development;
- (b) air traffic and defence asset impacts of the development;
- (c) contamination risks in relation to the building;
- (d) flooding risks in relation to the building;
- (e) the external appearance of the building;
- (f) the provision of adequate natural light in all habitable rooms of the new dwellinghouses;

(g) impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light; and  
(h) whether because of the siting of the building, the development will impact on a protected view identified in the Directions Relating to Protected Vistas dated 15 March 2012(3) issued by the Secretary of State,

7.2.5 Officers note that since the application was submitted further amendments have been made to the GPDO to ensure that this type of prior approval application includes an assessment in relation to fire safety: where the existing building is 18 metres or more in height. The Town and Country Planning (General Permitted Development) (England) (Amendment) (No. 4) Order 2020 requires a developer seeking prior approval under these classes in relation to an existing building that is 18 metres or more in height “to provide a report from a chartered engineer or other competent professional confirming that the external wall construction of the existing building complies with paragraph B4(1) of Schedule 1 to the Building Regulations 2010 (S.I. 2010/2214) to the local planning authority”. However, it is important to note that in decision-making terms, the Transition and Savings Provisions within the regulations at 3.(1) confirms that the additional requirement relating to fire safety only applies to applications received after 30th December 2020. Notwithstanding the above, the applicant is aware of this amendment to the GPDO and has had a report provided by the BRE to confirm that no part of the building includes Aluminium Composite Material cladding. Whilst not a factor that can be considered in this current assessment, the development would also be subject to Building Regulations relating to fire safety, as would be the case for any development of this type and scale.

### 7.3 Transport and Highways Impacts of the Development

7.3.1 Core Strategy Policy CS 20 considers matters of pedestrian movement, safety, servicing and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection. Core Strategy promotes active transport and encourages design that provides attractive, safe, covered cycle storage, cycle parking.

7.3.2 The application is accompanied by a Transport Technical Note from Vectos, which concludes:

“Overall, the proposed development will result in a minimal number of additional trips on the local transport network. In light of this information, the impact of the development proposals is not considered material or severe.”

- 7.3.3 The Council's Highway Officer and the Council's Transport Planner have considered the proposals and raise no objection as the proposal is unlikely to have a significant impact on the adjoining public highway.
- 7.3.4 Chapter Way and Watermill Way are no parking zones with double yellow lines along both sides of the road. Private residential parking areas are provided in relation to the existing buildings. A pay and display car park (operated and managed privately) is located to the north in relation to the existing food court. Unrestricted on-street car parking is located to the south of the site including on Runnymede.
- 7.3.5 It is noted that Chapter Way is a private road and therefore controlled by the management company on-site rather than the Council, as Highway Authority. Therefore, parking and access within the site is handled by the management company. A number of objections have focussed on the issues of car parking and access concerns as a result of additional parking pressure created by the additional units.
- 7.3.6 In planning policy terms, the London Plan sets out maximum parking standards up to 1.5 spaces per unit for this type of area (suburban/urban) with a PTAL of 2-4. The Publication Plan London Plan 2020 (not yet formally adopted) reduces this maximum provision and in Outer London PTAL 2 areas the maximum parking provision is one space per unit.
- 7.3.7 The existing site accommodates 124 residential units with 91 parking spaces (with additional motorcycle parking), this equates to a ratio of 0.73 spaces per unit. The submission sets out, within the Transport Note, that "anyone purchasing a property will be aware that they do not have an allocated parking space and the provision for off-site car parking is limited". In terms of borough-wide context the 2011 Census showed that car ownership in Merton is falling with 40% of households not owning a car. Data from Mosaic (national consumer segregation classification data) suggests that in within Merton's areas of good public transport, with good local amenities within walking distance, there is trend towards more 'car free' lifestyles. Mosaic suggests that there are higher concentrations of young 'urbanites' living in Wimbledon and Colliers Wood who have a tendency towards not owning a car on environmental grounds. By contrast, in areas such as Canon Hill, Lower Morden and parts of Mitcham, car ownership is seen as both aspirational and a necessity. In any event, officers conclude that the limited parking demand could be adequately managed on site and would not warrant a refusal in planning terms.

- 7.3.8 The level of additional units introduced by the proposal does not raise concerns in terms of highway safety or capacity and no objection is raised.
- 7.3.9 In terms of cycle parking, the scheme proposes 26 new cycle parking spaces, to serve the existing and additional residents. The cycle stores would be provided within the ground level car parking areas. This is a significant over-provision in policy terms and would provide adequate cycle parking for the additional residents and would also go some way in addressing the cycle parking needs of existing residents and therefore this element of the scheme is strongly supported by officers, as it would promote sustainable modes of transport.
- 7.3.10 In terms of waste collection, the provision of 28 x 1100l for the existing units, with the additional provision of 2 x 660l refuse and 2 x 660l mixed recycling containers for the proposed units would meet the Council's guidelines in terms of waste storage and collection. It is noted that a number of objections have been received in relation to concerns over waste generation, citing problems with the existing arrangements. This appears to be an on-site management issue and would not make the proposed scheme unacceptable in planning terms, given that the extent of bin storage provided would meet the Council's guidelines.
- 7.3.11 Whilst the concerns raised in representations are noted, there is no reasonable planning basis to refuse the application based on highway or servicing arrangements and the proposal is considered to comply with the relevant development plan policies.

#### 7.4 Air Traffic and Defence Assets

- 7.4.1 The site is circa 17km from Heathrow, circa 27km from Gatwick and circa 16km from Biggin Hill Airport. There are no defence assets near to the site that would be impacted by the proposal, given the overall height of the buildings.

#### 7.5 Contamination Risks

- 7.5.1 The site is already in residential use and the development does not propose to penetrate the ground. Furthermore, it is therefore not expected that the proposal raises any contamination issues or risks, given that the development is at rooftop level.

#### 7.6 Flood Risk on the Site

- 7.6.1 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.

7.6.2 The site falls partly within Flood Zone 1 and Flood Zone 2 as confirmed directly by the Environment Agency.

7.6.3 A Flood Risk Assessment accompanies the application, which concludes:

“Following the guidelines contained within the NPPF, the proposed development is considered to be suitable assuming appropriate mitigation (including adequate warning procedures) can be maintained for the lifetime of the development.”

7.6.4 The Environment Agency has reviewed the proposals and raises no objections.

7.6.5 In terms of emergency means of escape (whether it be flooding or fire) this would be via the same arrangements as currently exist in the building.

7.6.6 No objection is raised in relation to flood risk.

## 7.7 The External Appearance of the Building

7.7.1 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. London-wide 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.

7.7.2 Policies DM D2 and DM D3 seek to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Policy DMD4 seeks to ensure that development does not result in harm to the setting of heritage assets. Core Planning Policy CS14 supports these SPP Policies.

7.7.3 The existing buildings have a recessed top floor, which extends over part of the roof area only. The visual impact on the historic core of buildings at Merton Abbey Mills was a driving factor in terms of the bulk, massing and form of buildings permitted on this

adjacent site. Therefore, it is important that the additional rooftop units proposed do not have an adverse impact on this historic core, as well as an adverse impact on the character and appearance of the area generally.

- 7.7.4 It is noted that the additional units would retain some of the existing flat roof area, with roof heights to match the existing rooftop flats, with matching roof overhangs and whilst the proposed units would be marginally wider than the existing, this is not considered to result in a significant visual impact, given that the units would be set back from the floors below.
- 7.7.5 The proposed units would largely replicate the existing built form and would not appear unduly prominent in their context.
- 7.7.6 Views of the rooftop units would be possible from various surrounding vantage points, including from the historic core of buildings at Merton Abbey Mills. However, officers consider that the marginal visual impact would not adversely affect the setting of the Listed Buildings or adjacent Conservation Area.
- 7.7.7 The proposal is considered to sufficiently safeguard the character and appearance of the area and would satisfactorily preserve the setting of the adjacent Wandle Valley Conservation Area.

#### 7.8 Natural Light for Proposed Accommodation

- 7.8.1 In terms of standard of accommodation, this type of application is required to demonstrate that the proposed units would have adequate provision of natural light.
- 7.8.2 It is of note that a Statutory Instrument introduced by Parliament In November 2020, announced that from 6th April 2021, all new dwellings delivered through Permitted Development Rights will need to ensure they meet the minimum floor areas as set out in DCLG - Technical housing standards – nationally described space standard 2015. Whilst this requirement has not yet come into effect, it is noted that the majority of units proposed would meet or exceed this minimum GIA with just a shortfall of 1sqm and 3sqm to two of the five proposed units.
- 7.8.3 The regulations dealing with this type of prior approval application do not explicitly state how “adequate” light should be measured. However, it is considered reasonable to assume that judgements will be based on an existing Building Research Establishment (BRE) daylight standard
- 7.8.4 It is noted that the submission is accompanied by a letter from a Daylight and Sunlight consultant, which sets out:

“.....as the proposed units are situated at 6th floor level they will be wholly unobstructed in their outlook and will therefore enjoy good internal daylight / sunlight levels. There are no material ‘pinchpoints’ likely to lead to constrained internal amenity and the scheme is therefore considered to maximise daylight / sunlight levels for both existing neighbours and future occupiers of the units. No issues are therefore raised in this regard.”

7.8.5 The proposed units would benefit from large windows serving the individual rooms but it is noted that the proposed units are primarily single aspect, other than a corner return to proposed Flat 1 at Vista House. This is similar to the layout of existing units in the floors below and whilst dual aspect units would have been preferable, officers consider that the provision of natural light to the proposed units would be satisfactory.

7.9 Impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light

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

7.9.2 The proposal adds residential accommodation onto the roof of an existing building, with the location of windows within the proposed units consistent with those on the floors below.

7.9.3 The units within the extension to Vista House are orientated to the south and south-east. The distance to the closest residential property is to the rear on Runnymede, which are approximately 35 metres away and above guidance on minimum overlooking distanced. Therefore, no concerns are raised in this regard.

7.9.4 The units within the extension to Prospect House have outlook to the west, east and south-east. The outlook to the west is to Vista House and to the east toward Independence House. This replicates an existing arrangement between the buildings and therefore no issues are raised in this regard.

7.9.5 The distance to Vista House to the west is approximately 24 metres. To the east, Independence House steps down to three storeys so there would not be any direct overlooking that would warrant a refusal.

7.9.6 In respect of the daylight impacts on neighbouring properties, the enclosed letter from EB7 states:

“....the proposed extension element is set within the existing roof articulation of Prospect House such that only the most limited elevation will be presented towards the neighbours.

In this location there is c.35m of separation between the neighbour and the proposal as well as a dense band of mature trees to the boundary such that there will be no material change to sky visibility or diffuse daylight levels. In respect of direct sunlight it is noted again that the neighbours along Runnymede are situated to the south such that they are not will be no material effect in terms of direct sunlight or shading as a result of the proposals.”

- 7.9.7 Officers consider that whilst the new flats would be visible from other flatted properties, the impact would not result in a materially harmful impact in terms of overlooking, privacy and daylight.
- 7.9.8 It is noted that some existing residents within top floor flats enjoy a relatively uninterrupted view which would be affected by the proposed rooftop flats. This impact has been carefully considered and whilst the loss of outlook can be a material planning consideration, the loss of a view is not a material planning consideration which can be awarded weight in this assessment (other than issues relating to protected views which is addressed elsewhere in this report).
- 7.9.9 Concerns raised also include the fact that under the proposals the currently open balconies on floors below would have a further balcony constructed above which would result in a loss of light and overshadowing. This concern is noted, however, the proposed arrangement would replicate the existing layout and is not uncommon in flatted development. The impact would not result in a materially harmful impact on residential amenity that would warrant a refusal in planning terms.
- 7.9.10 It is noted that a number of representations identify that they believe the proposal to be a breach of agreement between the tenants and the owners of the site. However, this is not a matter that can be considered in this assessment.
- 7.9.11 The proposed rooftop units would add marginally to the overall bulk and massing of the buildings. Whilst the rooftop units would be visible from surrounding flatted units and houses to the south, the separation distances and juxtaposition of the proposed units to existing flats is not considered to result in material harm to residential amenity that would warrant a refusal.
- 7.10 Directions Relating to Protected Vistas dated 15 March 2012(3) issued by the Secretary of State
- 7.10.1 These Directions relate protected vistas identified by the Mayor of London within the London View Management Framework SPG. The site does not fall within any of these views and therefore raises no concerns on this basis.

## 7.11 S.106 requirements/planning obligations

7.11.1 The proposed development would be subject to the Community Infrastructure Levy (CIL). This would require a contribution of £115 per additional square metre of floor space to be paid to Merton Council and an additional £60 per additional square metre to be paid to the Mayor. Further information on this can be found at: <http://www.merton.gov.uk/environment/planning/cil.htm>

## 7.12 Response to issues raised in objection letters

7.12.1 The majority of uses raised by objectors are addressed in the body of this report. However, in addition, the following comments are provided:

- The impact of the construction process itself cannot reasonably form a reason for refusal. However, the impacts can be minimised through the provision of a construction management plan which can be secured by way of condition.

## 8. Conclusion

8.1 This type of prior approval application has been introduced by the government as part of a raft of measures as a response to housing needs and is part of the government's reform of the planning system in a move to kick start the construction industry and speed up building.

8.2 The Council has a limited remit in terms of what elements can be considered in the decision making process. The proposal would provide additional housing units, for which there is an on-going need. The proposal is considered to be a modest and relatively discrete addition to the existing flatted blocks, which would replicate existing relationships with other nearby flats and houses and which would not result in a visually harmful impact on the surrounding area, including the adjacent Merton Abbey Mills. For the reasons set out above in this report, it is concluded that the proposal would be acceptable in planning terms and would not warrant a refusal.

## **RECOMMENDATION**

Grant prior approval subject to the following conditions:

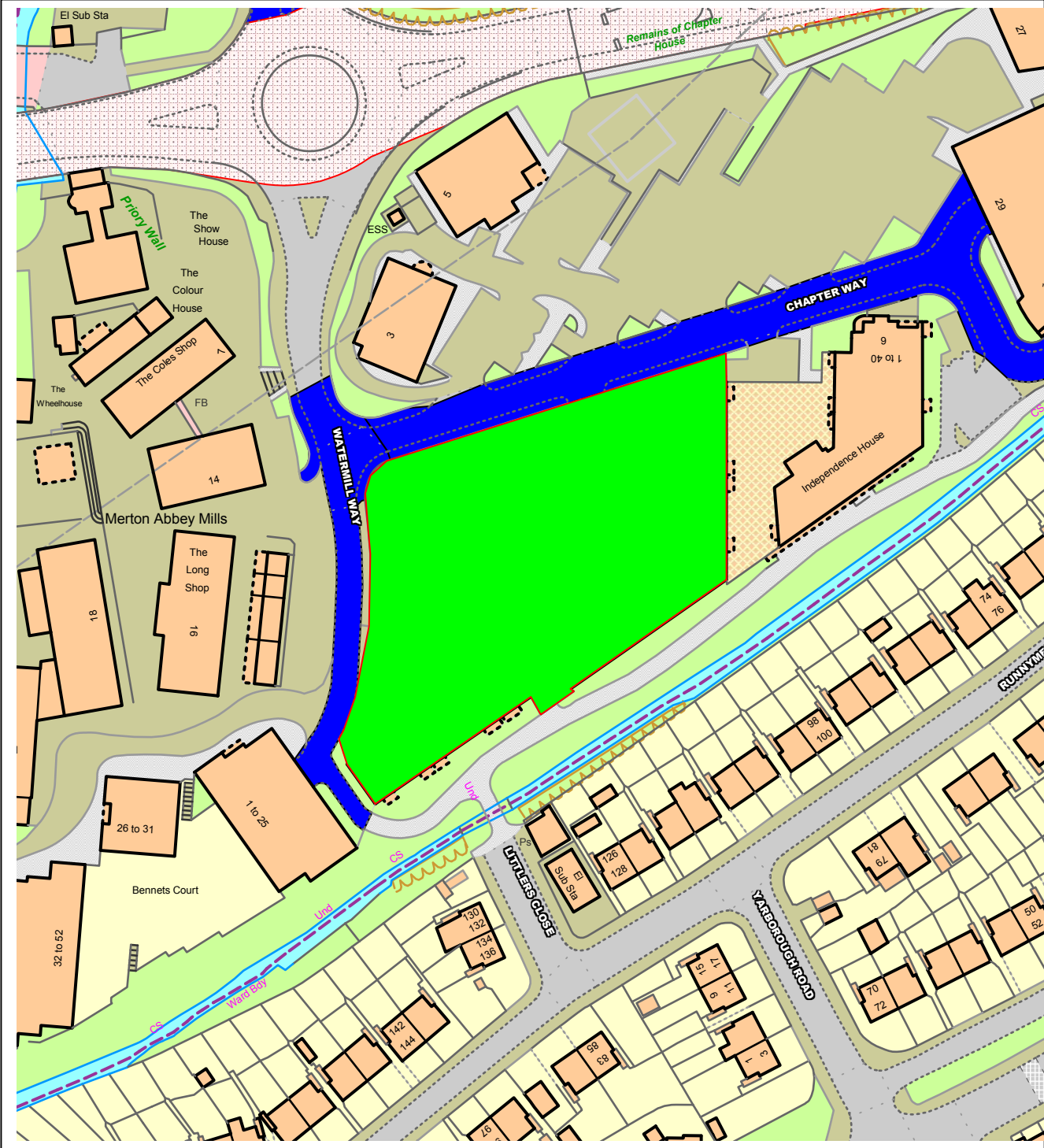
1. Time limit (completion within three years)
2. A7 Development in accordance with approved Plans
3. B2 Matching materials
4. C07 Refuse & Recycling (Implementation)
5. C08 No Use of Flat Roof

6. Balcony (Screening details to be provided)
7. Cycle Parking – to be implemented
8. H9 Construction Vehicles
9. H12 Delivery and Servicing Plan
10. Construction Management Plan, which sets out the proposed development hours of operation and how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated
11. A Non Standard Condition: Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any fixed external new plant/machinery shall not exceed LA90-10dB at the boundary with any residential property or noise sensitive premises.
12. A Non Standard Condition: All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein.

#### Informatives:

1. Informative: Flood Risk Activity Permit  
Under the Environmental Permitting (England and Wales) Regulations 2016, you must submit plans to the Environment Agency and apply for a Flood Risk Activity Permit if you want to do work:
  - In, over or under a main river
  - Within 8m of the bank of a main river, or 16m if it is a tidal main river (check the location of main rivers here)
  - Within 8m of any flood defence structure or culvert on a main river, or 16m on a tidal main riverFlood risk activities can be classified as: Exclusions, Exemptions, Standard Rules or Bespoke. These are associated with the level of risk your proposed works may pose to people, property and the environment.  
Further guidance on applying for flood risk activity permits can be found on the following link <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>.

# NORTHGATE SE GIS Print Template



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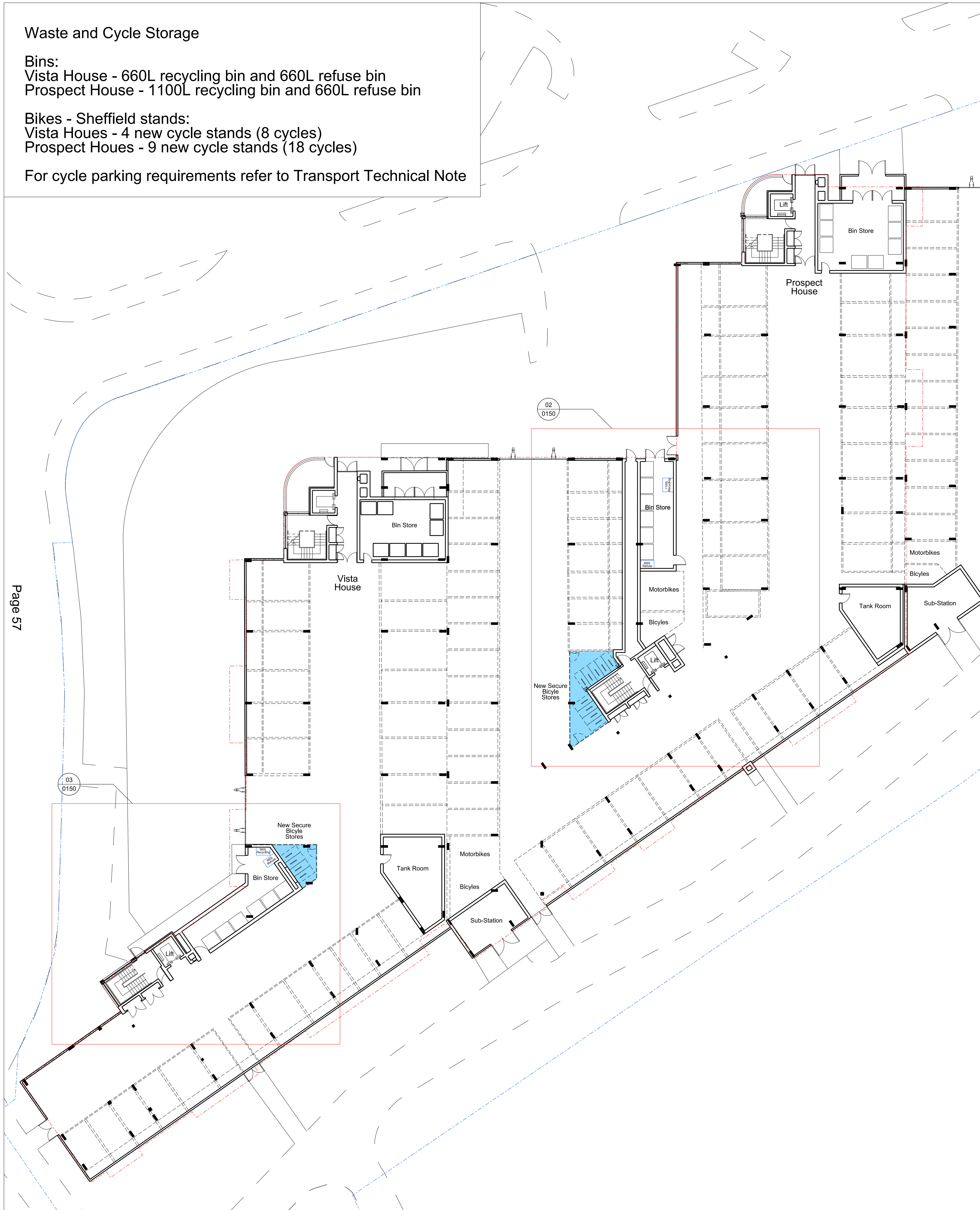
**Waste and Cycle Storage**

**Bins:**  
 Vista House - 660L recycling bin and 660L refuse bin  
 Prospect House - 1100L recycling bin and 660L refuse bin

**Bikes - Sheffield stands:**  
 Vista Houses - 4 new cycle stands (8 cycles)  
 Prospect Houses - 9 new cycle stands (18 cycles)

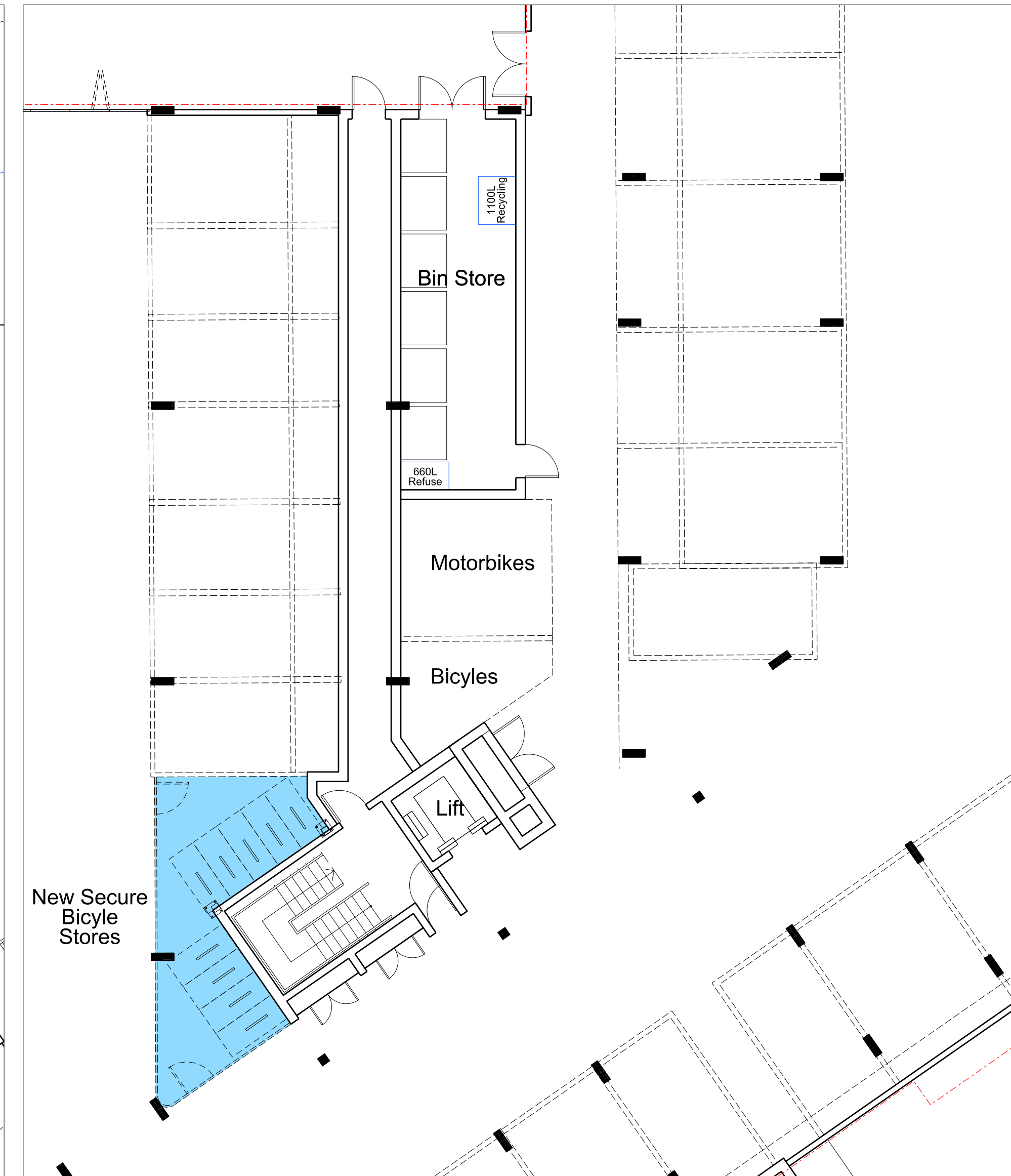
For cycle parking requirements refer to Transport Technical Note

Page 57



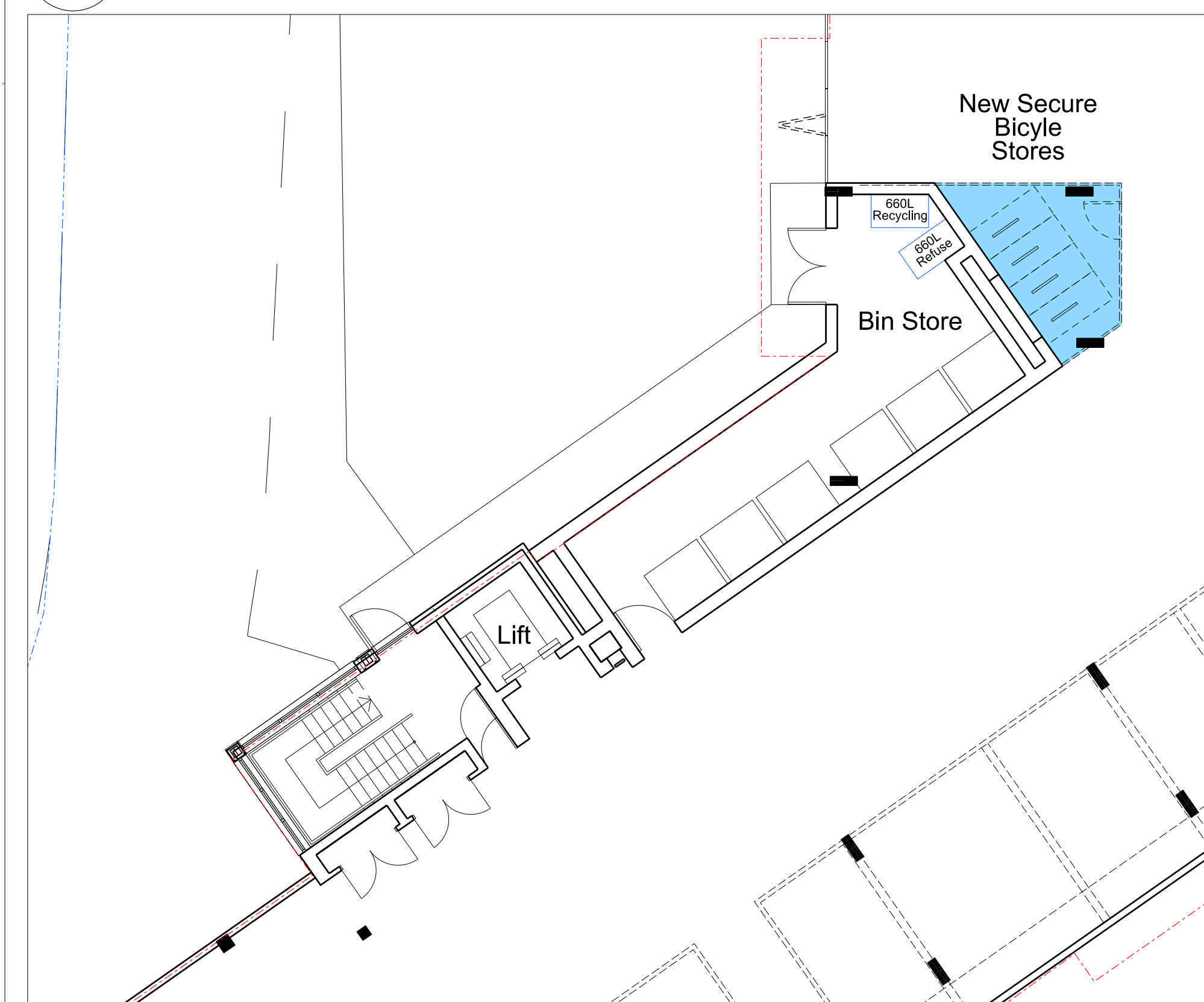
**Ground Floor**  
 1:200@A1

01  
 0150 Proposed



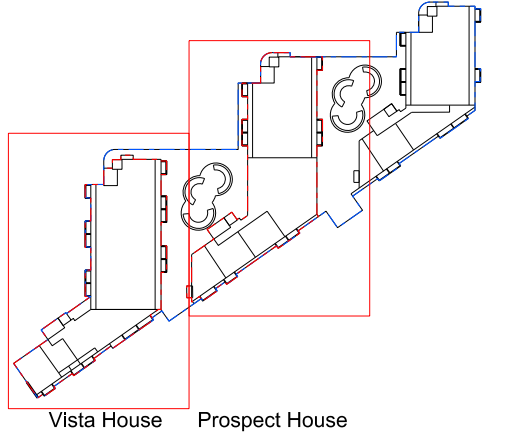
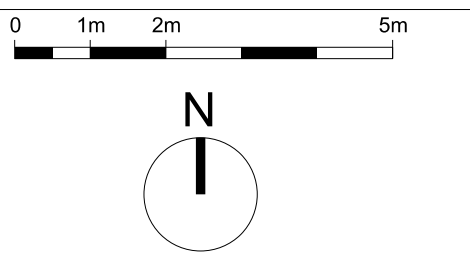
**Prospect House Ground Floor**

02  
 0150 Proposed 1:100@A1



**Vista House Ground Floor**

03  
 0150 Proposed 1:100@A1



Key Plan 1:2000

Revision	Date	Description

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**Project**  
**Vista and Prospect House**  
 Abbey Mills

**Drawing Title**  
 Vista and Prospect House  
 Proposed Ground Floor Plan

Drawing Number	Revision
WP-0730-A-VP-0150-P-00	-

Scale @ A1	Revision Date
Varies	12-08-2020

**Drawing Purpose**  
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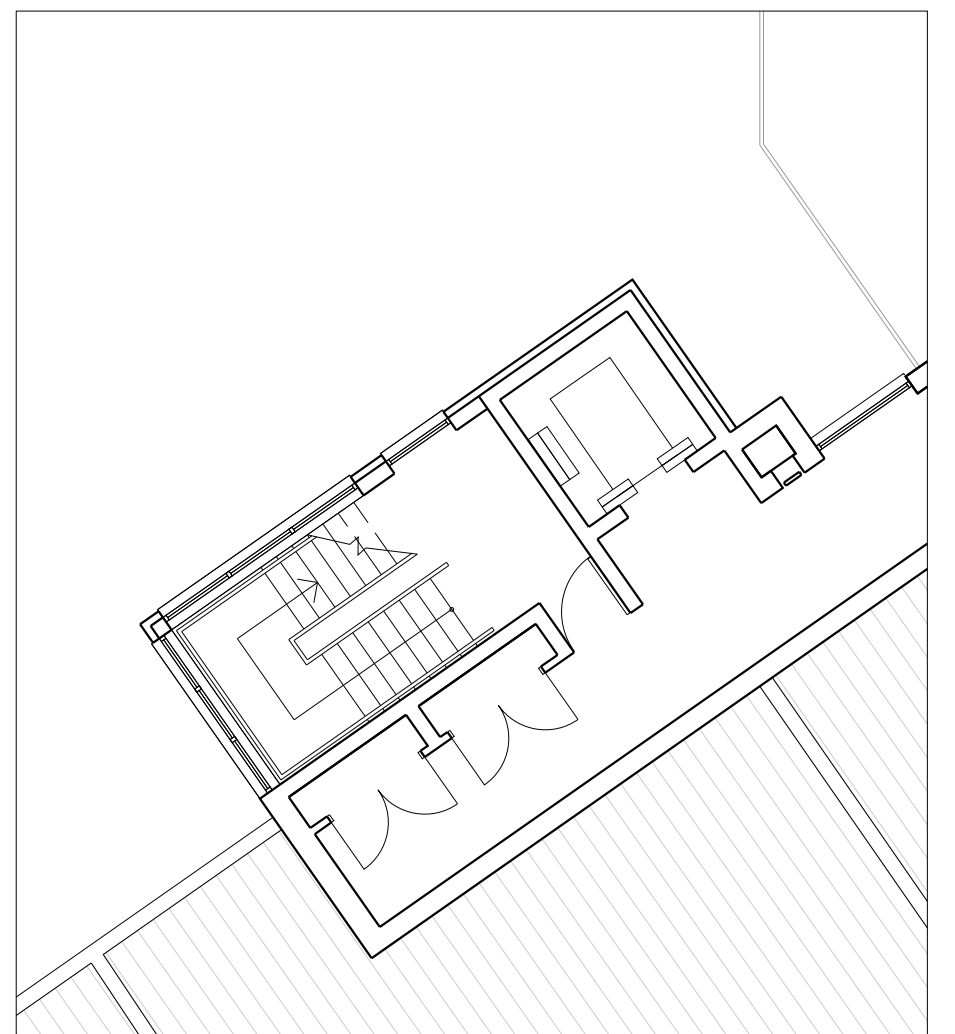




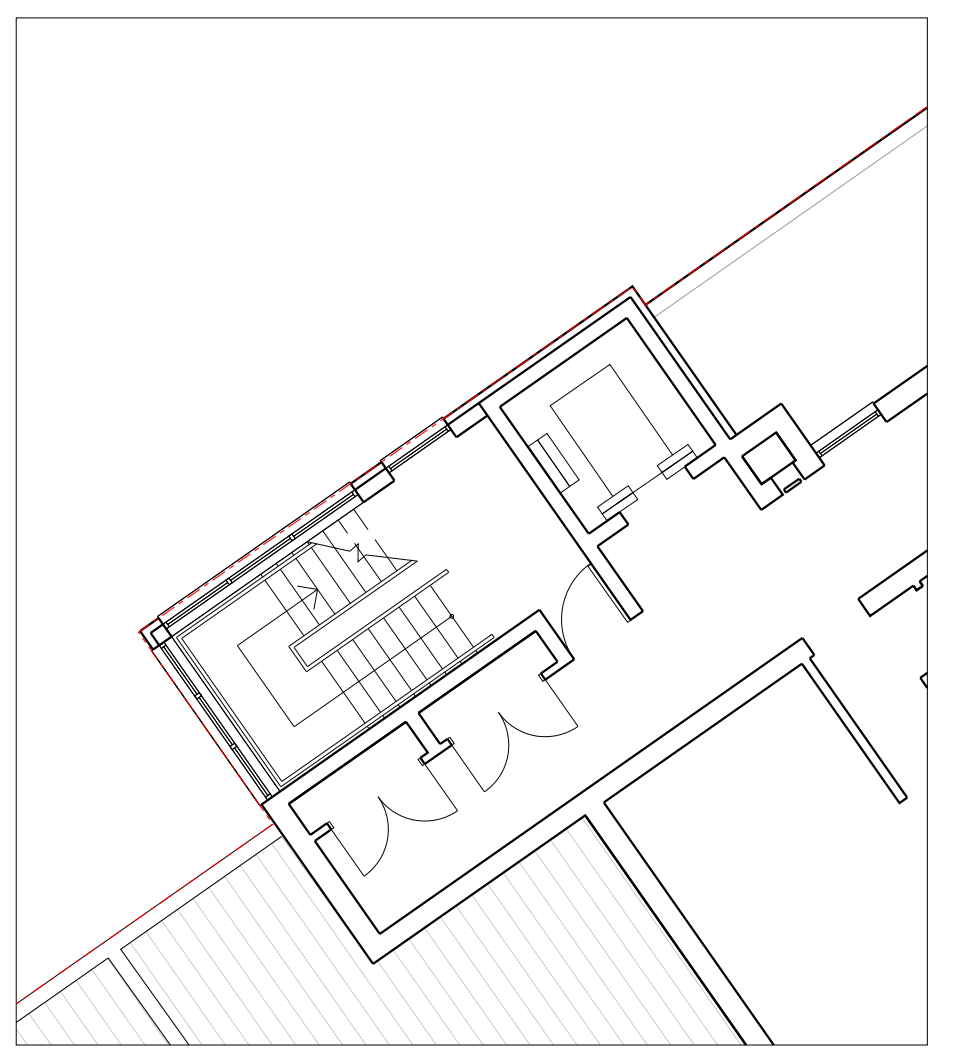


Page 58

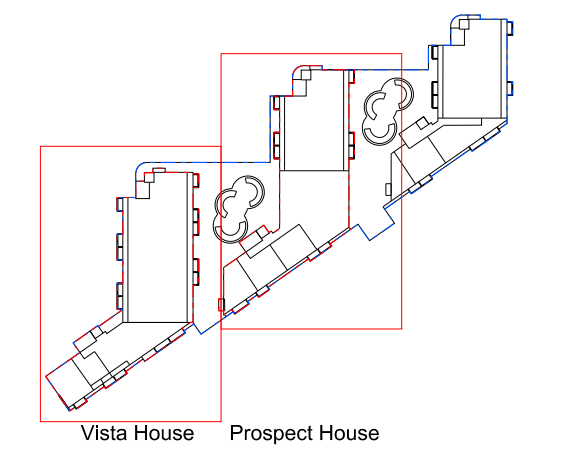
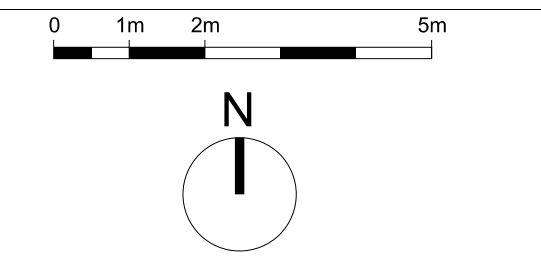
**01**  
0160 Vista & Prospect House Fifth Floor  
Proposed 1:200@A1



**02**  
0160 Prospect House Fifth Floor  
Proposed 1:100@A1



**03**  
0160 Vista House Fifth Floor  
Proposed 1:100@A1



Key Plan 1:2000

Revision	Date	Description
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**Project**  
Vista and Prospect House  
Abbey Mills

---

**Drawing Title**  
Vista and Prospect House  
Proposed Fifth Floor Plan

---

Drawing Number	Revision
WP-0730-A-VP-0160-P-05	-

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Scale @ A1	Revision Date
Varies	12-08-2020

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**Drawing Purpose**  
PLANNING

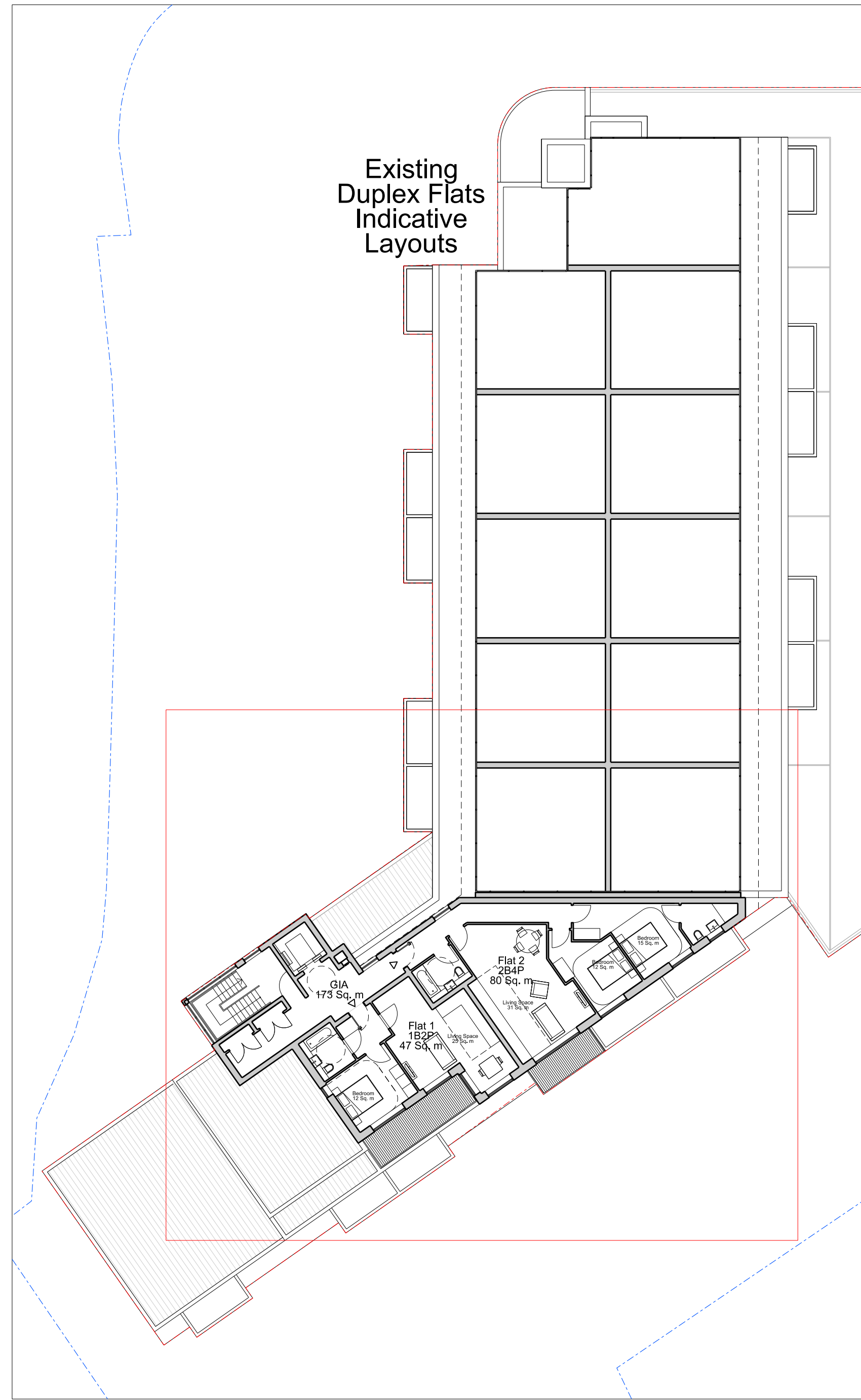
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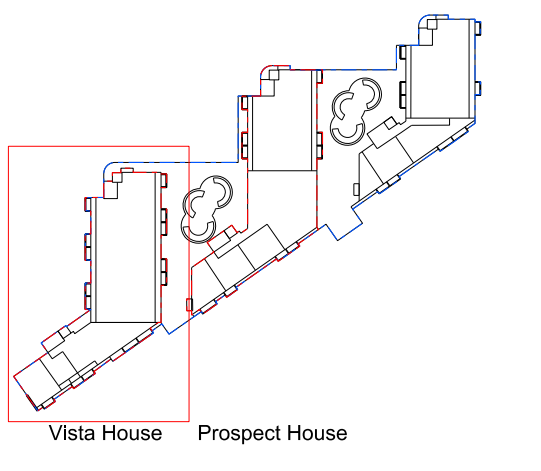
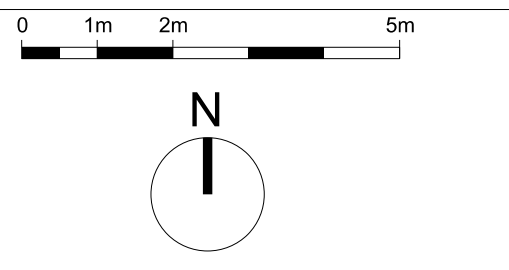




