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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 23 September 2021

**Time:** 7.15 pm

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

This is a public meeting and can be viewed by following this link <https://www.youtube.com/user/MertonCouncil>. If you wish to speak please see notes after the list of agenda items.

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## Planning Applications Committee Agenda

### 23 September 2021

- |   |  |           |
|---|--|-----------|
| 1 | Apologies for absence  |           |
| 2 | Declarations of Pecuniary Interest   |           |
| 3 | Minutes of the previous meeting  | 1 - 6     |
| 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 | Wimbledon Park Lake, Wimbledon Park, Home Park Road, Wimbledon, London, SW19 7HX                   | 7 - 76    |
|   | <i>Application No: 21/P1930</i>  |           |
|   | <i>Ward: Village and Wimbledon Park</i>  |           |
|   | <i>Recommendation: GRANT Planning Permission subject to conditions.</i>                            |           |
| 6 | 21 Neath Gardens, Morden, SM4 6JN  | 77 - 94   |
|   | <i>Application No: 21/P1546</i>  |           |
|   | <i>Ward: Ravensbury</i>  |           |
|   | <i>Recommendation: Grant planning permission subject to conditions.</i>                            |           |
| 7 | 89 Worple Road, Wimbledon, SW19 4JG  | 95 - 122  |
|   | <i>Application No: 21/P2154</i>  |           |
|   | <i>Ward: Hillside</i>  |           |
|   | <i>Recommendation: Grant Prior Approval, subject to conditions and permit free legal agreement</i> |           |
| 8 | Planning Appeal Decisions  | 123 - 126 |
|   | Officer Recommendation:  |           |
|   | That Members note the contents of the report.  |           |
| 9 | Planning Enforcement - Summary of Current Cases  | 127 - 134 |
|   | Officer Recommendation:  |           |
|   | That Members note the contents of the report.  |           |

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### **Declarations of Pecuniary Interests:**

Members are reminded of the need to have regard to the items published with this agenda and, where necessary to declare at this meeting any Disclosable Pecuniary Interest (as defined in The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter.

If members consider they should not participate because of a non pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item.

For further advice please speak with the Council's Assistant Director of Corporate Governance.

### **Declarations of Pecuniary Interests – Members of the Design and Review Panel (DRP)**

Members of the Planning Applications Committee (PAC), who are also members of the DRP, are advised that they should not participate in an item which has previously been to DRP where they have voted or associated themselves with a conclusion reached or recommendation made. Any member of the PAC who has also sat on DRP in relation to items on this PAC agenda must indicate whether or not they voted in such a matter. If the member has so voted they should withdraw from the meeting.

### **Human Rights Implications:**

The applications in this Agenda have been considered in the light of the Human Rights Act 1998 and in particular, the First Protocol of Article 1 (Protection of Property); Article 6 (Rights to a Fair Trial) and Article 8 (Private and Family Life). Consideration has been given to the impact of each application on the people living and working in the vicinity of that particular application site and to the impact of the proposals on the persons who have made written representations on the planning merits of the case. A full assessment of material planning considerations has been included in each Committee report. Third party representations and details of the application proposals are summarised in each Committee report. It may be that the policies and proposals contained within the Development Plan and/or other material planning considerations will outweigh the views of third parties and/or those of the applicant.

### **Order of items:**

Applications on this agenda are ordered alphabetically. At the meeting the Chair may change this order to bring forward items with the greatest number of public speakers. The new order will be announced by the Chair at the start of the meeting.

### **Speaking at Planning Committee:**

All public speaking at Planning Committee is at the discretion of the Chair. The following people may register to speak:

Members of the Public who have submitted a written representation objecting to an application. A maximum of 6 minutes is allowed for objectors. If only one person registers they will get 3 minutes to speak, a second person will also get 3 minutes. If further people want to speak then the 6 minutes may be shared between them

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Agents/Applicants will be able to speak but only if members of the public have registered to speak in opposition to the application. Applicants/agents will get an equal amount of time. If an application is brought to Committee with an Officer recommendation for Refusal then the Applicant/Agent will get 3 minutes to speak.

**All Speakers MUST register in advance**, by contacting The Planning Department no later than 12 noon on the day before the meeting.

PHONE: 020-8545-3445/3448

e-mail: [planning@merton.gov.uk](mailto:planning@merton.gov.uk))

Ward Councillors/Other Councillors who are not members of the Planning Committee may also register to speak and will be allocated 3 minutes each. Please register with Development Control Administration or Democratic Services no later than 12 noon on the day before the meeting

**Submission of additional information before the meeting:** Any additional information relating to an item on this Agenda should be sent to the Planning Department before 12 noon on the day before the meeting (using email above).

**Please note:**

There is no opportunity to make a visual presentation when speaking at Planning Committee

That the distribution of any documents by the public during the course of the meeting will not be permitted.

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# Agenda Item 3

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

## PLANNING APPLICATIONS COMMITTEE

19 AUGUST 2021

(7.15 pm - 10.11 pm)

### PRESENT

Councillors Councillor Dave Ward (in the Chair),  
Councillor Stephen Crowe, Councillor Ben Butler,  
Councillor David Dean, Councillor Nick Draper,  
Councillor Joan Henry, Councillor Carl Quilliam and  
Councillor Peter Southgate

Andrew Robertson (Head of Democracy and Electoral Services)

### IN ATTENDANCE

Sarath Attanayake (Transport Planning Project Officer), Tim  
Bryson (Development Control Team Leader (North), Amy  
Dumitrescu (Interim Democracy Services Manager), Jonathan  
Lewis (Development Control Team Leader (South) and Farzana  
Karamat-Mughal (Democratic Services Officer)

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

Apologies for absence were received on behalf of Councillors Stephen Alambritis, Billy Christie and Simon McGrath. Councillors Ben Butler and Dennis Pearce were in attendance as their respective substitute.

Members were informed that Councillor Eloise Bailey was substituting for Councillor Simon McGrath, however, due to Covid related reasons sent her apologies.

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

Councillor David Dean declared an interest in respect of item number 6 – Dundonald Recreation Centre, Wimbledon, in that he was acting Vice-Chair of The Friends of Dundonald Park. He did not take part in the debate or vote on the proposal.

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

**RESOLVED:** That the minutes of the meeting held on 15<sup>th</sup> July 2021, were agreed as an accurate record.

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

The Committee noted the amendments and modifications to the officers' report (see item no. 18). This applied to items number 5, 7, 8, 9, and 10.

Furthermore, the Chair advised that the order of the agenda was charged and would be considered in the order as follows: 10, 9, 6, 7, 5, 8 and 11. For the purpose of the minutes, items were minuted in the order they appeared in the published agenda.

5      296 COOMBE LANE, RAYNES PARK, LONDON, SW20 0RW (Agenda Item 5)

Proposal: Demolition of dwelling house and erection of three new dwelling houses.

The Committee noted the report and the plans presented by the Development Control Team Leader (North). The Committee also noted the modifications sheet contained in the supplementary agenda.

In response to issues raised by a Member, the Development Control Team Leader (North) confirmed that surface water drainage and flood risk had been considered by the Council's Officers and no concerns had been expressed, although there were still concerns of flooding to the basements and the potential risks to the occupiers of the dwellings.

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

**RESOLVED** that the application number 20/P2235 be **GRANTED** planning permission subject to conditions and no objection received from Thames Water.

6      DUNDONALD RECREATION GROUND, DUNDONALD ROAD,  
WIMBLEDON, SW19 3QH (Agenda Item 6)

Proposal: Erection of a temporary building to provide community space, tennis club and café and erection of separate temporary toilet facilities.

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

Two representatives had registered to speak in support of the proposed scheme, and at the request of the Chair, advised the Committee of the following points:

- the proposed scheme would benefit the community, in terms of their health and wellbeing;
- it would provide usable space and much needed toilets, with an attractive addition to the park surrounded by extra planting which would improve the appearance to the garden.

Councillor Anthony Fairclough had registered to speak and at the request of the Chair stressed that Donald Recreation Ground was managed and maintained for the benefit of all residents and users of 'The friends of Dundonald Park' and welcomed any reasonable and sympathetic improvements.

In the ensuing debate, although some members supported the proposal, some members raised a number of concerns and stressed that the open space should be retained and not to be diminished

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

**RESOLVED** that the application number 19/P4183 be **REFUSED**.

*(Councillor David Dean declared an interest in respect of this application, in that he was acting Vice-Chair of The Friends of Dundonald Park. He did not take part in the debate or vote on the proposal).*

*(The meeting was adjourned at 20:50 and resumed at 20:56 for a short break)*

7 HARTFIELD WALK OFF THE BROADWAY, WIMBLEDON, LONDON, SW19 1QD (Agenda Item 7)

Proposal: Temporary installation of 2 x 2 kiosks and an archway with planters for up to 5 years from 26<sup>th</sup> March 2021 until 25<sup>th</sup> March 2026.

The Committee noted the report and the plans presented by the Development Control Team Leader (North). The Committee also noted the modifications sheet contained in the supplementary agenda.

An objector had registered to speak in relation to the proposed scheme, including Councillor Edward Gretton on behalf of his Ward, and at the request of the Chair, had raised a number of points, including:

- poor design and materials;
- the proposed development raised ecological concerns;
- the archway design with tall planters at the entrance to Hartfield wall was too narrow and needs to be much wider.

The applicant had registered to speak, and at the request of the Chair, informed the Committee that this application was approved by Council's offices in September 2020 to develop the walkway into a dynamic public realm space in the heart of Wimbledon Town Centre. The scheme would improve the town through place making increasing planting improving air quality and providing an interesting space in an environmentally conscious way with eco messaging and additional bio diversity.

In response to Members' questions, the Development Control Team Leader (North) draw Members' attention to page 111 paragraph 7.7.1 of the report, it stated that a number of concerns had been raised with regards to the impact of benches on the existing trees within Hartfield Walk. The benches installed do not require planning permission and were not part of the current application. The kiosks and archway themselves do not require foundations and were set away from the trees.

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

**RESOLVED** that the application number 21/P0855 be **GRANTED** planning permission subject to conditions.

8      40A AND REAR OF 40 LAMBTON ROAD, RAYNES PARK, SW20 0LP  
(Agenda Item 8)

Proposal: Redevelopment of the site involving demolition of the commercial buildings and 2 x residential units, and the erection of row of three single storey dwellings, together with landscaping, cycle storage and refuse storage.

The Committee noted the report and the plans presented by the Development Control Team Leader (South). The Committee also noted the modifications sheet contained in the supplementary agenda.

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

**RESOLVED** that the application number 21/P1442 be **GRANTED** planning permission subject to conditions.

9      38 LYVEDEN ROAD TOOTING LONDON, SW17 9DU (Agenda Item 9)

Proposal: Conversion of existing dwelling house into 5 x self-contained flats, including ground and first floor extensions, a rear roof extension, excavation and extension to basement level, associated landscaping (including demolition of exiting garden structures) cycle and refuse storage.

The Committee noted the report and the plans presented by the Development Control Team Leader (South). The Committee also noted the modifications sheet contained in the supplementary agenda.

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

- the risk of vibrations to the neighbouring property from the railway;
- the proposed basement was 'medium risk, of surface water flooding;
- the proposed scheme was overdevelopment;
- concerns around the impact the proposed works could have on the stability of the neighbouring property;
- the proposed plan stated that there was likely to be damage to the adjacent properties at 36 and 40 Lyveden Road;
- strain on an overcrowded road and locality

The applicant had registered to speak, and at the request of the Chair, addressed the Committee with the following points:

- the development of the site was logical and considered acceptable in principle and would deliver 5 units, including two family sized units, to enable the Council to meet its housing need. The proposed design was of a high standard and considered appropriate within the site's context;
- the proposal would not have an adverse impact on the amenity of neighbouring properties, the local highways network, flooding and drainage, sustainability, trees and ecology;
- as considered by the Council's Officers, the revised application overcomes the previous reasons for refusal, by reducing the height and the depth of the first floor extension to the rear, which results in the proposed first floor extension being set in and not built on either boundary, reducing the height of the ground floor extension, setting in and reducing the extent of the rear dormer from both sides, removing the rear balcony and repositioning and redesigning the rear external openings;
- the site also does not have any heritage sensitivities;
- the proposed basement would not exceed the size criteria.
- the site was located within close proximity to a number of public parks, which would provide external amenity space for the three other flats;
- In terms of highways and transport, the site was located in an accessible location that was close to public transport. In addition Cycle parking would be provided in line with the London Plan standards.
- In terms of flood risk and drainage, a Flood Risk and Surface Water Assessment had been submitted with the application, which details the strategies that could be adopted to mitigate flood and drainage risks.

Councillor Laxmi Attawar had registered to speak, and the request of the Chair, addressed the Committee the site was an overdevelopment, and that no other properties in the area had been developed to this extent. There were a number of parking issues arising from the narrow road, this development would only add to the existing problems.

In response to the issues raised by the objectors, the Development Control Team Leader (South) stressed that in terms of extra pressure on car parking the applicant has acknowledged the need to restrict parking permits for four of the five new units.

In response to a Member's question, the Development Control Team Leader (South) confirmed that no external doors were proposed to access the basement, and that the principal front door provided the only access to all the flats including the basement.

During a detailed discussion on the issues of the overdevelopment, loss of privacy and overbearing, a motion for refusal was put forward by the Committee for the reason that there were concerns in relation to the bulk and massing of the development.

**RESOLVED** that the application number 21/P1988 be **REFUSED** planning permission. The reasons for refusal were on the grounds of design, height, siting, massing, loss of privacy and unneighbourly presence.

10 21 NEATH GARDENS, MORDEN, SM4 6JN (Agenda Item 10)

The Chair advised the Committee that the consideration of application number 21/P1546 be deferred to the next meeting of the Planning Applications Committee.

11 TREE PRESERVATION ORDER (NO.766) AT LAND AT 35 MEADOW CLOSE RAYNES PARK, SW20 (Agenda Item 11)

Proposal: Tree Preservation Order (No.766) at Land at 35 Meadow Close, Raynes Park, SW20.

The Committee noted the report presented by the Development Control Team Leader (South).

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

**RESOLVED** that the Merton (No.766) Tree Preservation Order 2021 be confirmed without modification.

12 PLANNING APPEAL DECISIONS - REPORT TO FOLLOW (Agenda Item 12)

The Planning Appeal Decisions report to be submitted at the next meeting of the Committee.

13 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 13)

Members noted the Planning Enforcement report.

14 MODIFICATIONS SHEET (Agenda Item 14)

The Committee noted the modifications sheet.