01 Vista House Sixth Floor  
0162 Proposed 1:200@A1



02 Vista House Sixth Floor  
0162 Proposed 1:100@A1



Key Plan 1:2000

Revision	Date	Description
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**Project**  
Vista and Prospect House  
Abbey Mills

**Drawing Title**  
Vista House  
Proposed Sixth Floor Plan

Drawing Number	Revision
WP-0730-A-VP-0162-P-06	-

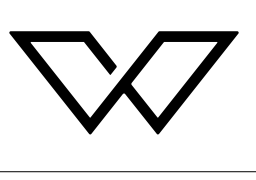
Scale @ A1	Revision Date
Varies	12-08-2020

**Drawing Purpose**  
PLANNING

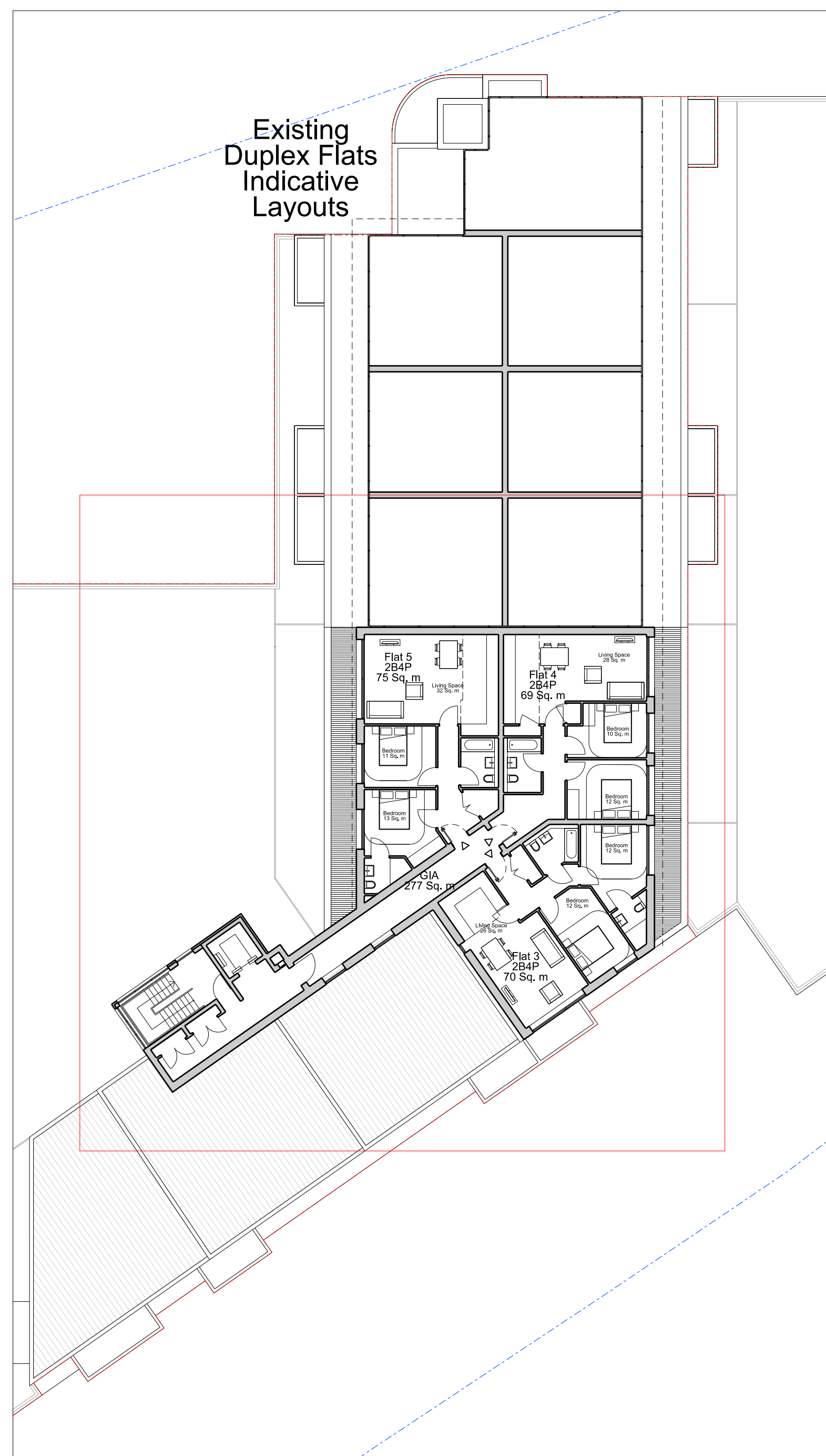
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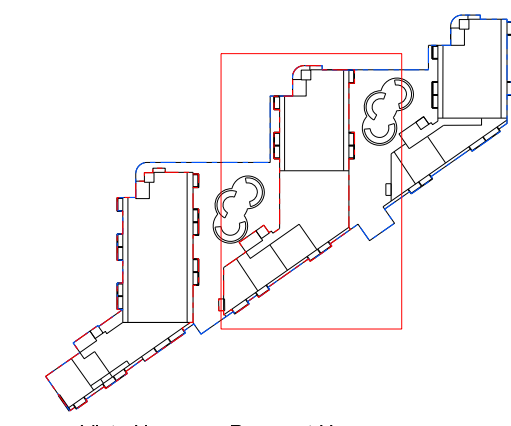
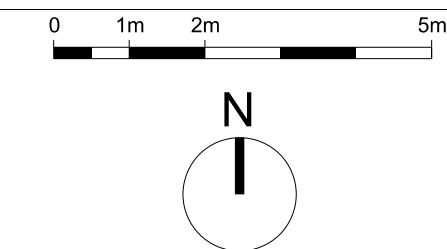




01 Prospect House Sixth Floor  
0163 Proposed 1:200@A1



02 Prospect House Sixth Floor  
0163 Proposed 1:100@A1



Key Plan 1:2000

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**Project**  
Vista and Prospect House  
Abbey Mills

---

**Drawing Title**  
Prospect House  
Proposed Sixth Floor Plan

---

Drawing Number	Revision
WP-0730-A-VP-0163-P-06	-

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Scale @ A1	Revision Date
Varies	12-08-2020

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**Drawing Purpose**  
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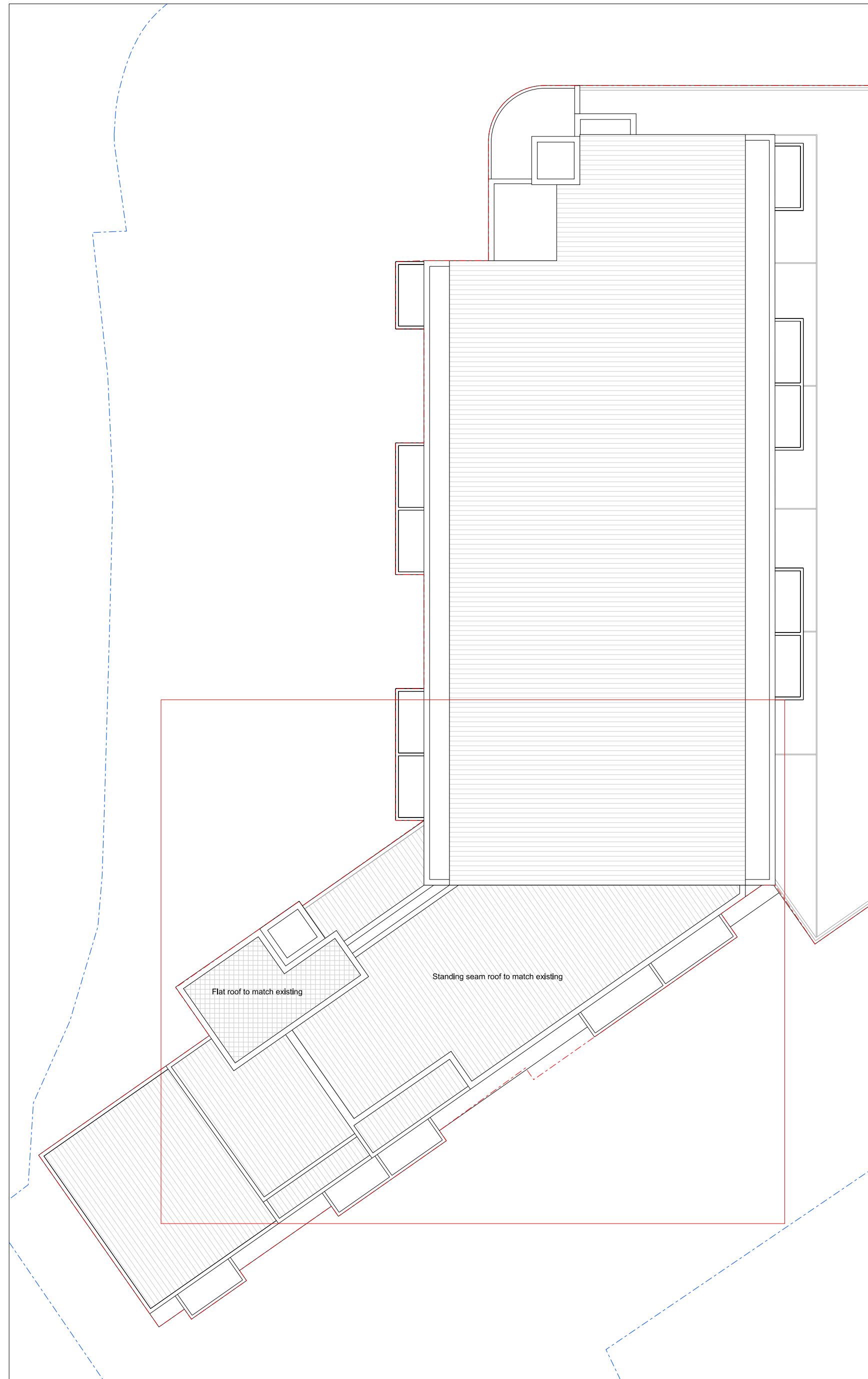
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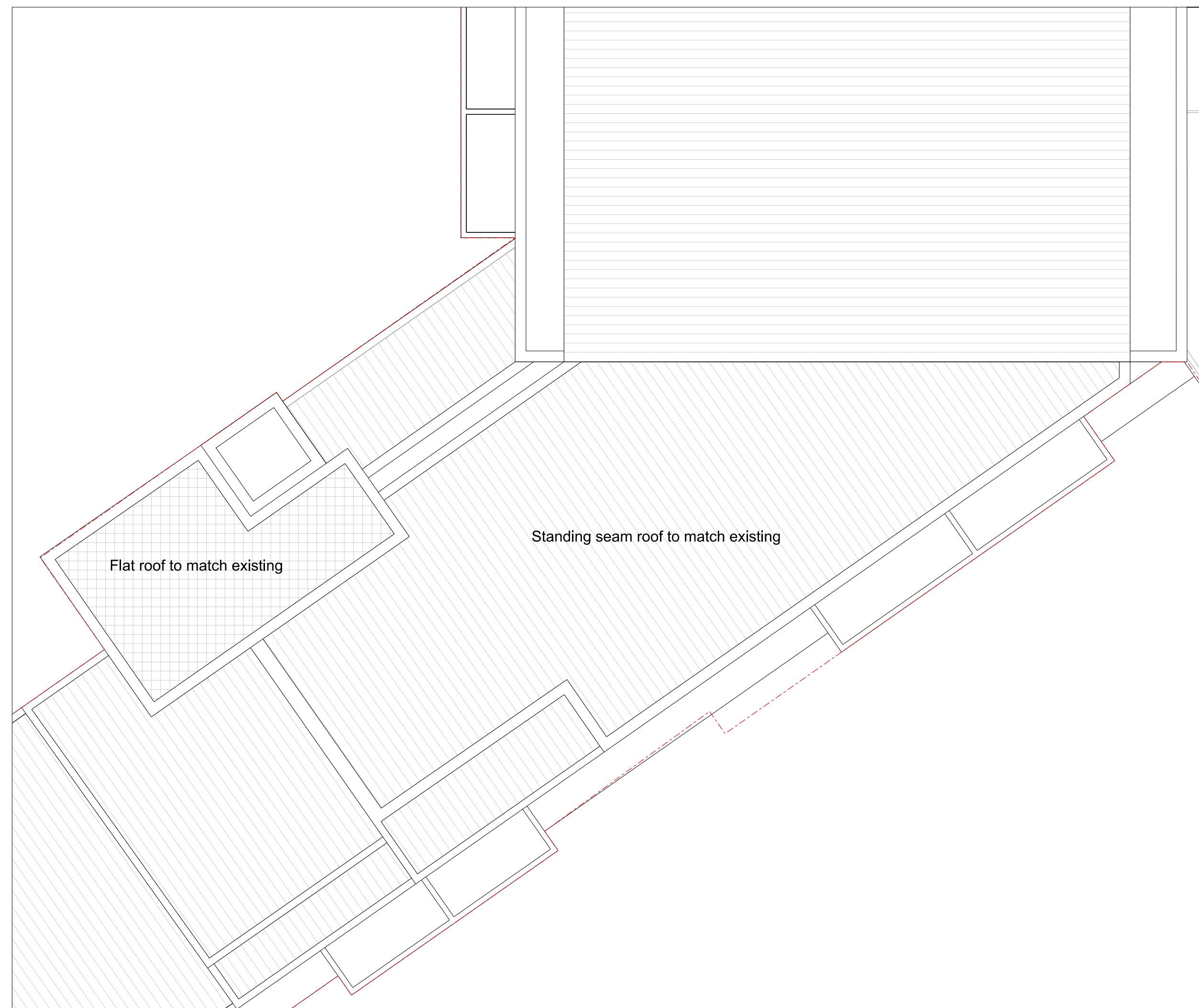
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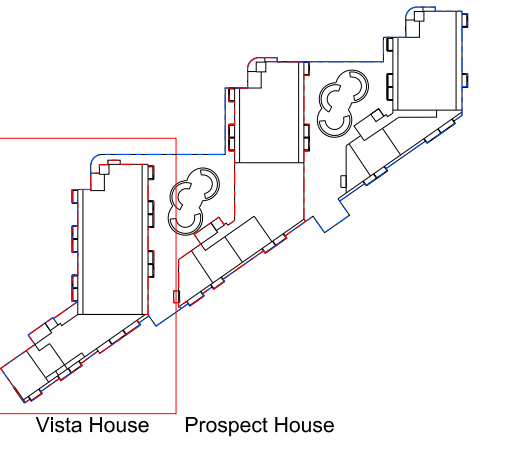


01  
0164 Proposed Vista House Roof 1:200@A1



02  
0164 Proposed Vista House Roof 1:100@A1

0 1m 2m 5m



Key Plan 1:2000

Revision	Date	Description

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**Project**  
Vista and Prospect House  
Abbey Mills

**Drawing Title**  
Vista House  
Proposed Roof Plan

Drawing Number	Revision
WP-0730-A-VP-0164-P-07	-

Scale @ A1	Revision Date
Varies	12-08-2020

**Drawing Purpose**  
PLANNING

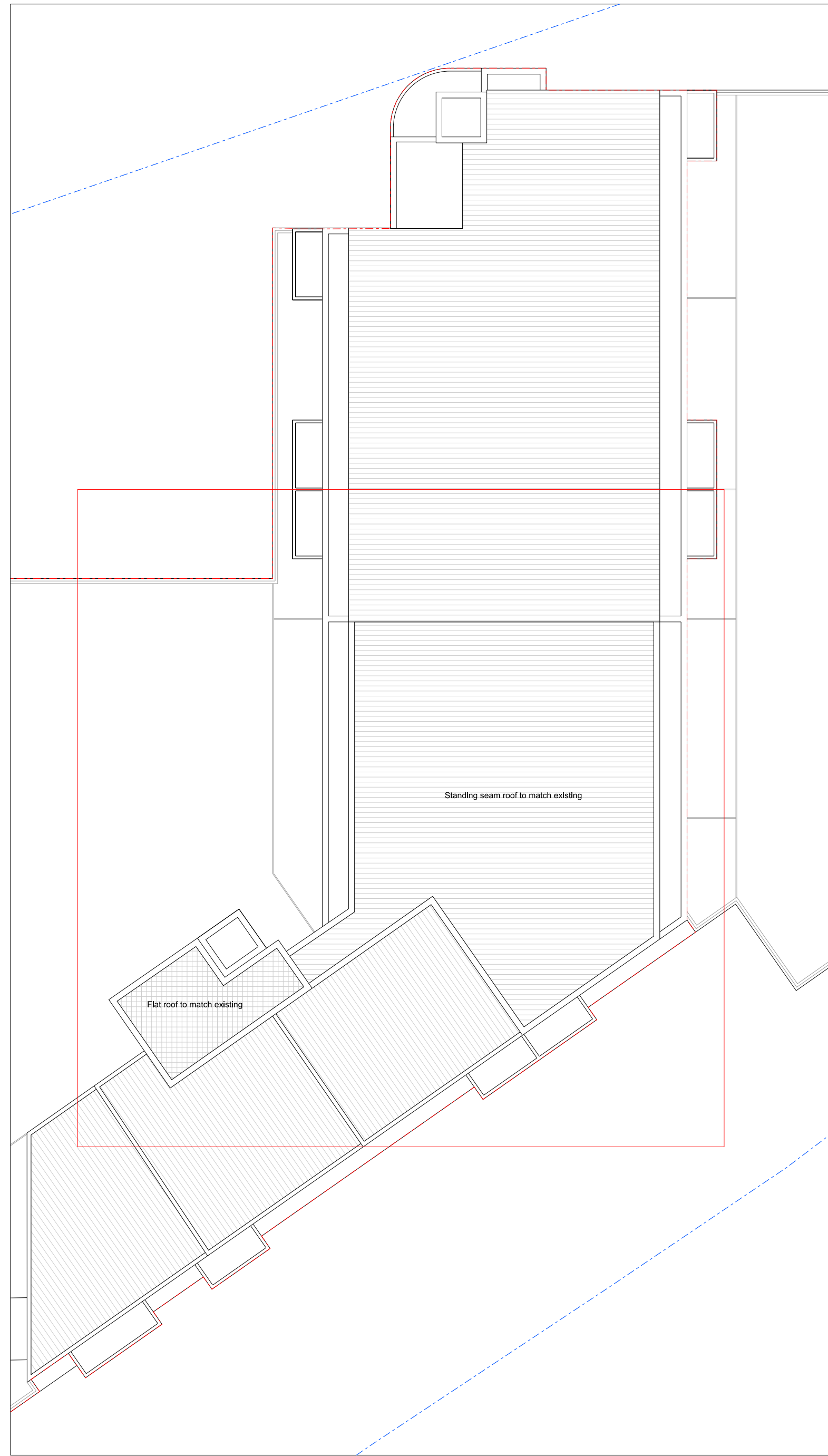
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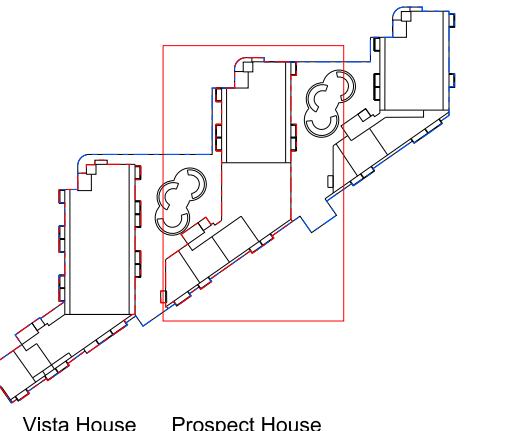


01 Prospect House Roof  
 0165 Proposed 1:200@A1



02 Prospect House Roof  
 0165 Proposed 1:100@A1

0 1m 2m 5m



Key Plan 1:2000

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**Project**  
 Vista and Prospect House  
 Abbey Mills

**Drawing Title**  
 Prospect House  
 Proposed Roof Plan

Drawing Number	Revision
WP-0730-A-VP-0165-P-07	-

Scale @ A1	Revision Date
Varies	12-08-2020

**Drawing Purpose**  
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South Elevation

01  
0250 Proposed

1:200@A1



West Elevation

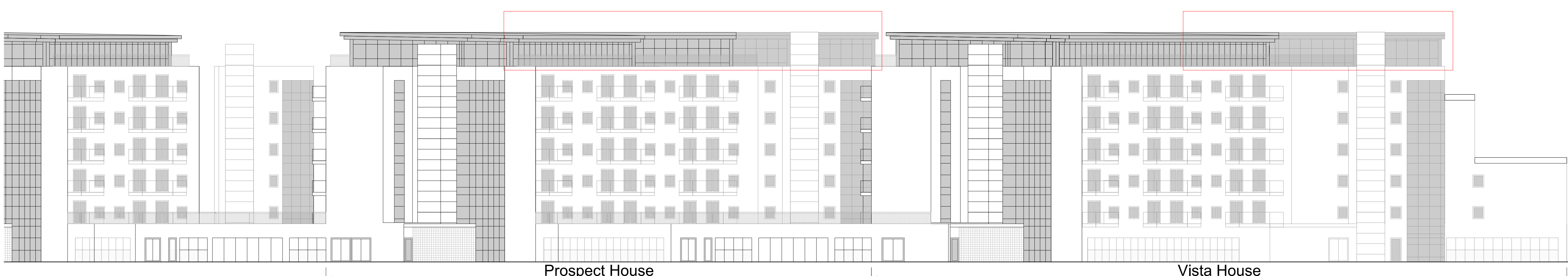
02  
0250 Proposed

1:200@A1

East Elevation

03  
0250 Proposed

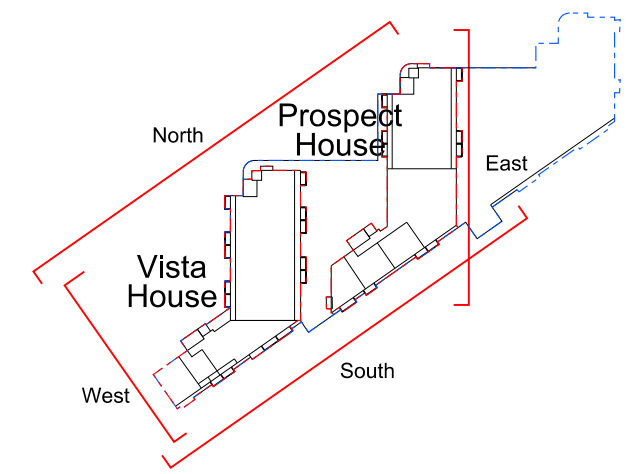
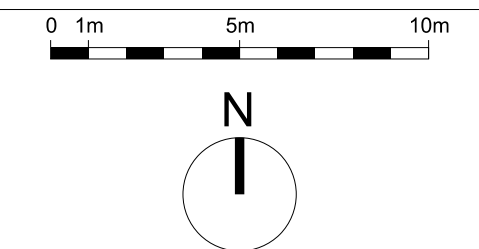
1:200@A1



North Elevation

04  
0250 Proposed

1:200@A1



Key Plan 1:2000

Revision	Date	Description

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**Project**  
Vista and Prospect House  
Abbey Mills

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**Drawing Title**  
Vista and Prospect House  
Proposed Elevations

---

Drawing Number	Revision
WP-0730-A-VP-0250-E-00	-

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Scale @ A1	Revision Date
1:200	12-08-2020

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**Drawing Purpose**  
PLANNING

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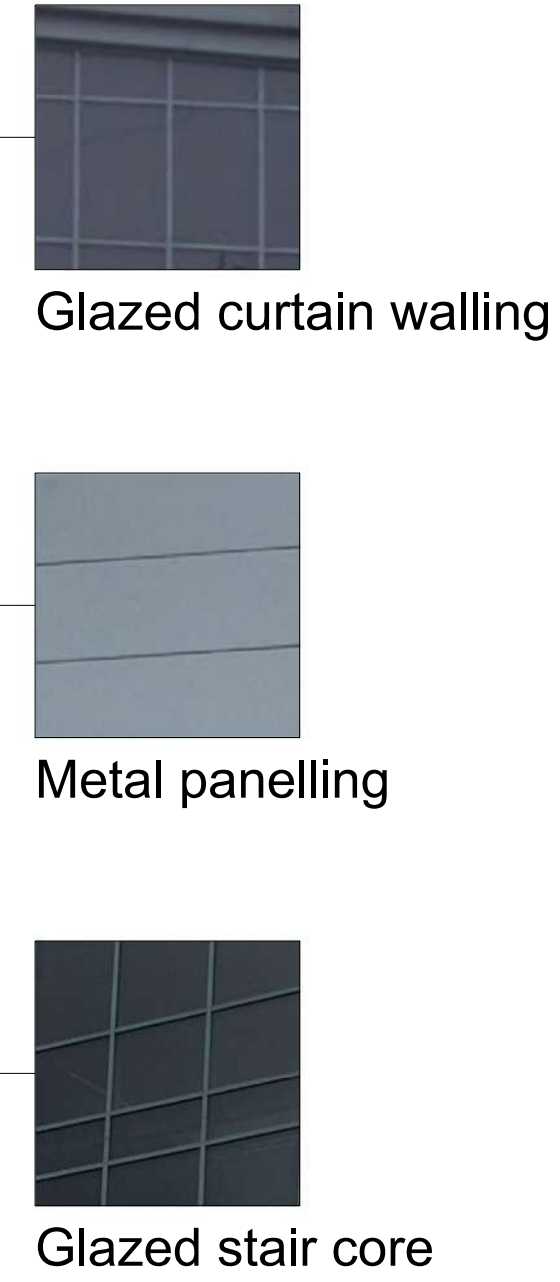
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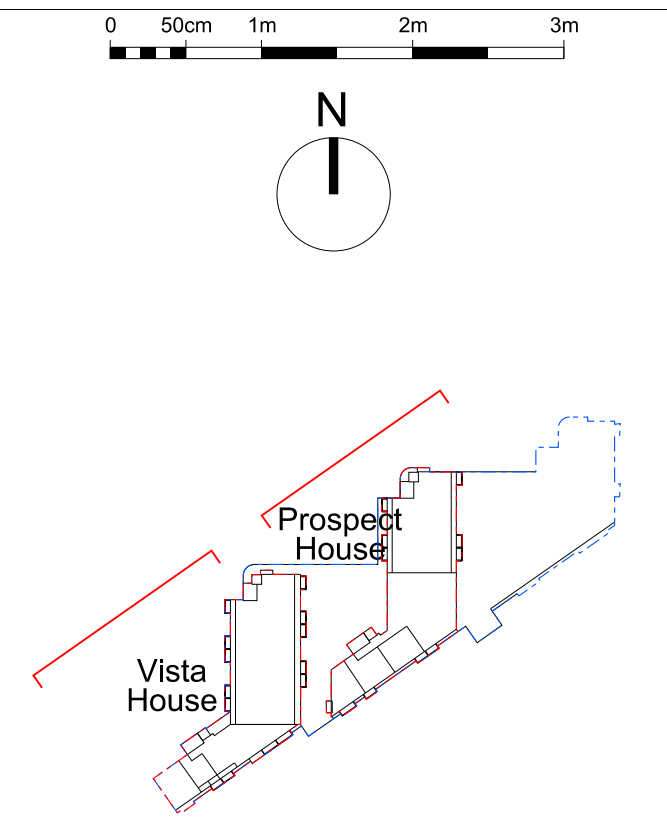




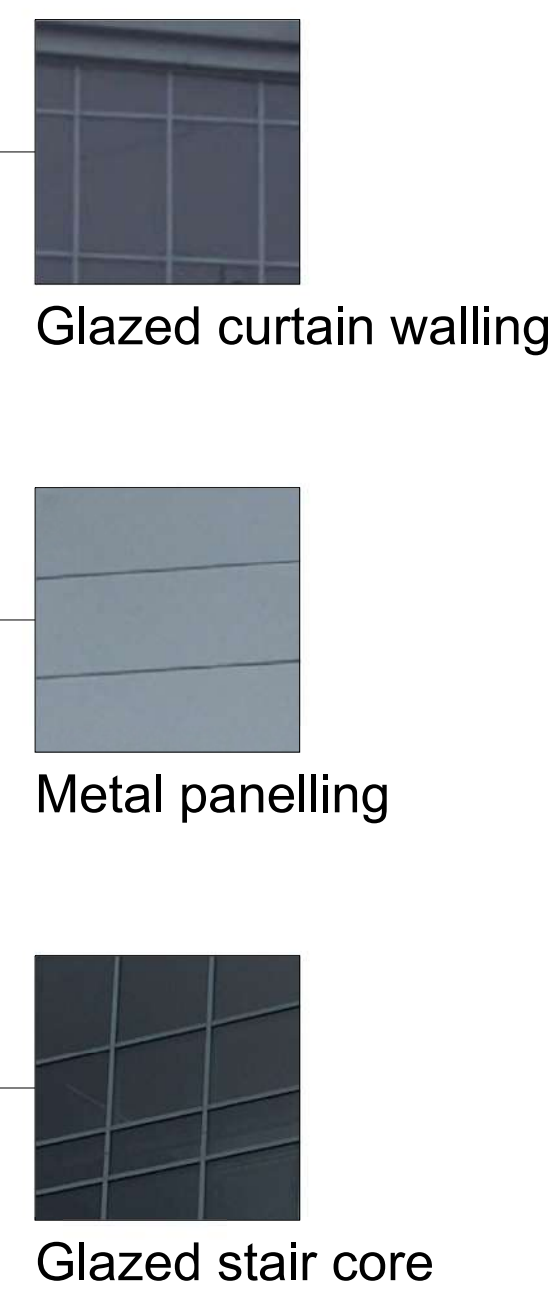
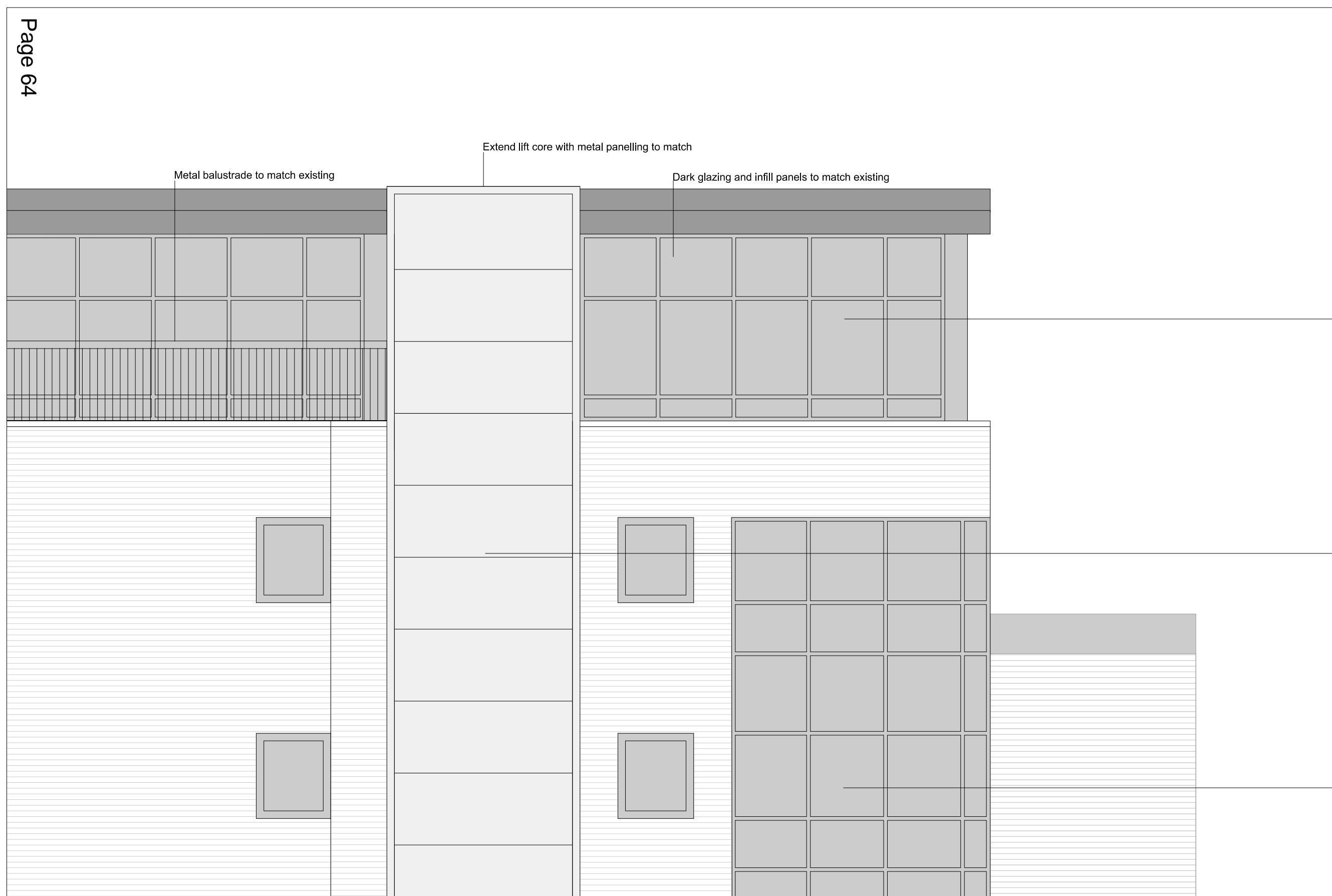
01 Prospect House Detail Elevation  
0270 Proposed - North 1:50@A1



Prospect House Proposed Visualisation



Key Plan 1:2000



02 Vista House Detail Elevation  
0270 Proposed - North 1:50@A1



Vista House Proposed Visualisation



Prospect and Vista House Proposed Rear Visualisation

Revision	Date	Description
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**Project**  
Vista and Prospect House  
Abbey Mills

**Drawing Title**  
Vista and Prospect House  
Proposed Material Bay Elevations

Drawing Number	Revision
WP-0730-A-VP-0270-E-00	-
Scale @ A1	Revision Date
1:50	12-08-2020

**Drawing Purpose**  
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**PLANNING APPLICATIONS COMMITTEE**  
**11<sup>th</sup> February 2021**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u>	<u>DATE VALID</u>
	20/P0823		20/02/2020
<b>Site Address:</b>	Fair Green Parade London Road Mitcham CR4 3NA		
<b>Ward:</b>	Cricket Green		
<b>Proposal:</b>	ERECTION OF A TWO STOREY ROOF EXTENSION TO ALLOW PROVISION FOR NINE SELF-CONTAINED FLATS.		
<b>Drawing No.'s:</b>	(drawing set amended 28.01.21) 001 FG-A-02-101 Rev 3, 001 FG-A-02-102 Rev 3, 001 FG-A-03-101 Rev 3, 001 FG-A-03-102 Rev 2, 001 FG-A-03-103 Rev 2, 001 FG-A-03-104 Rev 3, 001 FG-A-03-105 Rev 3, 001 FG-A-03-106 Rev 3, 001 FG-A-05-101 Rev 3, 001 FG-A-06-101 Rev 3, 001 FG-A-06-102 <input type="checkbox"/> Rev 3, and CGI image.  Documents: Energy & Sustainability Statement dated 23/06/2020 V2 prepared by eb7, Water Calculations dated 23/06/2020, Energy Consumption and Emissions Analysis.		
<b>Contact Officer:</b>	Catarina Cheung (020 8545 4747)		

---

## RECOMMENDATION

**Grant Permission Subject to Section 106 Obligation or any other enabling agreement, and relevant conditions.**

---

## CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 67
- Controlled Parking Zone: No, but the site is bounded on the south by CPZ MTC and MTC1 is in close proximity, west of Raleigh Gardens
- PTAL: 4
- Archaeological Zone: Yes, Tier 2

- Conservation Area: No, but in close proximity further south and east and the borders of the Mitcham Cricket Green Conservation area
- Listed Building: No
- Trees: None on the site

## **1. INTRODUCTION**

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

## **2. SITE AND SURROUNDINGS**

2.1 The application site is located on the corner of London Road and Upper Green West in the heart of Mitcham Town Centre.

2.2 The site currently accommodates a three storey frontage building which wraps around the corner of London Road and Upper Green West, displaying an L-shape. The site is bound by highways on three sides.

2.3 The building was constructed in the 1950s. The principal facing material is London stock brickwork, featuring small projecting balconies overlooking the street. The building has a flat roof and the elevations have the appearance of an Art Deco style building.

2.4 The ground floor is occupied by commercial uses, accommodating a range of town centre type uses. Mitcham Town Centre is a primary shopping area, and 1-13 Fair Green Parade is a designated Secondary shopping frontage.

2.5 The first and second floors accommodate 20 existing self-contained flats, 14-33 Fair Green Court.

2.6 Vehicular access to the site is via Raleigh Gardens (to the south of the site). The single width vehicular access is security gate controlled and leads to a parking area within the courtyard, behind the main frontage building. The courtyard provides for a number of activities, such as parking, servicing and rubbish storage.

2.7 Residential properties located on the first and second floors are accessed via a single door pedestrian entrance on Raleigh Gardens, with another entrance from Upper Green West.

2.8 Adjoining east of Fair Green Parade is 13-15 Upper Green West, a three storey flat roof building comprising ground floor commercial (Iceland supermarket) and upper residential levels. Toward the west (rear of the L-shape building) is Eldacrest House, another three storey flat roof development providing wholly residential accommodation. Eldacrest House overhangs the vehicular access path into Fair Green Court's courtyard.

2.9 The application building is not a statutorily Listed Building and the site is not located within a Conservation Area.

2.10 The site has a PTAL rating of 4 (measured on a scale of 0 to 6b, 0 being the worst) and is not located within a Controlled Parking Zone, but the site is bounded toward the south by CPZ MTC and MTC1 is in close proximity, west of Raleigh Gardens.

### 3. CURRENT PROPOSAL

- 3.1 The proposal seeks to erect a 2 storey roof extension which would provide an addition of 9 self-contained duplex units.
- 3.2 The entrance to the units would be via Raleigh Gardens, a new stairwell and lift access are provided separate from the existing.
- 3.4 Refuse and cycle facilities shall be provided in the courtyard for both the existing and future residential occupiers, a separate area for commercial refuse is also provided with its own dedicated area for collection.
- 3.5 The roof extension would have a height of 5.9m, increasing the maximum height of the building up to approximately 15.6m. The depth of the building toward London Road would be 5.6m and toward Upper Green West 5.8m. The extension would be set back from the front façade of the building by approximately 2m to allow external terrace amenity spaces, and set in from the rear building line by approximately 0.8m with a 1.5m external walkway.
- 3.6 The extension would be externally finished in copper cladding, fitted as a series of vertical and horizontal panels.
- 3.7 The proposed dwelling mix would be as follows:

	Type	Storeys	Proposed GIA (sqm)	Proposed amenity (sqm)
Unit 1	2b3p	2	73.1	17.52
Unit 2	1b2p	2	65.37	10.04
Unit 3	2b3p	2	74.18	11.42
Unit 4	2b3p	2	73.04	10.67
Unit 5	2b4p	2	120.27	26.51
Unit 6	2b3p	2	73.08	10.52
Unit 7	2b3p	2	73.04	10.53
Unit 8	2b3p	2	70	10.06
Unit 9	1b2p	2	62.16	18.22

### 4. RELEVANT PLANNING HISTORY

- 4.1 20/P2750: ADVERTISEMENT CONSENT FOR THE REMOVAL OF 2 x EXISTING DISPLAYS AND INSTALLATION OF 1 x INTERNALLY ILLUMINATED DIGITAL ADVERTISEMENT SCREEN AT FIRST FLOOR LEVEL – Advertisement consent granted 30/10/2020
- 4.2 91/P0264: ERECTION OF 1 X 48 SHEET ADVERTISEMENT HOARDING ON FLANK WALL. – Refused 15/05/1991  
**Reason - The 48 sheet hoarding, by virtue of its size and siting, is detrimental to the visual amenities of this part of the Mitcham Town Centre.**
- 4.3 MIT1643: OUTLINE 12 SHOPS AND 20 FLATS OVER. – Granted 22/02/1951
- 4.4 MIT1405A: OUTLINE 13 SHOPS AND 13 FLATS OVER. – Granted 29/09/1950
- 4.5 MIT1405: 14 SHOPS AND 14 FLATS OVER. – Refused 31/03/1950

## **Related applications**

### Yard rear of Fair Green Court

- 4.6 09/P2592: APPLICATION FOR DISCHARGE OF CONDITION 2 (FACING MATERIALS) 3 (SURFACE MATERIAL) 5 (CYCLE PARKING) 8 ARCHAEOLOGICAL REPORT) 9 (LANDSCAPING SCHEME) AND 10 ATTACHED TO LBM PLANNING APPLICATION 01/P1254 DATED 29/07/2002 RELATING TO THE VARIATION OF ERECTION OF A 4 STOREY BUILDING COMPRISING 3 LIVE/WORK UNITS AND 8 SELF CONTAINED FLATS ( 5 X 1 BED & 3 X2 BED ) WITH ASSOCIATED OFF-STREET CAR PARKING – Granted 22/01/2010  
This permission has been implemented, the development is known as Eldacrest House which is sited at the rear of the application building.
- 4.7 01/P1254: ERECTION OF A 4 STOREY BUILDING COMPRISING 3 LIVE/WORK UNITS AND 8 SELF CONTAINED FLATS ( 5 X 1 BED & 3 X2 BED ) WITH ASSOCIATED OFF-STREET CAR PARKING – Granted at PAC 29/07/2002
- 4.8 00/P1887: ERECTION OF A 4 STOREY BUILDING COMPRISING 3 LIVE/WORK UNITS AND 8 SELF CONTAINED FLATS (5 X 1 BED & 3 X 2 BED) WITH ASSOCIATED OFF-STREET CAR PARKING – Refused 24/05/2001  
**Reason - The proposal, by reason of its design, bulk and massing, would constitute an overdevelopment of the site with inadequate amenity space provision detrimental to residential amenity by reason of noise and nuisance from additional activity on the site contrary to policies EB.23 & H.14 of the Adopted Unitary Development Plan (April 1996) and BE.23 & HS.2 of the Second Deposit Draft Unitary Development Plan (October 2000).**  
**Appeal lodged 25/06/2001 but withdrawn 06/08/2001.**
- 4.9 There are a number of historic applications determined between 1951 to 2014, relating to the use of the retail units on the ground floor, various external alterations and signage/shop front proposals.

## **5. CONSULTATION**

### **External**

- 5.1 Public consultation was undertaken by way of letters sent to 67 neighbouring properties.
- 5.2 8 objections were received to the initial proposal.
- 5.3 A 14 day re-consultation was undertaken 13/08/2020. 1 objection was received in this instance.
- 5.4 A further re-consultation was undertaken to rectify the development description 22/12/2020. No objections were received.
- 5.5 Objections received during the initial public consultation period:

The Mitcham Society raised the following concerns:

- 1) This planning application follows a trend we are seeing in Mitcham for applications to add extra storeys to existing buildings. It is an unwelcome trend. Any individual addition of height detracts from the village-like characters of Mitcham, and cumulatively such additions permanently change the character of Mitcham, making it a 'bland any town' rather than celebrating its special and unique character. The site lies in the London Road Character Area of the draft Character Appraisal for the Mitcham sub area and

this identifies it as an “area with scope to reinforce the existing character.” The proposal does the reverse.

- 2) Mitcham Village lacks formal recognition or specific designation. Policy N3.2 in the emerging Merton Local Plan is weak in its assertion of the special character of Mitcham Village. Our own assertion of this special character, and our expectations of Merton Council in relation to development, can be found in our full submission to the Local Plan consultation. To quote from that submission:

“It is detrimental to the character of Mitcham Village to add floors onto existing buildings. We have seen planning applications for this in recent times, including along London Road, and it is likely to be a growing trend. This trend should be halted in the Local Plan because raising height in this way is absolutely contrary to the continued existence of Mitcham Town Centre as a 21st Century Village.”

We also assert that all new development should “Recognise, value and protect the village character of Mitcham”, and that Merton Council should “Actively discourage development, built or otherwise, which:

- Disrupts or damages the existing elements which characterise Mitcham Village
- Detracts from the continuation of a village feel in Mitcham
- Over urbanises
- Removes Green Spaces
- Prioritises the ‘generic’ over the local, special and unique

- 3) The proposal to add two floors to Fair Green Parade falls foul of four of the five principles stated above, the only one it does not fail on is the removal of green spaces.
- 4) Fair Green Parade is a 1950s building with a distinctive curve facing onto Fair Green. The two existing residential floors present a pleasing symmetry in design. The building is the most distinctive of those facing directly onto Fair Green, and is a highly regarded local landmark.
- 5) The proposal to add two further storeys in height destroys the symmetry and the design appeal of the existing building. Mimicking window design and using green cladding is not enough to fool the eye into thinking the building is all of a piece. The new addition jars, and looks exactly like a later addition rather than belonging to the structure as a whole.
- 6) The Design and Access statement references a ‘pre-app meeting’, and the receipt of pre application advice. This advice has not been published at the Planning Portal, and is not available to the public. It should be published as a matter of course, and we would expect the public to have access to it.
- 7) There is no evidence presented with this application of any form of public discussion or consultation relating to these proposals, and we have received no communication from the applicant. The National Planning Policy Framework states that “applications that can demonstrate early, proactive and effective engagement with the community should be looked on more favourably than those that cannot” (paragraph 128). In the absence of any evidence of any effort being made to reach out or consult, this application cannot be looked on more favourably.
- 8) We believe this application is detrimental to the building it is designed to extend, and detrimental to the character of Mitcham Village. It has been progressed with no visible signs of public engagement in its design and development. We believe it contravenes policies:
  - a. DM R1 relating to location and scale of development in Merton’s town centres, states development must ensure it “respects or improves the character and local environment of the area”
  - b. DM D1 development must “impact positively on the character and quality of the public realm”

- c. CS2 requiring development in Mitcham Town Centre to be of “high quality design and architecture”
- d. CS14 requiring all development “to be designed in order to respect, reinforce and enhance the local character of the area”
- e. NPPF guidance on community engagement

5.6 Summary of other objections:

- Overlooking;
- Impact on sunlight;
- Damage the character of Mitcham Village;
- Support the provision of more much-needed genuinely affordable housing in the borough, but none of the 9 units would be “affordable”;
- Damage to the existing structure of the existing property – cracks, leaks, vibration, lighting;
- Stability of the existing building foundation, may it become unstable and weaken/strong enough to hold a 2 storey extension? ;
- Compensation for during/after effects of construction – noise, drilling and dust;
- Service charge increase to building;
- What benefit will existing residents receive;
- Increase of noise and disturbance;
- Not enough car parking spaces;
- Allocation of parking, bins, bike sheds etc. needs to be considered for everyone and not just the new levels;
- Existing residents do not bother to clean the existing bins;
- Enough flats in Mitcham Fair Green, why not concentrate on the Burn Bullock which seems to have squatters;
- Existing 3 levels need to be modernised to match the new levels;
- Plan for a lift? (The new storeys of the roof development would be at the 4<sup>th</sup> floor level, this question looks to raise concerns around accessibility).

5.7 Objections during the re-consultation:

- Impact existing flats’ environment and private life;
- Cover sun light and increase noise;
- Too close to existing flats, will lose private life security.

5.8 Secure by Design –

- The D&A statement mentions there is an issue of rough sleepers using the rear yard. The existing gates allow them to be breached by climbing, allowing them to be opened so providing unrestricted access. The proposed full height gates with access control would be of great benefit in the prevention of this issue.
- Storage for commercial refuse would be directly in front of the pedestrian gate forcing pedestrians onto the vehicle carriage way. The location of these bins should be moved.
- The cycle storage should incorporate stands/racks secured into concrete foundations, which should enable cyclists to use at least two locking points so that the wheels and crossbar are locked to the stand rather than just the crossbar.
- CCTV would be of benefit for this development. Lighting fixtures should not be in conflict with the CCTV cameras’ field of view.
- Lighting across the entire development should be to the required British Standards, avoiding the various forms of light pollution (vertical and horizontal glare).

**Internal**

5.9 Urban Design officer –

Following the amendments submitted 08/07/2020, a large majority of the issues raised in the Urban Designer’s initial comments were addressed:

- The proposal has been amended to a wholly two storey extension moving away from the 'alien' wedge shape which made it appear inappropriately tall at its corner. No objections raised to a two storey addition on this building;
  - Roof looks quite tall, materiality separation could make it appear less vertical, add some aspect of horizontality to create a horizontal break between the two storeys (Officers note this has been addressed and is further discussed in paras 7.3.5 and 7.3.6);
  - The extension should not extend to the ends of the building, i.e. the way the extension extends to the very south end breaking a hole in the end parapet is very unceremonious and disrespectful to the host building. This parapet has been retained;
  - The illuminated 'Fair Green Parade' sign has been relocated back to its current position on the main building as the previously proposed sign on top of the new floors was considered divorced from the street and less noticeable;
  - A lift has been incorporated into the proposal, concerns were raised by the Urban Design officer that residents would need to walk up four flights of stairs;
  - The deck has been widened to provide defensible space for the kitchen;
  - Remove covering over walkway to improve lighting, or include CCTV security element;
  - Duplex units are good, Unit 5 would be provided with a spacious double height living space;
  - The Urban Design officer commented that the proposal should have regard to the internal configuration as required by the Mayors housing SPG Standard 25 and its successor document 'Good Quality Homes for all Londoners'. Standard 25: "Dwelling plans should demonstrate that dwellings will accommodate the furniture, access and activity space requirements relating to the declared level of occupancy and the furniture schedule set out in Approved Document Part M".
  - Overall, the Urban Design officer is generally content with the amendments. Notably the 2 storey amendment and provision of duplex units. In the later amended proposal in January 2021, horizontality has been introduced in the materiality (which is later discussed) and internal layouts have been reconfigured to demonstrate the usability of the rooms.
- 5.10 Conservation officer – Supportive of the initial concerns raised by the Urban Design officer. E.g Not convinced about the wedge shape, (it would be better as a two storey addition set back from the ends). and about the position of the name sign not being re-positioned higher and the possibility of including lifts.
- 5.11 Transport officer –  
 Car Parking: The proposed car parking spaces will be reduced from 13 to 10, this reduction is due to the communal facilities being proposed. These car spaces will not benefit the additional 9 units, there is no car parking provided for the proposed development. 2 disabled parking spaces are provided within the proposed 10 spaces one of which is capable of EVCP.

Permit free option would be acceptable subject to the applicant entering into a Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.

Cycle: 18 spaces are provided for the 9 units, this satisfies the London Plan Standards.

Refuse: The refuse & recycling facilities are located within the courtyard with separate secured stores for both commercial and residents.

Gate: The gate should be sited 6m from back of footway to enable a car to stand without obstructing the footway.

**Recommendation:** The proposal is unlikely to have a significant impact on the adjoining highway network. No objections raised subject to the following conditions:

- Parking maintained.
- Cycle parking (secure & undercover) maintained.
- The applicant enters into a UU which would restrict future occupiers of the unit from obtaining an on-street residential parking permit to park in the surrounding CPZs to be secured via S106 legal agreement.
- Refuse - Standard Condition.
- 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.

5.12 Highways officer - Any security gates must be set back within the property to ensure that any vehicles entering do not block the public highway and should be suitably conditioned should the application be recommended for approval.

5.13 Climate Change – Following receipt of additional information requested by the Council’s Climate Change officer, they are satisfied that the the application meets adopted policies and a condition is recommended should the application be recommended for approval:

- The information provided shows a carbon saving of 64% improvement compared to part L of building regulations (using SAP10 calculations provided). A condition is recommended that is consistent with the emission saving evidenced by their calculations.
- The applicant has provided enough information to demonstrate that they have thought through, to some extent, the practical installation of air sourced heat pumps (ASHP).
- The water calculations provided show that average internal water consumption is below 105l/person/day.

5.14 Environmental Health – No overall objections but would recommend the inclusion of conditions to protect the future and existing residents in the area, including a construction method statement and noise survey including provision of details of appropriate remedial measures.

5.15 Waste services –

In mixed use developments, the Council requires separate waste arrangements for the domestic and commercial aspects. This has been carefully considered within the drawings/design and access statement.

**Residential Waste** - For the block of 29 units, the proposed bin capacities are sufficient for once a week refuse and recycling collection service. The applicant has provided 3x 1100L for refuse, 3x 1100L for mixed recycling and 1x 240L for food waste recycling consistent with the initial comments.

Refuse will only be collected by the collection crew if the storage area is within 10 distance from the collection vehicle.

**Commercial waste** - Arrangements are usually based on contract with service provider. Presentation policy should be part of the contract.



## **6. POLICY CONTEXT**

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

- Part 5 Delivering a sufficient supply of homes
- Part 6 Building a strong, competitive economy
- Part 7 Ensuring the vitality of town centres
- Part 8 Building a strong, competitive economy
- Part 9 Promoting sustainable transport
- Part 11 Making effective use of land
- Part 12 Achieving well-designed places
- Part 14 Meeting the challenge of climate change, flooding and coastal change

### **6.2 London Plan 2016:**

Relevant policies include:

- 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
- 4.7 Retail and town centre development
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 5.10 Urban greening
- 5.11 Green roofs and development site environs
- 5.13 Sustainable drainage
- 5.14 Water quality and wastewater infrastructure
- 5.17 Waste Capacity
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.11 Smoothing traffic flow and easing congestion
- 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 Community infrastructure levy

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

Relevant policies include:

- 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 D7 Shop front design and signage
- EM EP2 Reducing and mitigating noise
- DM EP4 Pollutants

DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure  
DM H2 Housing mix  
DM R1 Location and scale of development in Merton's town centres and neighbourhood parades  
DM T1 Support for sustainable transport and active travel  
DM T2 Transport impacts of development  
DM T3 Car parking and servicing standards  
DM T5 Access to road network

6.4 Merton Core Strategy 2011 policy:

Relevant policies include:

CS 2 Mitcham Town Centre  
CS 8 Housing choice  
CS 9 Housing provision  
CS 14 Design  
CS 15 Climate change  
CS 17 Waste management  
CS 18 Transport  
CS 19 Public Transport  
CS 20 Parking servicing and delivery

6.5 Supplementary planning documents

London Plan - Housing SPG 2016  
London Plan - Affordable housing and viability SPG 2017  
Mayor of London - Energy Planning Guidance 2020.

Technical Housing standards – Nationally described space standards 2015  
Merton's Waste and Recycling Storage Requirements – For Commercial and Residential Premises in the London Borough of Merton

## 7. **PLANNING CONSIDERATIONS**

7.1 The key planning considerations of the proposal are as follows:

- Principle of development and the delivery of housing.
- Design and impact upon the character and appearance of the area
- Impact on neighbouring amenity
- Standard of accommodation
- Transport, parking and cycle
- Refuse
- Sustainability
- Other matters

7.2 Principle of development

### **Need for additional housing**

7.2.1 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.

- 7.2.2 The National Planning Policy Framework sets out that planning policies and decisions should promote an effective use of land in meeting the need for homes and other uses, while safeguarding and improving the environment and ensuring safe and healthy living conditions. Policies and decisions should (e) support opportunities to use the airspace above existing residential and commercial premises for new homes. In particular, they should allow upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, is well-designed (including complying with any local design policies and standards), and can maintain safe access and egress for occupiers.
- 7.2.3 The site currently contains a three storey mixed use development within the heart of Mitcham Town Centre which currently provides 20 self-contained units and a variety of ground floor commercial units. The proposal would increase the housing provision through the construction of a roof extension to provide 9 additional homes. This is generally supported by policies seeking to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through the effective use of space. Notwithstanding the need to carefully consider the design, impact toward neighbouring amenity, transport and other technical aspects of the proposal in more detail, officers consider that a more intensive residential development is in principle acceptable within this location.

#### **Density and Housing mix**

- 7.2.4 The proposed development would have a density of 179.9 dwellings per hectare (including the 20 flats already on the site).
- 7.2.5 This would be within the relevant density range (70-260 dwellings per hectare), as set out in Table 3.2 for the setting (Urban) and PTAL 4 in the London Plan.
- 7.2.6 In terms of housing mix, the proposed development would provide the following housing mix:

<b>Type</b>	<b>Number</b>	<b>Percentage</b>
1b 2p	2	22.2%
2b3p /2b4p	7	77.8%

- 7.2.7 Policy 3.8 of the London Plan requires new developments to offer a genuine choice of homes that Londoners can afford and which meet their requirements for different sizes and types of dwellings in the highest quality environment. Merton's Policy DM H2 sets out that residential development proposals will be considered favourably where they contribute to meeting the needs of different households such as families with children, single person households and older people by providing a mix of dwelling sizes, taking account of the borough level indicative proportions concerning housing mix.
- 7.2.8 The supporting text Policy DM H2 explains that research in London and in Merton shows that there is an overwhelming need in London and in Merton for all types and sizes of new homes, which must be balanced against the need for supporting infrastructure. Assessment of historical provision in the borough indicates a disproportionately greater delivery of smaller homes compared to larger homes: 84% of dwellings completed in the borough between April 2000 and March 2011 consisted of 1 or 2 bedroom units.
- 7.2.9 In assessing development proposals the council will take account of Merton's Housing Strategy (2011-2015) borough level indicative proportions which are set out as follows:

Number of bedrooms	Percentage of units
One	33%
Two	32%
Three +	35%

- 7.2.10 The borough level indicative proportions concerning housing mix will be applied having regard to relevant factors including individual site circumstances, site location, identified local needs, economics of provision such as financial viability and other planning contributions. Where a developer considers a site unsuitable to apply the borough level indicative housing mix, set out above, the developer will be responsible for demonstrating why this is the case.
- 7.2.11 It is noted that the proposals would deviate from the indicative housing mix set out in Policy DM H2 which envisages a broadly equal split between 1, 2 and 3 bedroom (and larger) units. This mix is informed by a number of factors, including Merton's Strategic Housing Market Assessment (SHMA 2010). Further work is currently being undertaken as part of the preparation of a new local plan, and in July 2019 a Strategic Housing Need Assessment (or Strategic Housing Market Assessment -SHMA) was newly published for Merton.
- 7.2.12 As set out in Table 2 of the SHMA 2019, the housing stock in Merton at June 2018 shows that Mitcham has the second highest percentage of 3 bedroom houses in the borough, which is higher than the borough average. And so, an assessment is required as to whether a focus on smaller units would be harmful to the area and whether by focusing on smaller units the development fulfils other planning objectives such as optimising housing output.
- 7.2.13 The site is within an area of high public transport accessibility, so attractive to those needing to regularly commute and can rely less on the ownership of cars. Furthermore, the site fronts a main road with the delivery of balcony terraces as the offer of external amenity which is not the expected garden size/location for a more traditional family household, accommodation for families are also more attractive with the provision of car parking facilities – there would be a restriction of parking permits in the new flats of this development (further discussed under section 7.6).
- 7.2.14 So, whilst the proposal of only smaller units would not strictly adhere to the indicative borough mix set out above, the proposed housing mix would in fact respond realistically to the characteristics of the site and its location whilst still promoting policy objectives of Policies 3.8 and 3.9 of the London Plan. Therefore, officers consider that the proposed housing mix would be acceptable in this instance.

### 7.3 Design and impact on character and appearance of the area

- 7.3.1 The NPPF states that developments should function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development. Developments should ensure that they are visually attractive as a result of good architecture, layout and appropriate and effective landscaping and are sympathetic to local character and history, while not preventing or discouraging appropriate innovation or change (such as increased densities).
- 7.3.2 Policies CS14, DMD1 & DMD2 require that new development reflect the best elements of the character of the surrounding area, or have sufficient distinctive merit so that the development would contribute positively to the character and appearance of the built

environment. 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.

- 7.3.3 London Plan Policy 3.3 seeks to optimise housing output while design policies CS14, DMD1 and DMD2 seek to ensure that new development is compatible with the surrounding townscape. Mid-rise development such as is proposed provides a suitable melding of these two overarching policy objectives, and is an approach which has support from the Urban Design officer.

#### **Design and materials**

- 7.3.4 The most notable amendment of the scheme is its alteration from a part single part two storey 'wedge' shaped roof extension to a wholly two storey form. Responding to comments that the initial shape was considered 'alien' and had the effect of creating an exaggerated perspective making the higher part (corner) appear more prominent and unnecessarily tall. This did not relate well to the existing building. The extension being two storeys the entire length is considered appropriate.
- 7.3.5 The original cladding pattern and window arrangement further accentuated a sense of unnecessary height to the extension. The cladding system and long windows proposed ran through both storeys of the roof, predominantly without horizontal breaks. A horizontal break would help the extension to be read as two floors, so as not to overwhelm the main body of the building beneath with an overly tall top-heavy vertical bulk.
- 7.3.6 The amended cladding system shows an appropriate interest to the design with a series of vertical and horizontal panels which helps to show a differentiation and division between the roof levels. The windows have broken away from the tall vertical emphasis originally proposed, whilst still aligned with the main building, a horizontal accent is introduced to the window pattern through the use of continuous sills which help to identify the individual units. This approach has also been executed at the rear to ensure consistency.
- 7.3.7 The extension has also been amended to further increase its setbacks from the main building's frontages. This has resulted in the widening of the deck access at the rear and balcony spaces at the front, as well as removing the need to increase the height of the parapet division between itself and the adjoining building and retaining the existing parapet toward the southern end of the building – where the roof extension originally pierced this edge creating an abrupt break in the elevation and was considered disrespectful to the host building.
- 7.3.8 The extension appropriately sets itself away from the main building, respecting its mass and establishing itself as a secondary component which does not seek to overwhelm its lower half. And coupled with the number of details amended as described above, whilst it is an enlarged scheme from that originally submitted and reflects a more modern finish, it does not appear unduly dominant and comfortably sits within the roofscape.

#### **Signage**

7.3.9 The 'Fair Green Parade' sign was originally proposed to be relocated to the top of the new extension. However, this relocated position was considered somewhat divorced from the street and designed to be noticed from a distance which signals the promotion of height – especially with it being internally illuminated.

7.3.10 However, this junction of Mitcham Town Centre is not an area of high rise. The existing building looks out toward an open space and it has a relationship with street level activity and views. Therefore, the sign has been repositioned across the corner frontage of the existing building. An appropriate condition shall be attached requesting details and specification of the proposed signage to ensure there not be inappropriate light spill into the residential units and it would be of a complementary design.

#### **Terrace/balcony areas**

7.3.12 There would be no change to the existing front parapet of the main building, this has a height of 0.9m. A 1.1m secondary parapet/ balustrade has been introduced setback from the existing parapet to provide safety. As mentioned in paragraph 7.3.7, the roof extension has been amended to increase its setback from the existing building's frontages. Therefore, the balconies provide an increased depth of 1.6m depth (1.5m being the minimum depth as set out in the London Housing SPG).

#### **Security considerations**

7.3.13 Notable improvements the amendments deliver in terms of security:

- Widened deck access allows for the provision of defensible space in front of the kitchen windows but also allows sufficient width for wheel chair movement, a better balance between security and natural surveillance;
- The canopies over the rear deck access would be clear glazed rather than solid, providing shelter but also increased light, minimizing hidden/dark spaces and increasing natural surveillance. CCTV cameras would also be introduced;
- New 2.3m security gates installed at the entrance from Raleigh Gardens. The Secure by Design officer has commented that the installation of new gates would be of great benefit to help prevent the issue of rough sleeping.

7.3.14 The existing building is of a good quality and has a positive architectural and built presence in the Fair Green, any proposal to extend this building upwards need to be carried out sensitively and finished to a high quality. Overall, it is considered that the applicant has continually responded to officers and consultees' comments and worked proactively with the LPA to achieve a design which appears seemingly simple in its design and form, but well-considered in its details externally and internally. It introduces a modern yet sensitive extension to respect the host building and preserves and enhances views from the Fair Green as well as views from the surrounding streetscene.

7.3.15 The selection of high quality finishing materials are integral to the design of the extension, therefore a condition shall be attached requiring details and samples of the materials to be submitted to the Council for approval.

#### **7.4 Neighbouring amenity**

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

7.4.2 The proposed roof extension would not project beyond the existing footprint of the flats below, for this reason, it is not considered there would be materially harmful impact to

the outlook of the existing residential units on the site. It is acknowledged that there would be some very slight reduction in daylight and sunlight (toward the rear elevation) at certain points of the day, but this would be limited and not considered to be so materially harmful as to warrant refusal.

7.4.3 Due to the separation distances to other nearby residential properties, it is considered that the proposed development would not result in material harm to the amenities of these neighbours. From the northern (rear) elevation of Eldacrest House, there would be a separation distance of around 24m from the proposed extension, and approximately 30m from their eastern (side) elevation. Standor House is separated from the application site by Raleigh Gardens, which provides a separation gap of approximately 14m, and a separation of approximately 24m from the properties along London Road.

7.4.4 The adjoining building 13-15 Upper Green West presents a large unused flat roof top, but toward the rear of their main three storey building is an area of amenity space on the first floor. However, the roof extension has been designed to set itself back from the shared boundary and set in from the rear building line (around 0.8m), so whilst the extension would be visible from the amenity areas, any potential experience of overshadowing would not be considered overwhelming, these amenity areas also benefit from an unobstructed southern aspect.

## 7.5 Standard of accommodation

### **Internal**

7.5.1 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.

	Type	Storeys	Proposed GIA (sqm)	Required GIA (sqm)	Compliant
Unit 1	2b3p	2	73.1	70	Yes
Unit 2	1b2p	2	65.37	58	Yes
Unit 3	2b3p	2	74.18	70	Yes
Unit 4	2b3p	2	73.04	70	Yes
Unit 5	2b4p	2	120.27	79	Yes
Unit 6	2b3p	2	73.08	70	Yes
Unit 7	2b3p	2	73.04	70	Yes
Unit 8	2b3p	2	70	70	Yes

Unit 9	1b2p	2	62.16	58	Yes
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7.5.2 As demonstrated by the table above, all the units would comply with the minimum space standards.

7.5.3 The design achieves dual aspects for all the residential units, and noting the amendment of the design from a part single part two storey roof extension to being wholly two storeys, all units would be duplex which is considered a very comfortable and flexible offer of internal living accommodation. Noting especially Unit 5 with the offer of a double height living area.

### **Affordable Housing**

7.5.4 The scheme is for 9 flats and therefore just falls below the affordable housing threshold. However the units are of a size that could enable their division without there being any changes to the bulk and massing of the extension tipping the scheme over the affordable housing threshold.

7.5.5 It would be prudent to anticipate any potential subsequent application during the latter stage of implementation, which on its own would not necessarily trigger consideration of the viability of the scheme, and whether it could deliver affordable housing on or off site (a financial contribution). Given the floorspace of the proposed development could readily deliver 10 dwellings, a suitably drafted S106 agreement is recommended. This should require that any application proposing additional units within the building envelope or added to it and submitted within a period of two years from substantial completion of the current scheme, should provide a full viability assessment including financial inputs derived from the known costs of constructing the development, rather than from predicated costs, with the objective of delivering where possible on or off site contributions towards affordable housing.

### **External**

7.5.6 For flatted dwellings, a minimum of 5sqm of private outdoor space should be provided for 1-2 person flatted dwellings, specified in the Mayor's Housing Supplementary Planning Guidance, and an extra 1 sqm should be provided for each additional occupant.

	Type	Proposed amenity (sqm)	Required amenity (sqm)	Compliant
Unit 1	2b3p	17.52	6	Yes
Unit 2	1b2p	10.04	5	Yes
Unit 3	2b3p	11.42	6	Yes
Unit 4	2b3p	10.67	6	Yes
Unit 5	2b4p	26.51	7	Yes
Unit 6	2b3p	10.52	6	Yes
Unit 7	2b3p	10.53	6	Yes
Unit 8	2b3p	10.06	6	Yes
Unit 9	1b2p	18.22	5	Yes

7.5.7 As demonstrated by the table above, all the units would provide sufficient external amenity areas.



7.5.8 The introduction of the lift is a welcome addition and increases the accessibility of the development.

## 7.6 Transport, parking and cycle storage

7.6.1 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.

7.6.2 The site is located in an area with a PTAL of 4 which is very good being well located to all the services and facilities afforded by the district centre.

7.6.3 The Council's Transport officer has been consulted and raises no issues in relation to parking. The new flats would not be provided with dedicated parking spaces but it is considered a permit free option would be acceptable subject to the applicant entering into a Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones. This shall be secured via a S106 legal agreement, this arrangement has been agreed by the applicant.

7.6.4 In relation to the cycle parking, 18 spaces are provided for the nine residential units which satisfies the London Plan Standards.

7.6.5 The security gate provided should be set back 6m from back of footway to enable a vehicle to safely approach the site and to be able to wait outside the gates without conflict with pedestrian or highway safety. The positioning of the gates has been amended and retained in their existing location to satisfy the Transport officer's observation.

7.6.6 Overall, the Transport officer considers that proposal would unlikely have a significant impact on the adjoining highway network and raises no objection subject to the attachment of appropriate conditions.

## 7.7 Refuse

7.7.1 The London Plan Policy 5.17 and Merton Core Strategy Policy CS17 require new developments to show capacity to provide waste and recycling storage facilities.

7.7.2 The Council's Waste Services team were consulted on the original and amended refuse strategy for the proposal. They have commented that for mixed use developments, LBM policy states that separate waste management arrangements are required for the domestic and commercial aspects, and this has been carefully considered within the proposal.

7.7.3 The new communal residential refuse store area would provide 3x 1100L for refuse, 3x 1100L for mixed recycling and 1x 240L for food waste recycling. This is considered sufficient for the whole block of 29 flats (existing and proposed). The refuse area would be within 10m pull distance from the collection vehicle on the highway which would be satisfactory for the collection crew.

- 7.7.4 For commercial refuse, arrangements are usually based on contract with service provider, and a presentation policy should be part of the contract. However, the plans do show a collection point for the commercial refuse which would be within 6m from the highway for visible presentation and collection.
- 7.7.5 The Secure by design officer initially raised concerns that the refuse bins were located directly in front of the pedestrian gate which would force pedestrians onto the vehicle carriage way. The amended location of the bins would be positioned away the pedestrian route leaving it clear of obstruction.
- 7.7.6 The amended location of the commercial refuse and cycle store areas would be positioned underneath the existing podium roof of Eldacrest House. Therefore, a condition shall be included requesting details of a lighting scheme for this area.
- 7.7.7 Overall, the refuse arrangement is considered acceptable.

## 7.8 Sustainability

- 7.8.1 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 as a minimum to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day.
- 7.8.2 The additional information provided by the applicant has been reviewed by the Council's Climate Change officer, and they confirm the following:
- The information provided shows a carbon saving of 64% improvement compared to part L of building regulations (using SAP10 calculations provided).
  - The applicant has provided enough information to demonstrate that they have thought through, to some extent, the practical installation of air sourced heat pumps (ASHP).
  - The water calculations provided show that average internal water consumption is below 105l/person/day.
- 7.8.3 The information provided shows that the application will meet Merton's policies, and as suggested by the Climate Change officer, a condition shall be attached to any grant of permission which is consistent with the calculations submitted.
- 7.8.4 The London Plan contains a range of energy policies that new major developments are required to comply with. This includes a net zero carbon target for major residential developments, which has applied since October 2016. The target requires a minimum on-site carbon reduction to be achieved and allows for any carbon shortfall to be paid as a cash-in-lieu contribution into the relevant local authority's carbon offset fund. The new draft London Plan includes a new recommended carbon offset price of £95 per tonne which was tested as part of the plan's viability assessment. So as to avoid assessment of further proposals (i.e brought forward at a later stage in the implementation process, or within two years of substantial completion of the development), that increased the overall number of dwellings to 10 or more as a result of either division of consented units or by enlargement of the envelope of the extension, being treated individually rather than as part of what would essentially be a major development, it may be prudent to require a review of the sustainability credentials of

the building as measured against targets for the overall development as a major development. A suitably drafted S106 agreement would enable the Council to assess whether changes to the scheme as a whole warranted carbon offset payments and for it to secure such payments.

## **8. CONCLUSION**

8.1 The National Planning Policy Framework has at its heart a planning system that is geared towards delivering sustainable development. This is achieved through pursuing three overarching objectives economic, social and environmental. The proposals:

- Support the economy by facilitating construction activity and increasing footfall directly into the town centre,
- Support social objectives by providing much needed housing and
- Support environmental objectives by delivering arguably well designed housing in a highly accessible location in the heart of a town centre, where reliance on car use can be relaxed and where the fabric and functioning of the new dwellings is such that it reduces its carbon footprint and does not place an unnecessary burden on other resources including water usage.

The Framework has an underlying presumption of supporting sustainable development and it may reasonably be asserted that the application delivers this.

8.2 The proposed roof extension is an opportunity for appropriate intensification of the site in the heart of Mitcham Town Centre. Officers consider the upward extension has been carefully considered in its context and that it would not increase the building's height such that it might appear to detract from or dwarf the main building or appear unduly dominant with those surrounding. The details and appearance of the extension have been well-considered and would positively contribute a modern addition to Mitcham Town Centre.

8.3 The nine additional residential units would provide a good level of internal and external living accommodation, and the extension would not prejudice the amenity of existing neighbouring occupiers. The scheme also provides the opportunity to redevelop the courtyard which currently is in a neglected state with issues of overflowing rubbish and rough sleeping. The scheme has considered the provision of shared facilities, including cycle parking, car parking for disabled users and refuse/recycling storage, for the benefit of the existing and future residents.

8.4 Therefore, it is recommended that planning permission is granted subject to conditions and S106 agreement requiring: the development to be permit free, and in the scenario where additional units are proposed within the building envelope (i.e. division of the consented units) or added to it (i.e. enlargement of the envelope of the extension) and submitted at a later stage /within a period of two years from substantial completion of the current scheme which increases the over number of dwellings to 10 or more, the requirement of a full viability review and assessment of whether the scheme as a whole would warrant carbon offset payments.

## RECOMMENDATION

Grant planning permission subject to the completion of a S106 agreement to deliver the following:

- Restrictions on parking permit eligibility.

And the following conditions:

1. A1 Commencement of Development
2. A7 Approved Plans
3. B1 External Materials to be approved – No development shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including the external cladding material, window frames, doors and canopy over the external walkway (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. B5 Details of Gate – No development shall be occupied until details of the new security gates are submitted in writing for approval to the Local Planning Authority. The development shall not be occupied / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The gates shall be permanently retained thereafter.  
Reason: To ensure a satisfactory and safe development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1, D2 and T5 of Merton's Sites and Policies Plan 2014.
5. C07 Refuse & Recycling (implementation) – 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.
6. C08 No Use of Flat Roof – Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.
7. C09 Balcony/Terrace – Details of the division/screening between the terraces and any safety rails or balustrade for the terraces shall be submitted to the Local Authority for approval prior to occupation of the development. Approved details of the division/screening to the terraces shall be implemented before the development is first occupied and retained permanently thereafter.
8. Non-standard condition (lighting) – Details of a lighting scheme for the cycle and commercial refuse area shall be submitted to the LPA for approval prior to occupation of the development.  
Reason: To ensure a safe and secure environment for the users, and to ensure compliance with the following Development Plan policies for Merton: policies DM D2 of Merton's Sites and Policies Plan 2014.

9. Non-standard condition (signage details and lighting) – Details of the new external signage with specification details of its illuminance levels shall be submitted to the LPA for approval prior to the commencement of the development.  
Reason: To ensure a satisfactory appearance of the development, to safeguard the amenities of the area and the occupiers of neighbouring properties and in the interests of highway safety. To ensure compliance with the following: policies DM D2, DM D5 and DM EP4 of Merton's Sites and Policies Plan 2014.
10. D11 Construction Times – 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.
11. H07 Cycle Parking to be implemented – The development hereby permitted shall not be occupied until the residential 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.
12. H04 Provision of Vehicle Parking – The vehicle parking area shown on the approved plans shall be provided before the commencement of the use of the approved development, and shall be retained for parking purposes for the existing eligible occupiers and users of the development and for no other purpose.  
Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.
13. H9 Construction Vehicles – The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction 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 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.
14. H10 Construction Vehicles, Washdown Facilities etc. – 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 (where appropriate):
- hours of operation
  - the parking of vehicles of site operatives and visitors
  - loading and unloading of plant and materials
  - storage of plant and materials used in constructing the development
  - the erection and maintenance of security hoarding including decorative -displays and facilities for public viewing, where appropriate
  - wheel washing facilities
  - measures to control the emission of noise and vibration during construction.
  - measures to control the emission of dust and dirt during construction/demolition
  - a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

15. H12 Delivery and Servicing Plan to be submitted – Development shall not commence 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.

16. H13 Demolition/Construction Logistics Plan – Prior to the commencement of the development hereby permitted, a Demolition/Construction Logistics Plan (including a Construction Management plan in accordance with TfL guidance) shall be submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the demolition and construction period unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

17. Non-standard condition (sustainability) – No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions in accordance with submitted documents “Energy & Sustainability Statement dated 23/06/2020 V2 prepared by eb7, and “Energy Consumption and Emissions Analysis” (of not less than a 64% improvement on Part L regulations 2013 using SAP10 values) unless otherwise agreed in writing by the Local Planning Authority, 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.

18. Non-standard condition (Noise) – Due to the potential impact of the surrounding locality on the development a noise survey is to be undertaken by a competent acoustic consultant having regard to all relevant planning guidance, codes of practice and British Standards for the investigation of noise and residential noise acceptability standards. The survey shall include recommendations and appropriate remedial measures, including a scheme for protecting residents from noise. The scheme shall include methods of ventilation and actions to minimise the impact of the surrounding locality on the development, acoustic data for the glazing

system and ventilation system. The internal noise levels shall meet those within BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings and ProPG: Planning and Noise – Professional Practice Guide, Publ: (ANC, IOA, CIEH) May 2017 as a minimum. The scheme shall be approved in writing by the Local Planning Authority prior to the commencement of the development, and the approved recommendations shall be implemented prior to first occupation.

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

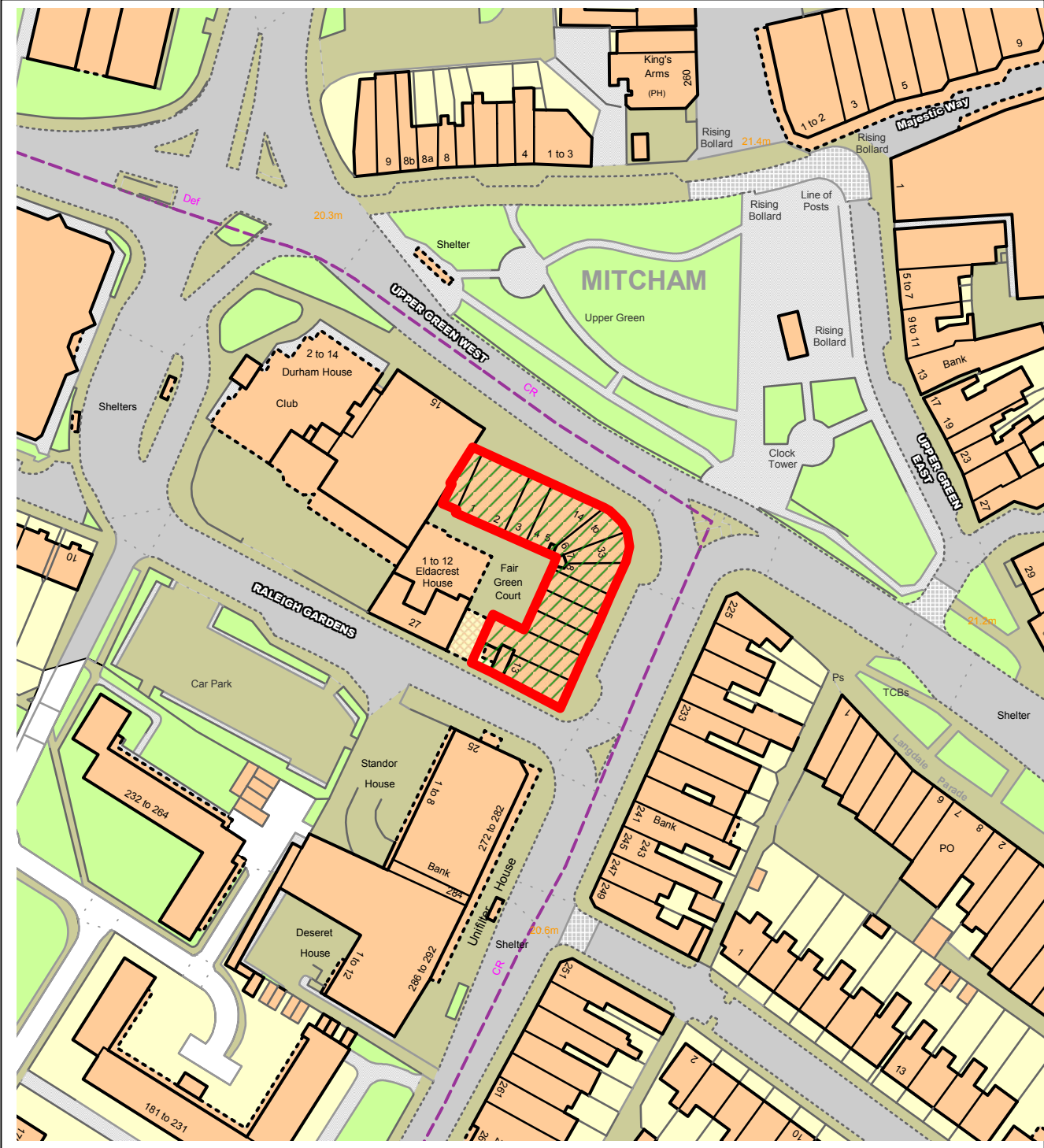
#### Informatives

1. INF 01 Party Walls Act
2. INF 09 Works on the Public Highway
3. INF 12 Works affecting the public highway
4. INF 15 Discharge conditions prior to commencement of work
5. INF 20 Street naming and numbering
6. INF Sustainability
7. Note to Applicant – approved schemes

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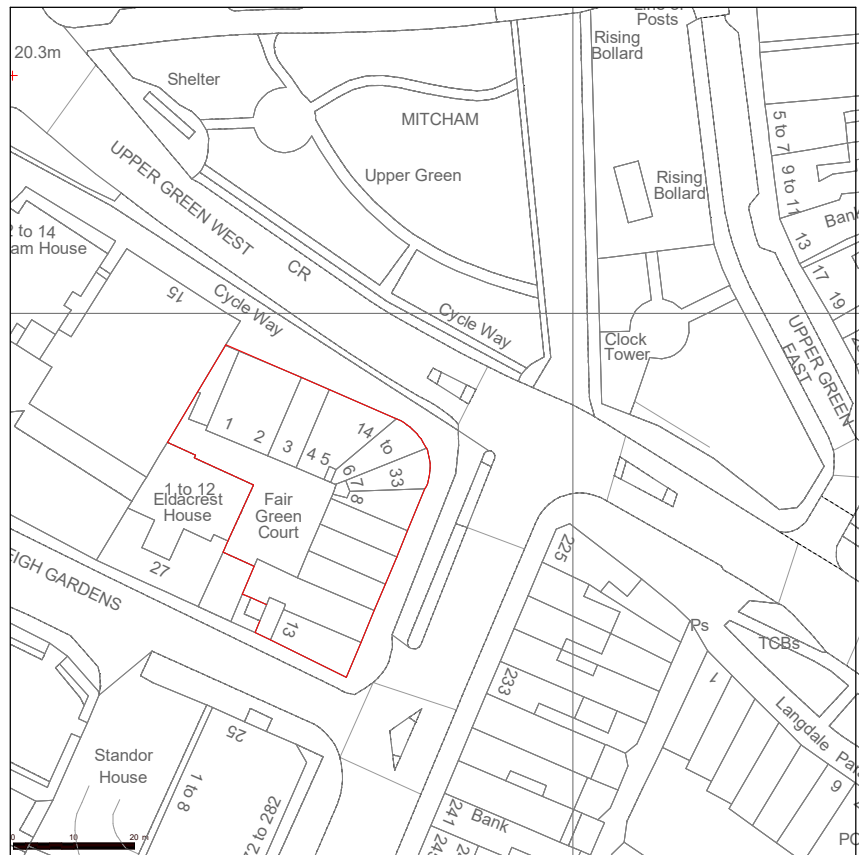


# NORTHGATE SE GIS Print Template

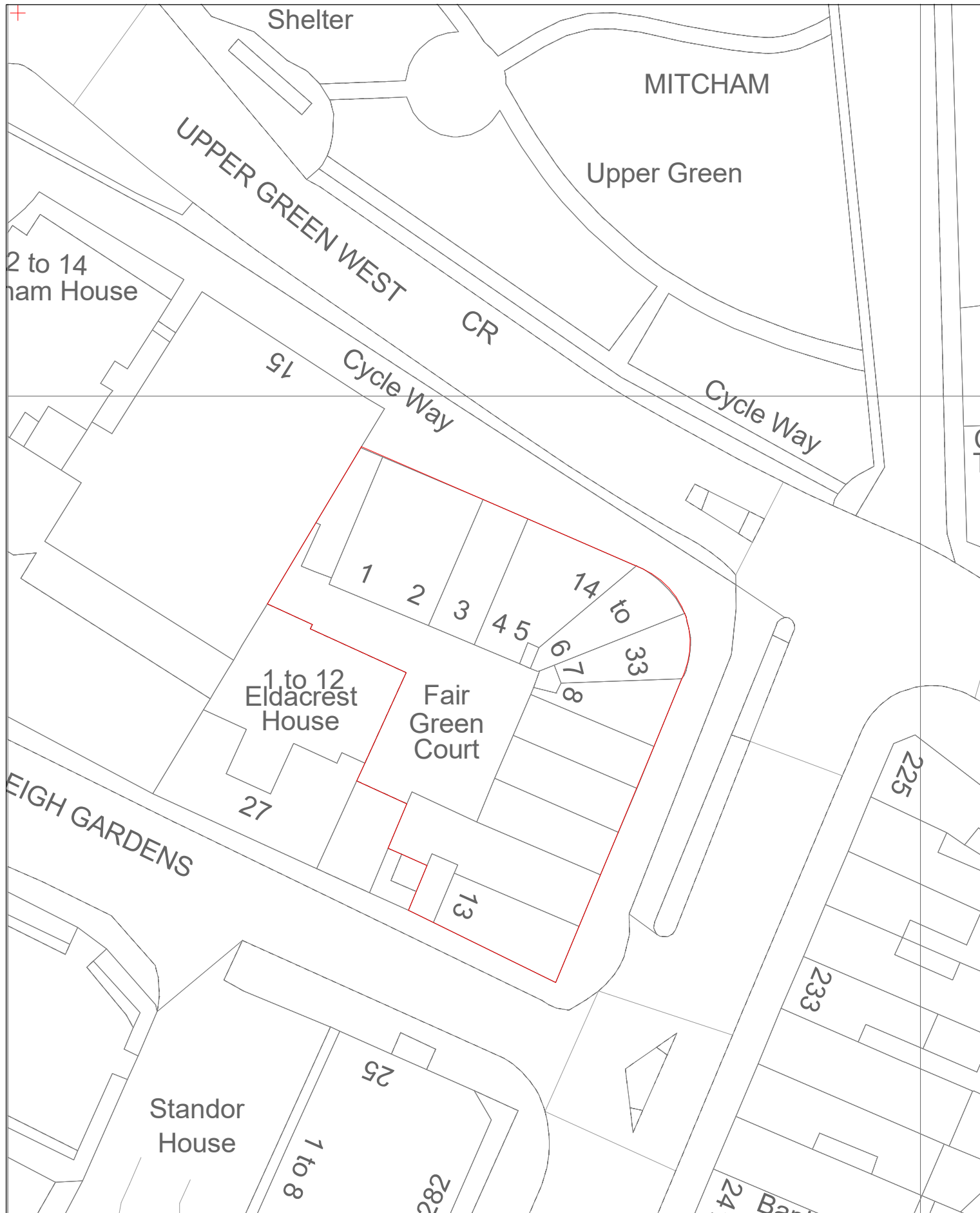


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LOCATION PLAN  
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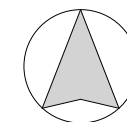
SITE PLAN  
1:500