## PLANNING APPLICATIONS COMMITTEE

23<sup>rd</sup> September 2021

<u>Item No:</u>		
<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	21/P1930	14/05/2021
<b>Address/Site</b>	Wimbledon Park Lake, Wimbledon Park, Home Park Road, Wimbledon, London, SW19 7HX	
<b>(Ward)</b>	Village and Wimbledon Park	
<b>Proposal:</b>	ENGINEERING WORKS TO THE LAKE, SPILLWAYS AND EMBANKMENT TO IMPROVE LAKE SAFETY, IN ACCORDANCE WITH THE RESERVOIR ACT 1975 AS AMENDED.	
<b>Drawing Nos</b>	WMBLDN-WAB-XX-XX-DR-C-010 Rev P03, WMBLDN-WAB-XX-XX-DR-C-010101 Rev P03, WMBLDN-WAB-XX-XX-DR-A-20101 Rev P09, WMBLDN-WAB-XX-XX-DR-C-010103 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010104 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010205 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010208 Rev P01, WMBLDN-WAB-XX-XX-DR-C-010206 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010209 Rev P01, WMBLDN-WAB-XX-XX-DR-C-010210 Rev P01, WMBLDN-WAB-XX-XX-DR-C-010202 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010203 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010204 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010201 P03, WMBLDN-WAB-XX-XX-DR-C-010005 Rev P03, WMBLDN-WAB-XX-XX-DR-C-010105 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010106 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010003 Rev P03, WMBLDN-WAB-XX-XX-DR-A-20301 Rev P04, WMBLDN-WAB-XX-XX-DR-C-010001 Rev P02, WMBLDN-WAB-XX-XX-DR-A-20201 Rev P03.	
<b>Contact Officer:</b>	Tim Bryson (0208 545 3981)	

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### RECOMMENDATION

## **GRANT Planning Permission subject to conditions.**

### **CHECKLIST INFORMATION.**

- Heads of agreement: n/a.
  - Has a screening opinion been submitted: Yes – Application Reference 21/P0708 (EIA not required)
  - Is an Environmental Statement required: No
  - Has an Environmental Impact Assessment been submitted – No
  - Press notice – Yes
  - Site notice – Yes
  - Design Review Panel consulted – No
  - Number of neighbours consulted – 274
  - External consultations – Yes.
  - PTAL score – 2
  - CPZ – Yes Zone P1
- 

### **1. INTRODUCTION**

- 1.1 The application has been brought before the Planning Applications Committee for consideration as the applicant is Merton Borough Council and therefore the proposal falls outside of the Scheme of Delegation.
- 1.2 The application has been submitted in order to undertake a number of engineering works to improve the reservoir safety of Wimbledon Park Lake, Wimbledon Park, Wimbledon, to ensure compliance with the requirements of the Reservoir Act 1975 (as amended).
- 1.3 The agent on behalf of the applicant has outlined the following in their submission which provides the background to the planning application proposal:

London Borough of Merton in accordance with their statutory obligations under section 10 of the Reservoirs Act 1975 (as amended) conducted a flood study of the Category A large, raised reservoir known as Wimbledon Park Lake. The lake cannot safely pass the design flood in line with the requirements for compliance with the Reservoirs Act in the instance of applicable flood events taking into account predicted climate change effects.

To protect the safety of the reservoir and the integrity of the dam wall several engineering works are required in accordance with contemporary safety guidance. Without improvement works the reservoir could pose



significant risk to people and property downstream in the event of uncontrolled overtopping which may result in a dam breach.

Ward and Burke Construction Ltd have been commissioned by the London Borough of Merton (LBM) to undertake the design, planning and construction of modification works to the existing Wimbledon Park Reservoir dam. These works require the upgrade of the existing spillway and construction of an additional auxiliary spillway to accommodate safe passage of the existing flows to the requirements under the Reservoirs Act (1975 and as amended) for a Category A Reservoir.

Without the proposed works, flood waters from the reservoir pose a significant risk to property and human health and safety in the event of a dam breach.

#### 1.4 Statement of Community Involvement (SCI)

The applicant has submitted a SCI which sets out the engagement with the community and stakeholders prior to the submission of the planning application. The applicant arranged for a Technical Steering Group to be formed in 2017 in which involved representatives from different stakeholders to meet on a monthly basis (such as the EA, AELTC, Historic England). In addition, monthly meetings were also held between November 2020 and January 2021 which included Ward Councillors, Chair of Friends of Wimbledon Park, Chair of Wimbledon Park Heritage Group, Project Consultants and Council Officers. A webpage was created on the Merton Council website which had documents and meeting minutes available for the public to view. Public engagement was undertaken via engagement with the Councillors, Colleagues and Community Group and a dedicated web page on the LBM website.

## 2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises the north-eastern part of the lake, associated walkways and embankment within Wimbledon Park. The red line site location area includes temporary access areas for construction and extends to 1.49 ha in size. The existing lake is secured behind an existing earth fill embankment, which is raised above the natural ground level north of the lake. A public walkway is present along the extent of the embankment before dropping towards Ashen Grove Wood to the south. The downstream side of the embankment is covered by a mix of bare ground, scrub, trees and buildings.
- 2.2 The site surroundings within the Park itself comprise associated park activity and buildings, such as tennis courts, walkways, children's play areas, Café and Watersports buildings.

- 2.3 The application site is designated as Metropolitan Open Land (MOL), Open Space and Site of Importance for Nature Conservation (SINC) under the Council's Policies Map. The site forms part of the wider Wimbledon Park which is a designated Grade II\* Listed Park, and is also within the Wimbledon North Conservation Area.

### 3. **CURRENT PROPOSAL**

- 3.1 The proposal has several elements which can be summarised as follows:

Construction of a new primary spillway:

- Widen the existing concrete spillway from 1.3 m to 6.0 m;
- Reduce the crest of the weir by 50mm to 17.42m AOD;
- Form new reinforced grass spillway at 4.0 m in width to the north and 7.0 m in width to the south of the concrete stepped spillway, the crest of which would be set at 17.455 m AOD;
- Relocate and upsize the drawdown pipe;
- Incorporate an Eel Pass in the new Primary Spillway to comply with Eel Regulations;
- Widen stilling pond;
- Incorporate compound weir within the concrete spillway set at 17.12 m AOD to allow for water levels in the lake to be lowered further should de-silting works be undertaken in the future;
- Install open channel to convey flows to the Wimbledon Park Brook;
- Extend Wimbledon Park Brook to the north-west to provide greater water storage and minimise impact of local flooding within the park;
- Felling of trees to accommodate the works, with compensatory tree planting proposed.

Construction of new auxiliary spillway:

- Formation of new 75 m long Auxiliary Spillway to the north;
- Crest level maintained at 17.70 m AOD;
- Sheet piles repaired and capping to piles;
- Existing footpath replaced with new surface;
- 3 benches removed and relocated.

Raise the crest of the remainder of the embankment between the Primary and Auxiliary Spillways by 250mm to increase freeboard of the lake. This is to be achieved by:

- Increase side sheet piled retaining wall by 50mm and resurface existing walkway with a 75mm cross fall towards the lake;
- Install textured kerb along the back of the walkway;

- Replace existing 1 m section of bare ground along waters edge in the vicinity of the existing trees with a self-binding gravel.

The above proposals have been proposed following the detailed Ground Investigation undertaken by WYG on behalf of the Council assessing the structural state of the lake and surrounding infrastructure. This Ground Investigation report has been submitted with this planning application.

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

- 4.1 21/P0708 - SCREENING OPINION REQUEST FOR WORKS TO THE LAKE, INCLUDING ALTERATIONS TO SURROUNDINGS.–  
DECISION: EIA NOT REQUIRED - 09/04/2021

#### 5. **CONSULTATION**

- 5.1 The application has been advertised by major press notice procedure, Conservation Area site notice procedure and letters of notification sent to the occupiers of neighbouring properties.

- 5.2 1 letters of objection has been received raising objection on the following grounds:

- Whilst fully support its primary aim of preventing failure in the dam, the proposed design is shown to increase flooding downstream, contrary to National Planning Policy Guidance.
- Fortunately, the details of the scheme are such that a few apposite planning conditions would allow it to meet the requirements of this guidance.
- Recommend a number of conditions be imposed should permission be granted, which include certification of the top level of the primary outflow weir, new brook to be above ground channel, re-connect underground storm water drain, and replace 3 park benches with flood proof ones.
- Loss of trees;
- Require sensitive landscaping;
- Further detail required of disabled access provision;
- Objector welcomes the following details in achieving safety of the Dam:
  1. Proposed compound spillway enabling lowering of lake level;
  2. Extension of brook through mini-golf area;
  3. Proposed eel pass at the outfall;
  4. Lakeside coir roll to facilitate landscaping;
  5. Principle of compensatory planting;
  6. Timber facing to the sheet piling;
  7. The sleeping policemen at the Revelstoke Road entrance
- Discrepancies over the top water level of the lake;

- Increase in flooding to the park and downstream;
- Recommend condition on the brook being above ground level;
- Loss of trees;
- Disabled access provision to the lake walkways;
- Biodiversity net-gain is not substantiated;
- The replacement benches should be of a design that can accommodate flood flow so they can remain in their position;
- Discrepancies in the reports.

#### Friends of Wimbledon Park:

- 1) Access to the works should be via Wimbledon Park Road and then down Stadium Lane. Revelstoke Road is a quiet residential cul-de-sac and traffic here needs to be kept to minimum.
- 2) The deculverting of Wimbledon Park Brook is welcome.
- 3) A sleeping policeman at the Revelstoke Road underpass reduces flood risk downstream for the large magnitude flood events. As mentioned during consultations, improvement works for the Revelstoke Road entrance have been approved by LBW and have been submitted to LBM as a cross boundary application. This work should be combined.
- 4) It is of some concern that Ashen Grove Wood is not recognised as ancient woodland. It is anticipated that management plan for this wood will be drawn up with the relevant owners.

#### Site overview:

- 1) There is evidence that the waterfall is leaking.
- 2) The culvert from the base of the waterfall to the brook should be deculverted and a bridge constructed over the brook.
- 3) The depth of the pond in the rockery can be increased by raising the overflow. This will improve its appearance.
- 4) The brook could be widened in the play area so that steppingstones can be an added attraction.
- 5) The stream should be deculverted for its full length to join the stream at the boundary of the park. The plan suggests a small length of new culvert must be installed; why?
- 6) The works should include a well thought out landscape scheme for new "water gardens" associated with the stream so that it is not a deep tortuous engineered "slot" in the ground which will be rather unsightly and with steep banks which will become a management problem. A wider profiled stream course will also hold greater flood capacity.
- 7) Ideally the crazy golf should be relocated as it takes up potentially very useful water garden space, but if it must stay it too should be properly landscaped.

#### 5.3 Council's Highways Officer:

No objection, subject to conditions and informatives.

5.4 Council's Environmental Health Officer:

No Environmental Health (Noise and Nuisance) objections/comments regarding this application.

5.5 Council's Flood Risk Officer:

The works to the lake while it will not increase flood risk directly, because the flows out of the park are limited by the size of the culvert, the flows to the culvert is occurring over a longer period of time. The model has not considered what effect this will have on the areas downstream if their drainage network are unable to or is limited in its discharge to this same culvert. The model also states that the culverts are assumed to have no blockages, It would have been good to see the effect of blockages within the park. Ideally this should have been assessed and presented in the model report. Notwithstanding this it is possible that this increase in flood risk will be limited to the park itself and the road network and may not result in property flooding.

Overall, I have no reservations to the works to the lake itself but as they have not submitted any method statement with the application they will need to do this before commencement of the works. They have not indicated whether they will be using a coffer dam and how they will manage flows during construction and this detail will need to be included within the method statement.

For the works downstream of the upgraded weir including de-culverting and the new channel they have also not yet provided the sequencing of works and definitive landscaping plans, again this will be a pre-commencement condition.

If you are minded to grant planning permission please ensure that the following conditions are placed on the approval notice.

*Condition:*

Prior to the commencement of construction a Construction and Environment Method Plan must be submitted and approved by the local Planning Authority. This must also include but not limited to the management of flood risk during construction and the sequencing of works and the environmental protection measures associated with the method of working.

*Condition:*

This development shall be carried out in accordance with the approved

submitted plans and sections. Any proposed changes must be approved in writing by the Local planning authority.

*Condition:*

Prior to the commencement of the landscaping of the site, a details landscaping strategy/plan must be submitted and approved by the LPA

*Condition: Flood Mitigation Scheme*

The development hereby permitted shall not be commenced until such time that full details of the flood mitigation strategy is submitted and approved to the LPA. This shall be submitted for:

- a. the temporary situation while the works are being carried out and
- b. the permanent situation with completed works

The details of these must include but not limited to the following:

- I. Final construction drawings of the de-culverting and replacement open channel in the section immediately downstream of the lake
- II. The finalised arrangement where the flows will be split between the new channel section and the waterfall and rock garden area (this goes into the existing culvert on the western side of the Café Pavilion). The arrangement must demonstrate that the Q95 flow is directed down the new channel.
- III. The details of the sleeping policeman to be installed near the Revelstoke Road entrance to the park

*Reason:*

To reduce the risk of flooding from the proposed development on-site and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13. Also to ensure that the channels have a continuous flow thorough them in low flow conditions and do not pose an additional environment hazard.

*Informative:*

The proposed development will result in an additional ordinary watercourse and thus they will need to apply to the Lead Local Flood Authority for an ordinary watercourse consent. Please find attached the guidance note and form that will need to be filled out and submitted to [Selisa.fergusfleary@merton.gov.uk](mailto:Selisa.fergusfleary@merton.gov.uk).

5.6 Council's Tree Officer:

No comments have been received.

5.7 Council's Conservation Officer:

No objection.

5.8 Thames Water:

No comments to make on the application

5.9 Transport For London (TFL):

No comments to make on the application.

5.10 Historic England (Heritage Assets)

Summary

Wimbledon Park is the surviving part of an extensive 18th century landscape park extended and re-landscaped by Lancelot 'Capability' Brown from 1765. It is Registered at Grade II\* while also forming the focus for two Conservation Areas and Archaeological Priority Areas, and has been on the Heritage at Risk Register since 2016.

The Lake is a 'Category A' large raised reservoir assessed as high risk by panel engineers and requiring work to ensure LB Merton fulfils its statutory obligations under section 10 of the Reservoirs Act 1975 (as amended). The proposed development involves upgrade of the existing spillway, minor raising of the existing embankment and construction of a new auxiliary spillway.

The proposed development, particularly the associated tree removals, will result in some localised physical and visual impacts to the Registered park and garden, representing a low level of harm to its significance. This will reduce considerably post-construction as the various elements of the proposed development settle into the landscape. The proposed development will also deliver some benefits over and above those linked to reservoir safety, namely improvements to the condition and appearance of the path network along the top of the embankment and engineered lake edge.

We consider that the proposed development meets the requirements of the NPPF, in particular paragraph numbers 190, 192, 196 and 200. It also delivers some improvements to the condition and appearance of the Lake, helping towards addressing some of the issues contributing to the Registered park and garden's status on the HAR Register. Thus, Historic England has no objection to the proposed development on heritage grounds.

**Historic England Advice**

*The significance of Wimbledon Park*

Wimbledon Park is the surviving part of an extensive 18th century landscape park, extended and re-landscaped by Lancelot 'Capability' Brown from 1764 for the 1st Earl Spencer. The park focussed on the Earl's manor house at Wimbledon, originally built c1730s for Sarah Churchill to replace an earlier notable 16th century house and gardens (from c1588 for Sir Thomas Cecil). The landscape park was ornamented by Brown's c9-hectare ornamental Lake and dotted with numerous open-grown trees and trees clumps, while it incorporated existing landscape features such as woodland at Ashen Grove and Horse Close Wood.

The Spencer's began selling off parts of their Wimbledon Estate in the 19th century, resulting in the site of the country house and gardens and much of the wider historic extents of the landscape park succumbing to development. While this was happening, the core of the park around Brown's 9-hectare Lake was retained, purchased by private sports clubs and what was to become Merton Council. This relict parkland was then converted for use as public park/recreation ground, private sports club and private golf course.

Amongst such late 19<sup>th</sup> and 20<sup>th</sup> century development, various elements of the 18<sup>th</sup> century designed landscape survive, including the Lake, veteran parkland trees, areas of woodland (pre-dating Brown and incorporated into his designs), and historic vistas to focal features within and outside the park (e.g. grade II\* St Mary's Church). These multiple layers of development remain evident, ensuring that Wimbledon Park retains design interest in a national context. Accordingly, it is Registered at Grade II\* (NHLE: 1000852). Wimbledon Park forms a substantial part of the Wimbledon North Conservation Area, which is designated by both Merton and Wandsworth Councils. It is a Tier 2 Archaeological Priority Area in two parts Merton APA 2.12 - Wimbledon Park House APZ, and Wandsworth APA 2.15 - Wimbledon Park.

#### *The significance of Brown's Lake*

Notable amongst Brown's improvements to Wimbledon Park was the formation of a c9-hectare lake in a shallow valley to the north of the house and at the heart of the extensive landscape park. Brown's design involved erecting a c320m long raised earthen embankment of between 1-4m in height downstream of the confluence of two tributary streams. Utilising the natural underlying clay, this impounded natural surface drainage to deform a large, open water body in a 'natural' style. It served as a point of interest in views and as a destination along designed routes through the wider parkland, as well as supporting recreational and practical land management uses.