	AREA
TOTAL SITE AREA	305m <sup>2</sup>
EXISTING RESIDENTIAL	NA
EXISTING NON-RESIDENTIAL	NA
RESIDENTIAL AREA LOST BY CHANGE OF USE OR DEMOLITION	NA
NON-RESIDENTIAL AREA LOST BY CHANGE OF USE OR DEMOLITION	NA
PROPOSED RESIDENTIAL	580m <sup>2</sup>
PROPOSED NON-RESIDENTIAL	NA
NET ADDITIONAL AREA	NA

**Notes:**

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Leo Kaufman

**Project Address**

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J11714

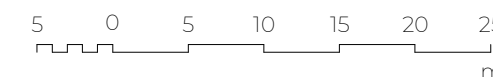
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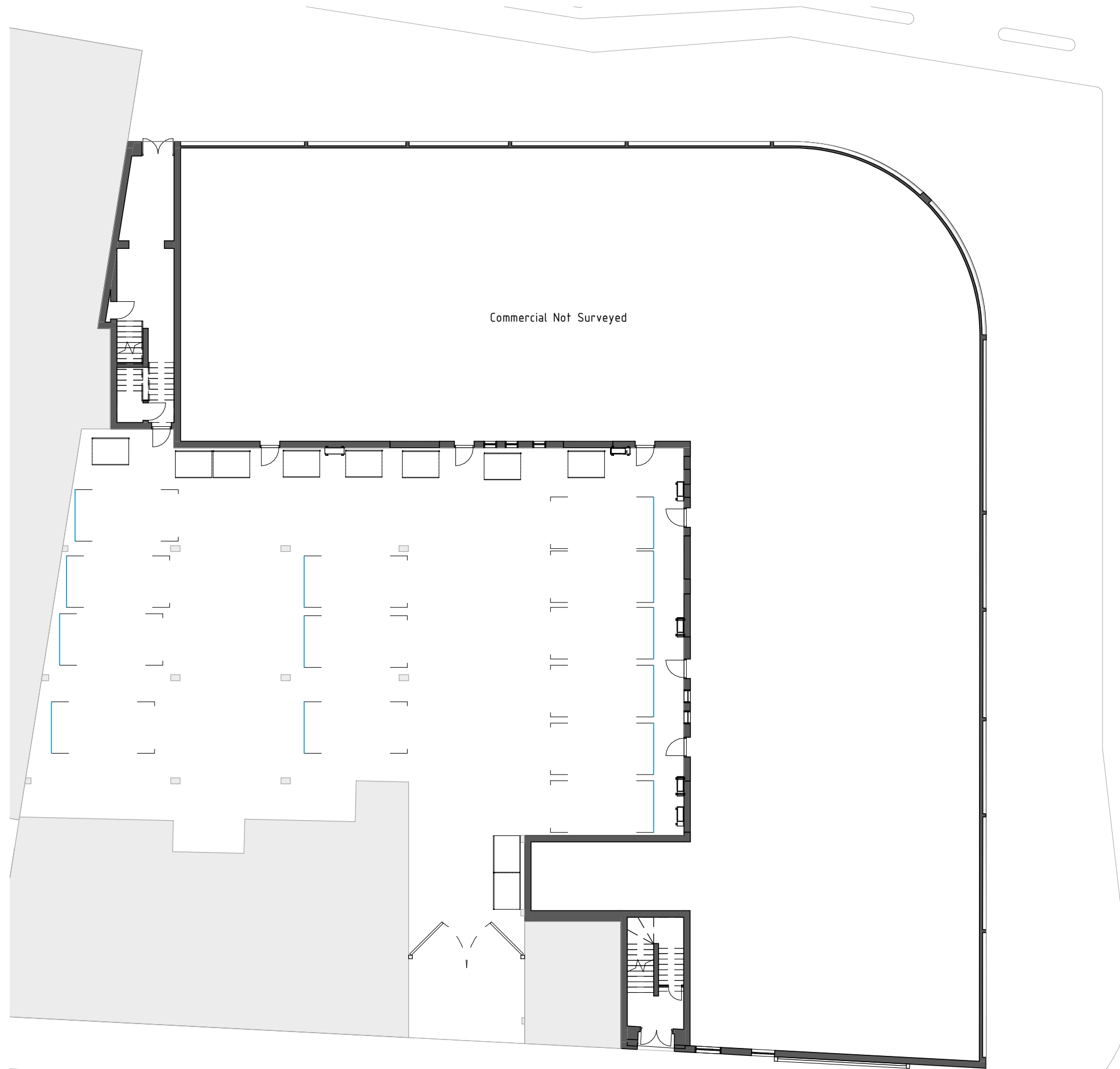
Location Plan

**Rev**

**Date**

**Scale**





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Existing Parking
Spaces
13

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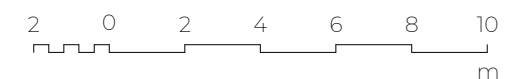
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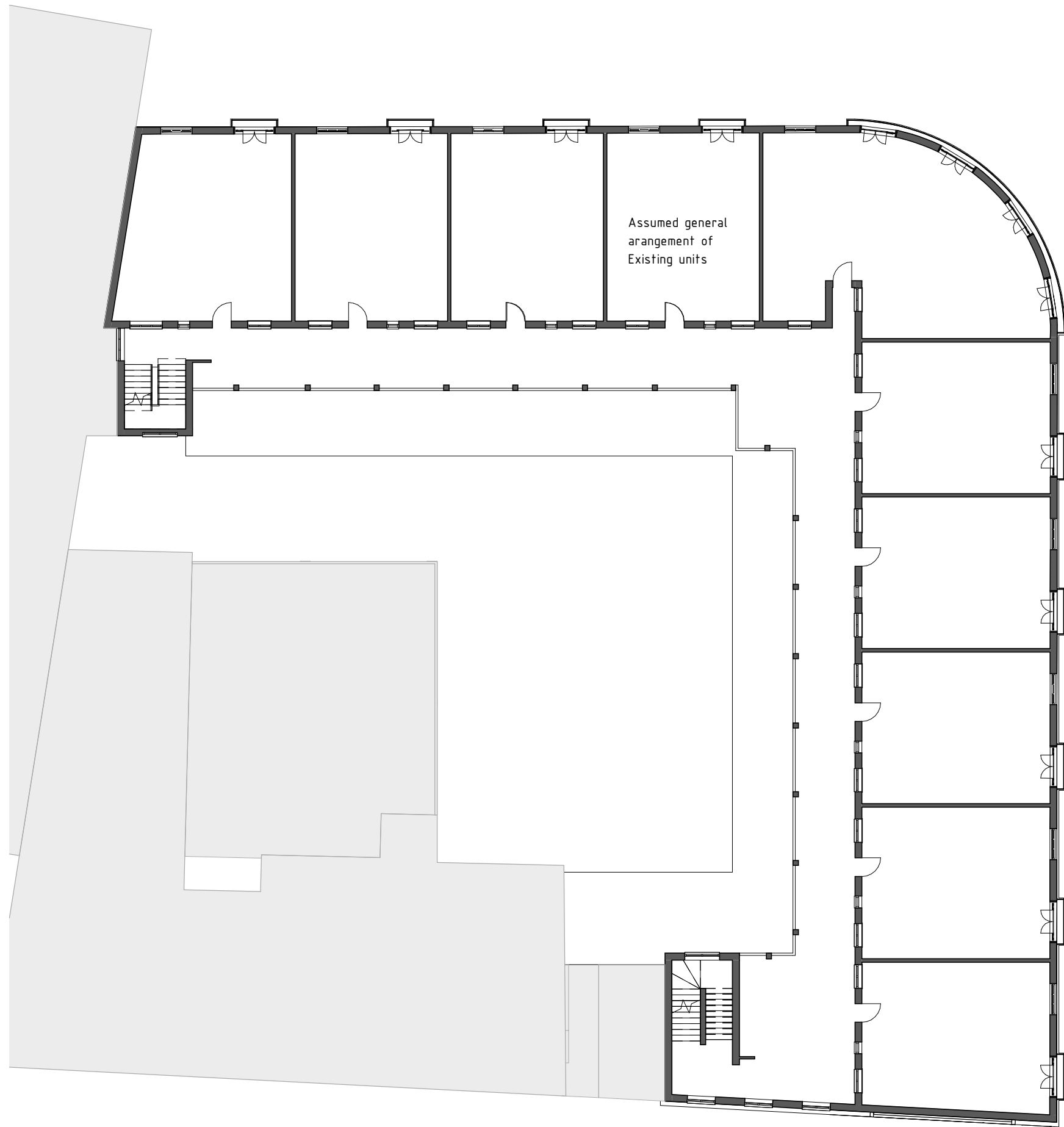
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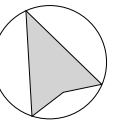
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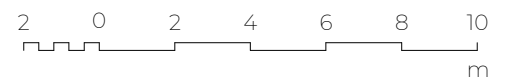
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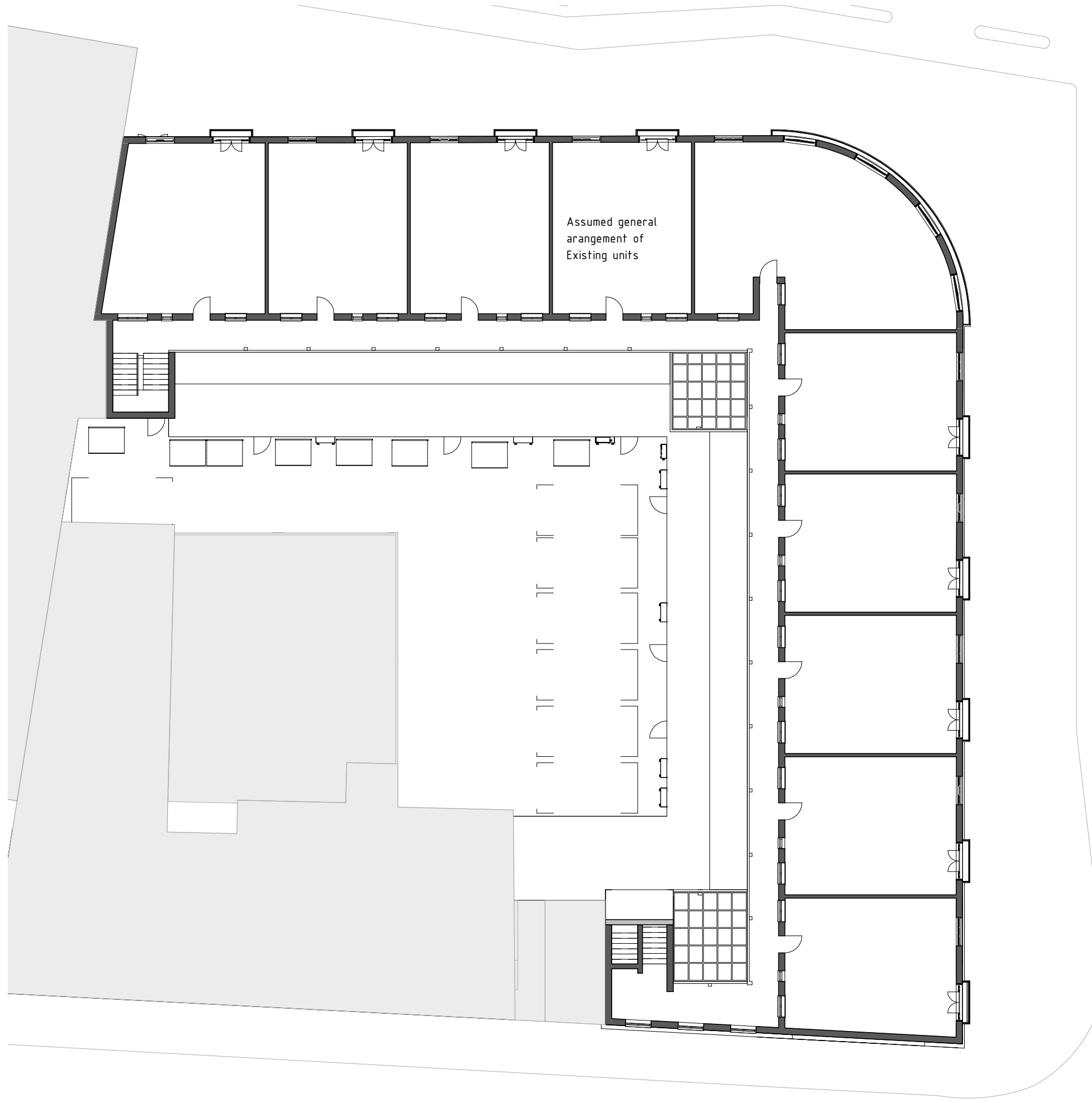
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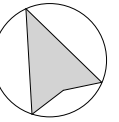
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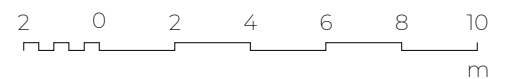
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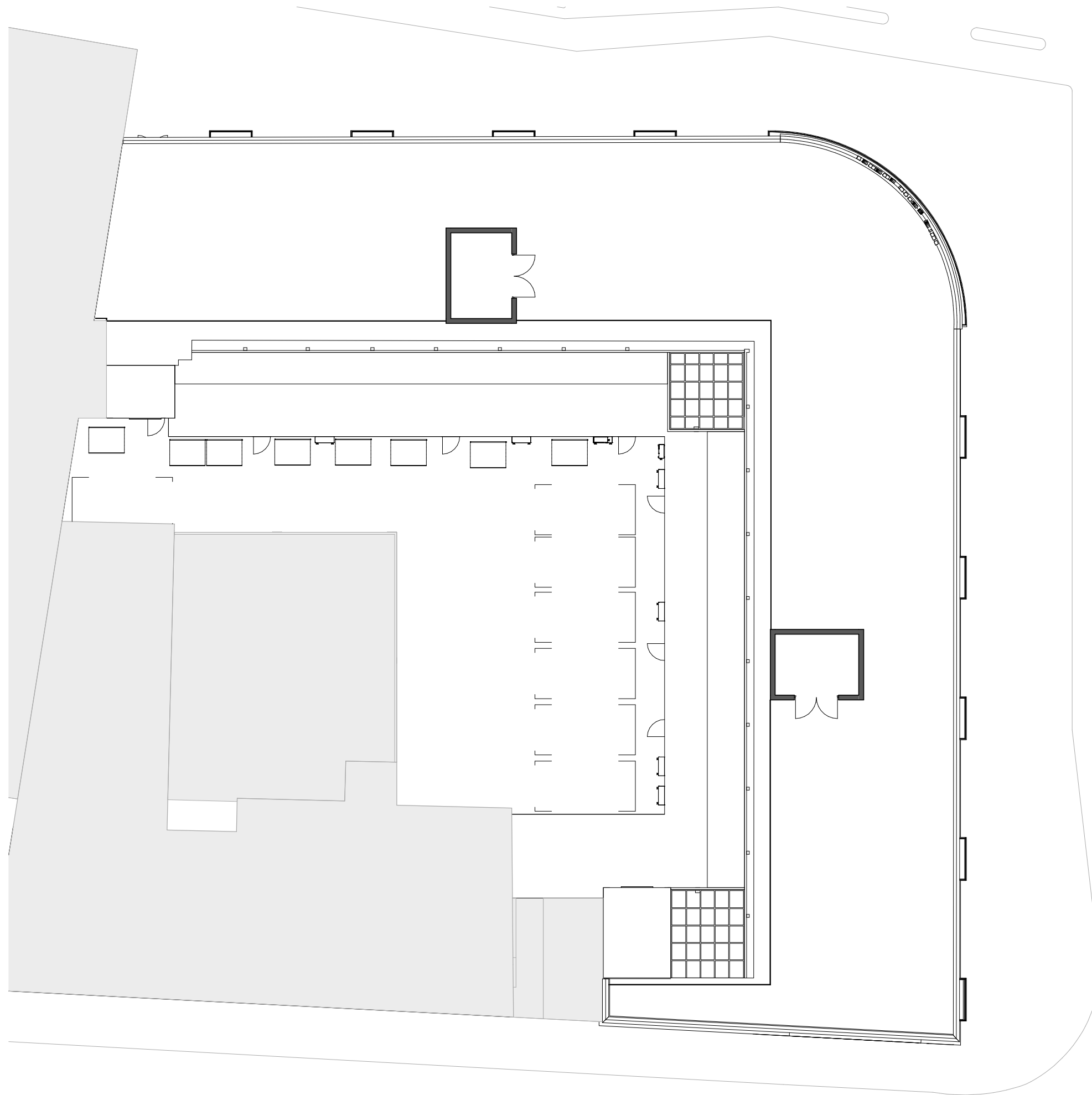
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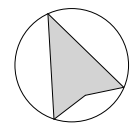
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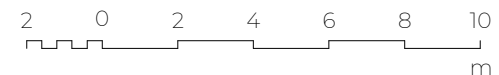
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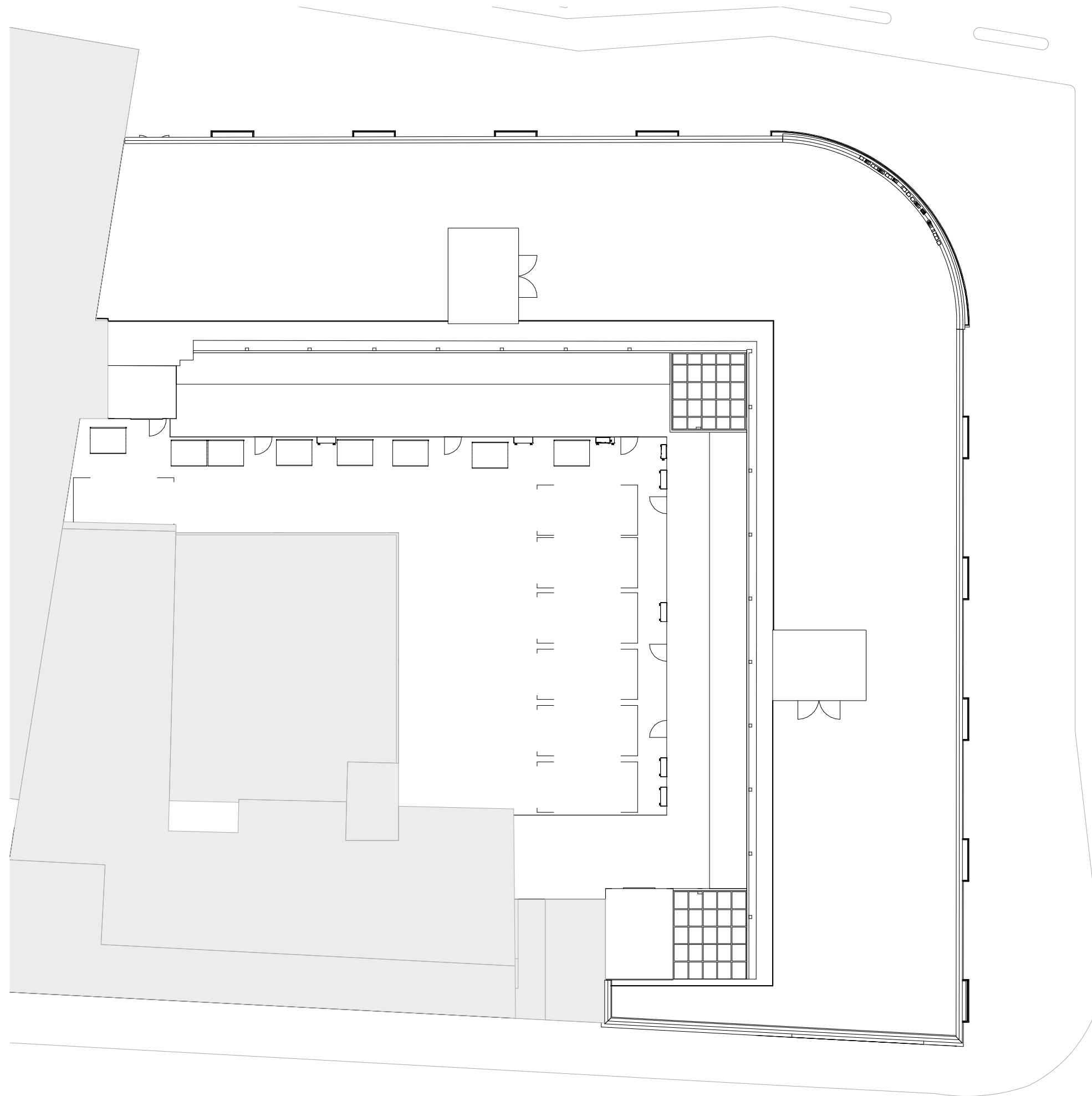
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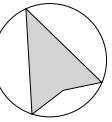
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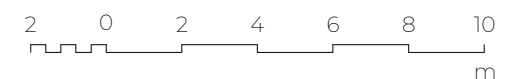
Existing Roof Plan

**Rev**

**Date**

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Existing Section 1



Existing Section 2

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Existing Section

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01 - Existing North Elevation



00 - Existing South Elevation

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**Drawing**

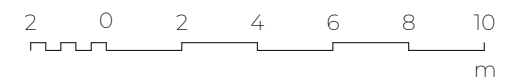
Existing Elevation 1 of 2

**Rev**

**Date**

**Scale**

1: 200



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02 - Existing East Elevation

Page 99



03 - Existing West Elevation

**Client**

Leo Kaufman

**Project Address**

Fairgreen Parade, Mitcham, CR4 3NA

**Dwg No**

J11714

**Drawing**

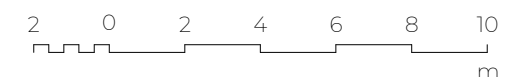
Existing Elevation 2 of 2

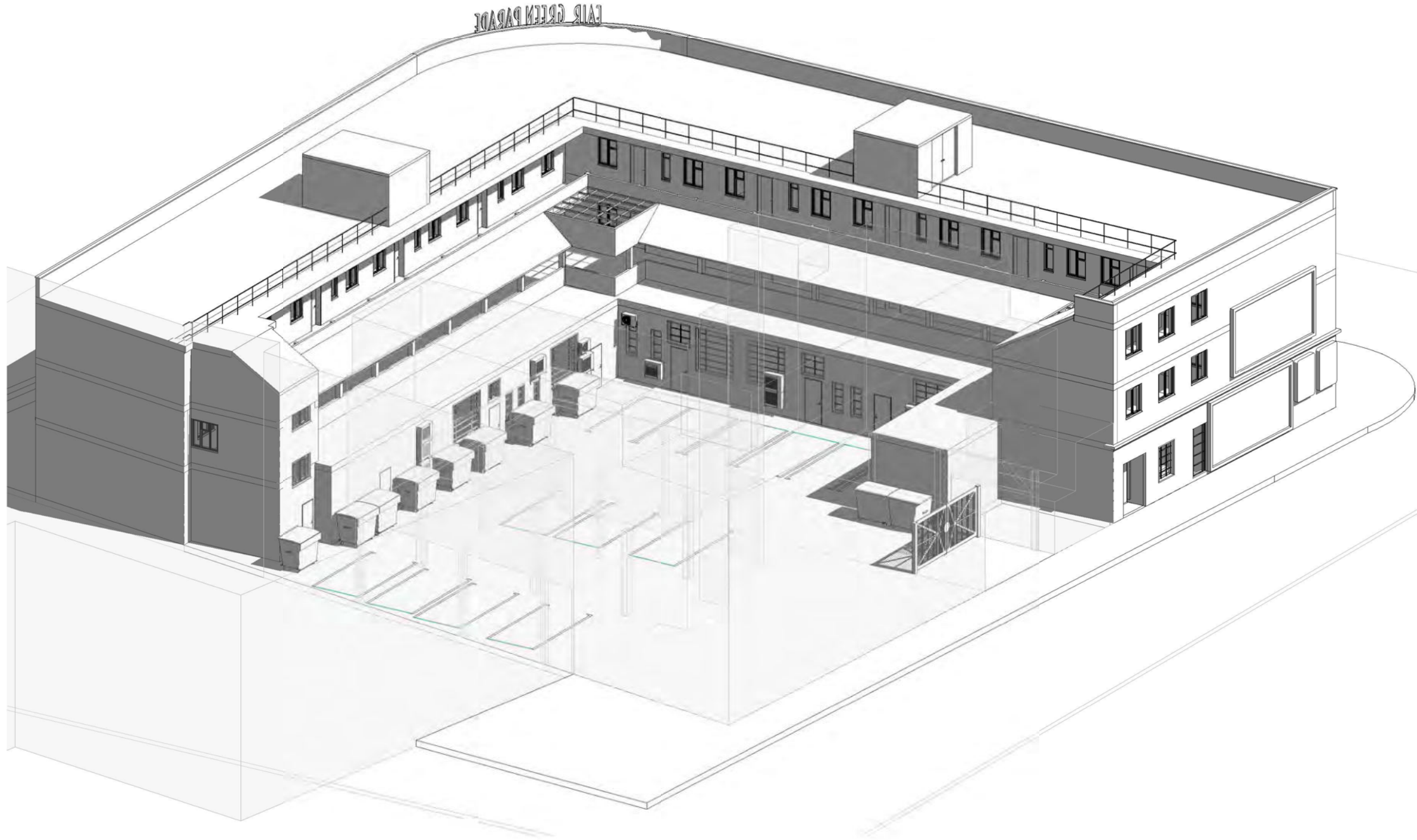
**Rev**

**Date**

**Scale**

1:200





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Leo Kaufman

**Project Address**

Fairgreen Parade, Mitcham, CR4 3NA

**Dwg No**

J11714

**Drawing**

Existing Visualization 1 of 2

**Rev**

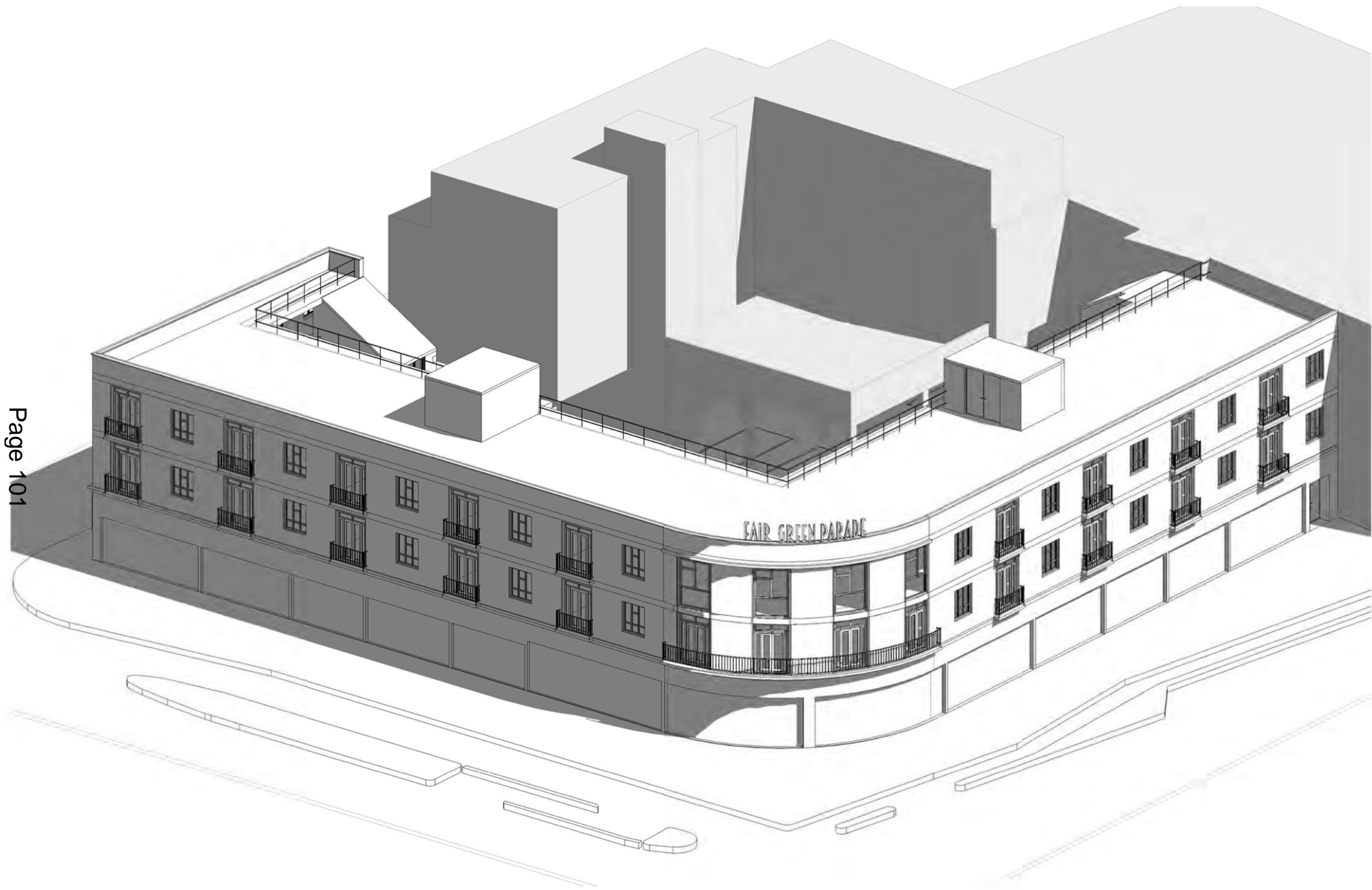
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**Project Address**

Fairgreen Parade, Mitcham, CR4 3NA

**Dwg No**

J11714

**Drawing**

Existing Visualization 2 of 2

**Rev**

**Date**

**Scale**

NTS



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Key

- Boundary Line
- - - Demolished



Page 100

Proposed Street View 01



Proposed Street View 02



Proposed Street View 03

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1	01/07/2020	Revision 1

Rev No. Date Description

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Dwg No 001 FG-A-02-101 Drawn M.V.

Drawing Proposed Visualization Checked E.A.

Scale @ A3 Issue Date 21/10/2020

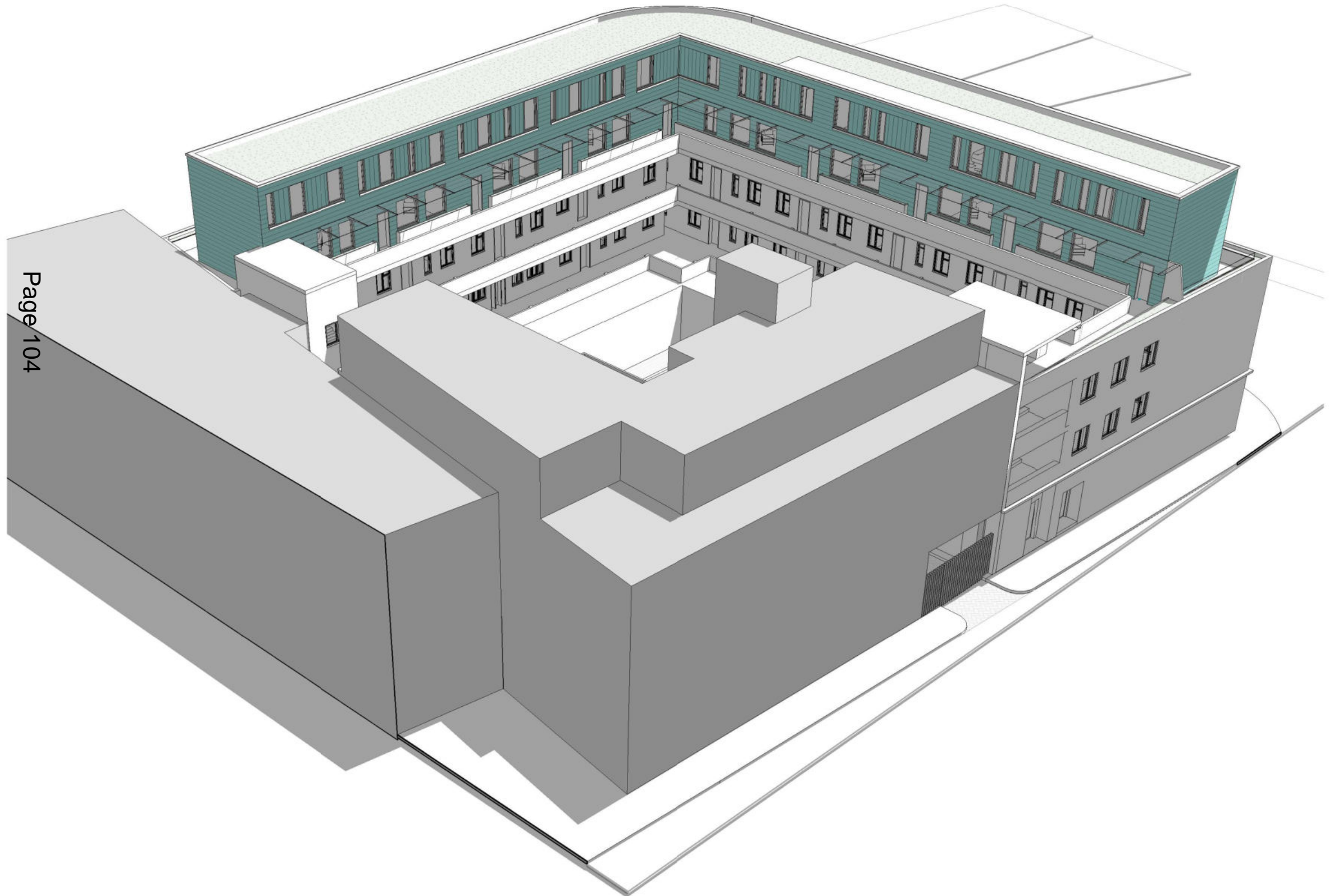
Project Address Fairgreen Parade, London CR4 3NA

Client Leo Kaufman Status For Planning



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Rev No.	Date	Description
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Dwg No	Drawn
001 FG-A-02-102	M.V.

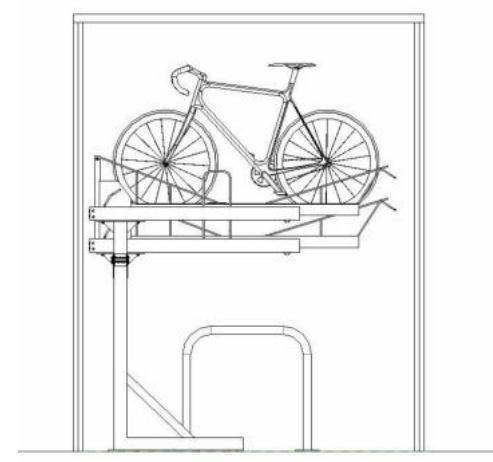
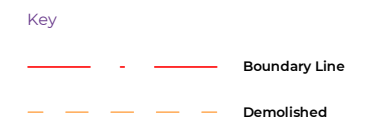
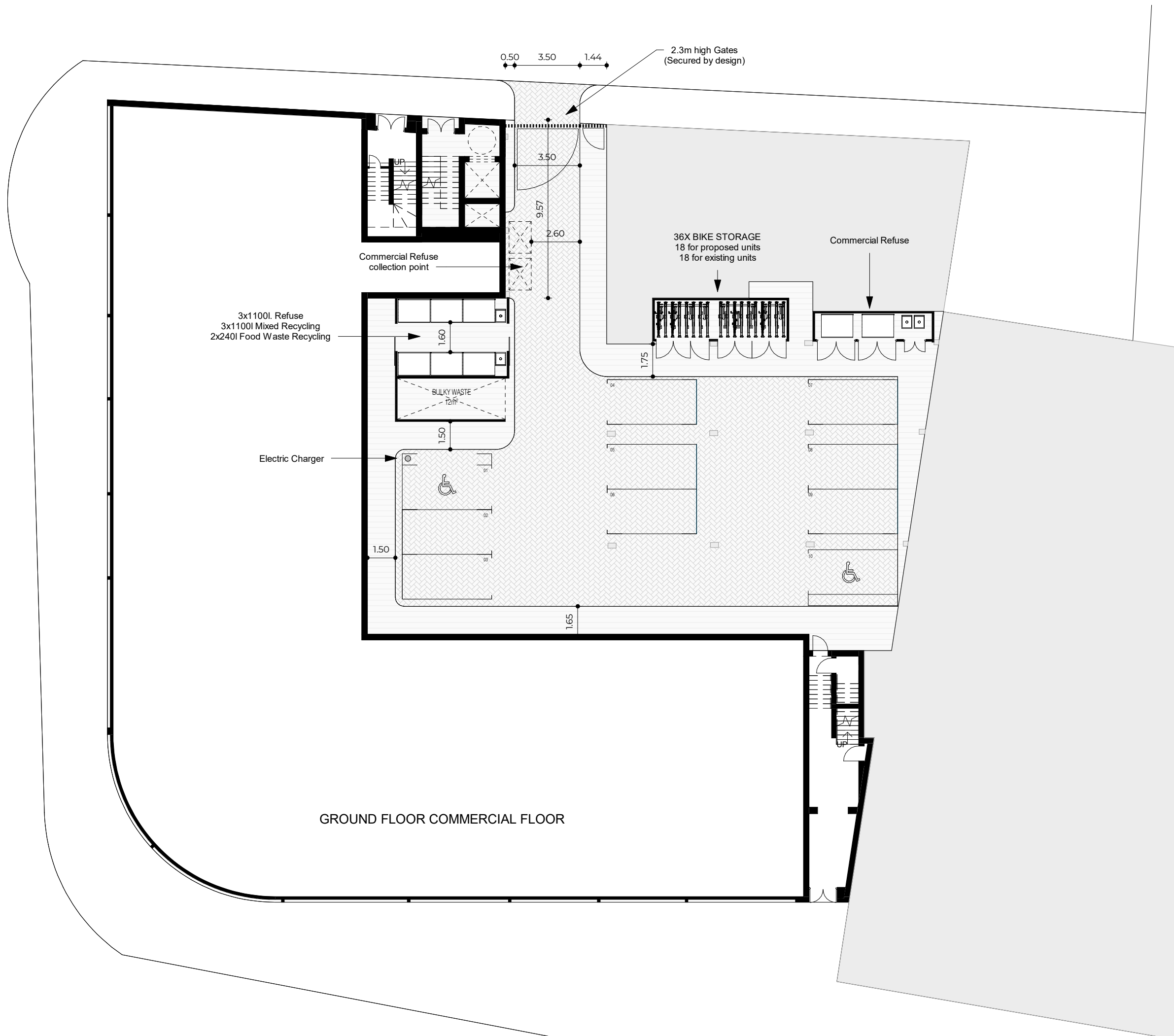
Drawing	Checked
Proposed Visualization	E.A.

Scale	Issue Date
@ A3	21/10/2020

Project Address  
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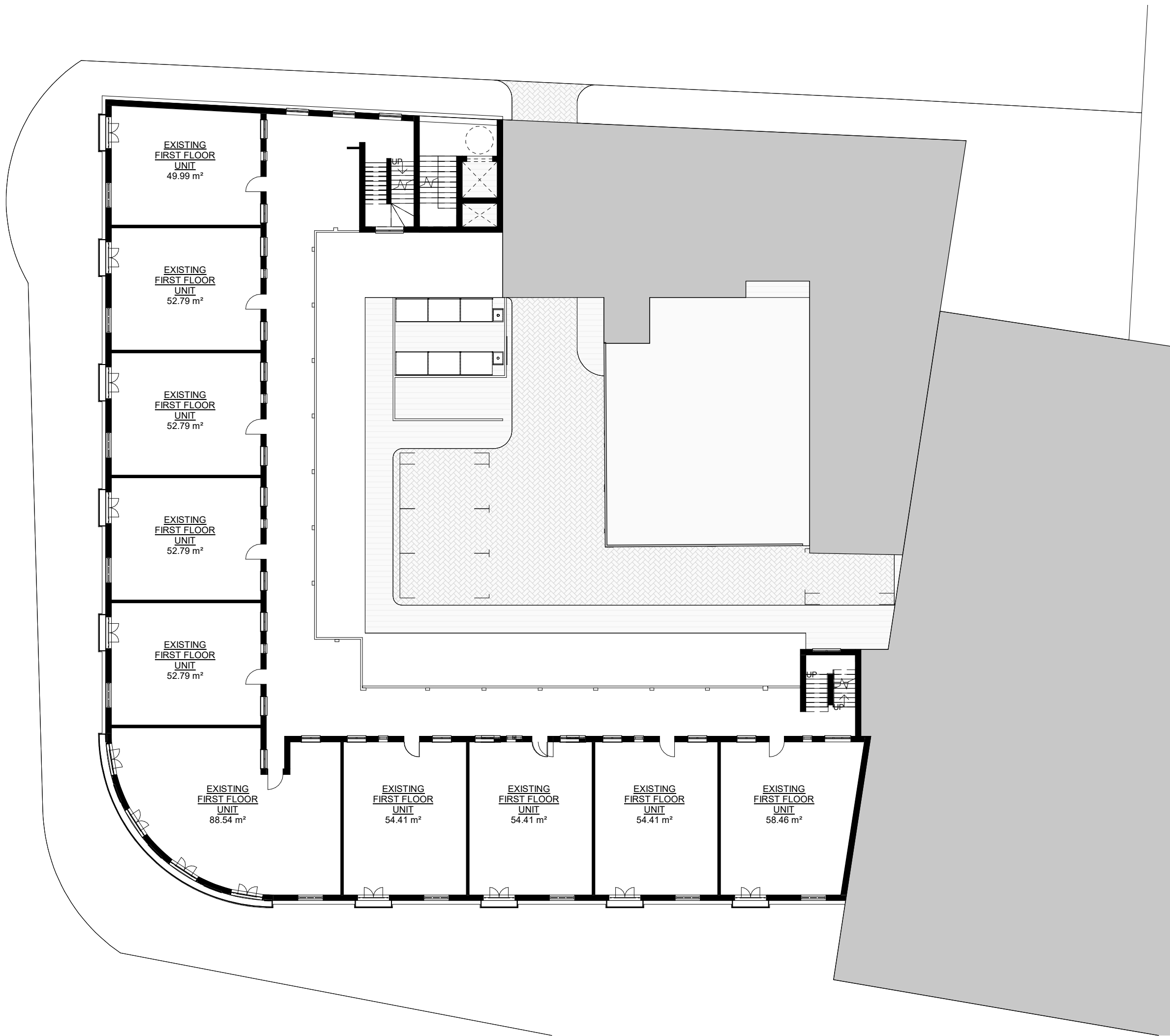
Drawing Proposed Ground Floor Checked E.A.

Scale 1:200 @ A3 Issue Date 21/10/2020



Project Address  
 Fairgreen Parade, London CR4 3NA

Client Leo Kaufman Status For Planning



Key  
 - - - - - Boundary Line  
 - - - - - Demolished

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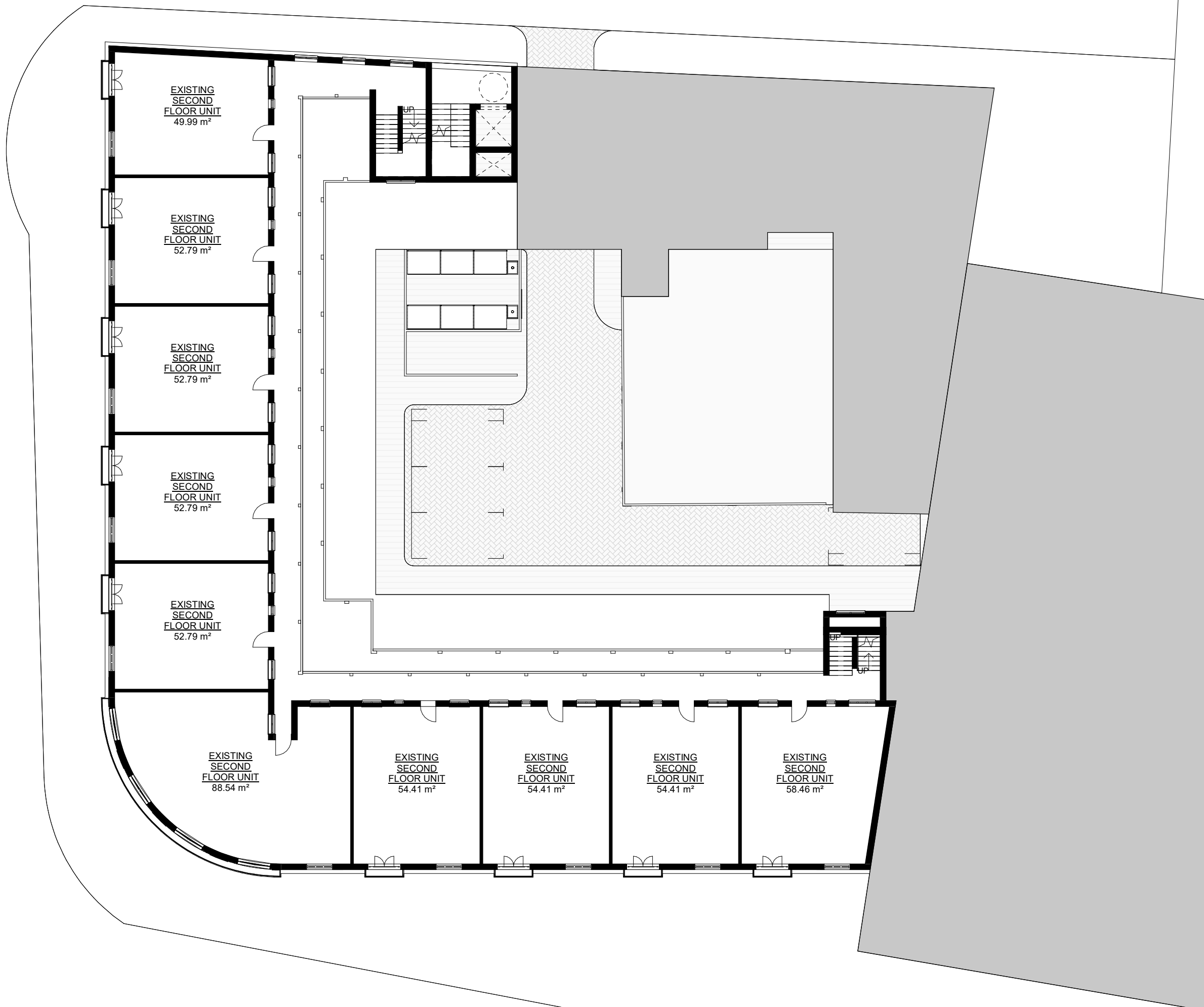
Drawing Proposed First Floor  
 Checked E.A.

Scale 1:200 @ A3  
 Issue Date 21/10/2020



Project Address  
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Client Leo Kaufman  
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Rev No.	Date	Description
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Dwg No 001 FG-A-03-103  
 Drawn M.V.

Drawing Proposed Second Floor  
 Checked E.A.

Scale 1:200 @ A3  
 Issue Date 21/10/2020



Project Address  
 Fairgreen Parade, London CR4 3NA

Client Leo Kaufman  
 Status For Planning

Key

- Boundary Line
- Demolished

Proposed Areas (GIA)		
Name	Area	Type
Unit 01	73.11 m <sup>2</sup>	2B 3P
Unit 02	65.37 m <sup>2</sup>	1B 2P
Unit 03	74.18 m <sup>2</sup>	2B 3P
Unit 04	73.04 m <sup>2</sup>	2B 3P
Unit 05	120.27 m <sup>2</sup>	3B 5P
Unit 06	73.08 m <sup>2</sup>	2B 3P
Unit 07	73.04 m <sup>2</sup>	2B 3P
Unit 08	70.00 m <sup>2</sup>	2B 3P
Unit 09	62.17 m <sup>2</sup>	1B 2P



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Dwg No: 001 FG-A-03-104 Drawn: M.V.

Drawing: Proposed Roof Extension Checked: E.A.

Scale: 1:200 @ A3 Issue Date: 21/10/2020



Project Address: Fairgreen Parade, London CR4 3NA

Client: Leo Kaufman Status: For Planning

Key

- Boundary Line
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Proposed Areas (GIA)		
Name	Area	Type
Unit 01	73.11 m <sup>2</sup>	2B 3P
Unit 02	65.37 m <sup>2</sup>	1B 2P
Unit 03	74.18 m <sup>2</sup>	2B 3P
Unit 04	73.04 m <sup>2</sup>	2B 3P
Unit 05	120.27 m <sup>2</sup>	3B 5P
Unit 06	73.08 m <sup>2</sup>	2B 3P
Unit 07	73.04 m <sup>2</sup>	2B 3P
Unit 08	70.00 m <sup>2</sup>	2B 3P
Unit 09	62.17 m <sup>2</sup>	1B 2P



Rev No.	Date	Description
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Dwg No: 001 FG-A-03-105  
 M.V.

Drawing: Proposed Roof Extension  
 Checked: E.A.

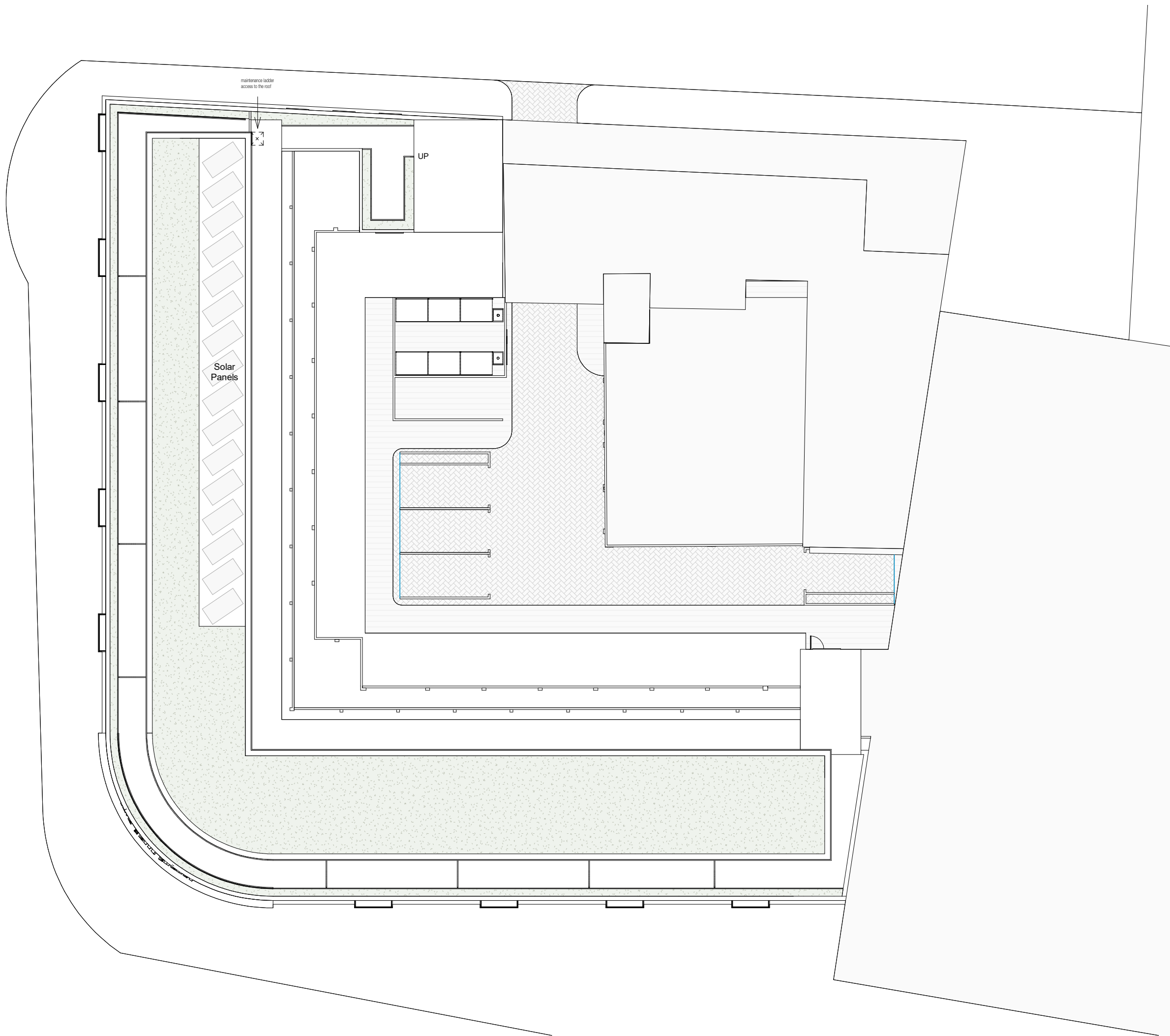
Scale: 1:200 @ A3  
 Issue Date: 21/10/2020



Project Address: Fairgreen Parade, London CR4 3NA

Client: Leo Kaufman  
 Status: For Planning





Key

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Dwg No  
**001 FG-A-03-106** Drawn  
 M.V.

Drawing  
**Proposed Roof** Checked  
 E.A.

Scale  
**1:200 @ A3** Issue Date  
 21/10/2020



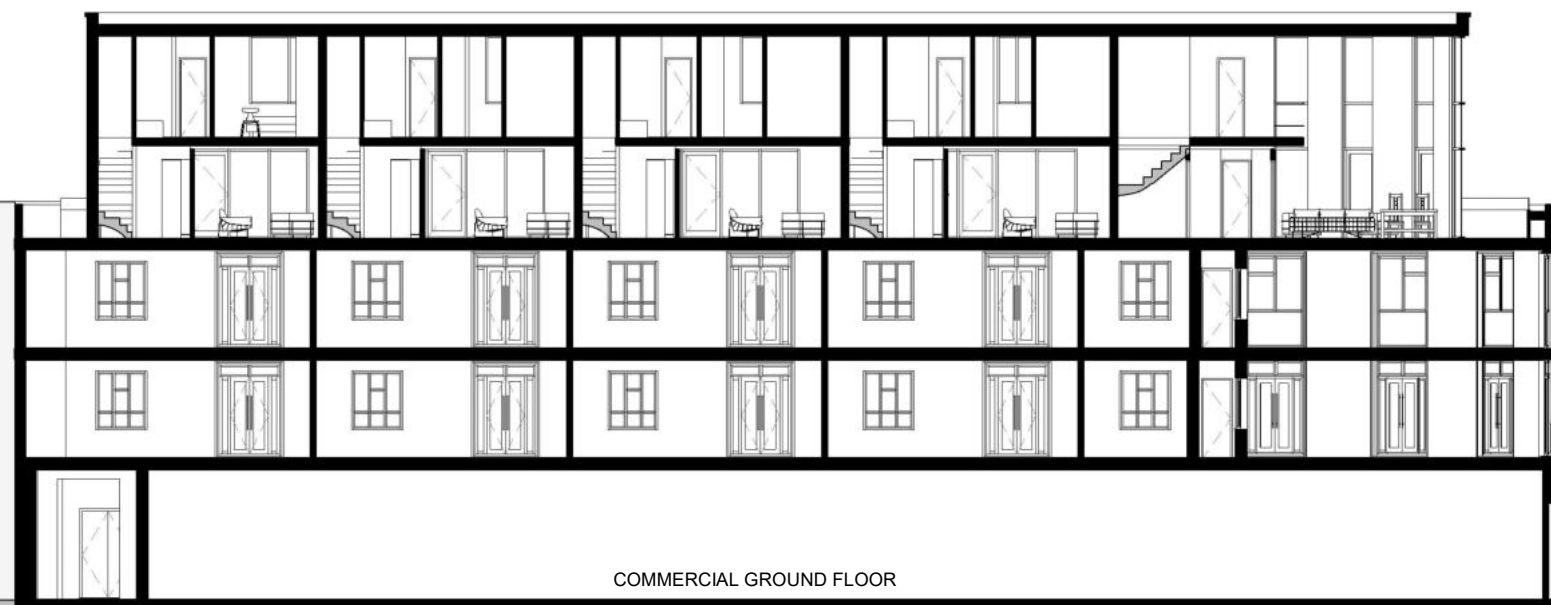
Project Address  
**Fairgreen Parade, London CR4 3NA**

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**Leo Kaufman** Status  
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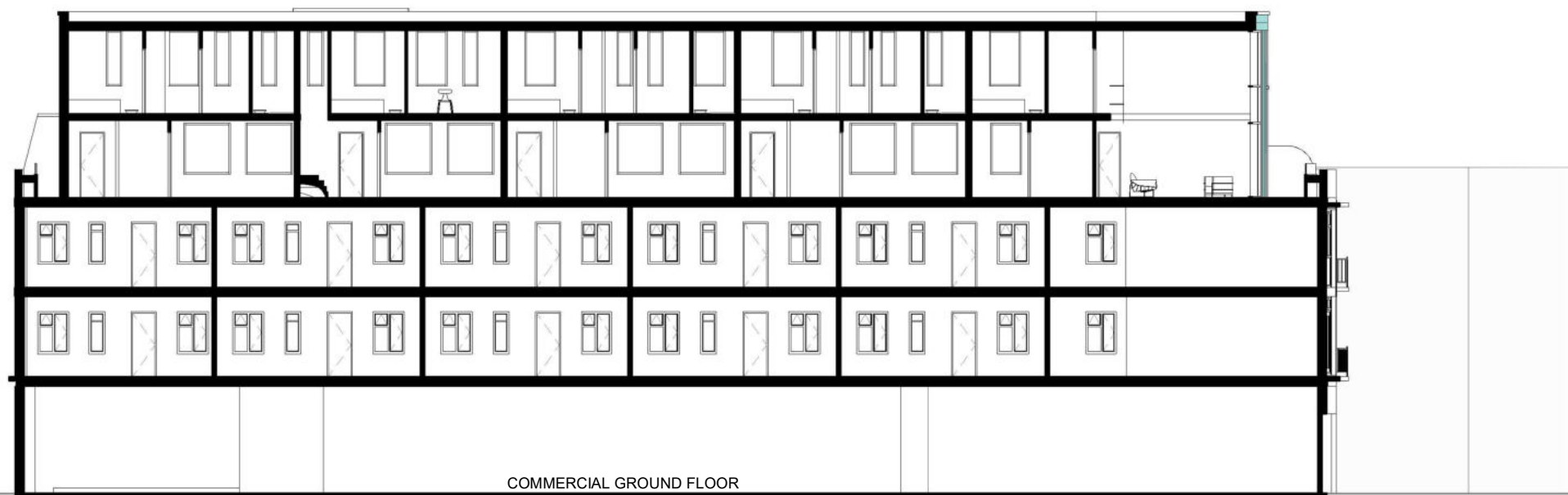
- Boundary Line
- - - Demolished

- ▼ Roof  
14.95
- ▼ Fourth Floor  
12.25
- ▼ Third Floor  
9.55
- ▼ Second Floor  
6.65
- ▼ First Floor  
3.75
- ▼ Ground Floor  
0.00



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- ▼ Roof  
14.95
- ▼ Fourth Floor  
12.25
- ▼ Third Floor  
9.55
- ▼ Second Floor  
6.65
- ▼ First Floor  
3.75



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Drawing	Proposed Sections	Checked	E.A.
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Scale	1:200 @ A3	Issue Date	21/10/2020
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Project Address  
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London NW4 2ES



Key

- — — — — Boundary Line
- — — — — Demolished

- ▼ Roof  
14.95
- ▼ Fourth Floor  
12.25
- ▼ Third Floor  
9.55
- ▼ Second Floor  
6.65
- ▼ First Floor  
3.75
- ▼ Ground Floor  
0.00



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- ▼ Roof  
14.95
- ▼ Fourth Floor  
12.25
- ▼ Third Floor  
9.55
- ▼ Second Floor  
6.65
- ▼ First Floor  
3.75
- ▼ Ground Floor  
0.00



Rev No.	Date	Description
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Drawing	Proposed Elevations	Checked	E.A.
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Scale	1:200 @ A3	Issue Date	21/10/2020
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Project Address  
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Client	Leo Kaufman	Status	For Planning
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Key

	Boundary Line
	Demolished



- Roof ▼
- 14.95
- Fourth Floor ▼
- 12.25
- Third Floor ▼
- 9.55
- Second Floor ▼
- 6.65
- First Floor ▼
- 3.75
- Ground Floor ▼
- 0.00

3	23/11/2020	Revision 3
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Rev No.	Date	Description
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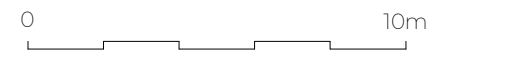
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Drawing Proposed Elevations Checked E.A.

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Project Address  
Fairgreen Parade, London CR4 3NA

Client Leo Kaufman Status For Planning

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## PLANNING APPLICATIONS COMMITTEE

11 February 2021

**APPLICATION NO.**

**DATE VALID**

**Item no:**

20/P2774

03/09/2020

**Address/Site**

3 Hamilton Road, South Wimbledon, SW19 1JD

**Ward**

Abbey

**Proposal:**

ERECTION OF A SINGLE STOREY REAR AND SIDE INFILL EXTENSION AND EXCAVATION OF A BASEMENT LEVEL EXTENSION WITH INSTALLATION OF 1 x LIGHT WELL GRILLE TO FRONT OF PROPERTY AND 1 x GLAZED TO REAR.

**Drawing Nos**

6777/SK04 Revision C, 6777/SK03 Revision C, 2019-023-401, 2019-023-402, 2019-023-403, 2019-023-404, 2019-023-405, 6777/SK12 Revision B, 6777/SK11 Revision B, Report on a Site Investigation (Ref: 20/11866/GO), 2019-023-LP, 2019-023-406, Flood Risk Assessment (FRA), Sustainable Urban Drainage Systems (SuDS) & Mitigation 3 Hamilton Road, Wimbledon, London SW19 1JD (Project Ref: QFRA 1679, Date: 05/05/2020), ENGINEERING DESIGN & IMPACT STATEMENT FOR BASEMENT DEVELOPMENT at 3 Hamilton Road London SW19 1JD August 2020), 6777/SK01 Revision B, 6777/SK02 Revision C

**Contact Officer:**

Charlotte Gilhooly (020 8545 4028)

---

**RECOMMENDATION**

**GRANT Planning Permission subject to conditions**

---

**CHECKLIST INFORMATION.**

- Conservation Area- No
- Area at risk of flooding - No
- Local Development Plan site proposal designation - None
- Controlled Parking Zone - Yes
- Trees - Yes
- Listed Building - No
- Is a Screening Opinion required: No
- Is an Environmental Statement required: No

- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 4

## 1. INTRODUCTION

- 1.1 This application has been 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 two storey terraced dwelling which is located on the east side of Hamilton Road in South Wimbledon. Hamilton Road is residential in character made up of largely symmetrical traditional properties. The current property is a single family dwelling which has four bedrooms with an existing rear roof extension. The building is not located within a Conservation Area and nor is it listed. There is a tree in the rear garden. There are no further constraints on the site.

## 3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the erection of a rear and side infill single storey extension and a basement which would extend across the footprint of the existing house and underneath the proposed rear extension. The proposal would be made up of the following dimensions:

- Single storey rear and side infill extension: 5m wide, 10.86m deep on the south side and 4m deep on the north side, with an eaves height of 2.37m and a maximum roof height of 3.05m.
- Basement: 4.87m wide, 3.37m high and 23.30m in length.
- Light well front elevation: 2.21m deep and 4.95m wide.
- Lightwell rear elevation: 1.6m deep and 4.09m wide

Materials include bricks to match existing, slate roof tiles, timber framed sliding sash windows and powder coated aluminum doors.

- 3.2 *Amended Plans:* The scheme was amended on 17/11/20. This was in response to the Flood Risk Officer's comments below who requested more thought was given to creating a waterproof membrane around the proposed basement.

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

- 20/P0217: APPLICATION FOR A LAWFUL DEVELOPMENT CERTIFICATE IN RESPECT OF THE PORPOSED ERECTION OF A REAR ROOF EXTENSION ABOVE OUTRIGGER. ISSUE CERTIFICATE OF LAWFULNESS 12-03-2020.
- 20/P0212: REPLACEMENT OF REAR ROOF EXTENSION. GRANT PERMISSION SUBJECT TO CONDITIONS 12-03-2020.

#### 5. **CONSULTATION**

##### 5.1 EXTERNAL

Consultation letters were sent to neighbouring properties. 21 Representations have been received raising objection and 9 providing comment which are summarised below:

- Concern over structural stability of property. Many of the houses in this road are over 100 years old, built in the 19<sup>th</sup> Century and not designed for basements.
- Concern on the impact the basement will have on flooding, drainage and impact to the water table.
- The proposed basement and lightwell is out of character for the street and will set a precedent.
- Concern over potential damage to tree as a result of the basement
- The construction process will cause significant disruption for residents especially as the road is a no through road/
- The proposed lightwell will be visible from the front elevation due to the short front gardens in the road. Screening will not be possible. As such it will have a detrimental impact on the character of the area.
- I have lived here for 74 years. Loft extensions are acceptable in this road but basements – no. We should be taking note of what David Attenborough is telling us all.
- The applicant has not yet displayed a site notice.
- The buildings in Hamilton Road were not designed with basements in mind. The proposals could cause damage to the other terrace of houses in this road.
- There have been no other basements in Hamilton Road.
- Construction vehicles will have a detrimental impact on parking in the area as parking is already at capacity.
- The size of the basement is inappropriate and not safe for the area.
- Will there be a traffic management plan? The construction of the basement will cause considerable stress as a result of noise, vibration and dust for residents.
- The proposal is unsustainable.
- The proposal will have a detrimental impact on residents mental health, particularly during the pandemic when many people are working from home.

- Residents insurance premiums will increase as a result of the proposal.
- There is a history of subsidence in the area and my property and 7 Hamilton Road has already had to be underpinned.

*Officers Response:*

If the application is approved, applicant will need to submit a Building Control application to ensure the works are constructed safely and structurally sound.

## 5.2 INTERNAL consultations

### Council's Structural Engineer

I have now reviewed the Impact Design Statement along with the Geotechnical report, and the drawings. It demonstrates that the proposed basement works can be undertaken safely without adversely affecting the stability of the highway.

Should you be minded to recommend approval, we would advise that the following conditions are placed on the decision notice and the works shall not commence until these conditions have been discharged by the Council.

- a) Detailed Construction Method Statement and construction/excavation sequence produced by the respective Contractors responsible for the underpinning, excavation and construction of the basements. This shall be reviewed and agreed by the Structural Engineer designing the basement.
- b) Design calculations, drawings, propping and de-propping sequence of the temporary works supporting the highway and adjoining properties, required to facilitate excavation and underpinning.
- c) Design calculation and drawings (plan and sections) of the underpinned retaining wall and the light well retaining 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 minimum highway loading surcharge of 10 KN/m<sup>2</sup> and 20 KN/m<sup>2</sup> if the adjacent highway has abnormal load traffic movement.
- d) 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.

## 5.3 Council's Flood Risk Officer

From the revised submission I can see that they have now ensured all plans indicate



the need to waterproof the basement so I'm putting a condition on that they provide exact details for discharge of conditions.

Condition:

Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase), for example through the implementation of 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.

5.4 Council's Transport and Highways Officer

The proposed development will be formed predominantly underneath the footprint of the existing house. There will be no impact on the adjoining highway.

Recommendation: Raise no objection subject to:

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.

5.5 Environmental Health Officer:

We recommend two-conditions regarding contaminated land:

- 1) A preliminary risk assessment, then an investigation shall be undertaken to consider the potential for contaminated-land, and if necessary, a detailed remediation scheme to bring the site to a suitable state for the intended use by removing unacceptable risks to health and the built environment, and submitted to the approval of the LPA. Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2016 and policy DM EP4 of Merton's sites and policies plan 2014.
- 2) The approached remediation shall be completed prior to completion. And a verification report, demonstrating the then effectiveness of the remediation, subject to the approval of the LPA. Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2016 and policy DM EP4 of Merton's sites and policies plan 2014.

5.6 Council's Tree and Landscape Officer

No comments provided

**6. POLICY CONTEXT**

6.1 National Planning Policy Framework (2019)

Part 7 Requiring Good Design

## 6.2 London Plan (2016)

Relevant policies include:

- 5.3 Sustainable design and construction
- 5.13 Sustainable drainage
- 7.4 Local character
- 7.6 Architecture

## 6.3 Merton Local Development Framework Core Strategy (2011)

Relevant policies include:

- CS14 Design
- CS15 Climate Change
- CS16 Flood Risk Management

## 6.4 Merton Sites and Policies Plan (2014)

- DM D2 Design considerations in all developments
- DM D3 Alterations and extensions to existing buildings
- DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure

## 6.4 Supplementary planning guidance

- London Plan Housing SPG – 2016
- Basement and Subterranean SPD 2017

Draft Policies:

- Draft London Plan 2020
- Draft Local Plan 2020

## 6. **PLANNING CONSIDERATIONS**

The planning considerations for extensions, alterations and a basement to an existing dwelling relate to the impact of the proposal on the character and appearance of the host building along with the surrounding area, flood risk, trees and the impact upon neighbouring amenity.

### 6.1 **Character and Appearance**

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

## 6.2 Single storey rear and side infill extension

The proposed single storey rear and side infill extension is of a scale, form and appearance which is considered acceptable to the character of the site and surrounding area. The proposal would have a pitched roof with a minimal eaves height of 2.37m and a maximum roof height of 3.05m. It would extend by 4m beyond the existing outrigger on the west side and by 10.86m on the east side (side infill extension). Materials include bricks to match existing, slate roof tiles, timber framed, sliding, sash windows and powder coated aluminum doors. As such the proposed rear and side infill extension is not considered to appear bulky or incongruous for the site. This part of the proposal is therefore considered to be visually acceptable.

## 6.3 Basement

The proposed basement would be located underneath the existing dwelling and would extend underneath the proposed rear and side infill extension. In addition it would take up less than 50% of either the front or rear garden. The Council's adopted policy on basements does not resist the provision of a basement that covers the full footprint of the dwelling. As such this element of the proposal is considered compliant with policy DM D2 of Merton's Sites and Policies Plan.

## 6.4 Lightwells

It is noted in the representations received there is some concern over the proposed lightwells and the impact it would have on the character of the area.

6.5 The proposed lightwell at the front of the site would have a metal grill constructed over it. At the rear the lightwell will have a glass walk over. Although the front gardens in this road are relatively short and would be visible from the streetscene, the proposed lightwell would not be incongruous or visually intrusive as it would be set at ground level and the bay below would match the bay above in terms of design and materials. As such this element of the proposal is considered acceptable.

6.6 Overall, the proposals are considered acceptable to the character of the site and surrounding area.

## 6.7 **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.

6.8 The properties which have the potential to be affected by the proposal include 1 and 5 Hamilton Road and 5 and 7 Hardy Road.

6.9 1 Hamilton Road

It is noted this neighbouring property does not have an existing rear extension.

Due to the minimal eaves height of the proposed rear and side infill extension and taking into account the high existing boundary wall between these neighbouring properties, the proposal is not considered to be overbearing, visually intrusive, or result in a loss of privacy or loss of daylight/sunlight. The rear extension would extend 1.0 m beyond the boundary wall and officers consider that this extra depth would not cause material harm.

6.10 5 Hamilton Road

This neighbouring property has an existing rear and side infill extension of a similar depth to the proposal. The proposed extension would have a taller parapet wall than this neighboring properties infill extension. Although this will result in some visibility of the parapet wall from the roof lights of the extension at number 5, it is not considered to cause a harmful impact in terms of light and outlook. As such, the proposal is not considered to be overbearing, visually intrusive or result in a loss of daylight/sunlight.

6.11 5 and 7 Hardy Road

There is a separation distance between the rear wall of the proposed extension and the rear wall of these neighbouring properties of approximately 22m. The proposal is also single storey. As such the proposal is not considered to have a detrimental impact on these neighbours amenity.

6.12 **Flood Risk**

6.13 A number of representations have been received concerning the impact of the proposed basement construction on drainage and structural stability. However, the applicant has provided an Engineering Design and Impact Statement (informed by Site Investigation Report) prepared by a qualified structural engineer and the report outlines that there are not identified special structural risks outside of what would normally be expected in a project of this type. The Council's Structural Engineer has reviewed the proposal and is satisfied that the basement can be constructed in a safe manner, subject to a number of submission of further details via planning condition. This includes the requirement to install monitoring gauges to detect any movement of the highway/neighbouring properties from start to completion of the project works.

6.14 Further, the applicants Statement also assesses the impact of flood risk and concludes that the impact from flood risk is low and that flood resilient measures would be implemented for the basement. A formal Flood Risk Assessment has also been undertaken and submitted with the application. The Council's Flood Risk Officer has no objections to the proposal subject to submission of details via condition on how drainage and groundwater will be managed being imposed on any grant of planning

permission. The proposed basement is therefore considered to be acceptable in term of policy DM D2.

#### 6.15 **Trees**

6.16 There is one tree in the rear garden of the application site and a street tree at the front of the site. The tree in the rear garden is sited toward the end of the rear garden, away from the house. The Council's Tree and Landscape Officer has not commented on the application and officers consider that safeguarding conditions to ensure tree protection are recommended to ensure of their protection.

#### 7. **CONCLUSION**

The scale, form, design, positioning and materials of the proposals are not considered to have an undue detrimental impact on the host building, the character of the area, neighbouring amenity or flood risk. Therefore, the proposal complies with the principles of policies DMD2 and DMD3 of the Adopted SPP 2014, CS 14 of the LBM Core Strategy 2011 and 7.4 and 7.6 of the London Plan 2016.

#### 8. **RECOMMENDATION**

Grant permission subject to the conditions below:

1. A1 Commencement of Development
2. A7 Approved Plans: The development hereby permitted shall be carried out in accordance with the following approved plans: [6777/SK04 Revision C, 6777/SK03 Revision C, 2019-023-401, 2019-023-402, 2019-023-403, 2019-023-404, 2019-023-405, 6777/SK12 Revision B, 6777/SK11 Revision B, Report on a Site Investigation (Ref: 20/11866/GO), 2019-023-LP, 2019-023-406, Flood Risk Assessment (FRA), Sustainable Urban Drainage Systems (SuDS) & Mitigation 3 Hamilton Road, Wimbledon, London SW19 1JD (Project Ref: QFRA 1679, Date: 05/05/2020), ENGINEERING DESIGN & IMPACT STATEMENT FOR BASEMENT DEVELOPMENT at 3 Hamilton Road London SW19 1JD August 2020), 6777/SK01 Revision B, 6777/SK02 Revision C]

Reason: In the interests of proper planning

3. B3 External materials as specified: The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.

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

of the London Plan 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. D11 Construction times: 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.

5. H09 Construction Vehicles: The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

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.

6. H13 Construction Logistics Plan to be submitted: Prior to the commencement of the development hereby permitted, a Construction Logistics Plan (including a Construction Management plan in accordance with TfL guidance) shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented for the duration of the construction process and shall be so maintained, 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.

7. Non Standard Condition: Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction

(permanent phase), for example through the implementation of 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.

8. Non Standard Condition: Prior to commencement of development the applicant must submit the following to the Local Planning Authority for approval in writing:
  - a. Detailed Construction Method Statement and construction/excavation sequence produced by the respective Contractors responsible for the underpinning, excavation and construction of the basements. This shall be reviewed and agreed by the Structural Engineer designing the basement.
  - b. Design calculations, drawings, propping and de-propping sequence of the temporary works supporting the highway and adjoining properties, required to facilitate excavation and underpinning.
  - c. Design calculation and drawings (plan and sections) of the underpinned retaining wall and the light well retaining 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 minimum highway loading surcharge of 10 KN/m<sup>2</sup> and 20 KN/m<sup>2</sup> if the adjacent highway has abnormal load traffic movement.
  - d. 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.
9. Non standard condition: A preliminary risk assessment, then an investigation shall be undertaken to consider the potential for contaminated-land, and if necessary, a detailed remediation scheme to bring the site to a suitable state for the intended use by removing unacceptable risks to health and the built environment, and shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2016 and policy DM EP4 of Merton's sites and policies plan 2014.

10. The approached remediation shall be completed prior to completion and a verification report, demonstrating the then effectiveness of the remediation, shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2016 and policy DM EP4 of Merton's sites and policies plan 2014.

11. No development [including demolition] pursuant to this consent shall commence until an Arboricultural Method Statement and Tree Protection Plan, drafted in accordance with the recommendations and guidance set out in BS 5837:2012 has been submitted to and approved in writing by the Local Planning Authority and the approved details have been installed. The details and measures as approved shall be retained and maintained, until the completion of all site operations.

Reason: To safeguard trees and other landscape features in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2016, policy CS13 of Merton's Core Planning Strategy 2011 and policy DMO2 of Merton's Sites and Policies Plan 2014.

12. No work shall be commenced until details of the proposed design, materials and method of construction for the excavation works and foundations to be used for the basement shall be submitted to and approved in writing by the Local Planning Authority and the work shall be carried out in accordance with the approved details.

Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2016, policy CS13 of Merton's Core Planning Strategy 2011 and policy DMO2 of Merton's Sites and Policies Plan 2014.

13. INFORMATIVE: In accordance with paragraph 38 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:

- I. Offering a pre-application advice and duty desk service.
- II. Where possible, suggesting solutions to secure a successful outcome.
- III. As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

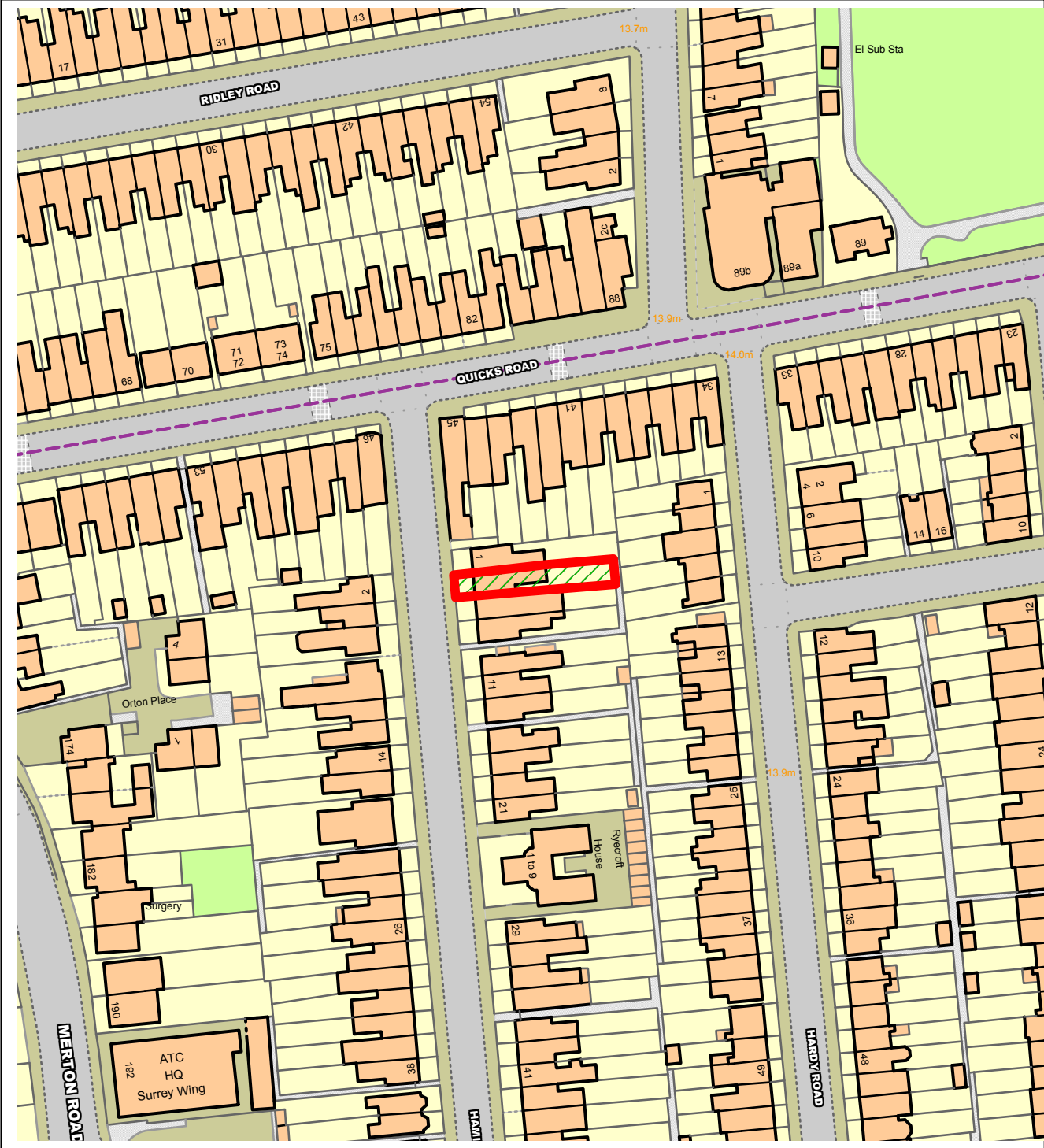
In this instance:



i) The application was amended during the application process and no further assistance was required.

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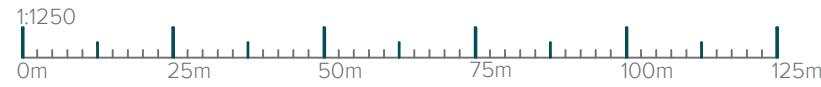
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Revisions

Rev	Date	Notes	Initial

Project

Client: Mina Padula  
Address: 3 Hamilton Road  
Wimbledon  
SW19 1JD  
Stage: Planning

Drawing

Title: Location Plan  
Drawn By: MK  
Date: JUN 2019  
Scale: 1:1250 @ A3  
Dwg No.: 2019-023-LP Rev: -

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Revisions

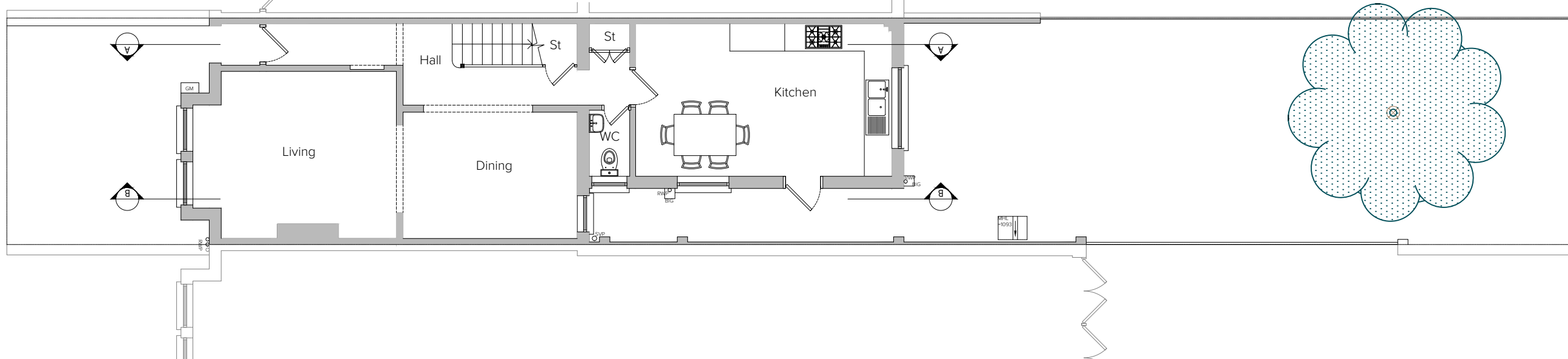
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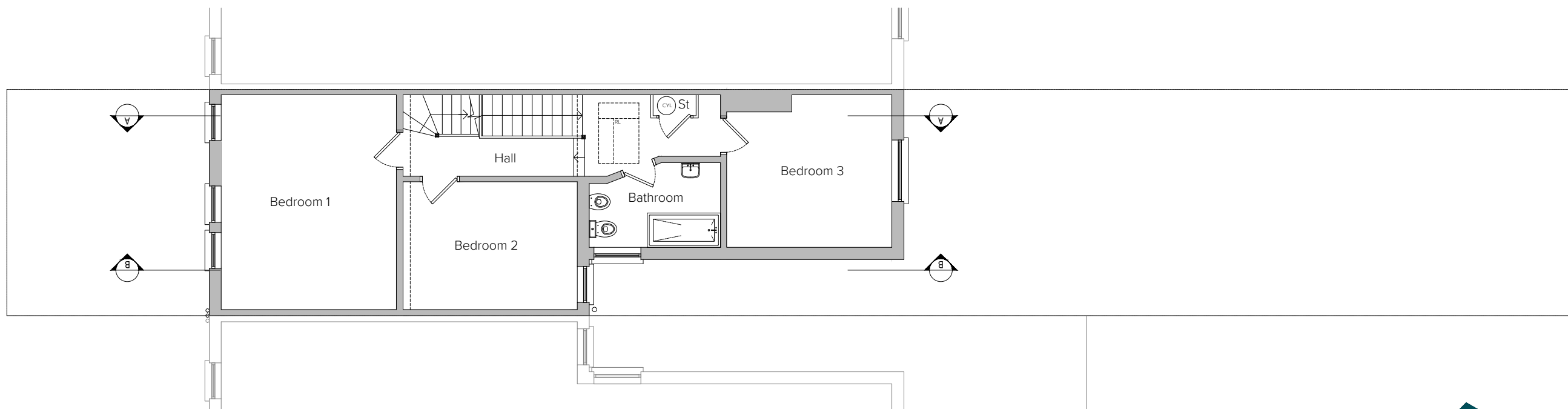
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Stage: Planning

Drawing

Title: Location Plan  
Drawn By: MK  
Date: JUN 2019  
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EXISTING GROUND FLOOR PLAN



EXISTING FIRST FLOOR PLAN



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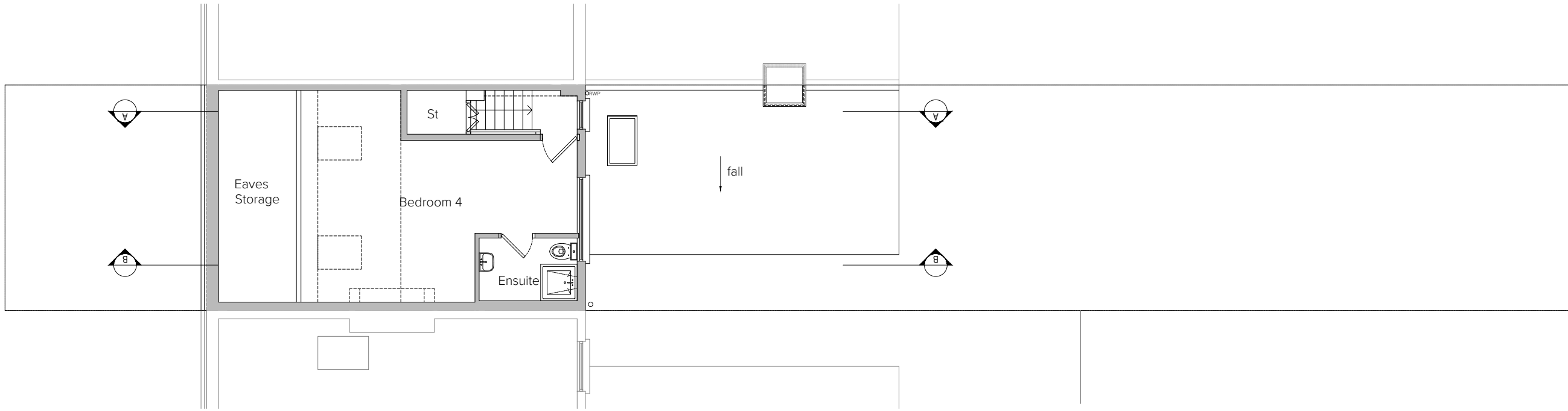
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SW19 1JD  
Stage: Planning

**Drawing**

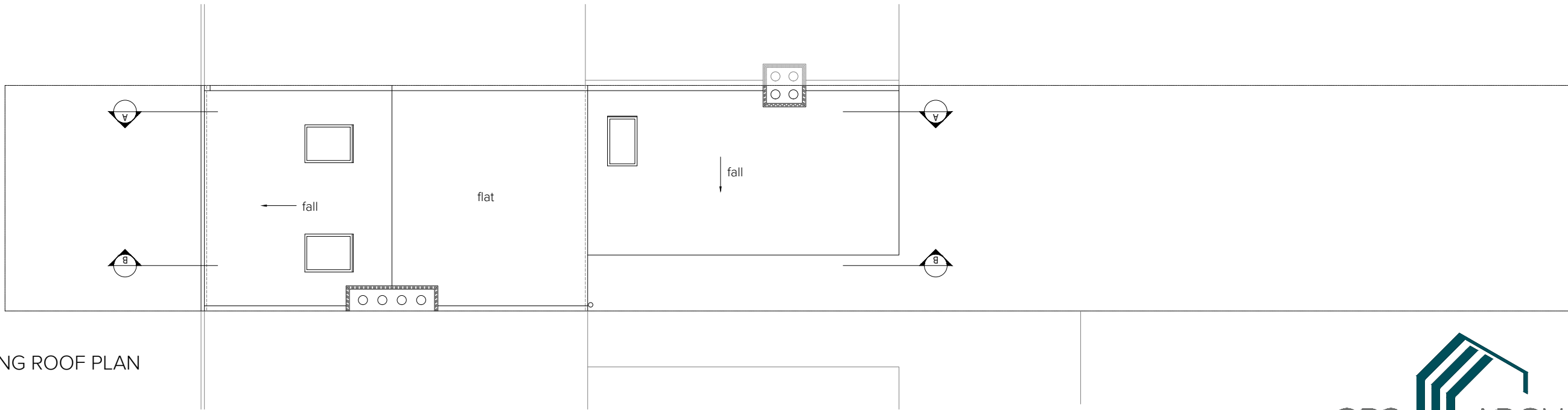
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Drawn By: MK  
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EXISTING SECOND FLOOR PLAN