Brown's Lake is an example of a complex 18<sup>th</sup> century artistic and engineering endeavour, part of a holistic landscape design which served not only an aesthetic but also a functional role. It is the main feature surviving from the 18<sup>th</sup> century designed landscape at Wimbledon Park. Despite some areas of loss, such as the filling in of the southern arm of the Lake in the early 20<sup>th</sup> century and modifications around the outflow/stilling pond area in the late 20<sup>th</sup> century, the Lake generally conforms to its 18<sup>th</sup> century shape and extents as recorded the Richardson map of 1768 and subsequent Ordnance Survey maps. It also represents the chief element of Brown's work for the 1<sup>st</sup> Earl Spencer at Wimbledon Park, which, when combined with his work for the Spencers' Northamptonshire estates, was one the largest and most significant commissions of Brown's career.

#### Land ownership and the condition of Wimbledon Park

Currently, Wimbledon Park is divided into three landholdings:

- Merton Council own the Lake and land to the east and north (c27 ha), which it manages as a public park (laid out from the 1920s), including use of the Lake by the Wimbledon Park Watersports and Outdoor Centre;
- The All England Lawn Tennis Club owns the freehold of land west and south of the Lake (c30 ha), including the southern part of the embankment and its existing weir, spillway and stilling pond – the land is leased to Wimbledon Park Golf Club (on site since 1898) which permits use of the banks under licence by Wimbledon Park Angling Club and;
- The private Wimbledon Club owns an area of land west of the Lake (c4 ha), which it manages (since the 1890s) for multiple sports uses. Wimbledon Park was added to the Heritage at Risk Register for London and the South East in 2015 due to the effects of divided ownership leading to areas of differential management, the lack of a coherent site-wide strategy for conservation and on-going management, impacts to designed views, and – of particular relevance to this consultation - the condition of the Lake.

#### The proposed development

The Lake is a 'Category A' large raised reservoir assessed as high risk by panel engineers and requiring work to ensure Merton Council fulfils its statutory obligations under section 10 of the Reservoirs Act 1975 (as amended). Therefore, works are proposed to the full length of embankment, in areas under both Merton Council and the AELTC's ownership.

The proposed development includes the following:

- lowering the designed water level in the Lake by 50mm and upgrading the existing primary spillway and associated drawdown pipe, with a new 6m wide central concrete structure installed at a lower level and shallower gradient, incorporating a compound weir to control water levels and an eel pass, and creating two flanking areas of turf reinforced with a grass matting system, all totalling 17m in width;
- widening the existing stilling pond and de-culverting the existing outlet structure to create an open channel, linking the pond with the existing open water courses in the public park;
- creation of a new length of 3.5m wide x 1m deep open water channel meandering through the mini golf course and installation of a 'sleeping policeman' barrier at the Revelstoke Road entrance to the public park;
- increasing the height of the existing embankment crest by 250mm through raising the footpath south of the Watersports and Outdoor Centre by 50mm at the Lake's edge and by 125mm at the downstream side via introduction of a raised kerb, achieving a 75mm crossfall back towards the Lake, while also replacing the existing sheet piling along the water's edge and applying facing and coping in timber;
- constructing a new 75m long auxiliary spillway through reconstruction of the embankment path at existing levels and introducing reinforced turf on the downstream side; and
- carrying out associated soft landscape works, including new native planting within the woodland at Ashen Grove and marginal and emergent planting within coir rolls inserted along the sheet piling at the Lake's edge.

Construction access will be from the Church Road entrance in the north of the park via surfaced paths, passing to the rear of the stadium up to the proposed contractor's compound south of the Athletics track.

#### *The impact of the proposals on designated heritage assets*

While larger than the existing spillway, the new concrete spillway will have lower side walls (c200mm high) sitting flush with the adjacent areas of reinforced turf, which will be contoured to transition smoothly into surrounding ground levels, particularly the more open lawns of the golf course to the south.

Further north along the embankment, the proposed level changes will be modest and the proposed hard landscape elements associated with the path upgrades are of a scale and materiality appropriate for the character of the public park. Existing mature

trees along the Lake's edge will be retained within areas of permeable self-binding gravel surfacing around their trunks. The proposed cladding of the sheet piling with a new timber facing and coping will reduce the visual impact of this engineered edge to the Lake.

The proposed development will require removal of 9 no. existing trees along the edge of Ashen Grove Wood in the vicinity of the upgraded primary spillway. Of these, 7 have been assessed as being of poor quality with limited life expectancy, while 2 are relatively good quality 'Category B' trees. Furthermore, one veteran Ash tree north of the spillway is potentially at risk due to the proximity of the works, and, as such, it will be subject to temporary root protection measures during construction.

All told, the shape and integrity of the Lake will remain unaffected by the proposed development. The upgrade of the existing spillway and associated tree removals will result in some localised physical and visual impacts to the Registered park and garden, representing a low level of harm to its significance. This will be greatest during construction but should reduce considerably post-construction as the various elements of the proposed development settle into the landscape and proposed planting establishes and matures.

At the same time, the proposed development will deliver some benefits over and above those linked to reservoir safety, namely improvements to the condition and appearance of the path network along the top of the embankment and engineered lake edge, including the softening and screening of more visually intrusive elements by the proposed soft landscape elements.

#### *Policy considerations for these proposals*

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission the local authority shall have special regard to the desirability of preserving listed buildings or their setting or any features of special architectural or historic interest which they may possess.

The National Planning Policy Framework (NPPF) sets out the government's policies for making planning decisions. It states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective in this (paragraphs 7 and 8). The NPPF identifies that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their

significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations (paragraph 184). It explains how applicants should describe the significance of heritage assets affected and that the level of detail should be sufficient to understand the potential impact of the proposal on their significance (paragraph 189). It notes the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation (paragraph 192). It requires great weight to be given to an asset's conservation, irrespective of the level of harm (paragraph 193).

Conflict between an asset's conservation and any aspect of a proposal should be avoided or minimised, including by more sensitive design (paragraph 190 and NPPG).

Local planning authorities should look for opportunities for new development in the setting of heritage assets to enhance or better reveal their significance (paragraph 200). It states that any harm or loss to designated heritage assets requires clear and convincing justification (paragraph 194). Harm must then be weighed against the public benefits of the proposal (paragraphs 196). Furthermore, the London Plan 2021 forms part of Merton Council's development plan.

Its Policy HC1 on Heritage requires effective integration of London's heritage in regenerative change, ensuring that development proposals conserve their significance. It also includes text on heritage assets identified as being 'At Risk', requiring Boroughs to identify specific opportunities for them to contribute to regeneration and place-making and to set out strategies for the repair and re-use.

#### *Historic England's position on the proposals*

Historic England recognises that the proposed works to the Lake in Wimbledon Park are necessary for Merton Council to meet its statutory requirements under the Reservoirs Act. HE accept the focussed scope of the resulting Lake Safety Project, which, at this stage, cannot include the much-needed improvements to the condition and appearance of the Lake and other parts of the Registered park and garden. We recognise, and support, the efforts that have been made to ensure that this work does not prejudice future projects such as de-silting operations, potential realisation of a walking route around the Lake, or implementation of other recommendations of Merton Council's Wimbledon Park and Lake Masterplan.

Historic England has participated in the Council's Technical Steering Group during project development since 2017 and had considerable engagement earlier this year as part of extensive pre-application consultation with the applicant. As such, we know that the proposed development in its current form has benefitted immensely from the careful attention paid to historic environment constraints by the design team, supported with specialist advice from recognised experts in Lancelot Brown, his designed landscapes and the features within them, especially ornamental water bodies. This has resulted in revisions to the initial design proposals that have greatly reduced the overall scale of the project, potential visual impacts and required tree removals.

The proposed development, particularly the associated tree removals, will result in some localised physical and visual impacts to the Registered park and garden, representing a low level of harm to its significance. This will reduce considerably post-construction as the various elements of the proposed development settle into the landscape. The proposed development will also deliver some benefits over and above those linked to reservoir safety, namely improvements to the condition and appearance of the path network along the top of the embankment and engineered lake edge. Given this, Historic England has **no objection** to the application on heritage grounds.

We would point out that there remains some potential for further enhancement of the proposed development. Details of the proposed new open water channel through the public park were not available during pre-application consultation, and there may be scope for the width and profile of the new channel to accommodate additional public benefits by relating to adjacent features, such as considering natural play potential where it adjoins the existing play area and fully incorporating the existing waterfall garden and rockery area.

Finally, the proposed development will result in ongoing management and maintenance implications for the public park and parts of the golf course, not only the lake edge and stilling basin but also the continued management and enhancement of woodland at Ashen Grove. We would expect that the management and maintenance plan(s) and associated performance specifications affecting these areas are reviewed and updated accordingly. Also, it will be important that the locations for the Council's planned replacement tree planting responds to the significance of the Registered park and garden and the issues that have contributed to

its inclusion on the HAR Register. Confirmation of these details would be appropriate as planning conditions.

**Recommendation:**

Historic England has no objection to the application on heritage grounds. We consider that the proposed development meets the requirements of the NPPF, paragraph numbers 190, 192, 196 and 200. It also delivers some improvements to the condition and appearance of the Lake, helping towards addressing some of the issues contributing to the Registered park and garden's status on the HAR Register. Your authority should take these representations into account in determining the application. If there are any material changes to the proposals, or you would like further advice, please contact us. Please advise us of the decision in due course.

5.11 Historic England (Archaeology)

Recommend Archaeological Condition(s)

The Greater London Archaeological Advisory Service (GLAAS) gives advice on archaeology and planning. Our advice follows the National Planning Policy Framework (NPPF) and the GLAAS Charter. NPPF section 16 and the London Plan (2011 Policy 7.8) make the conservation of archaeological interest a material planning consideration. NPPF paragraph 189 says applicants should provide an archaeological assessment if their development could affect a heritage asset of archaeological interest.

The planning application lies in an area of archaeological interest. If you grant planning consent, paragraph 199 of the NPPF says that applicants should record the significance of any heritage assets that the development harms.

Applicants should also improve knowledge of assets and make this public.

The planning application lies in an area of archaeological interest.

The desk-based assessment submitted to support the application (MOLA, May 2018) provides a basic baseline assessment of the historic background of the lake and park, which is supplemented by more in-depth information in the more recent Heritage Statement (MOLA, April 2021). The site is located within a Tier 2 Archaeological Priority Area which covers the historic landscape park of Wimbledon House.

The proposed works appear to be predominantly located to the north-east of the lake, in an area that has previously been disturbed by the development of leisure infrastructure, however some deeper interventions and works to the lake edge may reveal historic landscape features, and so should be monitored by an archaeological watching brief.

I have looked at this proposal and at the Greater London Historic Environment Record. I advise that the development could cause harm to archaeological remains. However, the significance of the asset and scale of harm to it is such that the effect can be managed using a planning condition. I therefore recommend the following condition on any consent:

Condition:

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

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

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

Informative:

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

This pre-commencement condition is necessary to safeguard the archaeological interest on this site. Approval of the WSI before works begin on site provides clarity on what investigations are required, and their timing in relation to the development programme. If the applicant does not agree to this pre-commencement condition please let us know their reasons and any alternatives suggested. Without this pre-commencement condition being imposed the application should be

refused as it would not comply with NPPF paragraph 199. The archaeological work should include:

**Watching Brief**

A watching brief involves the proactive engagement with the development groundworks to permit investigation and recording of features of archaeological interest which are revealed. A suitable working method with contingency arrangements for significant discoveries will need to be agreed. The outcome will be a report and archive.

**5.12 Natural England:**

No comments to make on the application.

**5.13 Network Rail:**

No comments to make on the application as the railway adjoining the site is the Overground which is owned by TFL.

**5.14 Sport England:**

No objection.

**5.15 Environment Agency:**

No comments have been received.

**5.16 London Borough of Wandsworth:**

No objection.

**6. POLICY CONTEXT**

**6.1 The relevant policies within Merton's Sites and Policies Plan (2014) are:**

DM C1 Community facilities  
DM O1 Open space  
DM O2 Nature conservation, trees, hedges and landscape features  
DM D1 Urban design and the public realm  
DM D2 Design considerations in all development  
DM D4 Managing Heritage Assets  
DM EP2 Reducing and mitigating noise  
DM EP4 Pollutants  
DM F1 Support for flood risk management



DM F2 Sustainable urban drainage systems (SUDS) and; wastewater and water infrastructure  
DM T1 Support for sustainable transport and active travel  
DM T2 Transport impact of development  
DM T3 Car parking and servicing standards  
DM T4 Transport Infrastructure  
DM T5 Access to the Road Network

6.2 The relevant policies within the Merton Core Planning Strategy (July 2011) are:

CS 6 Wimbledon Sub-area  
CS 11 Infrastructure,  
CS 12 Economic Development  
CS 13 Open Space, Nature Conservation, Leisure and Culture  
CS 14 Design,  
CS 15 Climate change,  
CS 16 Flood Risk Management  
CS 17 Waste management  
CS 18 Active transport  
CS 19 Transport  
CS 20 Parking, Servicing & Delivery

6.3 The relevant policies within the London Plan (2021) are:

SD10 Strategic and local regeneration  
D1 London's form, character and capacity for growth  
D2 Infrastructure requirements for sustainable densities  
D3 Optimising site capacity through the design-led approach  
D4 Delivering good design  
D5 Inclusive design  
D8 Public realm  
D11 Safety, security and resilience to emergency  
D12 Fire safety  
D14 Noise  
S4 Play and informal recreation  
S5 Sports and recreation facilities  
E10 Visitor infrastructure  
HC1 Heritage conservation and growth  
HC3 Strategic and Local Views  
HC4 London View Management Framework  
HC5 Supporting London's culture and creative industries  
G1 Green infrastructure  
G3 Metropolitan Open Land  
G4 Open space  
G5 Urban greening

G6 Biodiversity and access to nature  
 G7 Trees and woodlands  
 G9 Geodiversity  
 SI 1 Improving air quality  
 SI 2 Minimising greenhouse gas emissions  
 SI 3 Energy infrastructure  
 SI 4 Managing heat risk  
 SI 5 Water infrastructure  
 SI 7 Reducing waste and supporting the circular economy  
 SI 8 Waste capacity and net waste self sufficiency  
 SI 12 Flood risk management  
 SI 13 Sustainable drainage  
 SI 14 Waterways  
 SI 16 Waterways – use and enjoyment  
 SI 17 Protecting and enhancing London’s waterways  
 T1 Strategic approach to transport  
 T2 Healthy Streets  
 T3 Transport capacity, connectivity and safeguarding  
 T4 Assessing and mitigating transport impacts  
 T7 Deliveries, servicing and construction  
 T9 Funding transport infrastructure through planning

#### 6.4 Other

- National Planning Policy Framework 2021
- National Planning Practice Guidance 2014
- Planning and Compulsory Purchase Act – 2004
- National Design Guide 2019
- Draft Local Plan 2020
- Draft Sustainable Drainage (SuDS) Design and Evaluation SPD 2018
- Reservoirs Act 1975

### 7. **PLANNING CONSIDERATIONS**

7.1 The principle planning considerations in this case are: the principle of development, visual amenity, impact on MOL and Open Space, impact on heritage assets, impact on neighbouring amenity, impact on trees and biodiversity, flooding and drainage, highways, transport and accessibility.

#### 7.2 **Principle of Development**

7.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in

accordance with the development plan, unless material considerations indicate otherwise.

- 7.2.2 The site lies under designated MOL and Open Space wherein principle certain developments can be considered acceptable. Policy G3 (MOL) of the London Plan outlines that MOL is afforded the same status and level of protection as Green Belt and should be protected from inappropriate development in accordance with national planning policy tests that apply to Green Belt.
- 7.2.3 Policy G4 (Open space) of the London Plan states that proposals should not result in the loss of protected open space and where possible create areas of publicly accessible open space, particularly in areas of deficiency. Planning policy DM O1 (Open space) seeks to protect and enhance open space and to improve access to open space. Subject to considerations of the application against the criteria within this policy, in principle the proposed works can be considered acceptable.
- 7.2.4 The site lies within the Wimbledon North Conservation Area and forms part of a designated Grade II\* Listed Park. Both of these are designated heritage assets. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.
- 7.2.5 The Historic Buildings and Ancient Monuments Act 1953 authorises Historic England to compile a register of “gardens and other land” situated in England that appear to be of special historic interest. Wimbledon Park is one such designated park and has been given a Grade II\* Listed status, which means it is of ‘more than special interest’.
- 7.2.6 Paragraph 197 of the NPPF 2021 outlines for applications that affect heritage assets, local planning authorities should take account of:
- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
  - and c) the desirability of new development making a positive contribution to local character and distinctiveness.

Any harm identified with a proposal on the heritage asset must be considered against the relevant tests within Paragraphs 199 to 204 of the NPPF.

7.2.7 The planning application is required as the Council are responsible for ensuring the lake is safe under the Reservoirs Act and the proposed works require planning permission. This carries significant weight in the overall assessment of the proposal.

7.2.8 Overall, in principle the proposal could be considered acceptable, subject to relevant assessment of the material considerations of the application against the relevant policies.

### **7.3 Visual amenity**

7.3.1 The National Planning Policy Framework sets out that achieving high quality places and buildings is fundamental to the planning and development process. It also leads to improvements in the quality of existing environments. It 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.

7.3.2 Planning policy DM D2 (Design considerations in all development) of Merton's Site and Policies Plan 2014 requires all development to relate positively and appropriately to the siting, rhythm, scale, density, proportions, heights, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area.

7.3.3 The proposed works to the spillway to widen it is not in a publicly accessible area. The position of the spillway is circa 50 m south of the lake walkway. Due to the position of the spillway and the position of the lake walkway, any public views would be from a significant distance from across the lake. The new embankment to surround the spillway would be laid with a re-enforced grass crete system, which will allow grass to grow through. Further, soft planting is also proposed on the new embankments around the new culvert/brook to be created from the water pond through the mini-golf area. Whilst this would be new additions to parts of the park, it would be a water feature with soft landscaping and therefore over time officers are satisfied that this aspect of the proposal would not be visually harmful.

7.3.4 The replacement tarmac surface and gravel path would result in an improvement over the existing situation on site. The increase in height to the edging around the lake and to the northern side of the footpath would be minimal and would not affect the wider views within the park. A landscaping plan has been submitted as part of the proposal which includes appropriate soft landscaping to mitigate the proposed works.

- 7.3.5 Overall, the proposal would provide an enhancement to the public walkway around the lake, as well as provide soft landscaping to mitigate the proposed works. The proposal is considered to be visually acceptable and would not cause visual harm and is considered compliant with policies in this regard.

#### **7.4 Impact on MOL and Open Space**

- 7.4.1 The site lies under designated MOL and Open Space wherein principle certain developments can be considered acceptable. Policy G3 (MOL) of the London Plan outlines that MOL is afforded the same status and level of protection as Green Belt and should be protected from inappropriate development in accordance with national planning policy tests that apply to Green Belt. Taking into consideration the nature of the proposed works under the current proposal, officers deem it to be considered an 'engineering operation'. An engineering operation is not considered to be a form of inappropriate development in the Green Belt/MOL (Paragraph 150 of the NPPF 2021), as long as it preserves the openness and does not conflict with the purposes of including land within it.
- 7.4.2 The proposed works comprise of a variety of works around the perimeter of the lake. The proposed works to the edge of the lake would result in a small increase in height of the perimeter of the lake by 250mm. Officers consider this would be a very small increase in height and would not cause any material harm on the openness of the wider MOL. The widening of the spill way and associated works would open up this part of the site, but would not cause any harm to the openness of the MOL. The new culvert to be formed within the mini-golf area of the park would be set below ground level and thereby have no impact on the openness. Overall, officers are satisfied that the proposal would preserve the openness of the MOL area and is acceptable in this regard.
- 7.4.3 Planning policy G4 (Open space) of the newly adopted London Plan states that proposals should not result in the loss of protected open space and where possible create areas of publicly accessible open space, particularly in areas of deficiency. Planning policy DM O1 (Open space) of Merton's Sites and Policies Plan (2014) seeks to protect and enhance open space and to improve access to open space. The justification text for policy DM O1 (open space) states that proposals to redevelop buildings in open space should be of high quality design, and of a scale, height and massing that is appropriate to their setting. The proposal would not result in an increase in buildings on the open space, but would alter the appearance of parts of

the lake. The proposed works are of a nature which would be visually associated with the lake and spillway. The proposal includes a replacement footpath with a new surface which will enhance its public usability. The new culvert to be formed within the mini-golf area of the park is a requirement under the proposed drainage strategy to mitigate the proposal. This would be set below ground level and appropriate soft landscaping can be provided to enhance its visual appearance.

- 7.4.4 Overall, the proposed works would not result in a loss of Open Space for public use, but would provide an enhancement through the provision of a replacement footpath with a new surface.
- 7.4.5 The proposal is therefore considered to be compliant with Policies G3 and G4 of the London Plan, the NPPF, and local policies CS13 and DM O1 in that there is no resultant loss of designated Open Space or harmful impact on openness of the MOL.

## **7.5 Impact on heritage assets**

- 7.5.1 The site lies within the Wimbledon North Conservation Area and forms part of a designated Grade II\* Listed Park. Both of these are designated heritage assets under the definition of the NPPF 2021. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 outlines that special attention shall be paid to the desirability of preserving or enhancing the character and appearance of the Conservation Area.
- 7.5.2 The Historic Buildings and Ancient Monuments Act 1953 authorises Historic England to compile a register of “gardens and other land” situated in England that appear to be of special historic interest. Wimbledon Park is one such designated park and has been given a Grade II\* Listed status, which means it is of ‘more than special interest’.
- 7.5.3 Paragraph 197 of the NPPF 2021 outlines for applications that affect heritage assets, local planning authorities should take account of:
  - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality;
  - and c) the desirability of new development making a positive contribution to local character and distinctiveness.

Any harm identified with a proposal on the heritage asset must be

considered against the relevant tests within Paragraphs 199 to 204 of the NPPF.

- 7.5.4 Historic England describe the significance of the Grade II\* Listed Park as follows:

*The significance of Wimbledon Park*

‘Wimbledon Park is the surviving part of an extensive 18th century landscape park, extended and re-landscaped by Lancelot ‘Capability’ Brown from 1764 for the 1st Earl Spencer. The park focussed on the Earl’s manor house at Wimbledon, originally built c1730s for Sarah Churchill to replace an earlier notable 16th century house and gardens (from c1588 for Sir Thomas Cecil). The landscape park was ornamented by Brown’s c9-hectare ornamental Lake and dotted with numerous open-grown trees and trees clumps, while it incorporated existing landscape features such as woodland at Ashen Grove and Horse Close Wood’.

- 7.5.5 The lake is the largest landscape feature to be built in the park and Historic England describe it as: ‘Brown’s Lake is an example of a complex 18<sup>th</sup> century artistic and engineering endeavour, part of a holistic landscape design which served not only an aesthetic but also a functional role. It is the main feature surviving from the 18<sup>th</sup> century designed landscape at Wimbledon Park’.

- 7.5.6 Historic England have provided detailed comments on the planning application. Whilst some low level of harm is identified with the tree removal, they acknowledge the proposal is compliant with the NPPF policies. Overall, they have raised no objection to the proposal and note the benefits the proposal will bring.

- 7.5.7 Officers note that a number of the works proposed would be to the infrastructure that encompasses the lake, such as the existing concrete spillway and the existing surrounding walkway. Officers consider these to have low significance value to the lake itself, and are more engineering solutions which require to be upgraded as part of the proposal. Whilst the loss of some mature trees is regrettable, it would only be to a small outer section beyond the lake (10 trees), which have limited wider public view. The overall shape and size of the lake would remain unaffected. Furthermore, Historic England note the benefits with the proposal and the design, in particular the widened concrete spillway which would sit flush with the existing surrounding ground levels at the golf course.

- 7.5.8 The proposed works, in combination with the anticipated soft landscaping measures which could be controlled via condition, are

considered to overall preserve the significance of the Grade II\* Listed Park and would not cause harm to its setting.

- 7.5.9 The Conservation Area recognizes the importance of the Lake and the Park in their role as part of the historic landscape as well as providing a natural breathing space for the public to enjoy for outdoor recreation. The proposal would bring much needed upgrades to the safety of the lake and would improve the appearance of the surround to the lake with the replacement public walkway surface. The loss of the trees is balanced against the overall public benefits of the proposal and officers conclude that the proposal would not cause harm to the wider Conservation Area.
- 7.5.10 The site also lies within an Archaeological Priority Area. An archaeological assessment has been submitted with the application and reviewed by Historic England Archeology service. They outline that whilst the works are predominantly to already disturbed areas in the park, some deeper interventions and works to the lake edge could reveal historic landscape features, and so should be monitored by an archaeological watching brief. Historic England therefore recommend a planning condition to capture this necessity.
- 7.5.10 Officers conclude that the proposal would not cause harm to the Conservation Area or the Grade II\* Listed Park and is considered to comply with policies in regards to heritage assets. Further, any archaeological features of interest that could be discovered during the works can be mitigated through the watching brief. Officers therefore consider that the heritage assets would be satisfactorily preserved.

## **7.6 Impact on neighbouring amenity**

- 7.6.1 Core Planning Strategy policy 14 and SPP policy DM D2 seek to ensure new developments do not unacceptably impact on the amenities of the occupiers of any adjoining and nearby surrounding properties. Planning policy DM D2 (Design considerations in all developments) states that amongst other planning considerations that proposals will be expected to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens.
- 7.6.2 The proposal would consist of a variety of works to the existing lake and associated infrastructure. The nearest neighboring residential properties to the site are located on Home Park Road which is significantly separated from the proposed works for there to not be any material harm.



- 7.6.3 The proposal would result in the temporary closure of the footpath adjacent to the lake. Officers acknowledge that this would be disruptive to the public users and enjoyment of the park and lake, however, this would be for a temporary period and the works would be implemented over winter period so as to minimize disruption in the quietest season. Further, the wider areas of the park would remain open for public use.
- 7.6.4 Overall, the proposal would not cause any material harm to surrounding neighbouring occupiers and is considered to comply with policy in this regard.

## **7.7 Impact on trees and biodiversity**

7.7.1 Planning Policy DMO2 (Nature Conservation, Trees, hedges and landscape features) of Merton's Sites and Policies Plan seeks to protect and enhance biodiversity, particularly on sites of recognised nature conservation interest. To protect trees, hedges and other landscape features of amenity value and to secure suitable replacements in instances where their loss is justified.

7.7.2 The site comprises various trees of which are protected under Tree Preservation Order (TPO) (within the Golf Course) and by virtue of being within a Conservation Area. The application has been accompanied with a detailed Tree Survey, Arboricultural Impact Assessment and Method Statement. A total of 180 trees have been surveyed and the Tree Survey outlines that the following 10 trees would have to be removed to accommodate the widening of the spillway as part of the works and for which are unavoidable:

B1.2 The following trees will be felled:

<b>T115</b> Oak (B1)	age approx. 100 years
<b>T127</b> Sycamore (U)	age approx. 60 years
<b>T128</b> Common Ash (U)	age approx. 30 years
<b>T129</b> Sycamore (U)	age approx. 20 years
<b>T130 &amp; T130a</b> Willow (B3)	age approx. 60 years (two trees)
<b>T131</b> Common Ash (U)	age approx. 40 years
<b>T132</b> Sycamore (C1)	age approx. 40 years
<b>T133</b> Common Ash (U)	age approx. 40 years
<b>T134</b> Common Ash (B1/C1)	age approx. 40 years

7.7.3 The tree report outlines that the stems of the proposed felled trees would be retained within the woodland area and re-used for providing wildlife habitat. The branches would be chipped and the chippings used to provide a surface cover for the works access way.

- 7.7.4 The trees to be removed would therefore consist of 4 Cat B trees, 1 Cat C tree and 5 Cat U trees. The felling of these trees is necessary in order for the proposed widening of the spillway to be facilitated. The location of the trees to be felled are in very close proximity to the existing spillway. They form part of the group known as Ashen Grove which forms part of a wider collective group of trees which extends down towards Home Park Road. Although the proposed removal of the trees would open up the spillway area, a significant number of trees would remain and would maintain a buffer between the childrens play area in the park to the east along with the public accessible footpath. Officers note that there would remain a significant number of existing tree species which are of the same species which are designated as Cat B and C to be removed and therefore overall, officers do not raise objection to the loss of the trees proposed. Appropriate conditions for tree protection and for the development to be carried out in accordance with the Tree Survey, Arboricultural Impact Assessment and Method Statement are recommended.
- 7.7.5 The proposal includes the offer of re-planting of new trees elsewhere within the park to mitigate the necessary loss of the 10 trees. Officers consider this to be welcome and of note is supported by Historic England. Officers therefore recommend an appropriate worded condition to secure additional tree planting, of consultation which will be via Historic England to ensure that the trees are of an appropriate species for the wider Grade II\* Listed Park landscape. Additional tree planting within publicly accessible places in the park would further enhance visitor experience.
- 7.7.6 Planning policy DM D2 (Design considerations in all developments) of Merton's Sites and Policies Plan (2014) states that all proposals will be expected to conserve and enhance the natural environment, particularly in relation to biodiversity and wildlife habitats and gardens. The site lies within the Wimbledon Park Lake, Woods and Golf Course: Site of Importance for Nature Conservation.
- 7.7.7 The applicant has submitted an Ecology Impact Assessment Report which sets out a comprehensive set of recommendations relating to Habitats (Habitat Retention and Protection & Biodiversity Enhancement), Protected / notable species (Roosting Bats, Nesting Birds & Terrestrial Mammals) and Invasive plant species. The following species were evaluated as the habitat on site could be considered appropriate for these species:
- Bats
  - Eurasian badger

- West European hedgehog
- Breeding birds
- Reptiles
- Amphibians
- European eel
- Stag beetle
- Bluebell
- Oaks of value

- 7.7.8 The proposed works to the lake sheet piling is considered to have a low ecological impact. There are identified to be a number of positive effects of the proposal on ecology, such as the proposed new culvert to be formed within the min-golf area as part of the drainage mitigation is outlined to have a positive impact on ecology due to the provision of an additional open water way. Further, the felling of the trees proposed would allow more light to the stilling pond area which will assist vegetation.
- 7.7.9 Overall mitigation measures proposed for the works include:
- Tree protection measures for remaining trees;
  - Re-use the tree cuttings within the wooded area and built into stag beetle loggeries;
  - Barriers erected along paths to ensure no encroachment of works into wooded areas;
  - Works to be ideally done outside of bird nesting season (March to August);
  - Positive soft habitat creation on the banks of the new brook/culvert through the mini-golf area;
  - Ecologist to check for bat roosts prior to commencement;
  - Ecologist to check for amphibians (such as common toads) prior to commencement of works;
- 7.7.10 Additional biodiversity enhancements are also proposed, such as bird and bat boxes to be installed within existing trees. Further, shrub planting is advised to assist in mitigating the loss of the trees, which would increase opportunities for birds to forage.
- 7.7.11 Officers welcome the recommendations in Ecological Appraisal as this would conserve and provide enhancements to the natural environment. A planning condition requiring the recommendations set out in the Ecological Appraisal to be implemented can be secured via planning condition.
- 7.7.12 The proposed development is therefore considered to be in accordance with policies G6 and G7 of the London Plan and policies CS13 and DM02.