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EXISTING ROOF PLAN



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**Revisions**

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**Project**

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Stage: Planning

**Drawing**

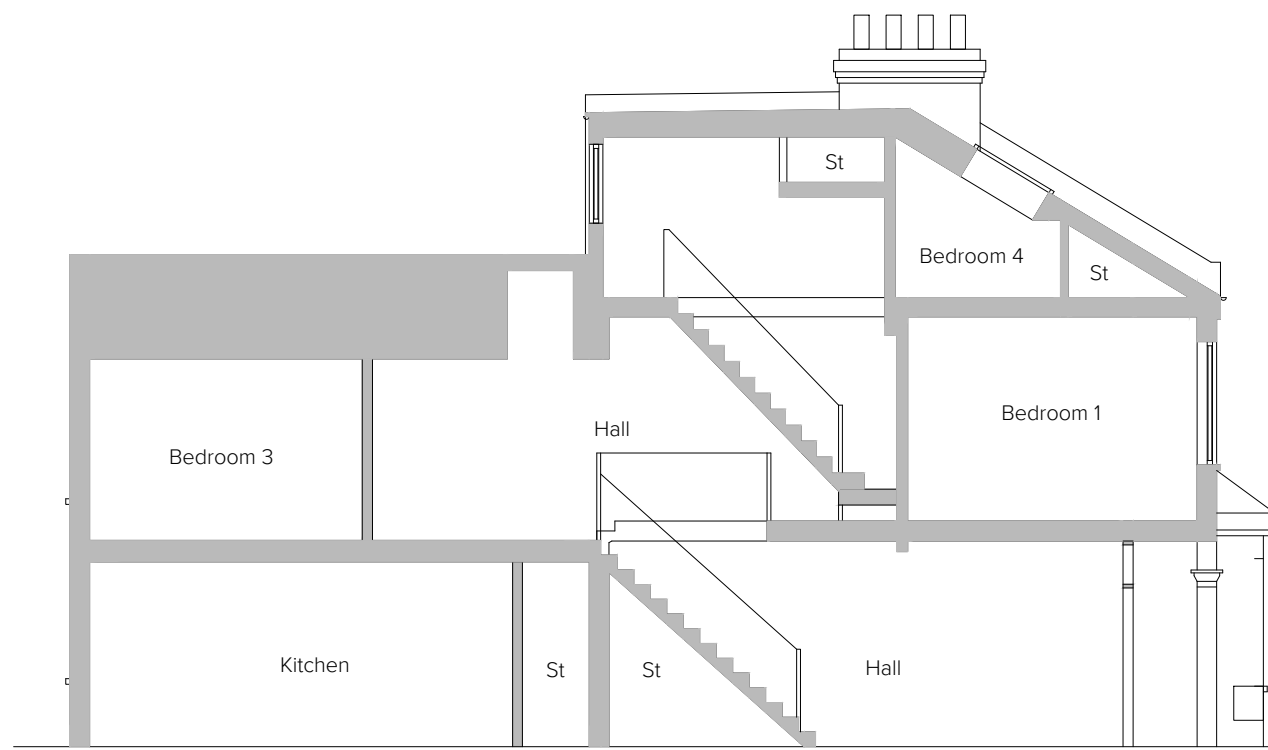
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Date: JUN 2019  
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Dwg No.: 2019-023-02 Rev: -



EXISTING FRONT ELEVATION



EXISTING REAR ELEVATION



EXISTING SECTION A-A



EXISTING SIDE ELEVATION / SECTION B-B



EXISTING SITE PLAN

1:500 @ A3



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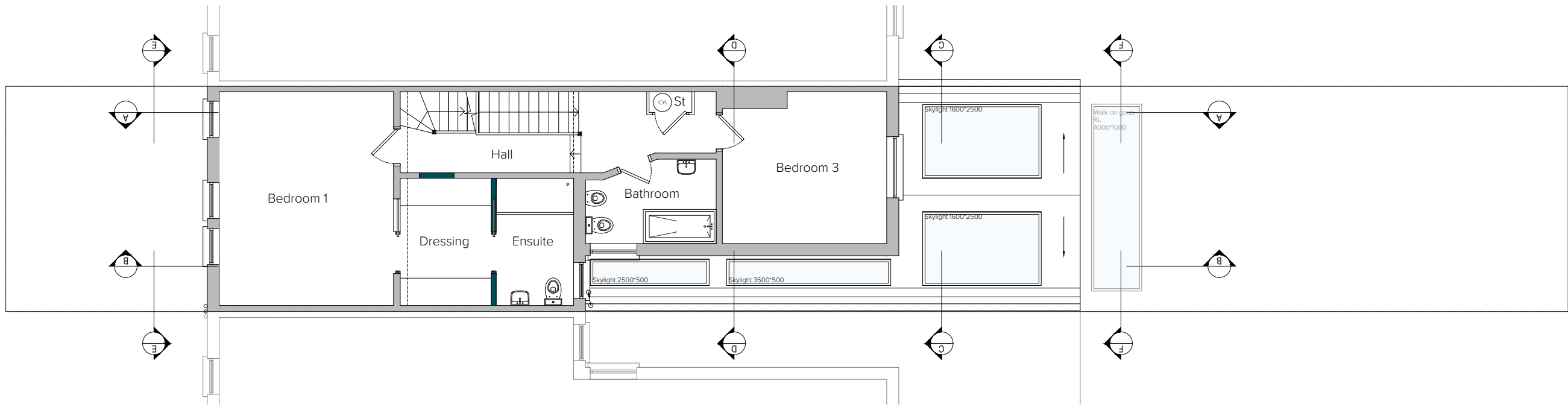
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Drawing

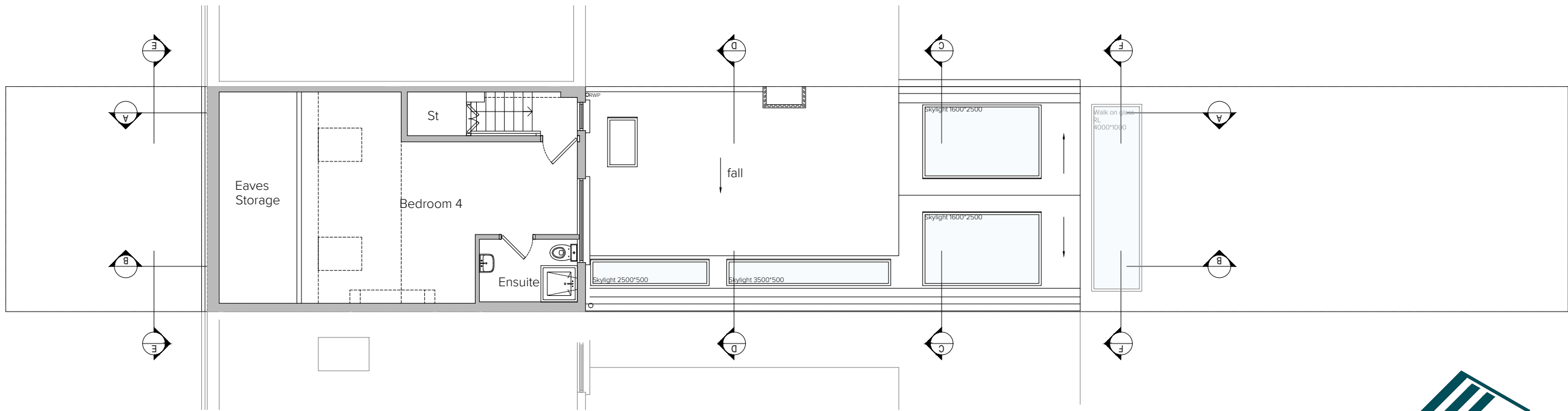
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PROPOSED FIRST FLOOR PLAN

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PROPOSED SECOND FLOOR PLAN



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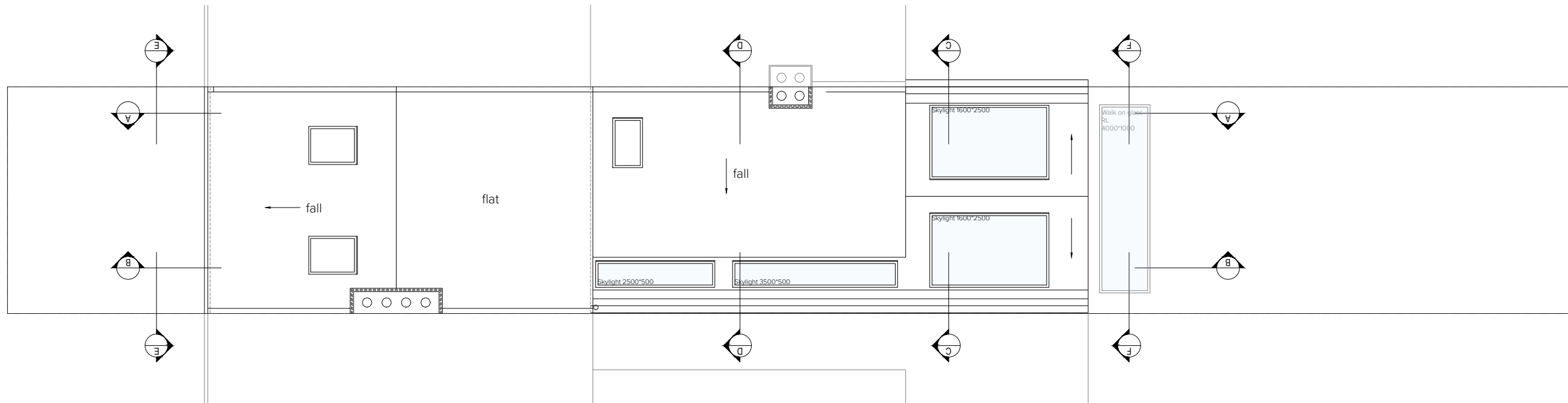
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**Revisions**

Rev	Date	Notes	Initial

**Project**  
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 Address: 3 Hamilton Road  
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 Stage: Planning

**Drawing**  
 Title: Proposed Plans  
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 Dwg No.: 2019-023-402 Rev: -



PROPOSED ROOF PLAN



PROPOSED FRONT ELEVATION

PROPOSED REAR ELEVATION

PROPOSED SECTION E-E

PROPOSED SECTION C-C

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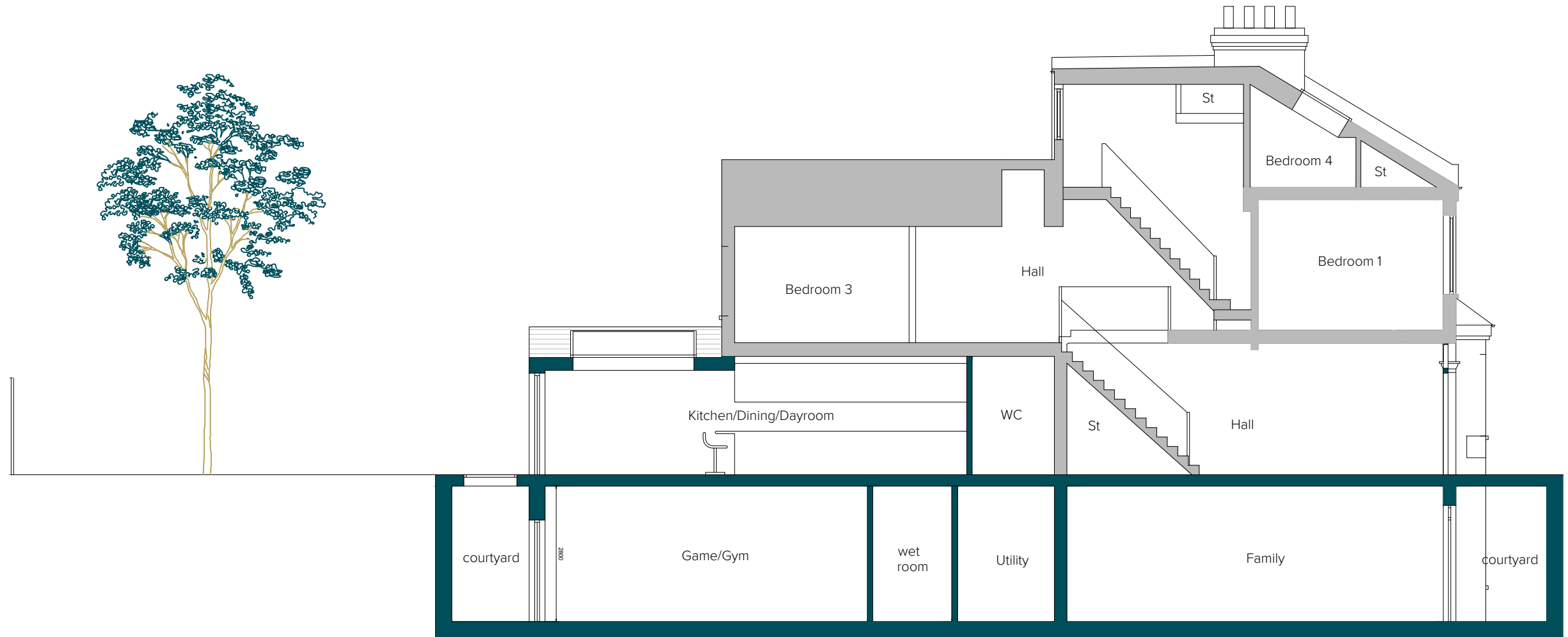
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**Project**  
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PROPOSED SECTION A-A



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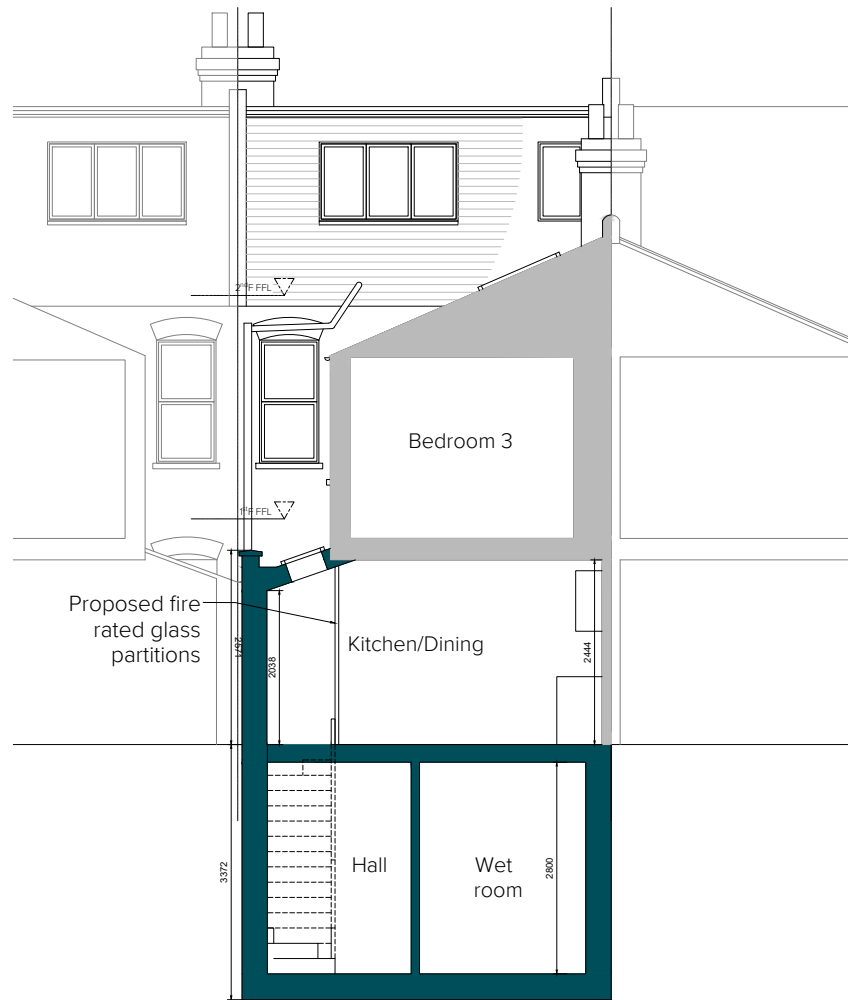
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**Project**  
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 Dwg No.: 2019-023-404 Rev: -



PROPOSED SECTION D-D



PROPOSED SECTION F-F



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**Revisions**

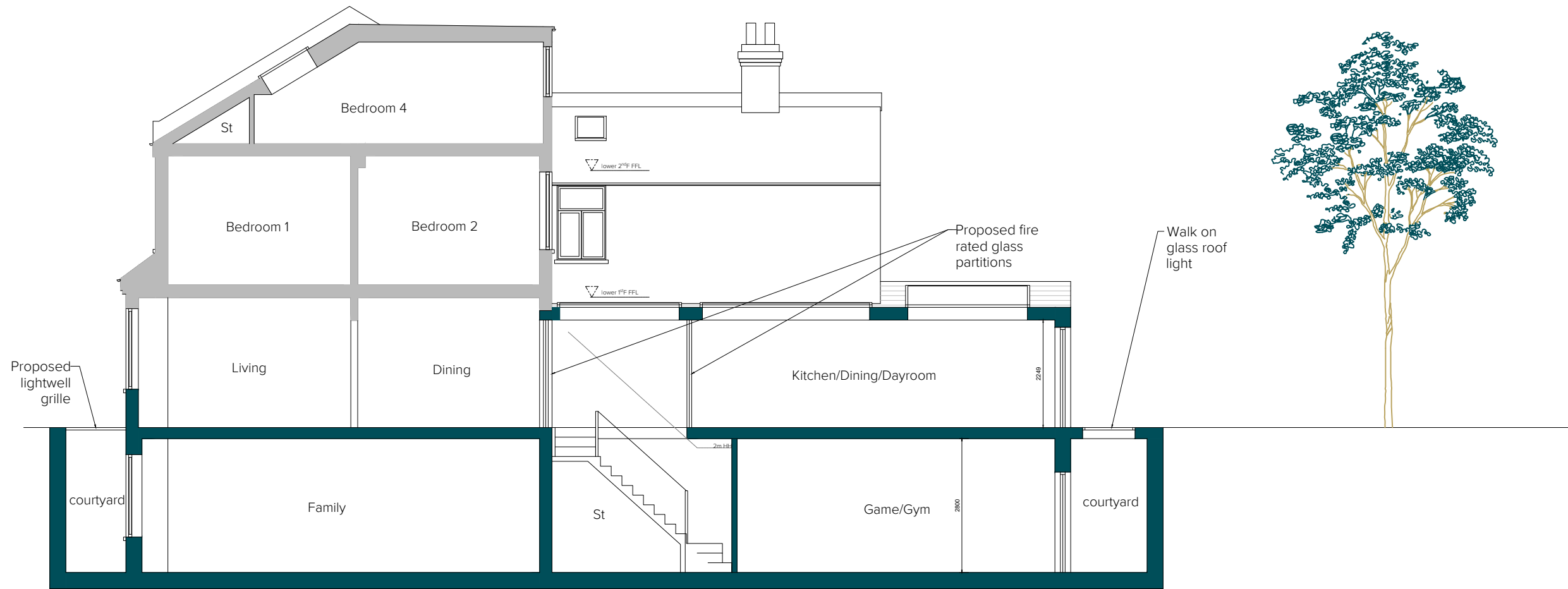
Rev	Date	Notes	Initial

**Project**

Client: Mina Padula  
Address: 3 Hamilton Road  
Wimbledon  
SW19 1JD  
Stage: Planning

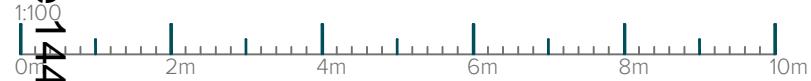
**Drawing**

Title: Proposed Sections  
Drawn By: MK  
Date: JUN 2019  
Scale: 1:100 @ A3  
Dwg No.: 2019-023-405 Rev: -



PROPOSED SIDE ELEVATION/ SECTION B-B

1:50 @A3



PROPOSED SITE PLAN

1:500 @ A3



**Important Note**

Whilst due care and attention is taken to ensure all surveys, drawings, dimensions and details provided are accurate, it is the Builders responsibility to check and verify all dimensions, details, levels and sewer invert levels on site prior to ordering any materials or commencing works. Should any discrepancies be found these should be relayed to the Architect immediately for review. Should these drawings be used without adequate site investigations and subsequent issues arise, liability will lie solely with the Builder. Do not scale off this drawing, work to figured dimensions only. This drawing must be read and checked with all structural and relevant specialist drawings. The Builder is to comply in all respects with the current Building Regulations and latest Codes of Practice.

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The Company shall not be liable for any use of the documents for any purpose other than that for which they were prepared and provided by the Company.

**Revisions**

Rev	Date	Notes	Initial



T: 020 3384 9464 / E: info@gbs.co.uk / W: gbs.co.uk

**Project**

Client: Mina Padula  
Address: 3 Hamilton Road  
Wimbledon  
SW19 1JD  
Stage: Planning

**Drawing**

Title: Proposed Sections  
Drawn By: MK  
Date: JUN 2019  
Scale: 1:100 @ A3  
Dwg No.: 2019-023-406 Rev: -



Assumed existing timber joists.  
Allow for replacing as / if required - to be confirmed in later design stage.

New steelwork to support existing and new structures.  
Steelwork to be supported with the new Reinforced Concrete walls.

Reinforced Concrete ring beam to create lightwell opening.

New reinforced concrete retaining wall to be designed to support existing structure over and resist lateral soil water and surcharge pressure in permanent case.

In temporary case during the construction, wall to be propped top and bottom until the permanent basement slab is cast in place.

Allow for horizontal / lateral props ('Mabey' or similar) during construction.

Waterproofing, finishes and insulation by others.

Reinforced Concrete heel

Reinforced Concrete retaining structure base (allow for 400mm thick base).

Basement Reinforced Concrete slab (allow for 250/275mm thick) onto 50mm concrete blinding. Slab designed to resist uplift water pressure & heave. Waterproofing, finishes and insulation by others.

Anti-heave protection may be required.

NEW REAR EXTENSION SUPERSTRUCTURE AND  
INTERNAL ALTERATIONS TO LATER DESIGN

Existing load bearing masonry wall to be underpinned.

New steelwork to support existing and new structures.

Steelwork to be supported with the new Reinforced Concrete walls.

Existing rear wall to be removed.

New timber floor joists.

Reinforced Concrete ring beam to create lightwell opening.

New reinforced concrete retaining wall to be designed to support existing structure over and resist lateral soil water and surcharge pressure in permanent case.

In temporary case during the construction, wall to be propped top and bottom until the permanent basement slab is cast in place.

Allow for horizontal / lateral props ('Mabey' or similar) during construction.

Waterproofing, finishes and insulation by others.

Reinforced Concrete heel

Reinforced Concrete retaining structure base (allow for 400mm thick base) on 50mm concrete blinding.

Reinforced Concrete ground beam (allow 400mm thick) to support load bearing underpin wall.

SECTION B-B  
(Scale 1:100 @ A3)

FOR PLANNING








PRELIMINARY ONLY

NOT FOR CONSTRUCTION

NOTES :

- A) This drawing has been prepared with limited or no site exploratory work and much of the skeletal structure remains hidden until work commences. It is common for the precise nature of the works to be varied slightly, or additional works required, to suit the conditions encountered. It is usual for a contingency sum to be included for such circumstances.
- B) This drawing to be read in conjunction with all relevant drawings produced by the Architect and Pole Structural Engineers
- C) Pole Structural Engineers drawings are not to be scaled to obtain dimensions. All dimensions, setting out information and levels are to be obtained from the Architect's drawings and site measurement.
- D) Details of all non-structural items, ie ventilation, insulation, services, drainage, waterproofing, fire protection, dampproofing, finishes etc. are to be obtained from the Architect's drawings.
- E) The contractor is to inform the Architect and Pole Structural Engineers of any discrepancies shown on the drawings with regard to the size, position and arrangement of the existing structure and associated elements.

HEALTH & SAFETY NOTES:

-  **Live services may be present on site:** All underground utilities must be properly identified before any excavation work can begin; these may include: water, steam, sewer, drain, electricity, gas, communication, oil or gasoline etc.
-  **Deep excavation necessary:** Contractor to provide shutters at the excavated face with temporary propping to reduce risk of excavation collapse and provide barriers to reduce risk of falling into excavation.
-  **Ground condition may be unstable:** Contractor to provide shutters at the excavated face with temporary propping to reduce risk of any ground movement.  
Contractor to provide temporary works design and method statements completed by competent Temporary Works Designer as per CDM requirement.
-  **High water table during excavation:** The excavations to be kept free from water at all times by pumping or bailing as required. Contractors to ensure sump and pump on standby for dewatering if required.
-  **Removal of an existing load bearing walls:** Contractor to ensure all internal and external load bearing walls and floors are fully supported at all times during the works until the permanent steelwork is installed. Contractor shall provide method statement, sequence of work and temporary work proposal to the engineer prior to commencing the works
-  **Removal of an existing floor structures:** Contractor to secure the walls by providing appropriate lateral bracing at floor levels in order to maintain the lateral stability of the adjacent walls.
-  **Steelwork erection & Heavy lifting:** Contractor to provide temporary works design and method statements for safe lifting; steel fabrication drawings (includes connection details and splice details, if required) for Permanent Work Engineers review and comment prior to construction.

C	16.11.20	Issued for planning
B	24.08.20	Issued for planning
A	06.08.20	Preliminary issue
Rev	Date	Amendment

Drawing Status	
Preliminary	Tender
Information	X Construction
Building Regs	As Instructed

Pole

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Drawing:  
**PROPOSED SECTION A-A**

Project:  
**3 HAMILTON ROAD  
LONDON  
SW19 1JD**

Date: AUG '20    Scale: 1:100 @A3    Drg No: 6777/SK03

Rev: C

Drawn JMT

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FOR PLANNING

PRELIMINARY ONLY

NOT FOR CONSTRUCTION

Existing side wall to be removed.  
Steelwork above to designed in later stage.

New masonry wall for rear and return extension.  
To be supported by the new RC wall.

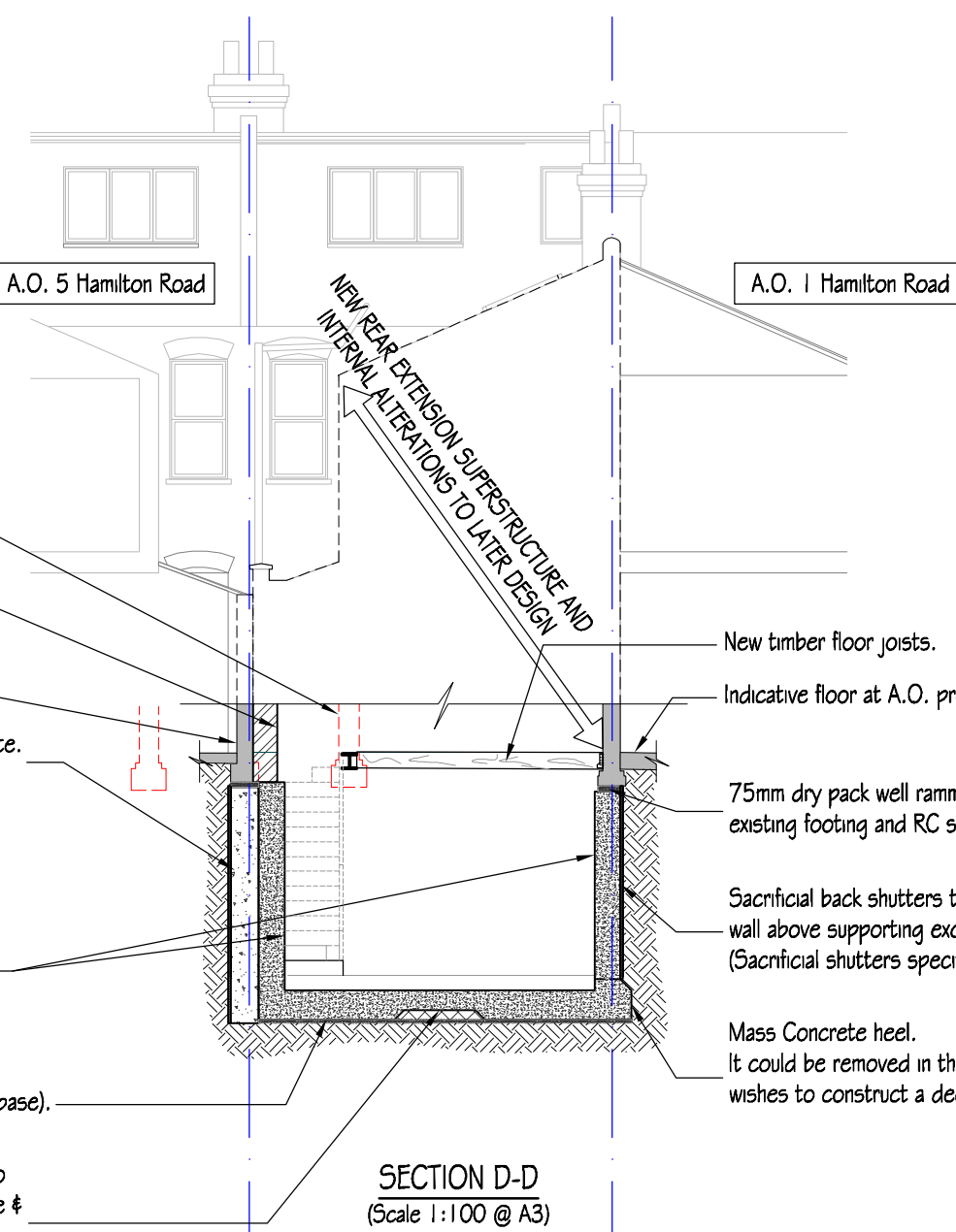
Existing wall at A.O. property.

Foundation at No. 5 Hamilton Road to be underpin using mass concrete.  
To be constructed using 'hit & miss' underpinning sequence.

New reinforced concrete cantilever retaining wall (allow for 350-400mm wall) to be designed to support structure over and resist lateral soil water and surcharge pressure in permanent case.  
To be constructed using 'hit & miss' underpinning sequence.  
Allow for horizontal / lateral props ('Mabey' or similar) during construction.  
Waterproofing, finishes and insulation by others.

Reinforced Concrete retaining structure base (allow for 400mm thick base).

Basement Reinforced Concrete slab (allow for 250/275mm thick) onto 50mm concrete blinding. Slab designed to resist uplift water pressure & heave. Waterproofing, finishes and insulation by others.  
Anti-heave protection may be required.



SECTION D-D  
(Scale 1:100 @ A3)

**HEALTH & SAFETY NOTES:**

- Live services may be present on site:** All underground utilities must be properly identified before any excavation work can begin; these may include: water, steam, sewer, drain, electricity, gas, communication, oil or gasoline etc.
- Deep excavation necessary:** Contractor to provide shutters at the excavated face with temporary propping to reduce risk of excavation collapse and provide barriers to reduce risk of falling into excavation.
- Ground condition may be unstable:** Contractor to provide shutters at the excavated face with temporary propping to reduce risk of any ground movement.  
Contractor to provide temporary works design and method statements completed by competent Temporary Works Designer as per CDM requirement.
- High water table during excavation:** The excavations to be kept free from water at all times by pumping or bailing as required. Contractors to ensure sump and pump on standby for dewatering if required.
- Removal of an existing load bearing walls:** Contractor to ensure all internal and external load bearing walls and floors are fully supported at all times during the works until the permanent steelwork is installed. Contractor shall provide method statement, sequence of work and temporary work proposal to the engineer prior to commencing the works
- Removal of an existing floor structures:** Contractor to secure the walls by providing appropriate lateral bracing at floor levels in order to maintain the lateral stability of the adjacent walls.
- Steelwork erection & Heavy lifting:** Contractor to provide temporary works design and method statements for safe lifting; steel fabrication drawings (includes connection details and splice details, if required) for Permanent Work Engineers review and comment prior to construction.

**NOTES :**

A) This drawing has been prepared with limited or no site exploratory work and much of the skeletal structure remains hidden until work commences. It is common for the precise nature of the works to be varied slightly, or additional works required, to suit the conditions encountered. It is usual for a contingency sum to be included for such circumstances.

B) This drawing to be read in conjunction with all relevant drawings produced by the Architect and Pole Structural Engineers

C) Pole Structural Engineers drawings are not to be scaled to obtain dimensions. All dimensions, setting out information and levels are to be obtained from the Architect's drawings and site measurement.

D) Details of all non-structural items, ie ventilation, insulation, services, drainage, waterproofing, fire protection, dampproofing, finishes etc. are to be obtained from the Architect's drawings.

E) The contractor is to inform the Architect and Pole Structural Engineers of any discrepancies shown on the drawings with regard to the size, position and arrangement of the existing structure and associated elements.

Rev	Date	Amendment
C	16.11.20	Issued for planning
B	24.08.20	Issued for planning
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Drawing Status	
Preliminary	Tender
Information	X Construction
Building Regs	As Instructed

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Drawing: **PROPOSED SECTION D-D**

Project:  
**3 HAMILTON ROAD  
LONDON  
SW19 1JD**

Date: AUG '20    Scale: 1:100 @A3    Drg No: 6777/SK04  
Rev: C

Drawn **JMT**

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## PLANNING APPLICATIONS COMMITTEE

11 February 2021

**APPLICATION NO.**

20/P3071

**DATE VALID**

24/09/2020

**ADDRESS/SITE:**  
7LL

Rear of 25-27 Landgrove Road, Wimbledon, SW19

**WARD:**

Wimbledon Park

**PROPOSAL:**

Use of building as one, 1 bedroom residential unit, together with associated external alterations and amenity space.

**DRAWING NO.**

11/533/E001 C; 11/533/E002 E; 11/533/E200 D;  
11/533/E201 A; 11/533/E210 B; 11/533/E211 A; 11/533/E212; 11/533/E220;  
11/533/P200 F; 11/533/P200; 11/533/P210 B; 11/533/P211; 11/533/P212;  
11/533/P220

**Contact officer:** John Sperling (020 545 3733)

---

### **RECOMMENDATION**

**GRANT Planning Permission subject to conditions and S106 Agreement**

---

### **CHECKLIST INFORMATION.**

- Conservation Area - Yes
- Area at risk of flooding - No
- Local Development Plan site proposal designation - None
- Controlled Parking Zone - Yes
- Trees - Yes
- Listed Building - No
- 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: 31

## 1. INTRODUCTION

- 1.1 This application has been 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 related to the structure situated to the rear of 25-27 Landgrove Road, which faces Strathearn Road. The property currently benefits from an approved use as a garage at ground floor level and home office at first floor level.
- 2.2 The site is within PTAL 2 (PTAL ranges from 1, low to 6, high), which suggests a poor level of public transport accessibility. However, it should be noted that the PTAL 6 boundary is located just 100m to the south of the site.
- 2.3 The application site is situated within the Kenilworth Avenue Conservation Area and the site surroundings is predominantly residential.

## 3. CURRENT PROPOSAL

- 3.1 The proposal seeks to convert the building to the rear of 25-27 Landgrove Avenue into 1no 1-bedroom residential dwelling with external amenity space.
- 3.2 The proposal would replace the garage door at ground floor façade facing Strathearn Road and replacing it with a bi-fold door. This represents the only external alteration to the site. The property would benefit (most of which is existing) from fenestration on eastern and northern elevations at ground floor and first floor.
- 3.3 The bedroom would be situated at ground floor level with the open-plan kitchen and living area at first floor level.
- 3.4 The outdoor amenity space would be 58sqm. The outdoor amenity space will accommodate for a cycle storage area for 2no bicycles and refuse and recycling bins.

Accommodation table:

	Dwelling type	GIA	Private external amenity space	Car Parking	Cycle Parking
New dwelling	1b / 2p	75.2sqm	58sqm	No	Yes - 2no

## 4. RELEVANT PLANNING HISTORY

- 4.1 07/P1131 – Erection of a three storey building on the site of 27 containing 3 x 2 bedroom apartments involving conversion of second level roof space of 25 to form additional accommodation for new second floor apartment at 27. Enlargement of existing detached garage at rear of properties incorporating a storage area within the roof space. Refuse permission 06/03/2008 – Appeal Allowed 26-11-2008
- 4.2 08/P0946 – Erection of two storey building (with accommodation within the roof space) to provide 2 x 2 bedroom flats, refurbishment of existing residential accommodation at 25 Landgrove Road and formation of additional 1 bedroom flat within the roof space of both 25 Landgrove road and the roof space of the proposed new building and the erection of a detached garage within the rear garden fronting Strathearn road – Refuse Permission 05-11-2008.
- 4.3 16/P1180 – Application for variation of the wording of condition 10 to LBM planning application 07/P1131 dated 06/03/2008 relating to the retention of the garage for parking and for no other purposes to include use of the upper roofspace level as a home office. Grant Variation of Condition 10-05-2016.
- 4.4 17/P0612 – Application for variation of condition 10 (use of garage) attached to LBM planning application 07/P1131 to the erection of a three storey building on the site of 27 Langrove Road containing 3 x 2 bedroom apartments involving conversion of second level roof space of 25 Landgrove Road to form additional accommodation for new second floor apartment at No.27. Enlargement of existing detached garage at rear of properties incorporating a storage area within the roofspace. Variation sought the use of the building as home office space. Date of committee 20-04-2017 - Grant Variation of Condition 27-04-2017
- 4.5 25 Landgrove Road: 20/P1029: ERECTION OF REAR ROOF EXTENSION. Grant Permission subject to Conditions 09-06-2020

## 5. CONSTULATION

- 5.1 Public consultation was undertaken by way of post sent to neighbouring properties and site notice erected. 6 representations were received in the lifetime of the application raising objection and can be summarised as follows:
- Incomplete planning history provided by the agent for the application.
  - Unlawful addition of side window result in overlooking onto Nos 23, 25 and 27 Landgrove Road.
  - Applicant endeavouring to overturn previous planning decisions and undermine the planning system.
  - No elevation drawings provided and thus cannot confirm what 'external alterations' means in the context of the proposal.
  - Object to side windows as it would result in a loss of privacy from a close proximity neighbour.

- Proposal would undermine sale and saleability of property.
- Concern at installing side windows under permitted development rights or under a further permission if approval is obtained under the current submission.
- No direct impact from the proposed development however they wish to reiterate impact of development on other properties, namely through overlooking.
- Impact of proposed development on the future occupiers of No.25 Landgrove Road.
- Approval at appeal stage from the Secretary of State was granted proviso of the garage not being used as a house.
- Increased parking pressure
- The garage would provide secure cycle or vehicle parking.
- The neighbouring residents would be overlooked and would loss privacy.
- The proposed build differs from previous planning permission
- Building intended to be a garage
- Overlooking from the building would cause harmful

## 5.2 INTERNAL Consultation:

### Environmental Health Officer:

No objections.

### Council Highways Officer:

No objections subject to conditions.

### Council Transport Planner:

The LPA transport officer provided the following comments in the lifetime of the application:

Location: Rear of 25-27 Landgrove Road Wimbledon SW19 7LL

Proposal: Use of building as one, 1 bedroom residential unit, together with associated external alterations and amenity space

Observations:

PTAL

The site lies within an area PTAL 2 which is considered to be poor. A poor PTAL rating suggests that only a few journeys could be conveniently made by public transport.

CPZ

The local area forms part of Controlled Parking Zone (P2S). Restrictions are enforced from Monday to Friday between 11am to 3pm.

Car parking

No parking is proposed for the development.



Permit free option would be acceptable subject to the applicant enters into a Unilateral Undertaking which would restrict future occupiers of the unit from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement

#### Cycle Parking

The proposal provides 2 cycle parking spaces (secure & undercover) which satisfies the London Plan Standards.

#### Refuse

Refuse store should be sited within 20m of the adopted highway.

Recommendation: Raise no objection subject to:

- The applicant enters into a Unilateral Undertaking which would restrict future occupiers of the unit from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.
- Condition requiring secure and undercover cycle parking.
- Refuse store to be sited within 20m of the highway.
- Redundant crossover

The development shall not be occupied until the existing redundant crossover have been removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority.

Informative: It is Council's policy for the Council's contractor to reinstate the existing vehicular access. The applicant should contact Council's Highway Team on: 0208 545 3829 prior to any work starting to arrange for this works to be done.

## 6. POLICY CONTEXT

### 6.1 National Planning Policy Framework (2019)

- Section 4: Promoting sustainable transport.
- Section 6: Delivering a wide choice of high quality homes.
- Section 7: Requiring good design including optimising the potential of a site to accommodate development.

### 6.2 London Plan 2016 policies:

- 3.16 Protection and enhancement of social infrastructure
- 3.3 Increasing housing supply
- Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.11 Affordable Housing Targets
- 5.1 Climate change mitigation

- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.17 Waste Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime neighbourhood
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 8.2 Planning Obligations

6.3 Adopted Core Planning Strategy (July 2011):

- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 14 Design
- CS 15 Climate Change
- CS 17 Waste Management
- CS 18 Transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan (2014) Relevant policies include:

- DM H3 Support for affordable housing
- DM D1 Urban Design
- DM D2 Design considerations
- DM D3 Alterations and extensions to existing buildings
- DM EP 2 Reducing and mitigating noise
- DM H2 Housing Mix
- DM T3 Car parking and servicing standards Supplementary planning considerations

6.5 London Plan Housing SPG 2016

6.6 DCLG Technical Housing Standards - nationally described space standards 2015

## 7. PLANNING CONSIDERATIONS

The material considerations relating to this application are the principle of the change of use, the quality of accommodation, the developments impact upon the character and appearance of the host building, neighbouring amenity and transport and highway impacts, and sustainability.

### 7.1 Principle of development

7.1.1 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.

- 7.1.2 There is extensive planning history for the site and building subject of the application. The building was originally constructed as a garage at ground floor level and storage above, ancillary to Flat 5 at 25-27 Landgrove Road. This was subsequently amended under 16/P1180 to allow for a home office at first floor level and garage at ground floor. A further variation was approved under 17/P0612 to allow the loss of the garage space at ground floor and replace it with home office accommodation. The principle of development therein lies whether the loss of the home office space is acceptable and whether the provision of an independent 1-bedroom residential unit is acceptable.

## **7.2 Design and impact upon the character and appearance of the area**

- 7.2.1 London Plan Policies 7.4 and 7.6, Core Strategy Policy CS14 and SPP Policies DMD2 and DMD3 require well designed proposal that will respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings. 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 specific feature of the area.
- 7.2.2 The proposed external alterations to the front elevation of the property is not, by virtue of its minimal change and materials incorporated, considered to negatively impact the character and appearance of the site to warrant the application for refusal. The proposal would replace garage doors with a set of 3 smaller doors with glazing to the top to allow light into the ground floor. The appearance of this would remain as a form of 'coach house' or ancillary structure, which is considered acceptable in a backland location such as the application building.
- 7.2.3 In regards to the impact on the character of the conservation area it is noted that the vast majority of properties situated within the Kenilworth Conservation Area display a distinctive architectural character, of which is largely defined by the strong rhythm of two storey bays in two-storey terraced Victorian properties. It is noted therefore, that the appeal report for the originally proposed development approved at appeal under planning reference number 07/P1131, stated that the development (including the building relevant for this current application), by reason of its set of muted materials and contemporary interpretation of the terrace, would serve to enhance to the character and appearance of the Kenilworth Avenue Conservation Area as the development. Therefore, since the proposed development would represent a minor

alteration to the original permission, the external appearance is not considered to be materially harmful within the designated conservation area.

7.2.4 The LPA acknowledges that the proposal involves the creation of a dwelling that is located directly in between two existing residential roads, namely Waldemar Road and Landgrove Road and therefore be unusual and out of character in the wider area as the vast majority of residential properties are situated on established residential roads. However, it is noted that approval was obtained for the conversion of the building (at both floor levels) to be used as an ancillary home office under planning reference number 17/P0612. In addition to this is noted that the site is located on the periphery of the Kenilworth Conservation Area and so the impact of the development, such as increased comings and goings, would not be experienced within the heart of the aforementioned conservation area. Therefore, in this instance it is considered that the conversion of the property into 1no dwelling within the existing building is not considered to be materially harmful by reason its current usage as a home office and minimal alterations to the external appearance of the building.