## **7.8      Flooding and Drainage**

7.8.1      Planning policy SI 12 (Flood risk management) of the newly adopted London Plan states that development proposals should ensure that flood risk is minimised and mitigated, and that residual risk is addressed. Planning Policy SI 13 (Sustainable drainage) states that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features, in line with the following drainage hierarchy:

- 1) rainwater use as a resource (for example rainwater harvesting, blue roofs for irrigation)
- 2) rainwater infiltration to ground at or close to source
- 3) rainwater attenuation in green infrastructure features for gradual release (for example green roofs, rain gardens)
- 4) rainwater discharge direct to a watercourse (unless not appropriate)
- 5) controlled rainwater discharge to a surface water sewer or drain
- 6) controlled rainwater discharge to a combined sewer

7.8.2      Merton's policy CS 16 and SPP policies DMF1, DM F2 and DMD2 all seek to ensure that adequate flood risk reduction measures, mitigation, and emergency planning are in place to ensure there is no increase in flood risk offsite or to the proposed development.

7.8.3      The application site is located within flood zone 1, which is considered to be at low risk of flooding from pluvial sources, groundwater, artificial sources, and sewer surcharge. The Environment Agency (EA) online flood mapping tool shows the site of the works to be in Flood Zone 1 (low probability of flooding) from fluvial (river flooding). The site and surrounding area are at risk of reservoir flooding in the event of breach of the dam at Wimbledon Park Lake.

7.8.4      The applicant has provided a Flood Risk Assessment by JBA Consulting. The FRA outlines that 'this FRA has been produced to assess the impact of the proposed new lake outfall and embankment modifications to accommodate safe passage of flood events as necessary under the Reservoirs Act 1975 for a Category A Reservoir'. The proposed works would include the widening of the spillway to assist with everyday water flow from the lake and the new open channel that would be created through the mini-golf area and stilling pond will provide additional storage capacity of the water flows.

- 7.8.5 The Councils Flood Officer has confirmed no objection to the proposal subject to conditions.
- 7.8.6 Overall, the proposal seeks to make the lake safe and provides appropriate mitigation measures to ensure that there is no increase in flood risk to surrounding property and land users. The proposal is therefore considered compliant with policies relating to flood risk.

## **7.9 Highways, transport and public accessibility**

- 7.9.1 Planning Policy T1 (Strategic approach to transport) of the newly adopted London Plan states that all development should make the most effective use of land, reflecting its connectivity and accessibility by existing and future public transport, walking and cycling routes, and ensure that any impacts on London's transport networks and supporting infrastructure are mitigated
- 7.9.2 Core Planning Strategy policies CS20 and CS18 and SPP policy DM T2 seek to reduce congestion of road networks, reduce conflict between walking and cycling, and other modes of transport, to increase safety and to not adversely effect on street parking or traffic management.
- 7.9.3 The proposal is an engineering operation to make the lake safer. The proposal would not (once operational) result in an increase in vehicle movement to and from the site. Nor would it likely result in an increase in visitors to the park or lake. The main aspect of the proposal to consider with regards to highways, transport and accessibility is the construction phase of the proposal.
- 7.9.4 Planning policy T9 (Deliveries, servicing and construction) of the newly adopted London Plan states that development proposals should facilitate safe, clean, and efficient deliveries and servicing. Provision of adequate space for servicing, storage and deliveries should be made off-street, with on-street loading bays only used where this is not possible. Construction Logistics Plans and Delivery and Servicing Plans will be required and should be developed in accordance with Transport for London guidance and in a way which reflects the scale and complexities of developments.
- 7.9.5 The application has submitted a Construction Traffic Management Plan (CTMP) which set out the intention for construction logistics. The document outlines that a site compound can be set up within the athletics track zone of the park, which would be buffered from view by the large conifer trees. This would provide a close access point to the lake and surrounding path networks and would provide a secure area for storage of materials during the works. This area is already served by an existing vehicle access from the north-west corner of the park off Wimbledon Park

Road. A secondary access to facilitate the works is off Home Park Road which would be for pedestrian access only and would be utilized for off-loading materials to be taken into the site. The use of this access way would require the closure of some parking bays in the road, however this would be subject of a separate traffic order submission/request.

- 7.9.6 The Councils Highways Officer has confirmed no objection to the proposed CTMP. The utilization of both the vehicle access from the north-east corner of the park and secondary use of the Home Park Road access would ensure that existing pedestrian public access routes into the park would remain unaffected by the proposal (such as the one off Home Park Road). Further, the proposed compound would be set behind the large conifer trees and would not take up park space accessible to the public. The new surface to the public path around the lake and its slight raised angle would maintain suitable access for all. Overall, officers consider the position of the construction compound to be a positive solution to managing the construction works.

## **7.10 Climate Change**

- 7.10.1 Planning Policy SI 2 (Minimising greenhouse gas emissions) of the newly adopted London Plan states major development should be net zero-carbon. This means reducing greenhouse gas emissions in operation and minimising both annual and peak energy demand in accordance with the following energy hierarchy:

- 1) be lean: use less energy and manage demand during operation
- 2) be clean: exploit local energy resources (such as secondary heat) and supply energy efficiently and cleanly
- 3) be green: maximise opportunities for renewable energy by producing, storing and using renewable energy on-site
- 4) be seen: monitor, verify and report on energy performance.

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

- 7.10.3 The application proposal is an engineering operation for which there are no policy requirements in regards to climate change. The proposal is required to make the lake safe and has also been accompanied with a Flood Risk Assessment which has taken into account the allowance for climate change.

## **8. Local Financial Considerations**

- 8.1 Merton's Community Infrastructure Levy was implemented on 1<sup>st</sup> April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected. The proposal would not trigger CIL payments as it is an engineering operation and does not increase commercial floorspace.

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

- 9.1 The application does not constitute Schedule 1 or Schedule 2 development. A Screening Opinion has been issued under planning reference 21/P0708 outlining that it is not EIA development. Accordingly, there are no requirements in terms on EIA submission.

## **10. CONCLUSION**

- 10.1 In conclusion, the proposal would facilitate a number of works required to make the lake safe in accordance with the Reservoirs Act. The proposals are considered to be sympathetic to the listed park status, as well as the wider visual amenity of the park. Improvements would be made to the public accessibility of the park with a new replacement footpath surface around the lake. The loss of some trees is a necessity for the works to be implemented and the loss of the trees would be mitigated through replacement tree planting. The proposal has also demonstrated that the development would cause no undue adverse impact and would comply with relevant planning policies relating to highways, open space and MOL, ecology, flood risk and drainage. Overall, and in the balance of considerations, the benefits of the proposal are considered to outweigh the negatives and officers recommend permission be granted. Accordingly, it is recommended that planning permission be granted subject to conditions set out below.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

Subject to the following conditions:-

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

Reason  
To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
- 2** The development hereby permitted shall be carried out in accordance with the following approved plans: WMBLDN-WAB-XX-XX-DR-C-010 Rev P03, WMBLDN-WAB-XX-XX-DR-C-010101 Rev P03, WMBLDN-WAB-XX-XX-DR-A-20101 Rev P09, WMBLDN-WAB-XX-XX-DR-C-010103 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010104 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010205 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010208 Rev P01, WMBLDN-WAB-XX-XX-DR-C-010206 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010209 Rev P01, WMBLDN-WAB-XX-XX-DR-C-010210 Rev P01, WMBLDN-WAB-XX-XX-DR-C-010202 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010203 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010204 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010201 P03, WMBLDN-WAB-XX-XX-DR-C-010005 Rev P03, WMBLDN-WAB-XX-XX-DR-C-010105 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010106 Rev P02, WMBLDN-WAB-XX-XX-DR-C-010003 Rev P03, WMBLDN-WAB-XX-XX-DR-A-20301 Rev P04, WMBLDN-WAB-XX-XX-DR-C-010001 Rev P02, WMBLDN-WAB-XX-XX-DR-A-20201 Rev P03.

Reason  
For the avoidance of doubt and in the interests of proper planning.
- 3** The facing materials to be used for the development hereby permitted shall be those specified in the planning application 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: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
- 4** Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

Reason  
To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of



Merton's Sites and Policies Plan 2014.

- 5** Prior to first operational use of the works hereby permitted, full details of a landscaping and planting scheme (including tree planting) shall be submitted to and approved in writing by the Local Planning Authority (in consultation with the Council's Tree and Landscape Officer and Historic England) and these works shall be carried out within 6 months of the approved discharge of condition, 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 and trees, 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 G7 and D8 of the London Plan 2021, 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.

- 6** The development hereby permitted shall be carried out in accordance with the Arboricultural Survey, Impact Assessment and Method Statement dated April 2021 by Tree King Consulting. Prior to commencement of development, Tree Protection measures shall be installed in accordance with the above documents and shall remain in place until the completion of all site operations.

**Reason**

To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.

- 7** Site supervision: The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to supervise, monitor and report to the Local Planning Authority not less than monthly the status of all tree works and tree protection measures throughout the course of the construction period. At the conclusion of the construction period the arboricultural expert shall submit to the Local Planning Authority a satisfactory completion statement to demonstrate compliance with the approved protection measures.

**Reason**

To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy DMO2 of Merton's Sites and Policies Plan 2014.

**8**

Development shall not commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate:

- (i) Parking of vehicles of site workers and visitors;
- (ii) Loading and unloading of plant and materials;
- (iii) Storage of construction plant and materials;
- (iv) Wheel cleaning facilities
- (v) Control of dust, smell and other effluvia;
- (vi) Control of surface water run-off.

No development shall be carried out except in full accordance with the approved method statement.

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 T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

**9**

Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

Reason

To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

**10**

Prior to the commencement of construction a Construction and Environment Method Plan shall be submitted to and approved in writing by the local Planning Authority. This must also include, but not limited to, the management of flood risk during construction and the sequencing of works and the environmental protection measures associated with the method of working. The approved measures shall be carried out in strict accordance with the details approved.

Reason

To reduce the risk of flooding from the proposed development on-site and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13. Also to ensure that the channels have a continuous flow thorough them in low flow conditions and do not pose an additional environment hazard.

**11**

This development shall be carried out in accordance with the approved submitted plans and sections. Any proposed changes must be approved in writing by the Local planning authority.

Reason

To reduce the risk of flooding from the proposed development on-site and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13. Also to ensure that the channels have a continuous flow thorough them in low flow conditions and do not pose an additional environment hazard.

**12**

Prior to the commencement of the landscaping of the site, a detailed landscaping strategy/plan shall be submitted to and approved in writing by the Local Planning Authority.

Reason

To reduce the risk of flooding from the proposed development on-site and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13. Also to ensure that the channels have a continuous flow thorough them in low flow conditions and do not pose an additional environment hazard.

**13**

Flood Mitigation Scheme

Prior to the commencement of the new open channel aspect of the development hereby permitted, full details of a flood mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. This shall be submitted for:

- a. the temporary situation while the works are being carried out and
- b. the permanent situation with completed works

The details of these must include but not limited to the following:

- I. Final construction drawings of the de-culverting and replacement open channel in the section immediately downstream of the lake;
- II. The finalised arrangement where the flows will be split between the new channel section and the waterfall and rock garden area (this goes into the existing culvert on the western side of the Café Pavillion). The arrangement must demonstrate that the Q95 flow is directed down the new channel;

III. The details of the sleeping policeman to be installed near the Revelstoke Road entrance to the park.

The approved measures shall be carried out in strict accordance with the details approved.

**Reason**

To reduce the risk of flooding from the proposed development on-site and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13. Also to ensure that the channels have a continuous flow thorough them in low flow conditions and do not pose an additional environment hazard.

**14**

No demolition or development shall take place until a written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, which shall include the statement of significance and research objectives, and

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

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

**Reason**

In the interests of preserving any archaeological features of merit, in accordance with Policy DM D4 of the Sites and Policies Plan 2014 and Policy HC1 of the London Plan 2021.

**15**

The development shall be carried out in accordance with Chapter 6 of the Ecology Report titled 'Environmental Impact Assessment dated February 2021 by Salix Ecology'. Within 6 months of the completion of the works hereby permitted, an Ecological Management Plan detailing how the mitigation measures within Chapter 6 of the report above have been complied with, shall be submitted to and approved in writing by the Local Planning Authority.

**Reason**

To protect, enhance and mitigate the biodiversity of the site in accordance with the following Development Plan policies for Merton: policies G6 and G7 of the London Plan 2021, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and

Policies Plan 2014.

- 16** The development shall be carried out in accordance with the Flood Risk Assessment dated May 2021 by JBA Consulting.

Reason

To reduce the risk of flooding from the proposed development on-site and ensure flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13. Also to ensure that the channels have a continuous flow thorough them in low flow conditions and do not pose an additional environment hazard.

- 17** The development shall be carried out in accordance with the Construction Traffic Management Plan dated 27th April 2021 by Ward & Burke Construction Limited. The measures set out within the above report shall be implemented and maintained on site for the full duration of the works until final completion.

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 T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

- 18** **INFORMATIVE**  
You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.

- 19** **INFORMATIVE**  
Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-

ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.

**20**

**INFORMATIVE**

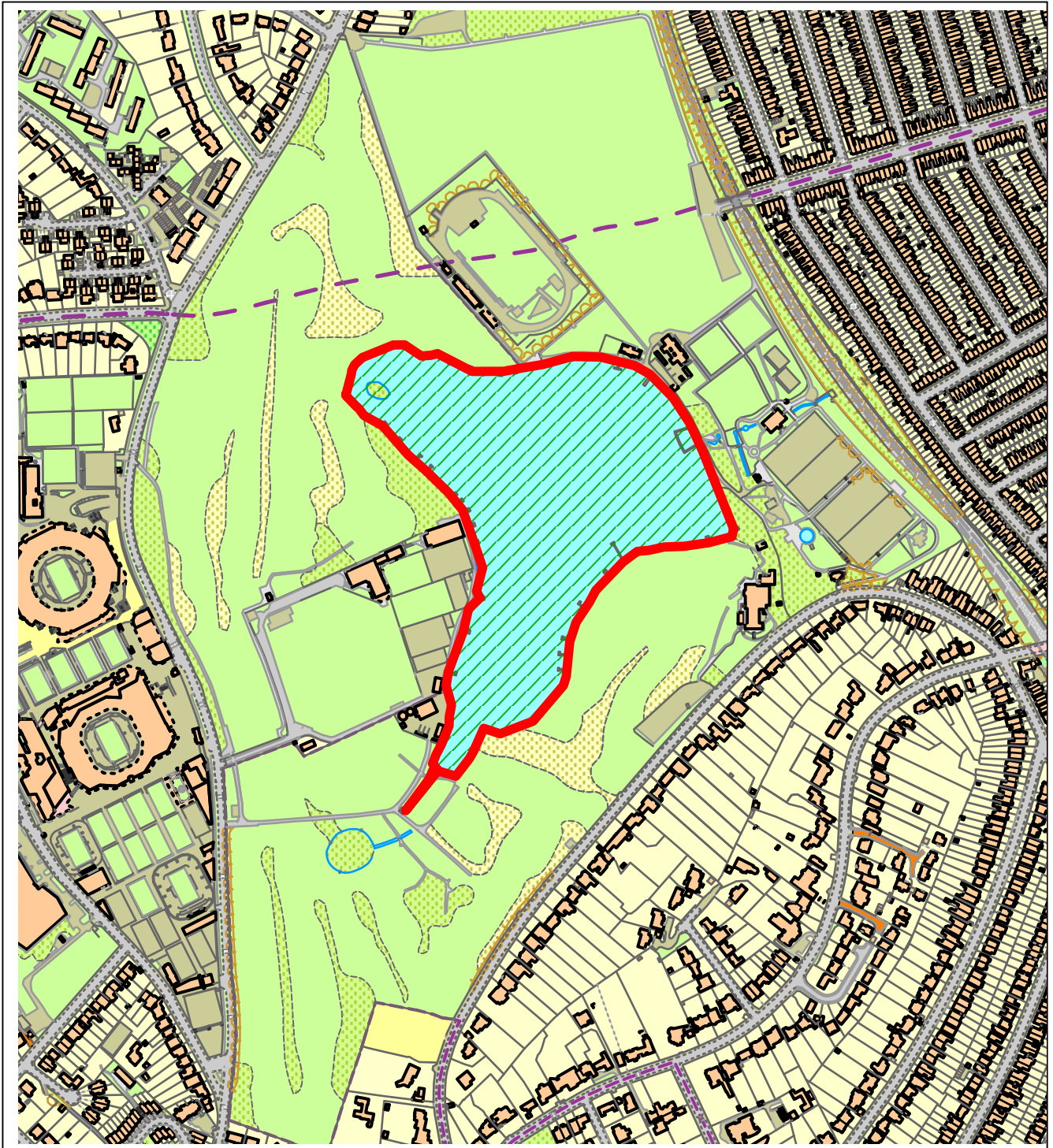
The proposed development will result in an additional ordinary watercourse and thus they will need to apply to the Lead Local Flood Authority for an ordinary watercourse consent. Please find attached the guidance note and form that will need to be filled out and submitted to [Selisa.fergusfleary@merton.gov.uk](mailto:Selisa.fergusfleary@merton.gov.uk)

**21**

**INFORMATIVE**

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

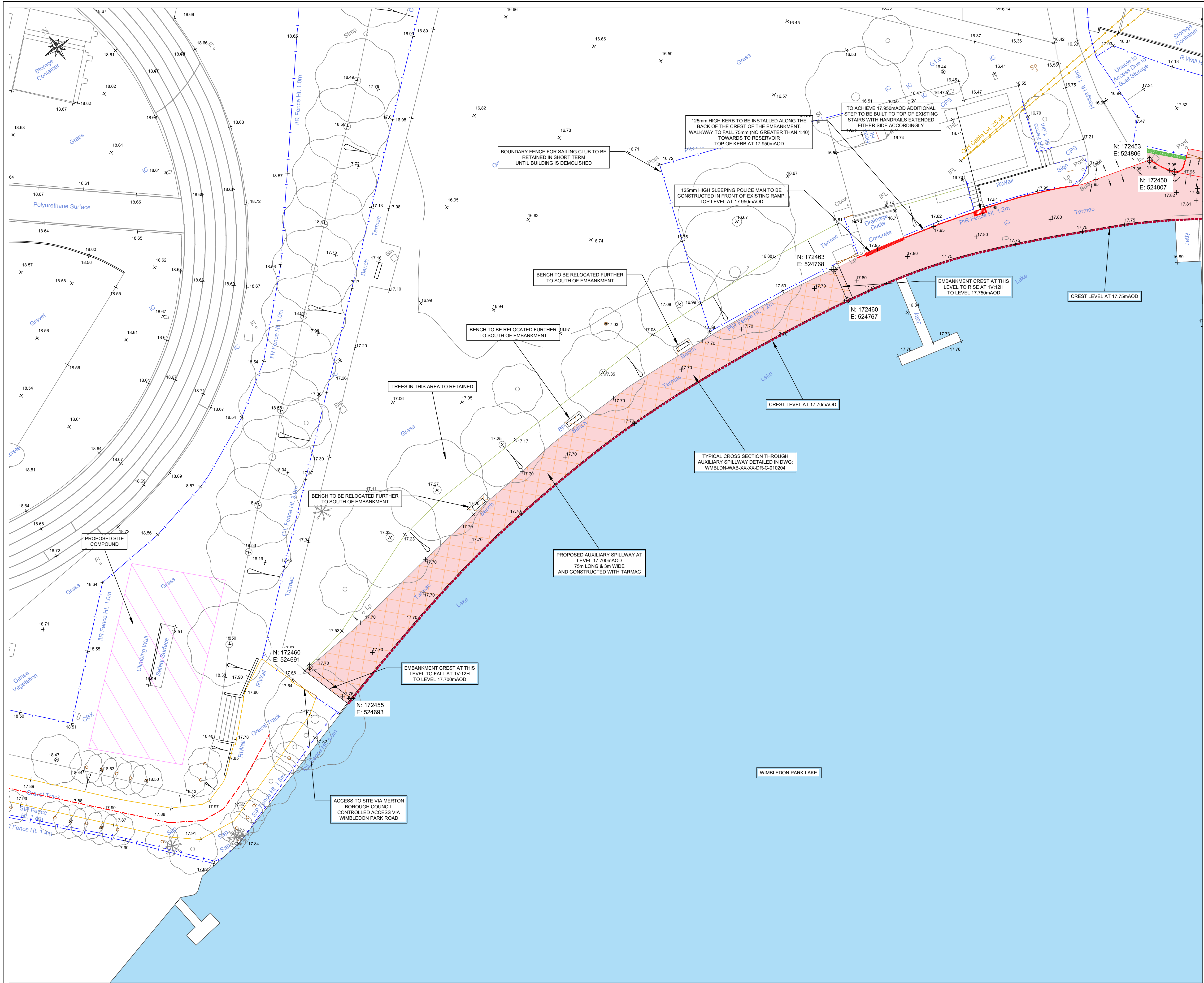
# NORTHGATE SE GIS Print Template



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# WARD & BURKE

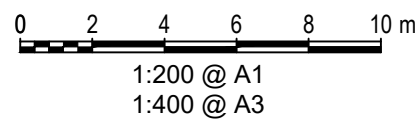
NOTES:

1. ALL DIMENSIONS SHOWN IN MILLIMETRES (mm) UNLESS OTHERWISE STATED.
2. ALL ELEVATIONS STATED ARE IN METRES ABOVE ORDNANCE DATUM (mOD) BASED ON ORDNANCE DATUM NEWLYN (ODN).
3. TOPOGRAPHIC INFORMATION HAS BEEN SUPPLIED BY MERTON BOROUGH COUNCIL PRIOR TO PROJECT COMMENCEMENT
4. SITE ACCESS IS AVAILABLE VIA MERTON COUNCIL ACCESS ON THE M40 ROAD
5. WORKS LOCATIONS IDENTIFIED WILL BE SCHEDULED TO HAVE WORK PHASES RUN CONSECUTIVELY
6. ACCESS TO AREAS OF THE WORKS WILL REQUIRE THE REMOVAL OF EXISTING FENCE IN PARTICULAR LOCATIONS WHICH WILL BE COMMUNICATED WITH ANY RELEVANT STAKEHOLDERS PRIOR
7. ACCESS TO THE WORKS VIA MERTON BOROUGH COUNCIL CONTROLLED GATES WILL BE AGREED PRIOR TO PROJECT COMMENCEMENT

## LEGEND

Buildings	Overhead Cable	Park Bench
Wall	Concrete edge	Sheet Pile
Kerb line	Proposed access road	
Line marking	New / Modified Structure	Gate
Centre line		Existing Trees
Tarmac edge		
Grass verge		
Canopy/Overhang		
Verge		
Fence		

## SCALE BAR



## DRAWING REFERENCES

Reference where applicable

- 1) WMBLND-WAB-XX-XX-DR-C-010005
- 2) WMBLND-WAB-XX-XX-DR-C-010101
- 3) WMBLND-WAB-XX-XX-DR-HA-010111
- 4) WMBLND-WAB-XX-XX-DR-C-010201
- 5) WMBLND-WAB-XX-XX-DR-C-010204
- 6) WMBLND-WAB-XX-XX-DR-C-010003

## S3 : SUITABLE FOR REVIEW &amp; COMMENTS

Revision	Status	Suitability Description	Authored	Checked	Approved	Date
P03	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	19/03/21
P02	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	25/01/21
P01	S3	SUITABLE FOR REVIEW AND COMMENT	CM	BC	PJM	05/10/20



Location Code: WMBLDN	OS Reference: TQ246722
Role: CIVIL	Volume: All Volumes

Location/Town:  
Wimbledon, SW19 8AU

Site Name:  
Wimbledon Park

Project Name: **Wimbledon Park Reservoir MIOS Works**

Drawing Title:  
Auxiliary Spillway  
General Arrangement

Scale: 1:400	Sheet Size: A3	Status: S3
Drawing Number: WMBLDN-WAB-XX-XX-DR-C-010301		Revision: P03

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**Wimbledon Park Reservoir MIOS Works, London**  
Artistic Impression Illustrative Visuals

Revision P03  
March 2021

WMBLDN-WAB-XX-XX-RP-A-20401

Page 51

HLM  
Architects



Notes

HLM has been appointed by Ward and Burke to produce artistic impression illustrative visualisations to illustrate and convey the essence of what the proposal might look like and support the Wimbledon Park Lake Safety Project full planning application. The photograph's were taken on a clear, winter day in January 2021.



**Reference Number:** 12-1361-01

**Job Name:** Wimbledon Park Lake

**Document:** Artistic Impression Illustrative Visuals

Revision Table

Date	Company	Drawn	Checked	Comment	Revision Number
04/02/2021	HLM Architects	NS	NI	Preliminary for Client Comment	P01
10/02/2021	HLM Architects	MC	NI	Preliminary for Client Comment	P02
18/03/2021	HLM Architects	HLM	NI	Final Issue	P03



View 01: Existing View

View 01: Proposed View



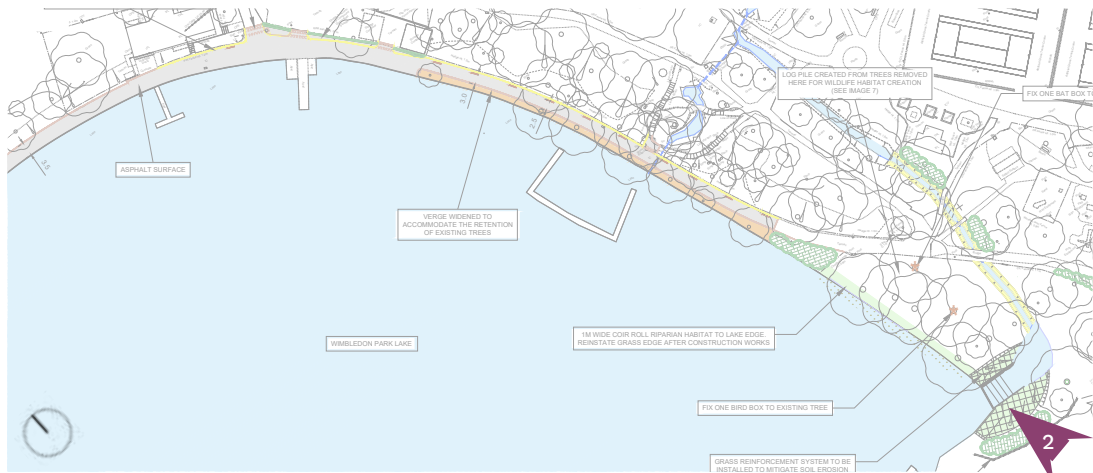
Location Plan





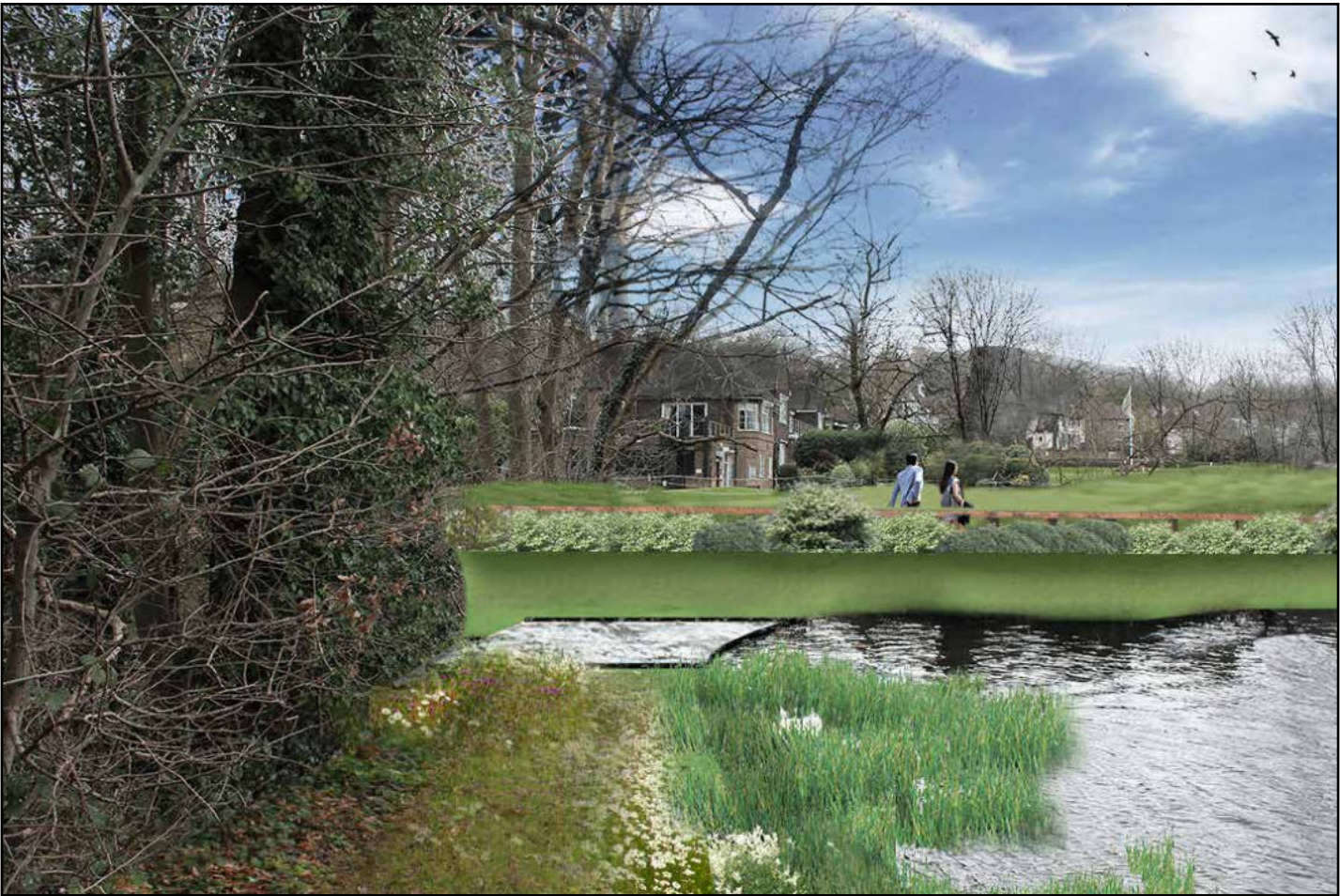
View 02: Existing View

View 02: Proposed View



Location Plan





View 03: Existing View

View 03: Proposed View



Location Plan





View 04: Existing View

View 04: Proposed View



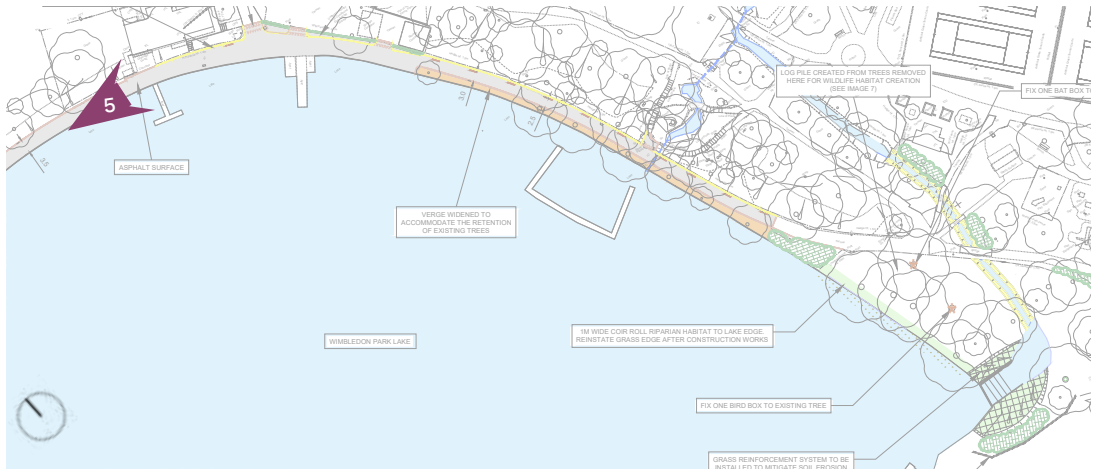
Location Plan





View 05: Existing View

View 05: Proposed View





Location Plan




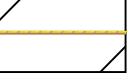


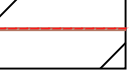
- Key

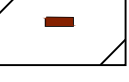
 Asphalt pathway (see image 02)


 Self binding limestone gravel path (see image 03) available from Smiths Bletchington or similar approved

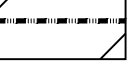
 Textured concrete kerb 145x225x915 laid flush (see image 1) available from Tobermore Concrete or similar approved


 Textured concrete kerb 145x225x915 laid with 125mm show (see image 01) available from Tobermore Concrete or similar approved


 Precast concrete pin kerb 50x150x915 laid with flush available from Marshalls or similar approved


 New seats to match existing. Existing seating to be replaced as agreed with Merton Borough Council. Existing seats (11no.) to be carefully removed and taken to Council depot.