### **7.3 Neighbouring Amenity**

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

7.3.2 The proposal is not considered, by virtue of the minimal alterations to the property, to result in unacceptable harm to the residential amenities of the surrounding residents by reason of loss of privacy, outlook or light. The proposal only involve external alterations to the property on the elevation that faces Strathearn Road and therefore would not materially worsen the existing impact to the neighbouring residents.

7.3.3 Officers highlight that the existing structure received approval for an ancillary home office under planning reference number 17/P0612 and given the space has been previously converted from a ground floor garage and first floor ancillary office space, the proposal is not considered to detrimentally change the use of the structure to the extent that would unacceptably harm the residential amenities of the nearby residents.

7.3.4 From the external amenity space, the boundary wall is noted to the measure a maximum height of 1.8 metres so the adjoining residents at No.23, 25 and 27 are not considered to experience a detrimental harm of overlooking.

7.3.5 Therefore, it is considered that despite the use of the building as an independent residential dwelling, and the associated use and activity involved, would be notably different than that the activity associated with an ancillary office space, the external manifestation of the conversion and its impact on

neighbouring residents is not considered to be materially harmful to warrant the application for refusal.

#### **7.4 Standard of accommodation: internal and external spaces**

##### 7.4.1 Internal

7.4.2 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.

Proposed accommodation schedule:

Dwelling No.	No. of beds	No of persons	No. of storey's	Required GIA (sqm)	Proposed GIA (sqm)	Compliant
1	1	2	2	58	66.2	Yes

7.4.3 As demonstrated by the table above, the proposed one bedroom unit would meet the London Plan space standards for a two person dwelling with a bathroom room.

7.4.4 The property provides outlook from two elevations which is considered to provide an acceptable degree of outlook and access to daylight and sunlight to the habitable rooms.

7.4.5 Further, it is noted that 1.5sqm of storage space is provided in the proposed dwelling. Therefore, the proposed development is considered to be compliant with policy in seeking good accommodation.

##### 7.5 External

7.5.1 In accordance with the London Housing SPG and Policy DMD2 of the Councils 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 (for flatted developments). The proposal would be set across two floors and can be considered to be a 1-bedroom house. The Council seeks at least 50 sq m of outdoor amenity space to be provided for new houses in supporting text to the policy. The proposed dwelling would have a total outdoor amenity space of 58sqm and this would satisfy the minimum requirements.

#### **7.6 Highways and parking**

- 7.6.1 The site is within PTAL 2 (PTAL ranges from 1, low to 6, high), which suggests a poor level of public transport accessibility. However, it should be noted that the PTAL 6 boundary is located just 100m to the south of the site.
- 7.6.2 The loss of the existing garage space at ground floor has already been accepted under application 17/p0612. The Council's Transport Planner has considered the use of the building as a 1-bedroom dwelling and recommends s.106 agreement to restrict future parking permits is required. It is also proposed to re-instate the dropped kerb as the application would negate the need for the dropped kerb. This would also improve the visual amenity of the highway. The new pedestrian access from the site on to the public pavement is suitable and no objections have been raised in this regard.

### **7.7 Loss of home office accommodation**

- 7.7.1 Planning permission 17/p0612 converted the ground floor garage to home office space, along with the first floor, to be ancillary to Flat 5 at 25-27 Landgrove Road. the existing building therefore has a lawful use as home office space ancillary to Flat 5. As the office space is ancillary to a residential unit, it does not get offered the same policy protection as regular office buildings. Upon review of the original planning permission for the site (07/p1131), there was no requirement for the home office accommodation requirement under this permission and the provision of the home office accommodation was a future benefit to Flat 5. Officers therefore do not consider that the loss of the home office accommodation could be resisted.

### **7.8 Sustainability**

- 7.8.1 Policy CS15 sets out minimum sustainability requirements for development proposals. 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. In order to ensure that the development incorporates the sustainable reductions outlined to comply with Council policy, the Council's standard condition has been recommended to secure necessary carbon savings and water usage reductions. This would need to be submitted and approved by the Council prior to first occupation of the new dwelling.

### **7.9 Community Infrastructure Levy**

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

## **8. Conclusion**

- 8.1 The conversion of the existing building into 1no dwelling and the minimal external alterations is considered to be acceptable when viewed in the context of the character and appearance of the existing building, streetscene, the

wider area and the conservation area in which it resides. In addition, no detrimental impact would be caused to neighbouring occupiers to a materially harmful degree. Therefore, the proposal is compliant with the principles of policies referred to above and it is recommended to grant planning permission subject to conditions and permit-free legal agreement.

## 9. RECOMMENDATION

### 9.1 Grant Planning Permission subject to:

a. the completion of a Section 106 Agreement covering the following heads of terms:

1. Future Occupiers of the proposed development are restricted from obtaining residents parking permits for the CPZ.
2. The developer agreeing to meet the Councils costs of preparing (including legal fees) the Section 106 Obligations.

b. And subject to conditions:

- |   |   |  |
|---|---|--|
| 1 | A1 Commencement of development (full application) | The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.<br>Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.  |
| 2 | A7 Approved Plans                                 | The development hereby permitted shall be carried out in accordance with the following approved plans: 11/533/E001 C; 11/533/E002 E; 11/533/E200 D; 11/533/E201 A; 11/533/E210 B; 11/533/E211 A; 11/533/E212; 11/533/E220; 11/533/P200 F; 11/533/P200; 11/533/P210 B; 11/533/P211; 11/533/P212; 11/533/P220<br><br>Reason: For the avoidance of doubt and in the interests of proper planning. |
| 3 | B3 External Materials as Specified                | The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.<br><br>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 C01 No Permitted Development (Extensions)

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse (including insertion of new windows) other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

5 C06 Refuse & Recycling (Details to be Submitted)

No development shall take place until a scheme for the storage of refuse and recycling 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 scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2016, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

6 H06 Cycle Parking - Details to be Submitted

No development shall commence until details of secure cycle parking facilities for the occupants



of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to 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.

7 H03 Redundant Crossovers

The development shall not be occupied until the existing redundant crossover/s have been removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority.

Reason: In the interests of the safety of pedestrians and vehicles and to comply with the following Development Plan policies for Merton: policies CS18 and CS20 of Merton's Core Planning Strategy 2011 and policies DM T2, T3, T4 and T5 of Merton's Sites and Policies Plan 2014.

8 F01 Landscaping/Planting Scheme

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.

9 Sustainability

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

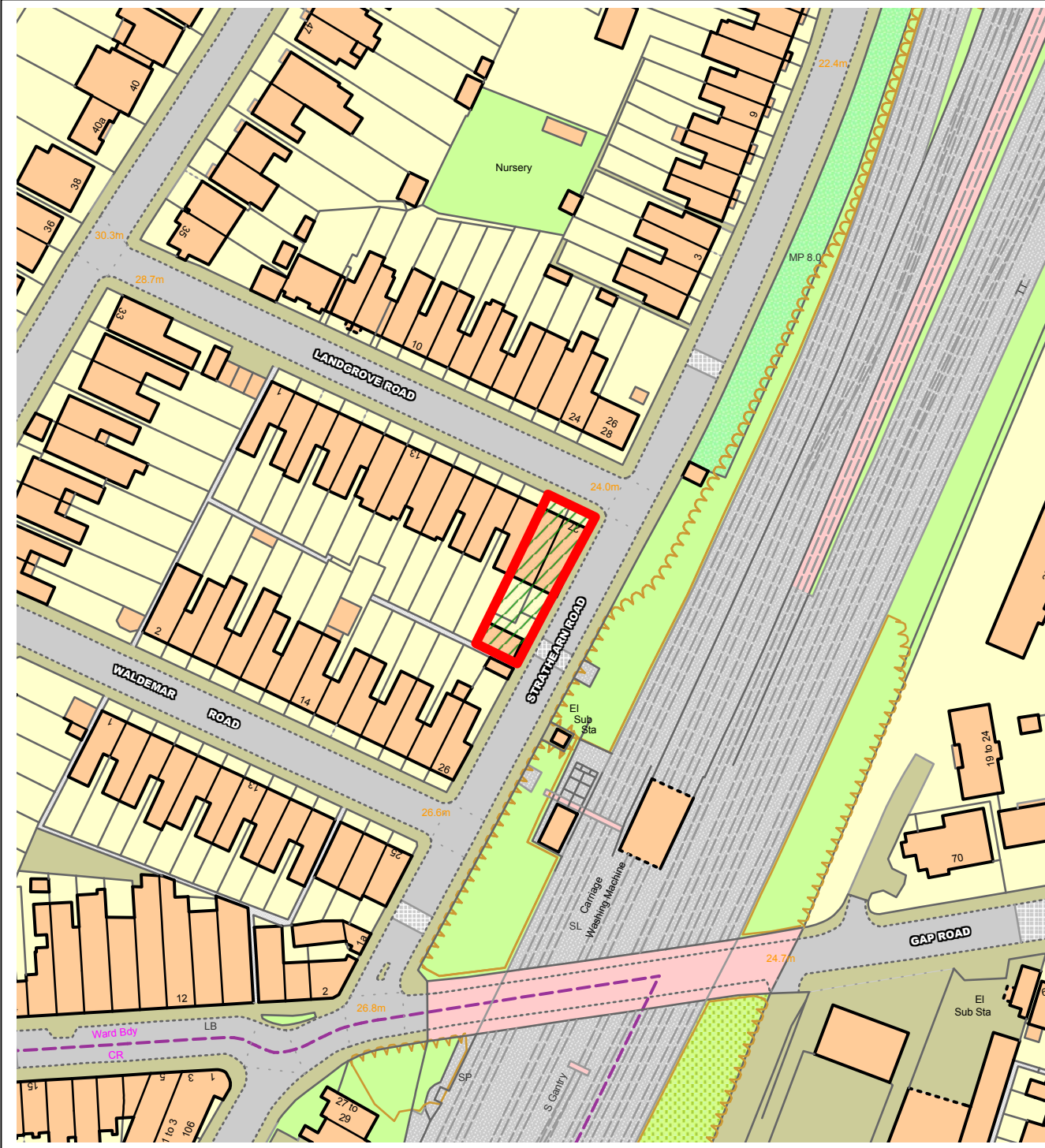
Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2016 and Policy CS15 of Merton's Core Planning Strategy 2011.

10 INFORMATIVE

INFORMATIVE

It is Council's policy for the Council's contractor to reinstate the existing vehicular access. The applicant should contact Council's Highway Team on: 0208 545 3829 prior to any work starting to arrange for this works to be done.

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Page 165



SITE BOUNDARY AMENDED	21.07.17	E
SITE BOUNDARY AMENDED	20.07.17	D
SITE BOUNDARY AMENDED	20.07.16	C
SITE BOUNDARY AMENDED	20.03.04	B
SITE BOUNDARY AMENDED	20.03.02	A
DETAILS	DATE	REVISION

25 / 27 LANDGROVE ROAD

SITE BLOCK PLAN

date	client	
FEB 2020	Mr S Adkins	
scale	drawing no.	revision
1:500 @ A4	11 / 533 / E002	E

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1 SITE BLOCK PLAN  
 E002

scale 1:500



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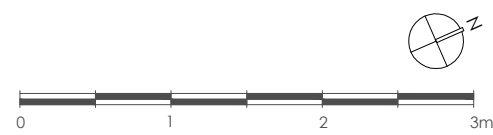
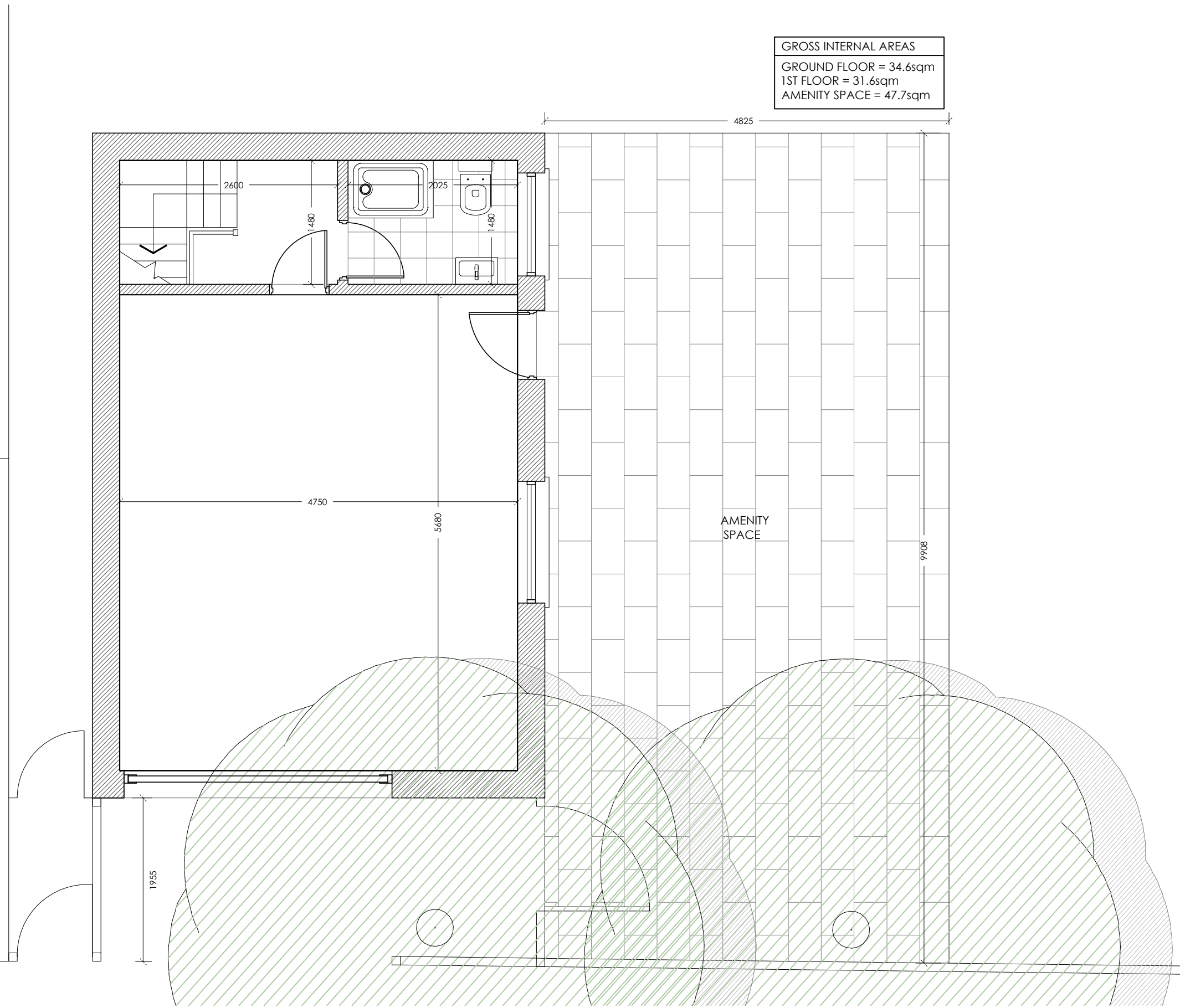
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GROSS INTERNAL AREAS  
 GROUND FLOOR = 34.6sqm  
 1ST FLOOR = 31.6sqm  
 AMENITY SPACE = 47.7sqm



DETAILS	DATE	REVISION
MINOR ALTERATIONS	20.07.20	REV D
MINOR ALTERATIONS	17.07.20	REV C
MINOR ALTERATIONS	16.07.20	REV B
MINOR ALTERATIONS	28.02.20	REV A

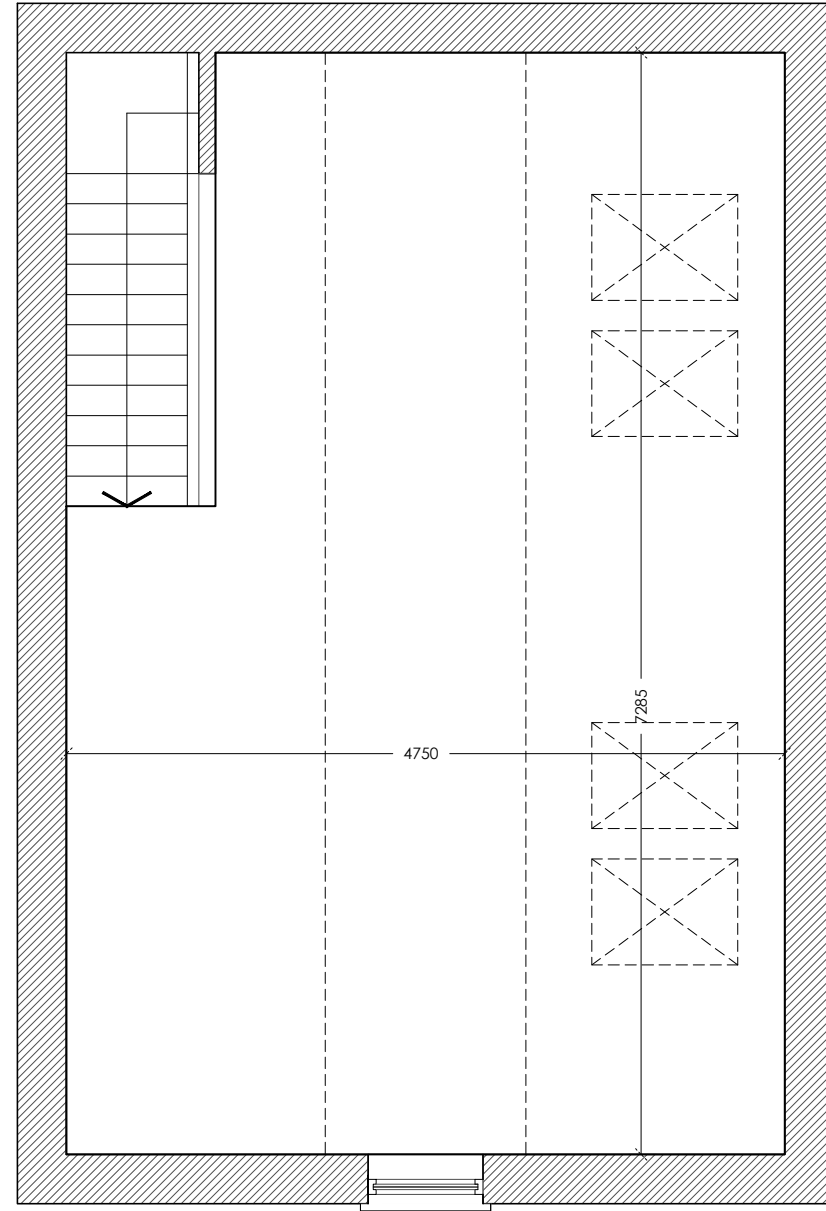
25 / 27 LANDGROVE ROAD  
 OUTBUILDING - EXISTING GROUND FLOOR PLAN

date FEB 2020	client Mr S Adkins
scale 1:50 @ A3	drawing no. 11 / 533 / E200
	revision D

1 EXISTING GROUND FLOOR PLAN  
 E200 scale 1:50

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1 EXISTING FIRST FLOOR PLAN  
E201 scale 1:50

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DETAILS	DATE	REVISION
MINOR AMENDMENTS	17.07.20	A

25 / 27 LANDGROVE ROAD  
OUTBUILDING - EXISTING FIRST FLOOR PLAN

date FEB 2020	client Mr S Adkins	revision A
scale 1:50 @ A3	drawing no. 11 / 533 / E201	

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DETAILS	DATE	REVISION
MINOR ALTERATIONS	17.07.20	REV B
MINOR ALTERATIONS	16.07.20	REV A

25 / 27 LANDGROVE ROAD  
 OUTBUILDING - EXISTING ELEVATION

date FEB 2020	client Mr S Adkins	revision B
scale 1:50 @ A3	drawing no. 11 / 533 / E210	

1 EXISTING ELEVATION  
 E210 scale 1:50

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DETAILS	DATE	REVISION
MINOR ALTERATIONS	16.07.20	REV A

25 / 27 LANDGROVE ROAD  
 OUTBUILDING - EXISTING SIDE ELEVATION

date FEB 2020	client Mr S Adkins
scale 1:50 @ A3	drawing no. 11 / 533 / E211
	revision A

1 EXISTING SIDE ELEVATION  
 E211 scale 1:50

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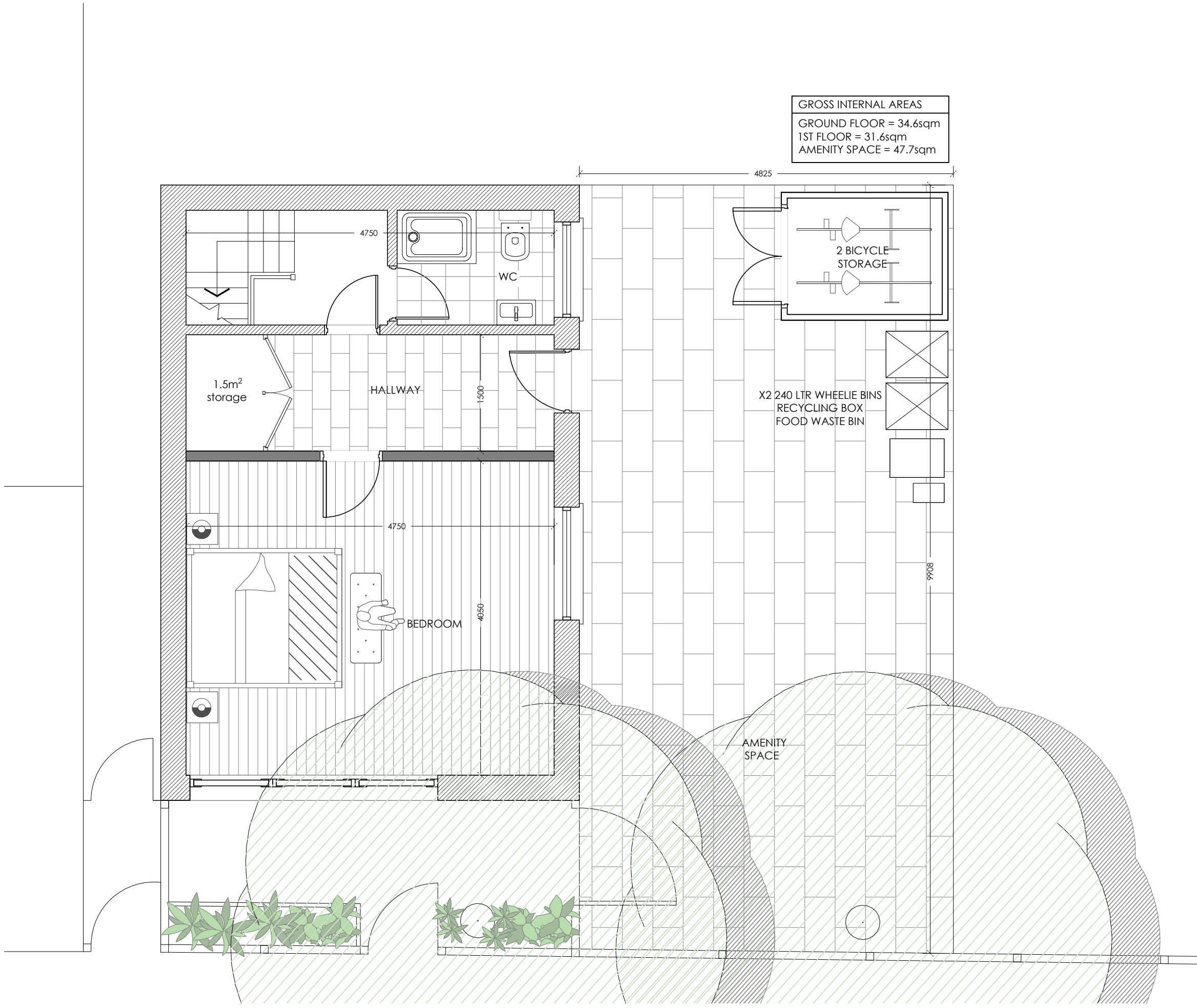
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GROSS INTERNAL AREAS  
 GROUND FLOOR = 34.6sqm  
 1ST FLOOR = 31.6sqm  
 AMENITY SPACE = 47.7sqm



Page 175



DETAILS	DATE	REVISION
BICYCLE AND REFUSE PROVISION	24.09.20	E
MINOR AMENDMENTS	20.07.20	D
MINOR AMENDMENTS	17.07.20	C
MINOR AMENDMENTS	16.07.20	B
MINOR AMENDMENTS	28.02.20	A

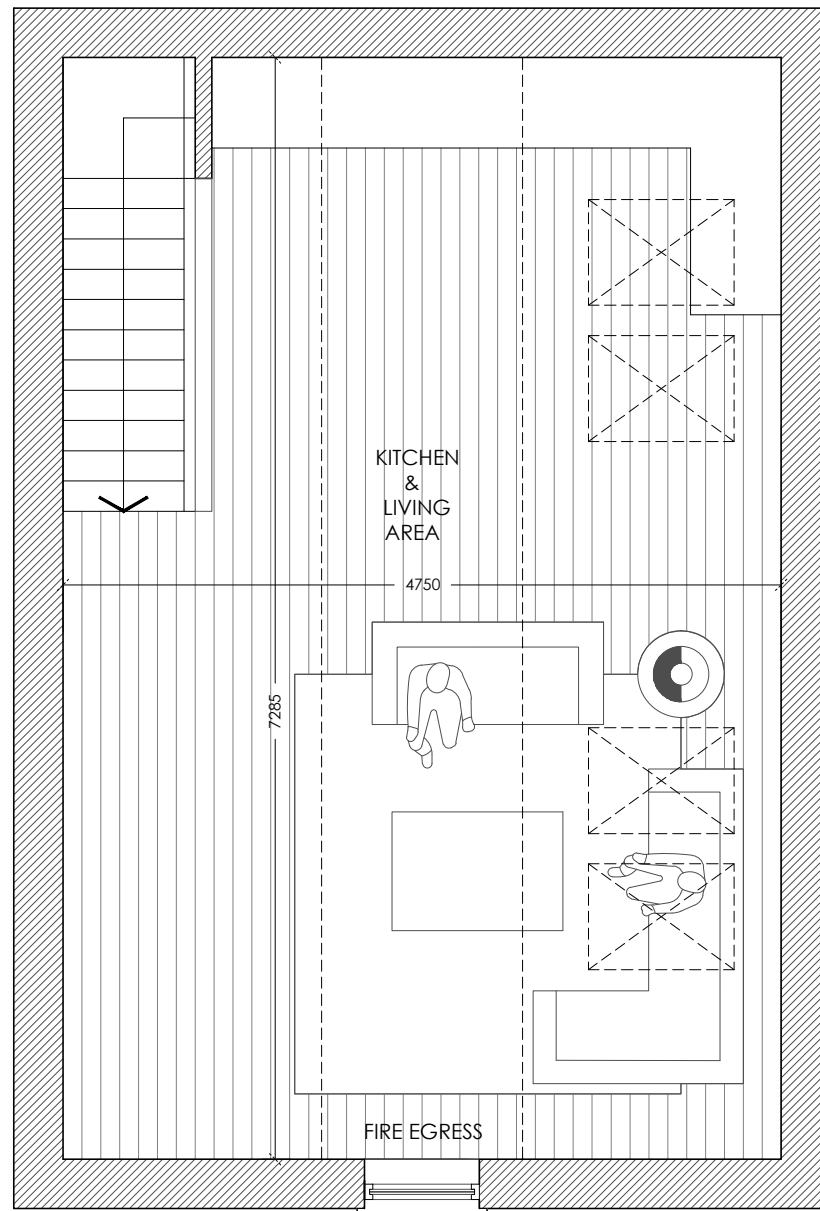
25 / 27 LANDGROVE ROAD  
 OUTBUILDING  
 PROPOSED GROUND FLOOR PLAN

date FEB 2020	client Mr S Adkins	revision E
scale 1:50 @ A3	drawing no. 11 / 533 / P200	

1 PROPOSED GROUND FLOOR PLAN  
 P200 scale 1:50

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1 PROPOSED FIRST FLOOR PLAN  
P201 scale 1:50

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DETAILS	DATE	REVISION
MINOR AMENDMENTS	16.07.20	A

25 / 27 LANDGROVE ROAD

OUTBUILDING  
PROPOSED 1ST FLOOR PLANS

date FEB 2020	client Mr S Adkins	revision A
scale 1:50 @ A3	drawing no. 11 / 533 / P200	

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Fire egress window

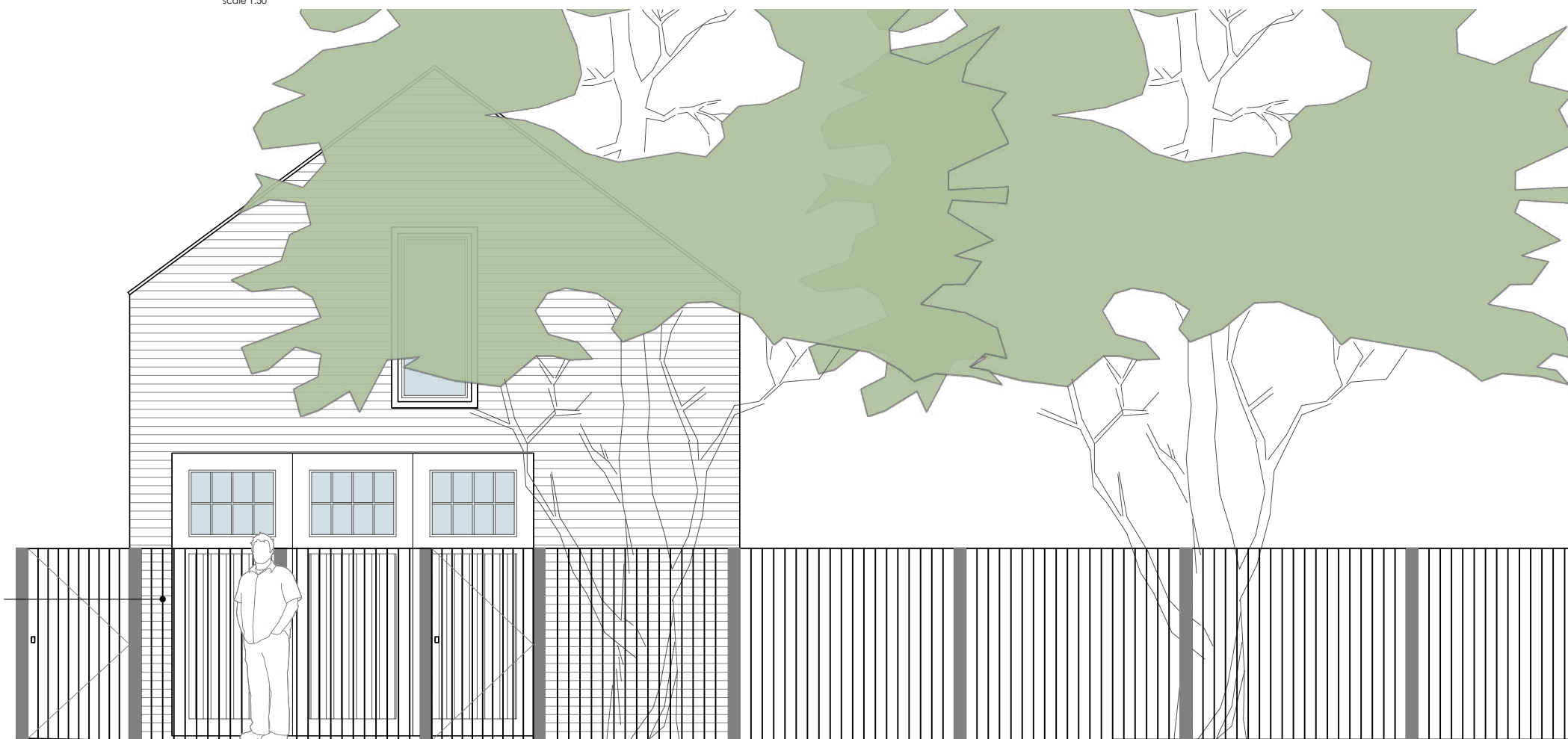
Alterations to fenestration of garage door

1 PROPOSED ELEVATION

P210

scale 1:50

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New fence and gate to match existing fence

2 PROPOSED ELEVATION SHOWING FENCE

P210

scale 1:50



DETAILS	DATE	REVISION
MINOR ALTERATIONS	17.07.20	REV B
MINOR ALTERATIONS	16.07.20	REV A

25 / 27 LANDGROVE ROAD  
OUTBUILDING - PROPOSED ELEVATION

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scale 1:50 @ A3	drawing no. 11 / 533 / P210	

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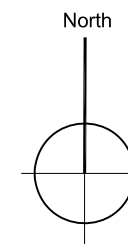
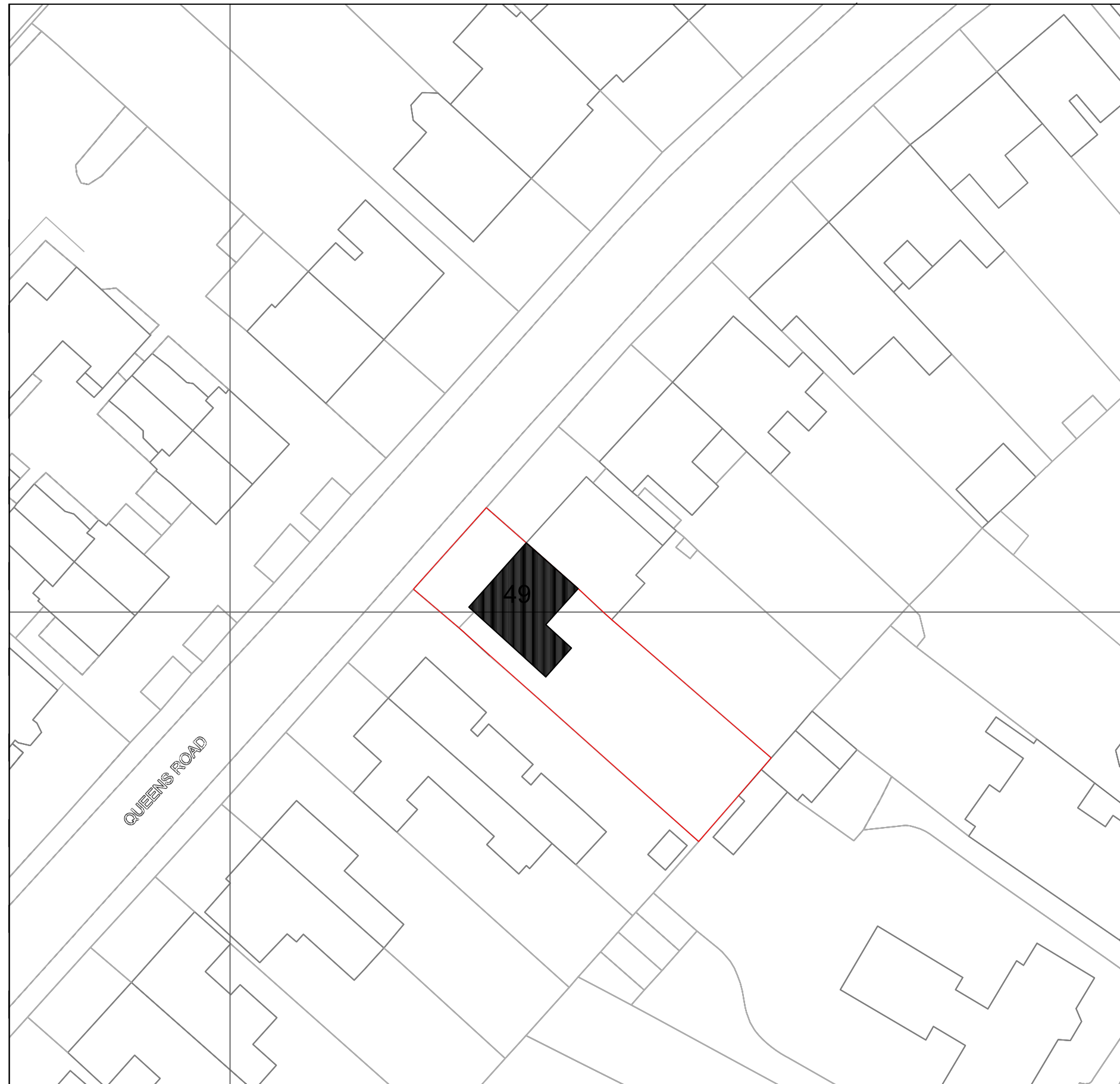
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STATUS PLANNING

PROJECT  
**49 Queens Road  
 SW19 8NP**

DRAWING  
**Existing Block Plan**

SCALE 1:500 SHEET SIZE A3 DRAWN BY CHECKED BY DATE

PROJECT NO. DRAWING NO. REVISION

**2008 002**

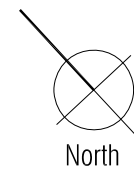
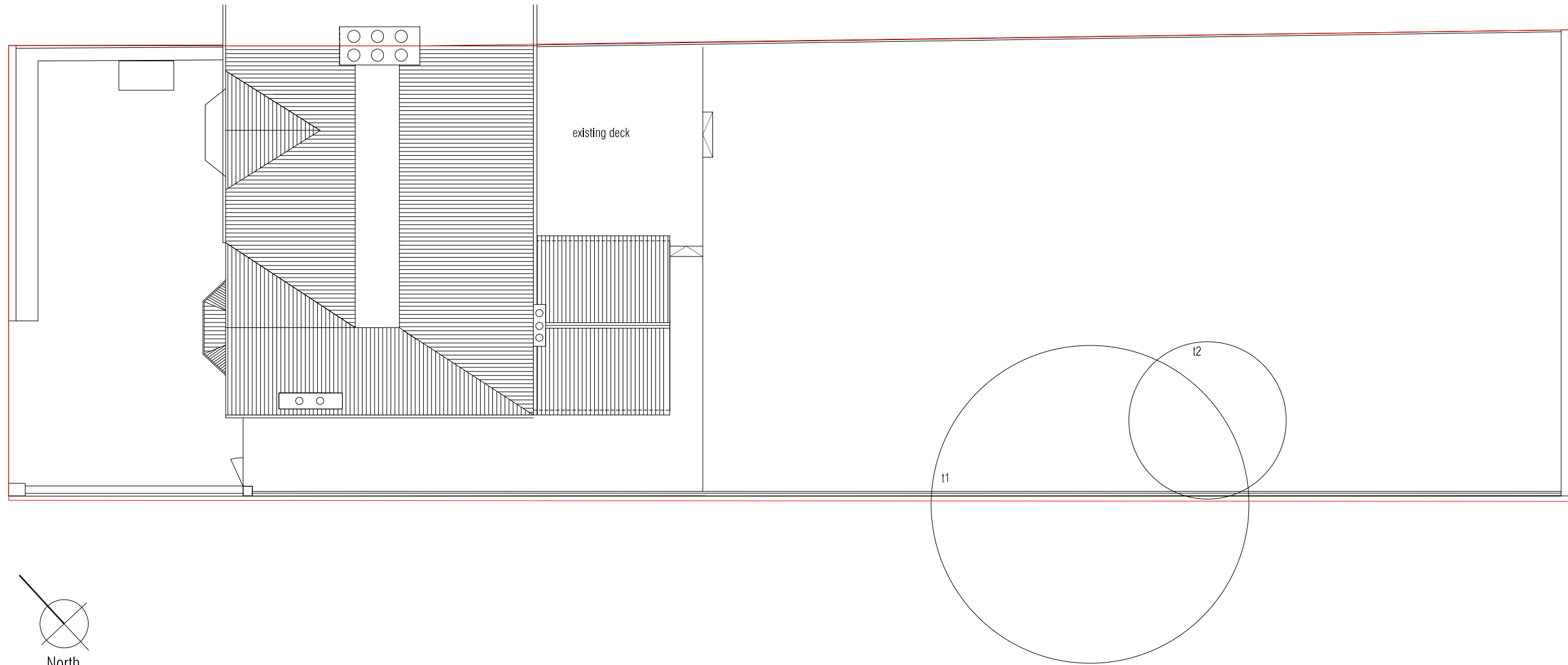
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Queens Road

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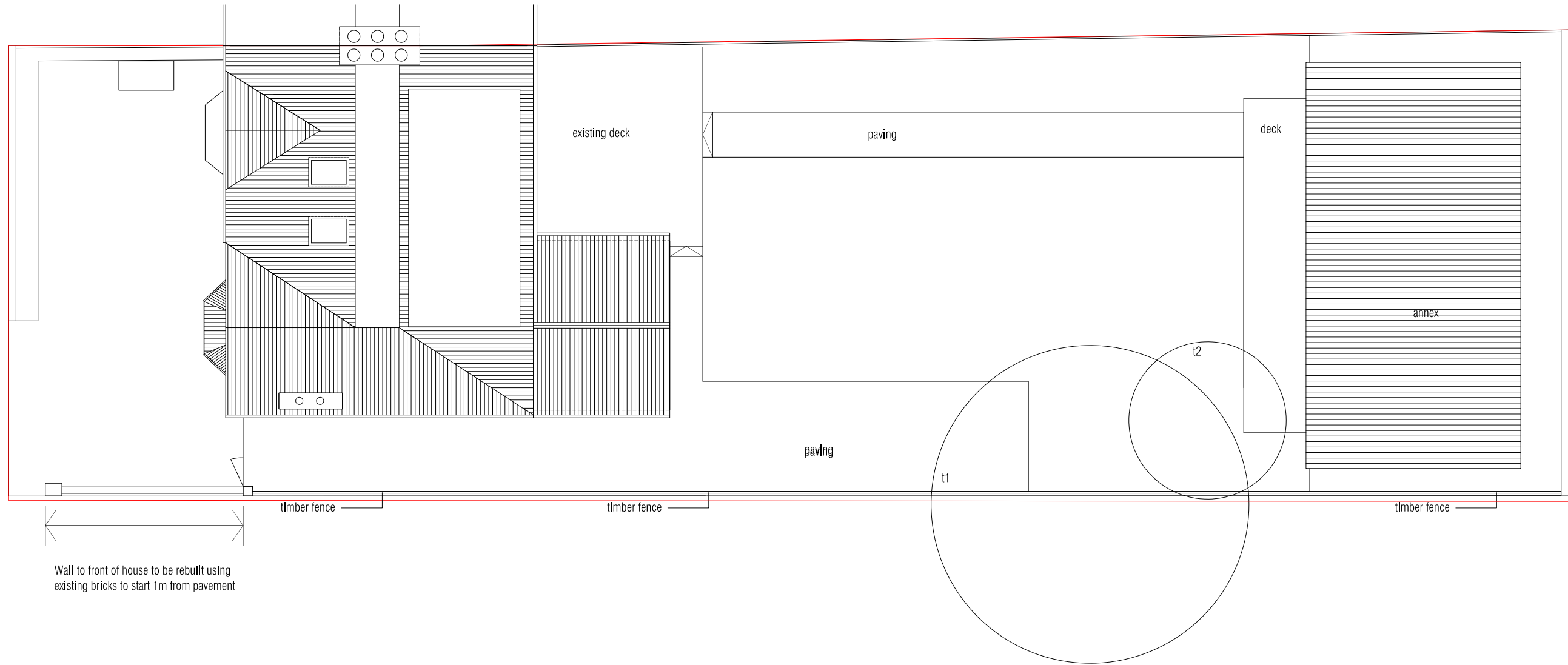
PROJECT  
 49 Queens Road  
 SW19 8NP

DRAWING  
 Existing Site Plan

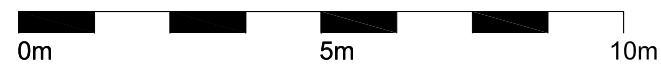
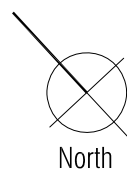
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PROJECT NO.	DRAWING NO.	REVISION		
2008	100			

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Wall to front of house to be rebuilt using existing bricks to start 1m from pavement