 Existing bins re-located (2no.)


 Timber post & rail fence available from Jacksons Fencing or similar approved


 Existing trees to be retained


 Climbing plants to screen boat compound (see imageS 05)


 Grass reinforcement system with grass seed mix for 'low maintenance - wet sites' (see image 06)

 Grass seed mix for 'low maintenance - wet sites' to reinstate disturbed areas

 Native shrub planting (see images 04)

 Coir roll riparian habitat planting from Salix River & Wetland Services Ltd, Norfolk or similar and approved (100m2)

 Banks of stream planted with pre-established coir pallets with native species available from Salix River & Wetland Services Ltd, Norfolk or similar and approved (90m2)  
Bed of stream to have a 60-100mm deep layer of 20mm natural river washed gravel available from Gravel Master, Doncaster.

 \* 1no Bat box to be fixed at least 3m from the ground, positioned to face south-east. 1no Bird box to be fixed between 2 to 4m from the ground, positioned to face between north and east.




INDICATIVE IMAGES



Notes

Check all dimensions on site. Do not scale from this drawing  
Report any discrepancies and omissions to HLM Architects  
This Drawing is Copyright ©

- Seats and bins within construction area to be carefully removed and stored safely. Bins to be reinstated to positions shown on this drawing on completion of construction works.
- Any excavations work within tree canopy to be carefully undertaken to avoid damage to tree roots. Method of work to be approved by Contract Administrator prior to commencement.
- Any disturbance to grassed areas to be re-profiled, seeded and reinstated.
- Existing trees to be protected as per BS5837:2012 Trees in relation to Construction.
- Planting of shrubs and perennials to be carried out in the first planting season after completion of construction works.
- There are 9no trees to be felled to facilitate construction works. Felled trees to be cut into log piles for wildlife habitat creation. See 'Tree and Vegetation Removal' drawing.
- Contractor to supply trees which are to be replaced in locations elsewhere in the park by Merton Borough Council. Exact tree replacement ratio to be confirmed by Merton Borough Council.



HLM Architects  
? HLMArchitects Suite 104  
The Creative Quarter Morgan Arcade  
The Hayes Cardiff CF10 1AF

www.hlmarchitects.com  
T. +44 (0) 29 2039 6070  
F. +44 (0) 29 2039 6080  
cardiff@hlmarchitects.com

S3 : SUITABLE FOR REVIEW & COMMENTS

P09	S3	AMENDMENTS AS PER CLIENTS REQUEST	DF	HLM	HLM	19/04/21
P08	S03	AMENDMENTS AS PER CLIENTS REQUEST	DF	HLM	HLM	31/03/21
P07	S3	AMENDMENTS AS PER CLIENT REQUEST	DF	HLM	HLM	18/03/21
P06	S3	FOR FINAL APPROVAL	DF	HLM	HLM	16/03/21
P05	S3	AS PER ECOLOGISTS RECOMMENDATIONS	DF	HLM	HLM	09/02/21
P04	A3	PLANTING DETAILS ADDED	DF	HLM	HLM	03/02/21
P03	S3	DWG UPDATED AS PER ENGINEERS DWGS	DF	HLM	HLM	27/01/21
P02	S3	DRAFT FOR COMMENT	DF	HLM	HLM	20/01/21
P01	S3	DRAFT FOR COMMENT	DF	HLM	HLM	15/01/21
Revision	Status	Suitability Description	Author	Checked	Approved	Date



MERTON BOROUGH COUNCIL  
Merton Civic Centre  
London Rd  
Morden SM4 5DX

Location Code: WMBLDN  
Role: CIVIL  
Location/Town: Wimbleton, SW19 8AU  
Site Name: Wimbleton Park  
Project Name: Wimbleton Park Reservoir MIOS Works  
Drawing Title: Landscape Masterplan

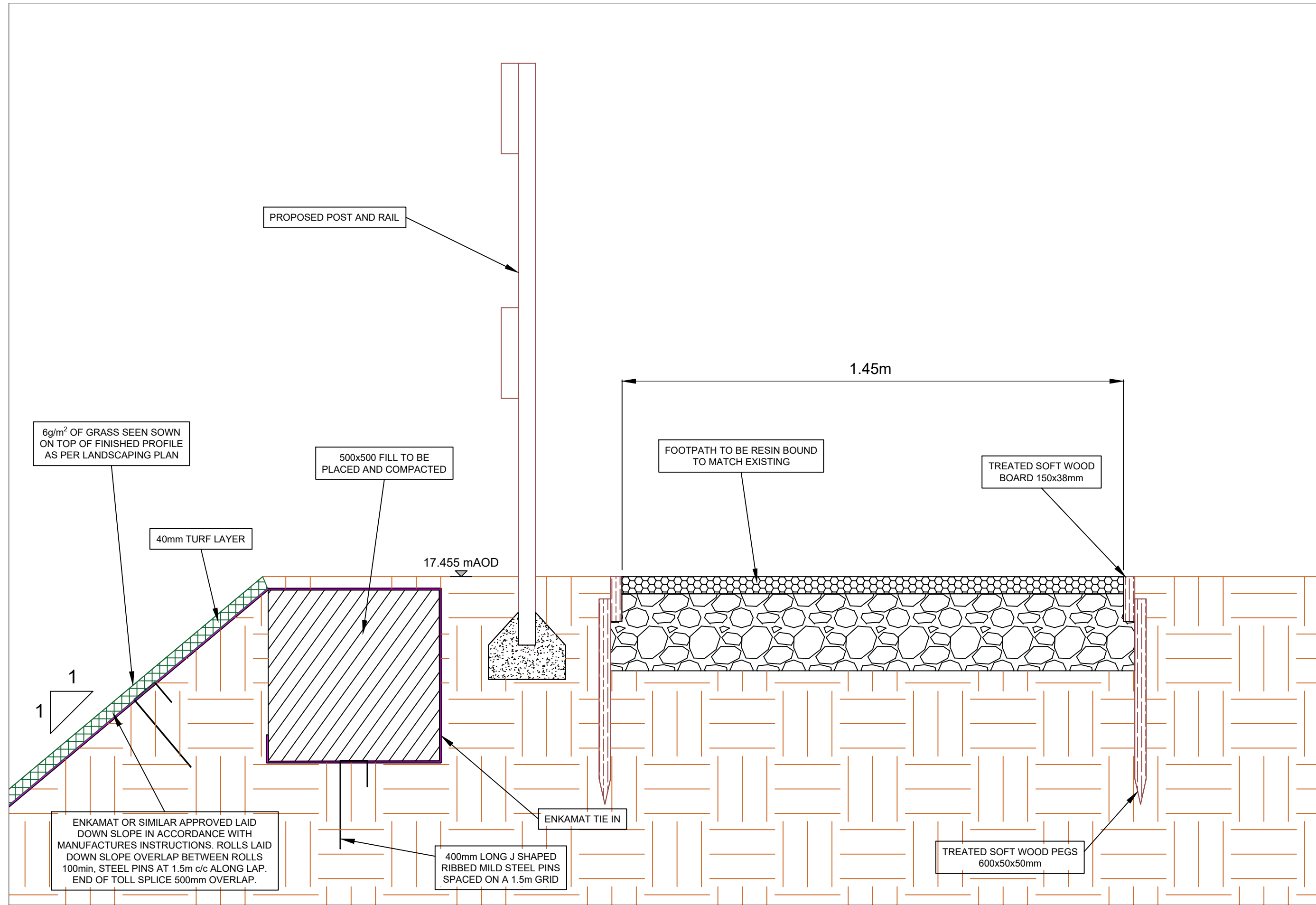
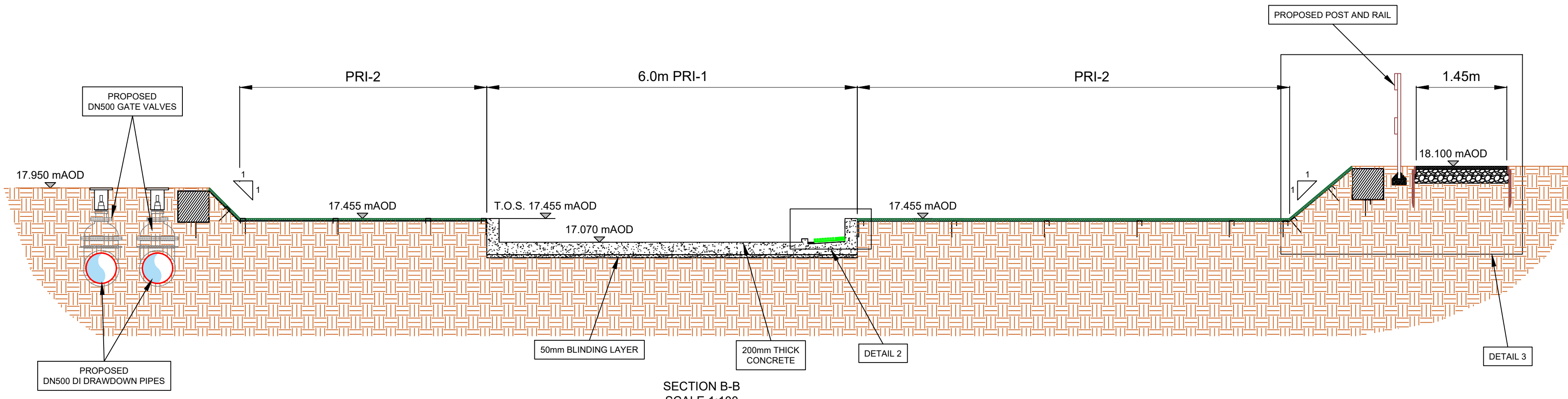
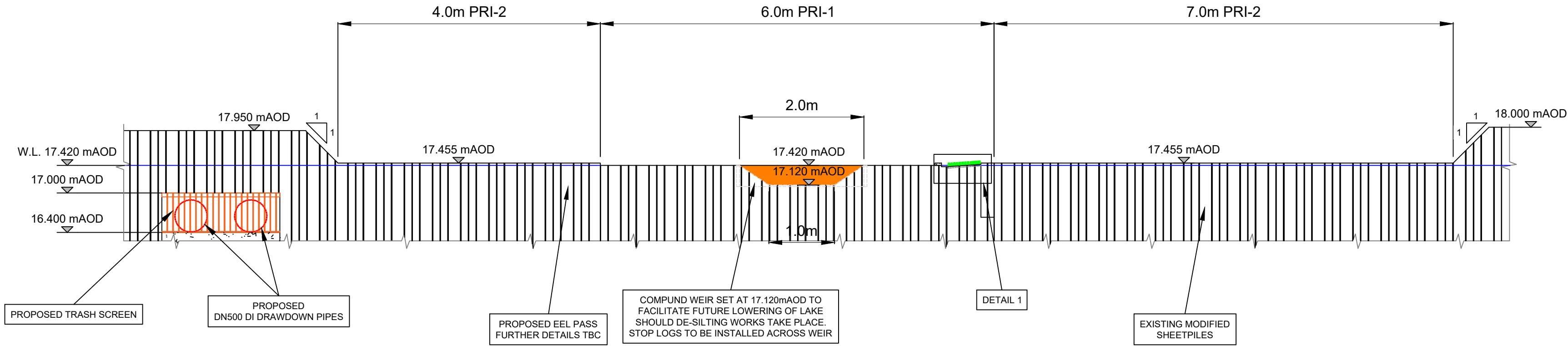
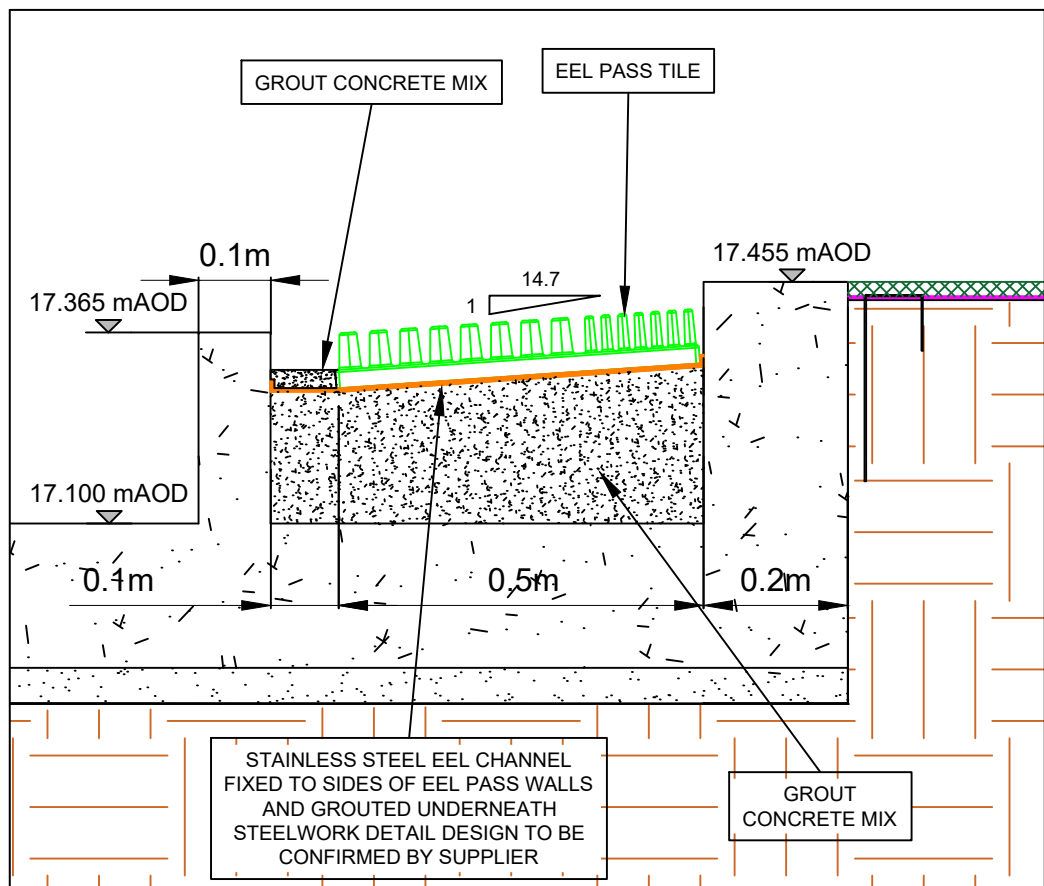
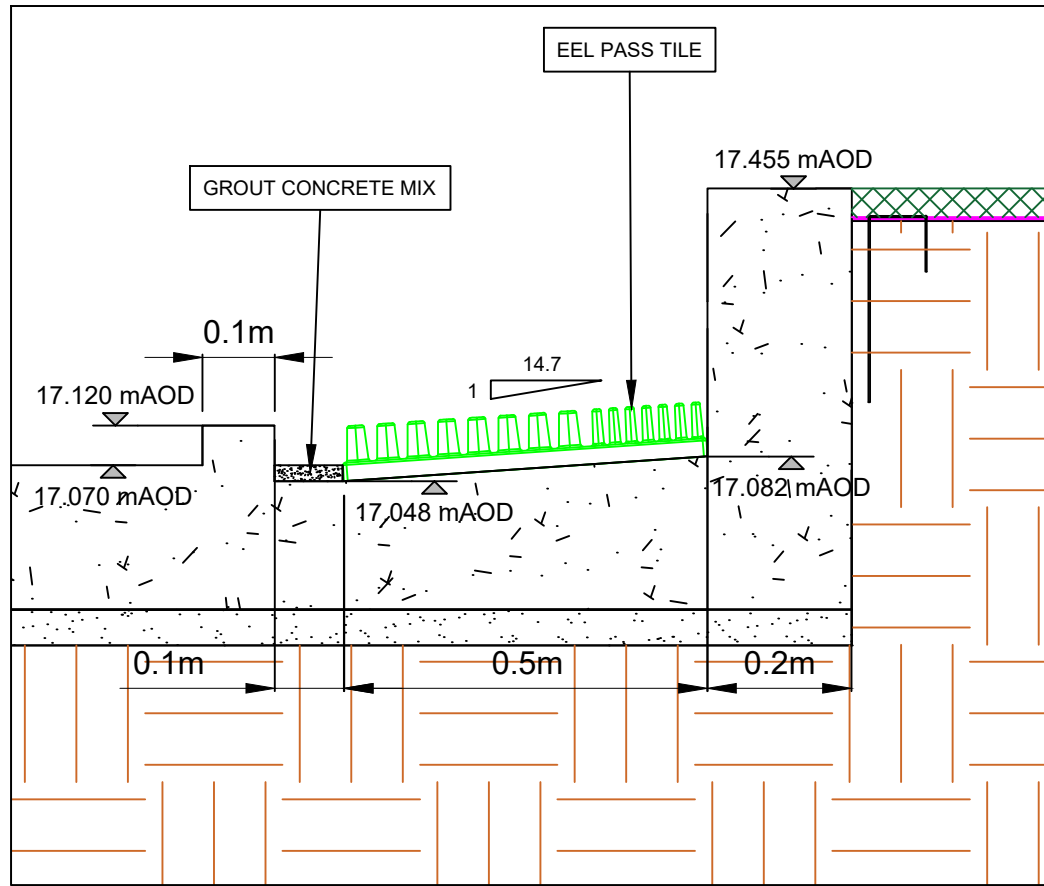
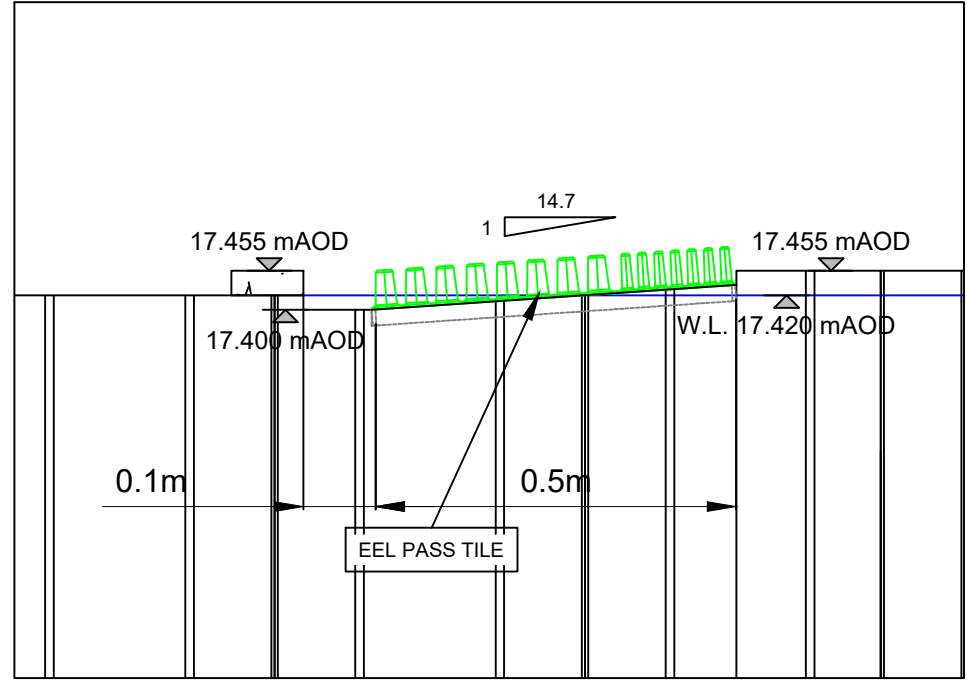
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Volume: All Volumes