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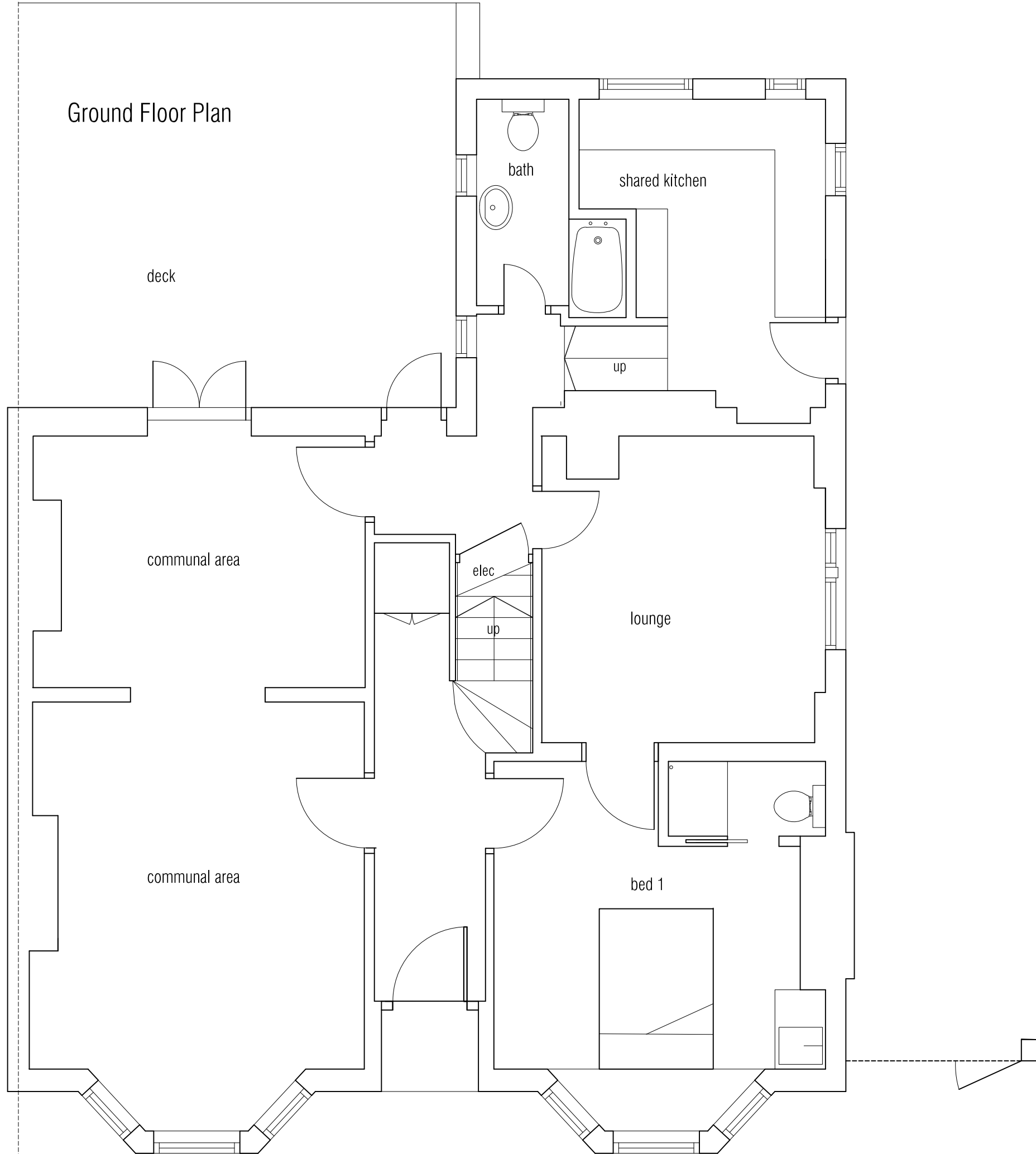
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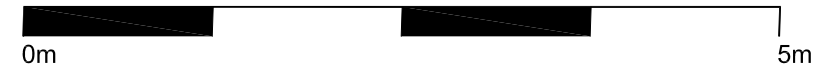
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Ground Floor Plan



Page 189



NOTES

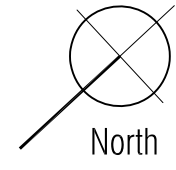
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STATUS PLANNING

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 SW19 8NP

DRAWING  
 Existing Ground Floor Plan

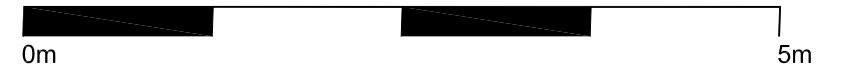


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First Floor Plan



NOTES



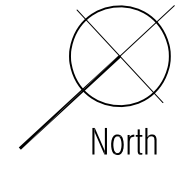
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STATUS PLANNING

PROJECT  
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 SW19 8NP

DRAWING  
 Existing First Floor Plan



SCALE	SHEET SIZE	DRAWN BY	CHECKED BY	DATE
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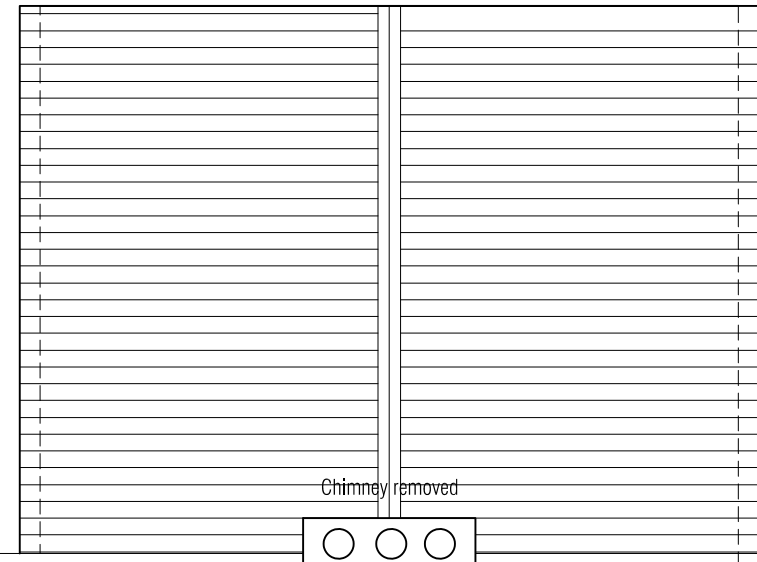
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Roof Plan

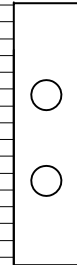
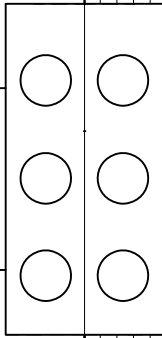


NOTES



Chimney removed

Page 191



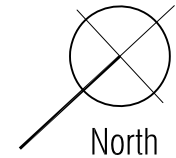
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STATUS PLANNING

PROJECT  
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 SW19 8NP

DRAWING  
 Existing Roof Plan



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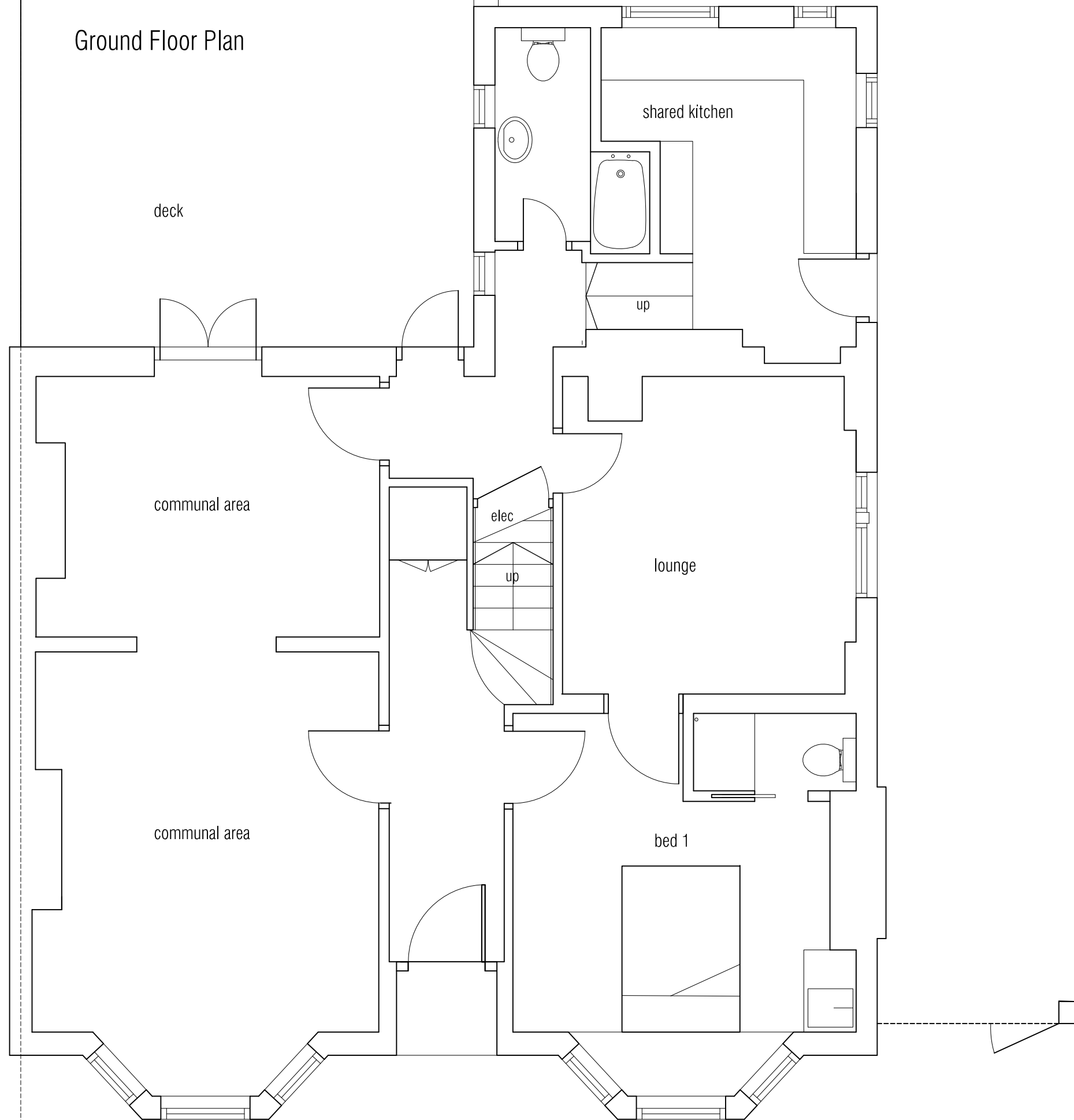
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2008	112	

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Ground Floor Plan



NOTES

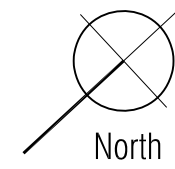
REVISION	DATE	DESCRIPTION	BY
..	..	..	..

Ms Vanessa Stott. 49 Queens Road SW19 8NP  
 E pottstott@icloud.com

STATUS PLANNING

PROJECT  
**49 Queens Road  
 SW19 8NP**

DRAWING  
**Proposed Ground Floor Plan**

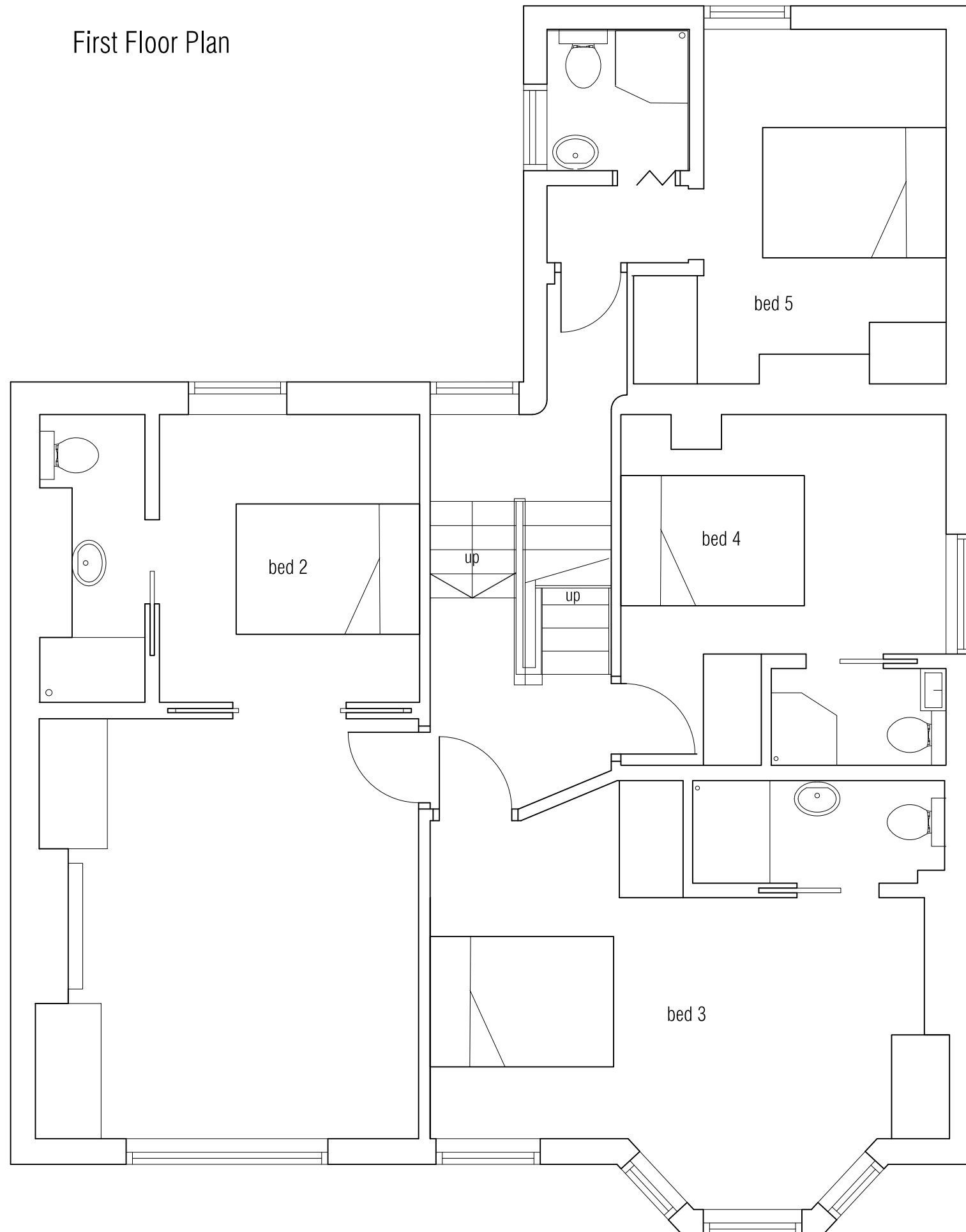


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First Floor Plan



NOTES

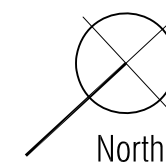
REVISION	DATE	DESCRIPTION	BY
..	..	..	..

Ms Vanessa Stott. 49 Queens Road SW19 8NP  
 E pottstott@icloud.com

STATUS PLANNING

PROJECT  
 49 Queens Road  
 SW19 8NP

DRAWING  
 Proposed First Floor Plan



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PROJECT NO. DRAWING NO. REVISION

2008 211

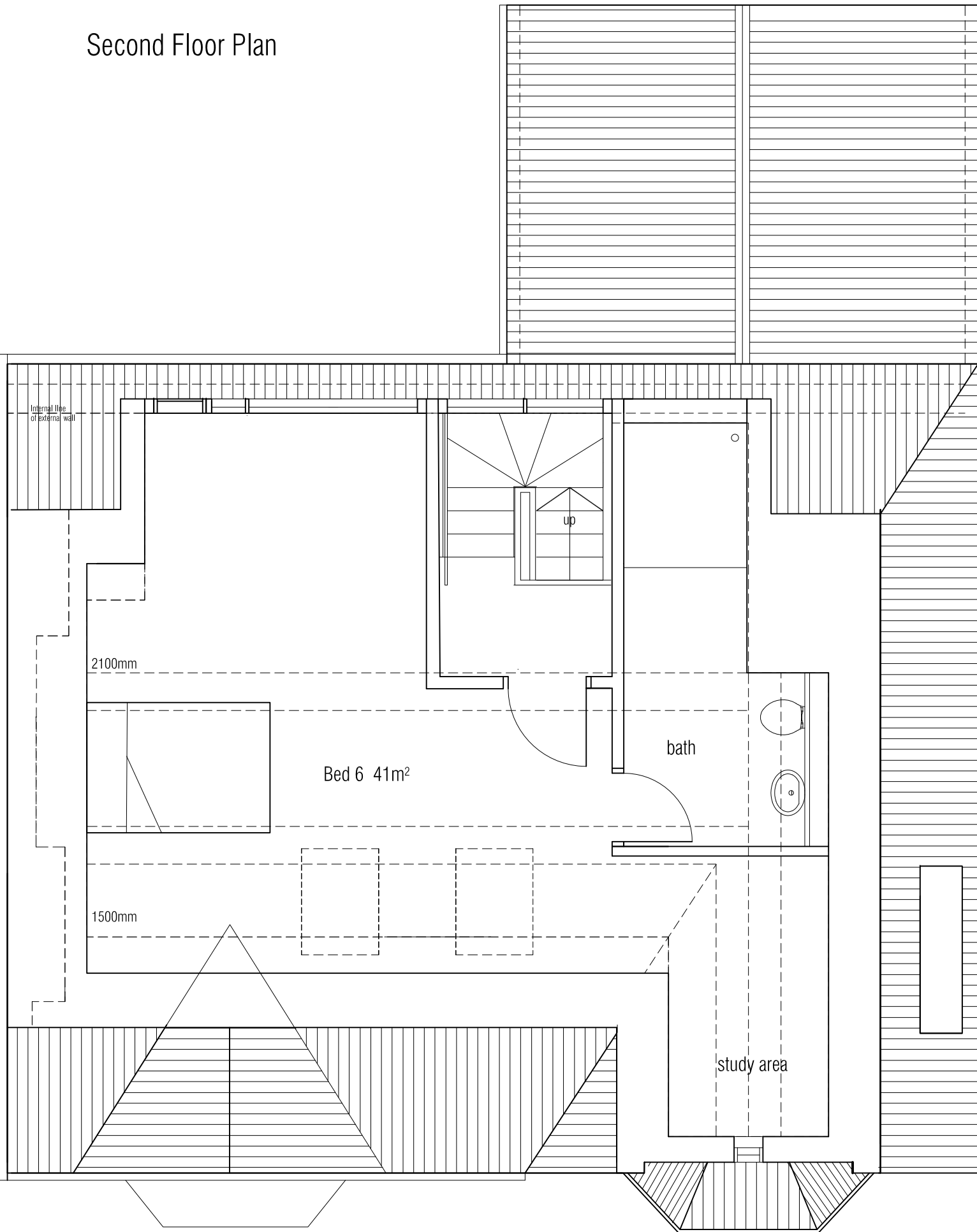
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# Second Floor Plan



## NOTES

Page 195



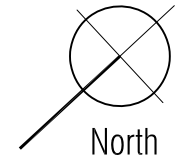
REVISION	DATE	DESCRIPTION	BY
..	..	..	..

Ms Vanessa Stott. 49 Queens Road SW19 8NP  
 E pottsstott@icloud.com

STATUS PLANNING

PROJECT  
 49 Queens Road  
 SW19 8NP

DRAWING  
 Proposed Second Floor Plan



SCALE	SHEET SIZE	DRAWN BY	CHECKED BY	DATE
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PROJECT NO.	DRAWING NO.	REVISION
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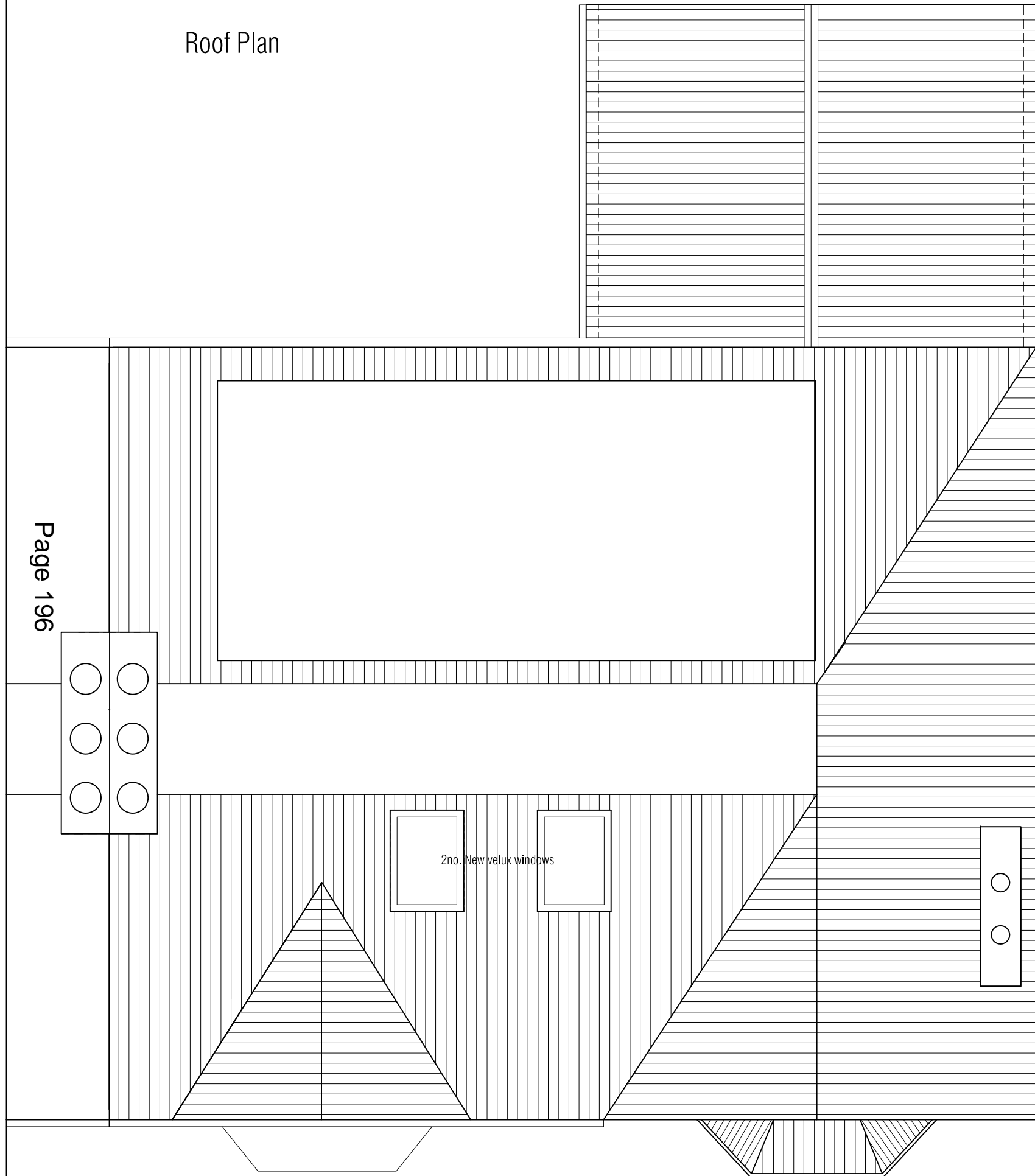
Do not scale this drawing. All dimensions in millimetres. Written dimensions to be checked on site.

Roof Plan



NOTES

Page 196



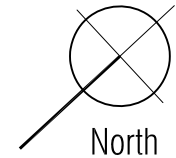
REVISION	DATE	DESCRIPTION	BY
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Ms Vanessa Stott. 49 Queens Road SW19 8NP  
 E pottsstott@icloud.com

STATUS PLANNING

PROJECT  
 49 Queens Road  
 SW19 8NP

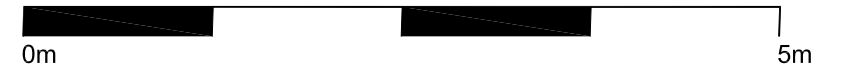
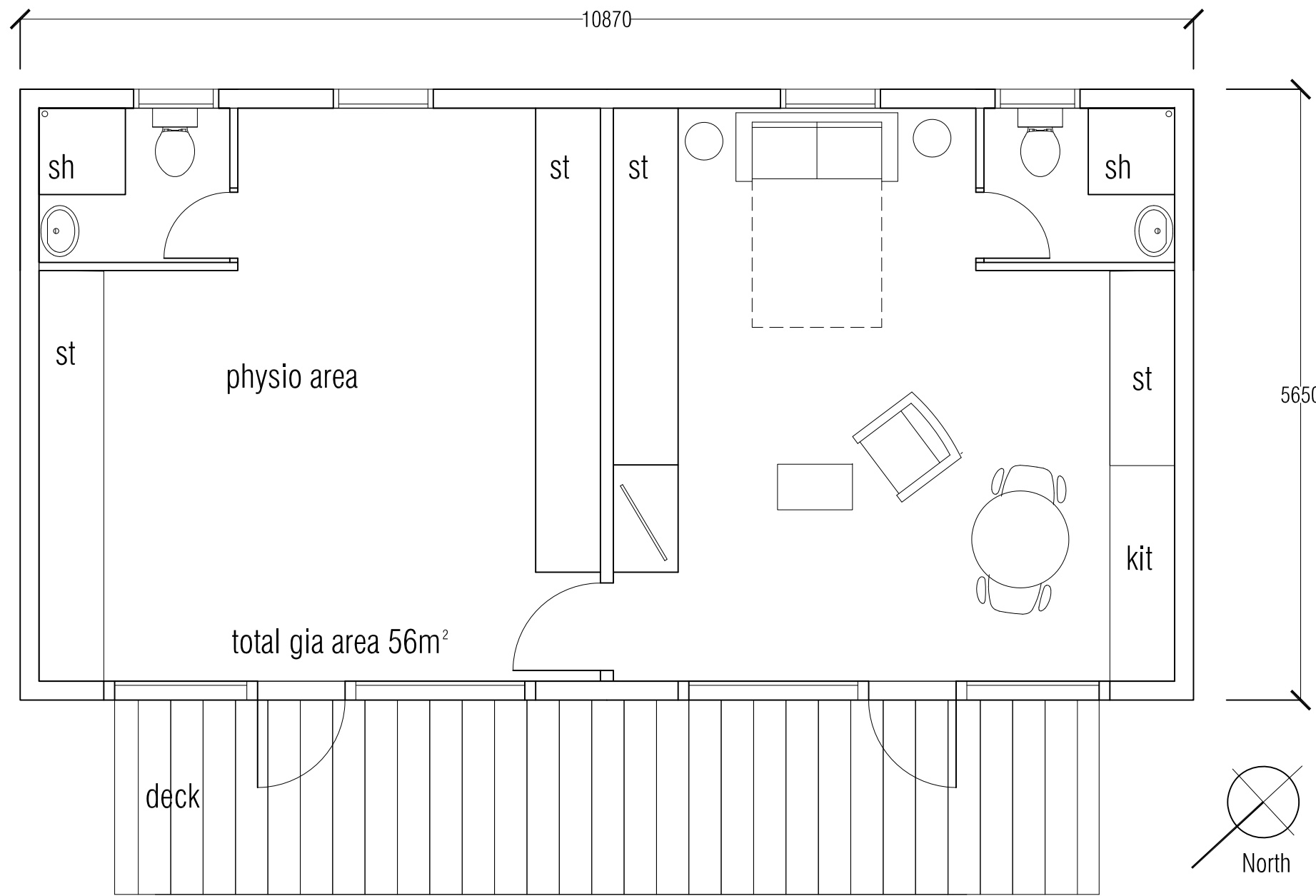
DRAWING  
 Proposed Roof Floor Plan



SCALE	SHEET SIZE	DRAWN BY	CHECKED BY	DATE
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PROJECT NO.	DRAWING NO.	REVISION
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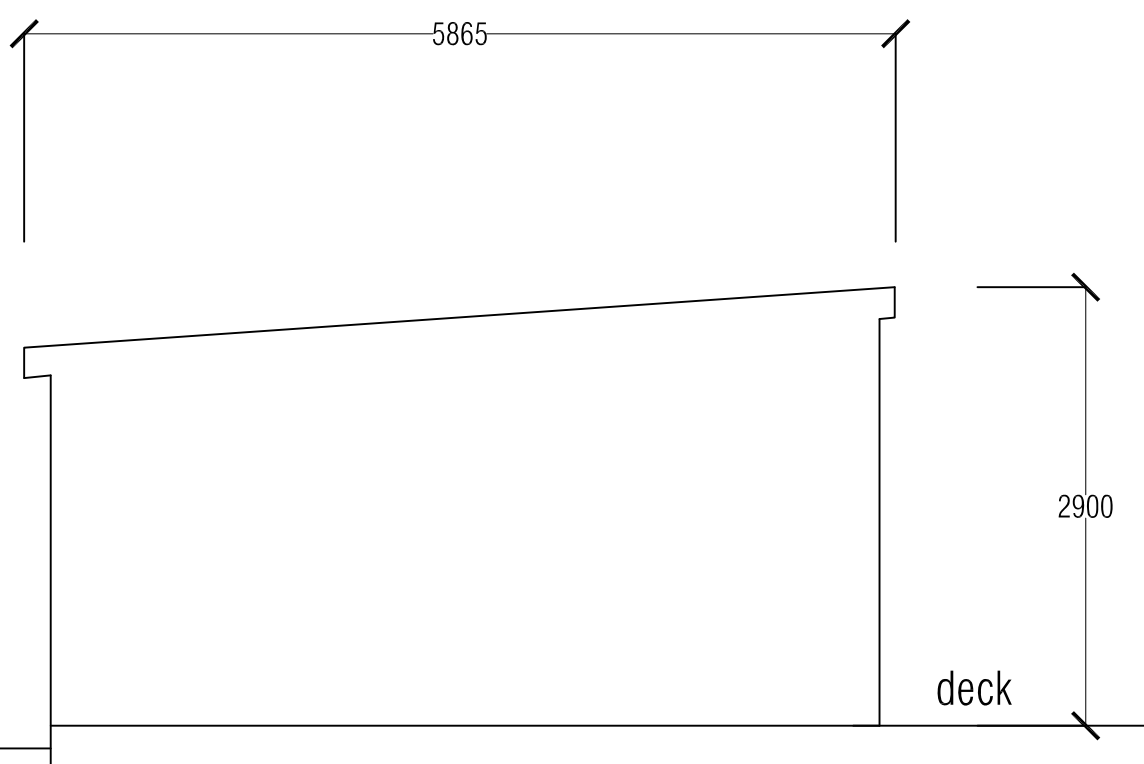
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NOTES

REVISION	DATE	DESCRIPTION	BY
..	..	..	..

Page 197  
Plan



Section



Materials

Ms Vanessa Stott. 49 Queens Road SW19 8NP  
E pottstott@icloud.com

STATUS PLANNING

PROJECT  
49 Queens Road  
SW19 8NP

DRAWING  
Proposed Annex

SCALE	SHEET SIZE	DRAWN BY	CHECKED BY	DATE
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PROJECT NO.	DRAWING NO.	REVISION		
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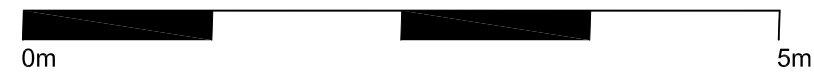
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Page 199

NOTES



REVISION	DATE	DESCRIPTION	BY
..	..	..	..

Ms Vanessa Stott. 49 Queens Road SW19 8NP  
 E pottstott@icloud.com

STATUS PLANNING

PROJECT  
 49 Queens Road  
 SW19 8NP

DRAWING  
 Existing North-West Elevation

SCALE	SHEET SIZE	DRAWN BY	CHECKED BY	DATE
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PROJECT NO.	DRAWING NO.	REVISION		
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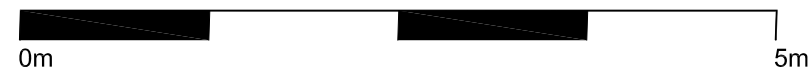
Do not scale this drawing. All dimensions in millimetres. Written dimensions to be checked on site.

Chimney removed



NOTES

REVISION	DATE	DESCRIPTION	BY
..	..	..	..



Ms Vanessa Stott. 49 Queens Road SW19 8NP  
 E pottstott@icloud.com

STATUS PLANNING

PROJECT  
 49 Queens Road  
 SW19 8NP

DRAWING  
 Existing South-East Elevation

SCALE	SHEET SIZE	DRAWN BY	CHECKED BY	DATE
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PROJECT NO.	DRAWING NO.	REVISION		
2008	121			

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NOTES

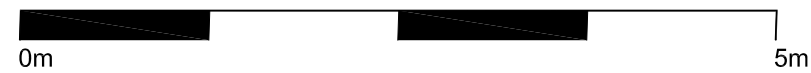
REVISION	DATE	DESCRIPTION	BY
..	..	..	

Ms Vanessa Stott. 49 Queens Road SW19 8NP  
 E pottstott@icloud.com

STATUS PLANNING

PROJECT  
 49 Queens Road  
 SW19 8NP

DRAWING  
 Existing South-West Elevation



SCALE	SHEET SIZE	DRAWN BY	CHECKED BY	DATE
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PROJECT NO.	DRAWING NO.	REVISION		
2008	122			

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New fixed light window timber frame

Page 203

Wall to front of house to be rebuilt using existing bricks to start 1m from pavement

NOTES



REVISION	DATE	DESCRIPTION	BY
..	..	..	..

Ms Vanessa Stott. 49 Queens Road SW19 8NP  
 E pottstott@icloud.com

STATUS PLANNING  
 PROJECT  
**49 Queens Road  
 SW19 8NP**  
 DRAWING  
**Proposed North-West Elevation**

SCALE	SHEET SIZE	DRAWN BY	CHECKED BY	DATE
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PROJECT NO.	DRAWING NO.	REVISION		
2008	220			

Do not scale this drawing. All dimensions in millimetres. Written dimensions to be checked on site.

Height to match no. 51

Painted timber



NOTES

REVISION	DATE	DESCRIPTION	BY
..	..	..	..



Ms Vanessa Stott. 49 Queens Road SW19 8NP  
 E pottstott@icloud.com

STATUS PLANNING

PROJECT  
 49 Queens Road  
 SW19 8NP

DRAWING  
 Proposed South-East Elevation

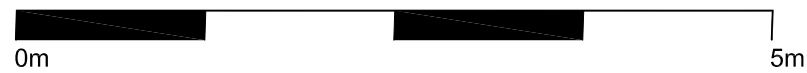
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PROJECT NO.	DRAWING NO.	REVISION		
2008	221			

Do not scale this drawing. All dimensions in millimetres. Written dimensions to be checked on site.



NOTES

REVISION	DATE	DESCRIPTION	BY
..	..	..	



Ms Vanessa Stott. 49 Queens Road SW19 8NP  
 E pottstott@icloud.com

STATUS PLANNING

PROJECT  
 49 Queens Road  
 SW19 8NP

DRAWING  
 Proposed South-West Elevation

SCALE	SHEET SIZE	DRAWN BY	CHECKED BY	DATE
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PROJECT NO.	DRAWING NO.	REVISION		
2008	222			

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**Committee:** Planning Applications

**Date:** 11<sup>th</sup> February 2021

## **Subject:** Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

### **Recommendation:**

**That Members note the contents of the report.**

### **1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY**

- 1.1 For Members' information recent decisions made by Inspectors appointed by the Secretary of State for Communities and Local Government in respect of recent Town Planning Appeals are set out below.
- 1.2 The relevant Inspectors decision letters are not attached to this report but can be viewed by following each individual link. Other agenda papers for this meeting can be viewed on the Committee Page of the Council Website via the following link:

**[LINK TO COMMITTEE PAGE](#)**

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### **DETAILS**

**Application Number**            **19/P3893**

**Appeal number:**                APP/T5720/W/20/3260658

**Site:**                                7 Rural Way, Streatham SW16 6PF

**Development:**                DEMOLITION OF EXISTING BUILDING AND ERECTION OF 3 x 3  
BED TERRACED HOUSES. ASSOCIATED LANDSCAPING AND  
CREATION OF AMENITY AREAS, PARKING AND CYCLE  
STORAGE

**Appeal Status:**                 WITHDRAWN

**Date of Withdrawal:**         15<sup>th</sup> January 2021

---

## **Alternative options**

- 3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is re-determined.
- 3.2 The Council may wish to consider taking legal advice before embarking on a challenge. The following applies: Under the provision of Section 288 of the Town & Country Planning Act 1990, or Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person or an establishment who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the following grounds: -
1. That the decision is not within the powers of the Act; or
  2. That any of the relevant requirements have not been complied with; (relevant requirements means any requirements of the 1990 Act or of the Tribunal's Land Enquiries Act 1992, or of any Order, Regulation or Rule made under those Acts).

## **1 CONSULTATION UNDERTAKEN OR PROPOSED**

- 1.1. None required for the purposes of this report.

## **2 TIMETABLE**

- 2.1. N/A

## **3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS**

- 3.1. There are financial implications for the Council in respect of appeal decisions where costs are awarded against the Council.

## **4 LEGAL AND STATUTORY IMPLICATIONS**

- 4.1. An Inspector's decision may be challenged in the High Court, within 6 weeks of the date of the decision letter (see above).

## **5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS**

- 5.1. None for the purposes of this report.

## **6 CRIME AND DISORDER IMPLICATIONS**



6.1. None for the purposes of this report.

## **7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS**

7.1. See 6.1 above.

## **8 BACKGROUND PAPERS**

8.1. The papers used to compile this report are the Council's Development Control service's Town Planning files relating to the sites referred to above and the agendas and minutes of the Planning Applications Committee where relevant.

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## **Committee:** Planning Applications Committee

**Date:** 11<sup>th</sup> February 2021

**Agenda item:**

**Wards:** All

**Subject:** PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES

**Lead officer:** HEAD OF SUSTAINABLE COMMUNITIES

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

**COUNCILLOR LINDA KIRBY, CHAIR, PLANNING APPLICATIONS COMMITTEE**

**Contact Officer** Ray Littlefield: 0208 545 3911  
Ray.Littlefield@merton.gov.uk

### **Recommendation:**

---

That Members note the contents of the report.

---

#### **1. Purpose of report and executive summary**

This report details a summary of 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>485</b>	<sup>1</sup> (478)	<b>New Appeals:</b>	(0)	(0)
<b>New Complaints</b>	32	(30)	<b>Instructions to Legal</b>	1	(0)
<b>Cases Closed</b>	<b>25</b>		<b>Existing Appeals</b>	2	(2)
No Breach:	18		<hr/>		
Breach Ceased:	7		<b>TREE ISSUES</b>		
NFA <sup>2</sup> (see below):	0		<b>Tree Applications Received</b>	<b>41</b>	<b>(45)</b>
Total	25		<b>% Determined within time limits:</b>	<b>35%</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	0	(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)	2	(1)			
Total	0	(0)			
<b>Prosecutions: (instructed)</b>	0	(0)			

Note (*figures are for the period from 6th January 2021 to 2<sup>nd</sup> February 2021*). 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

**193 London Road, CR4 2JD.** This is concerning a s215 notice served on untidy land. A s215 notice was issued on 1st December 2020. This notice requires compliance at the end of February 2021 requiring the Land to be tided up / cleared.

**283 Galpins Road CR7 6EY.** This is concerning a s215 notice served on untidy land. A s215 notice was issued on 23 December 2019. This notice required compliance at the end of February 2020 requiring the Land to be tided up / cleared. Site visit arranged.

**31 Edgehill Road, Mitcham, CR4 2HY.** This is concerning a raised platform/garden that has been raised by approximately 90cm. An enforcement notice has been served to remove the raised platform and reduce the garden level by 90cm. The notice would have taken effect on 18/12/19, with a compliance date of 18/03/20, however an appeal has been submitted and is underway.

**193 London Road CR4 2TJ.** This is concerning untidy land to the side and rear of 193 London Road. An initial site visit was carried out, multiple letters have been sent to the property asking for compliance and for them to contact the Council to confirm a compliance schedule of works. Correspondence from the owner has been received. A further visit was made to confirm the site has not been tidied. The Land is actively being cleared.

**155 Canterbury Road, Morden, SM4 6QG.** This is concerning an outbuilding in the rear garden that has had a retrospective planning application refused. An enforcement notice has been served on the property for the outbuilding to be demolished, the notice would have taken effect on 9th December 2019 and the compliance period would have been two months. However it has now been appealed to the Planning Inspectorate. The appeal was dismissed by Decision letter dated 19<sup>th</sup> August 2020. The compliance date i.e. Demolish the unauthorised rear outbuilding is 19<sup>th</sup> December 2020. Site visit to be arranged.

**208 Bishopsford Road, Morden, SM4 6DA.** This is concerning the erection of a single storey rear extension onto an existing extension on the ground floor. A Planning Enforcement Notice has been issued requiring the demolition of the Extension. The Notice was issued on 4<sup>th</sup> October 2019, the Notice came into effect on 10<sup>th</sup> November 2019 with a compliance period of 3 months, unless an appeal was made before 10<sup>th</sup> November 2019. An appeal was submitted but rejected by the Planning Inspectorate as it was received by The Planning Inspectorate one day late. Compliance date was 10<sup>th</sup> February 2020. Further action is under consideration. A new planning application for a reduced structure is to be 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. Revised scheme re-submitted and is currently under consideration.

Works are underway to expose the depth and boundary of the foundations in order to confirm an alternative landscaping scheme is feasible. A further scheme is under consideration. A finale inspection is to be undertaken as the requested works / Landscaping has now been carried out.

**6 CARTMEL GARDENS, MORDEN SM4 6QN: (Notice 2)** This is regarding a side extension not built in accordance with approved plans and being used as a self contained unit of accommodation. A planning Enforcement Notice was subsequently

issued on 24th September 2019 and took effect on 24th 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. An appeal was submitted but subsequently withdrawn. A second Notice was subject of an appeal now determined.

### **Some Recent Enforcement Actions**

#### **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 came into effect on 8<sup>th</sup> July 2019 unless appeals were made before this date. No appeals were 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. The second enforcement notice was not complied with and now prosecution proceedings are being undertaken.

The plea hearing has now taken place at Lavender Hill Magistrates Court, where the defendant pleaded not guilty and the second hearing is due on the 14th January 2020.

A second hearing was held on 14<sup>th</sup> January 2020, and adjourned until 4<sup>th</sup> February 2020 in order for the defendant to seek further legal advice.

The defendant again appeared in court and pleaded not guilty, a trial date was set for 21<sup>st</sup> May 2020. Due to the Covid-19 pandemic this has been postponed. The case has been listed for a 'non-effective' hearing on Tuesday 14 July 2020, where a new trial date will be set.

This was postponed until another date yet to be given. The Council has now instructed external Counsel to prosecute in these matters.

The next 'non-effective' hearing date is 2<sup>nd</sup> October 2020. This date has been re-scheduled to 27<sup>th</sup> November 2020. This was again re-scheduled to 4<sup>th</sup> January 2021. Outcome not known at the time of compiling this report.

A trial date has now been set for 28<sup>th</sup> and 29<sup>th</sup> April 2021.

**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 24th September 2019 and would have taken effect on 24th October 2019. The notice requires the demolition of the rear extension. This Notice has a compliance period of 3 calendar months. An Appeal was electronically submitted. This Appeal has now been determined by Decision letter dated 23<sup>rd</sup> June 2020. The Appeal was dismissed and the Enforcement Notice upheld. The compliance period is 3 months from the date of the Decision letter. Direct action is now under consideration.

**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. An Appeal to The Planning Inspectorate has been made. The appeal was determined by Decision letter dated 18<sup>th</sup> March 2020. The appeal was dismissed with a slight variation of the wording of the enforcement Notice. The Enforcement Notice had a 2 months compliance period. A further site inspection found that the Enforcement Notice has been complied with.

**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 would have taken effect took effect on 16th September 2019, with a compliance period of 3 calendar months. An Appeal has started. This Appeal has now been determined by Decision letter dated 16<sup>th</sup> July 2020. The appeal was allowed and the Enforcement Notice quashed.

**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 would have taken 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. An Appeal has been submitted, and has started. The appeal site visit was postponed, by The Planning Inspectorate. This Appeal has now been determined by Decision letter dated 17<sup>th</sup> July 2020. The Appeal was dismissed and the Enforcement Notice upheld. The Notice was varied and the time for compliance extended from 3 months to 6 months from the date of the Appeal Decision letter. However, minor costs were awarded to the appellant for extra work and or time that had been spent on the appeal that were not needed.

**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. An Appeal has been electronically submitted, This Appeal has now started. The date of the Planning Inspectors site visit was 20<sup>th</sup> October 2020.

**Existing enforcement appeals**

2

**Appeals determined**

0

**New Enforcement Appeals**

0

**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**