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Drawing Number: WMBLDN-WAB-XX-XX-DR-A-20101

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Status: S3  
Revision: P09

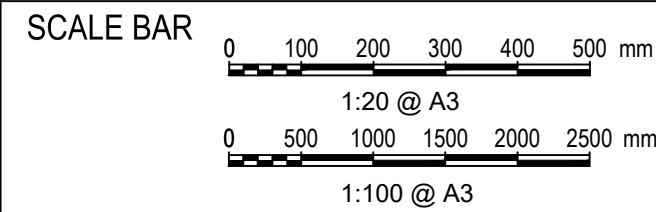


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NOTES:  
1. ALL DIMENSIONS SHOWN IN MILLIMETRES (mm) UNLESS OTHERWISE STATED.  
2. ALL ELEVATIONS STATED ARE IN METRES ABOVE ORDNANCE DATUM (mAOB)  
3. TOPOGRAPHIC INFORMATION HAS BEEN SUPPLIED BY MERTON BOROUGH COUNCIL PRIOR TO PROJECT COMMENCEMENT  
4. NO GAPS TO BE LEFT BETWEEN TILES OR AT THE SIDE OF TILES  
5. ALL GAPS TO BE FILLED WITH A SUITABLE NON-PICK SEALANT (E.G. SIKAFLEX PRO-3)

LEGEND



DRAWING REFERENCES  
Reference where applicable

- 1) WMBLDN-WAB-XX-XX-DR-C-010201
- 2) WMBLDN-WAB-XX-XX-DR-A-20101
- 3) WMBLDN-WAB-XX-XX-DR-A-20201
- 4) WMBLDN-WAB-XX-XX-DR-C-010202

S3 : SUITABLE FOR REVIEW & COMMENTS

P02	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	19/03/21	
P01	S3	SUITABLE FOR REVIEW AND COMMENT	CM	BC	PJM	02/02/21	
Revision	Status	Suitability Description	Authored	Checked	Approved	Date	



Location Code: WMBLDN	OS Reference: TQ246722		
Role: CIVIL	Volume: All Volumes		
Location/Town: Wimbledon, SW19 8AU			
Site Name: Wimbledon Park			
Project Name: Wimbledon Park Reservoir MIOS Works			
Drawing Title: Primary Spillway SECTIONS A-A, B-B & G-G			
Scale: AS SHOWN	Sheet Size: A3	Status: S3	
Drawing Number: WMBLDN-WAB-XX-XX-DR-C-010202		Revision: P02	

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## LEGEND



S3 : SUITABLE FOR REVIEW &amp; COMMENTS



**MERTON BOROUGH COUNCIL**

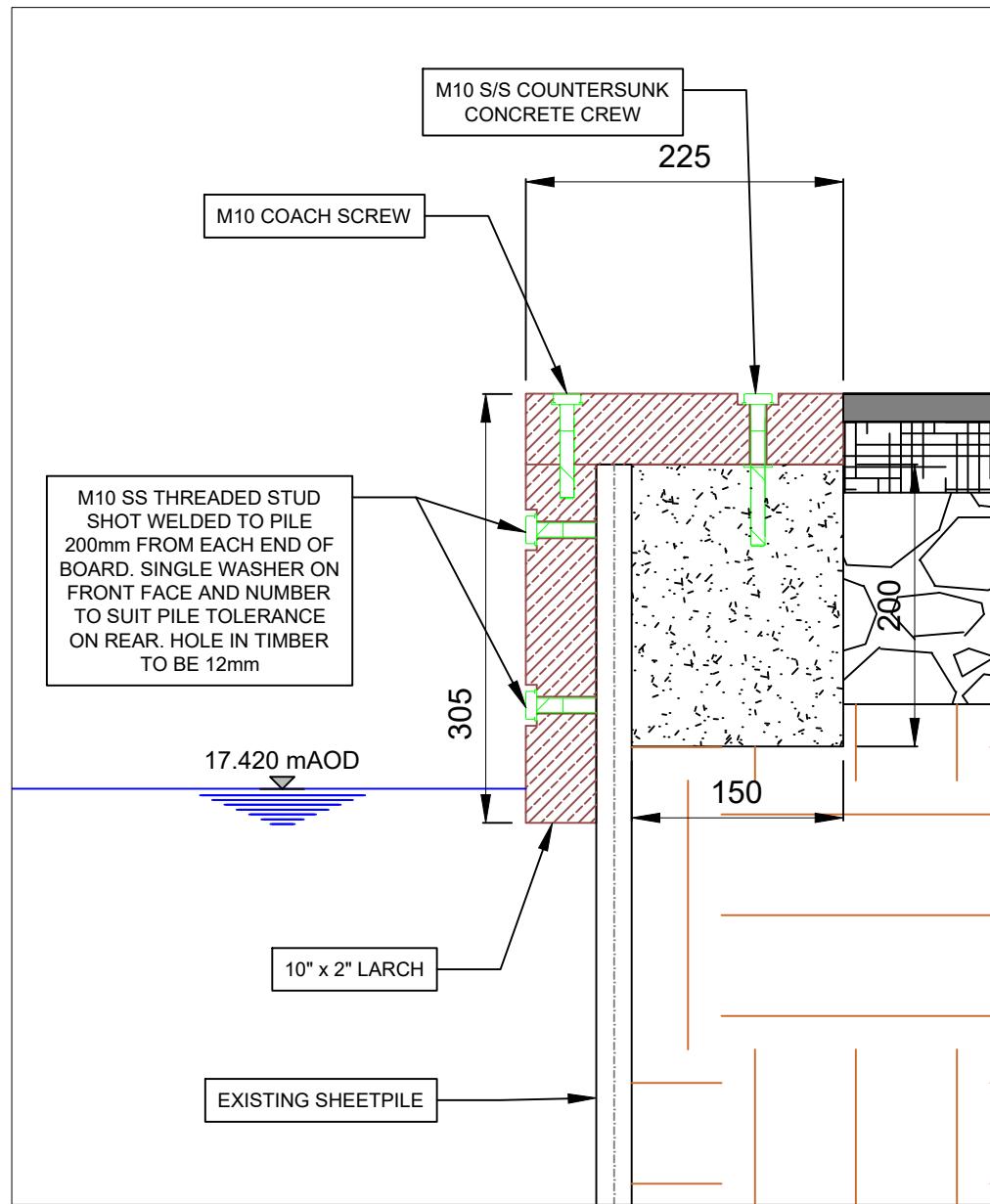
Merton Civic Centre  
London Rd  
Morden SM4 5DX

Scale: AS SHOWN	Sheet Size: A3	Status: S3
Drawing Number: WMBLDN-WAB-XX-XX-DR-C-010203		Revision: P02

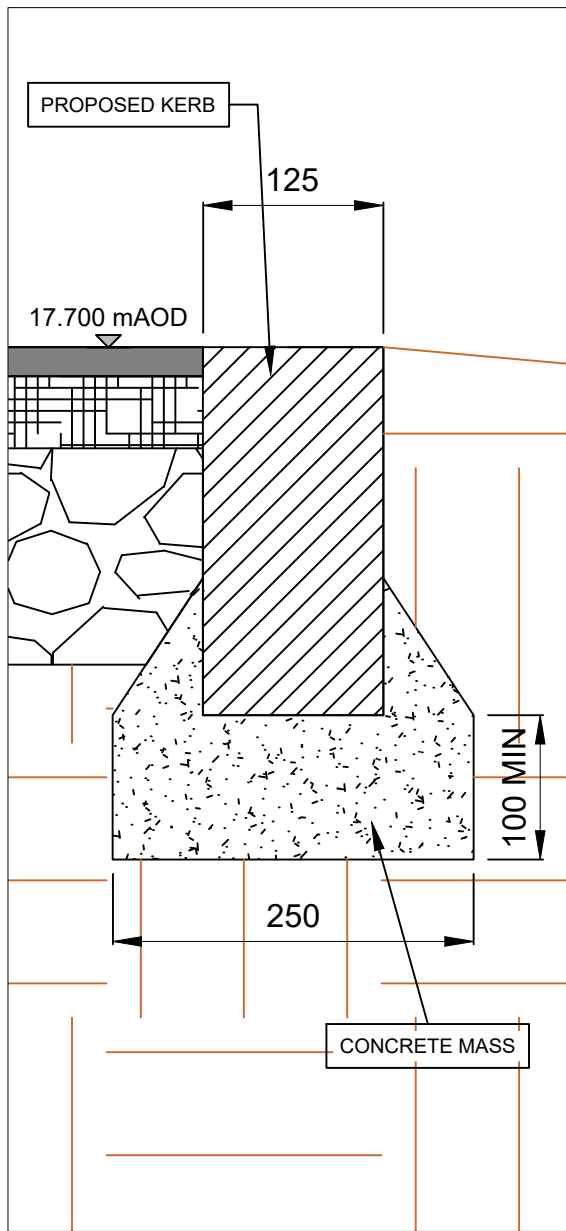
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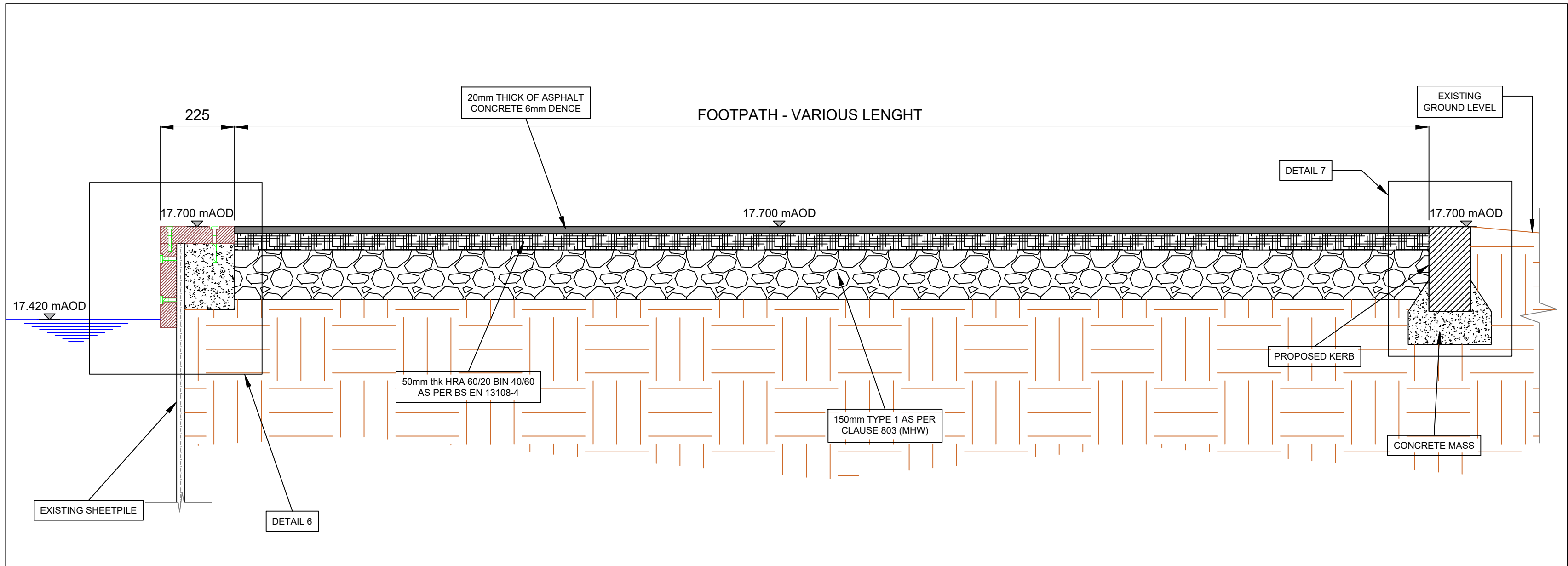




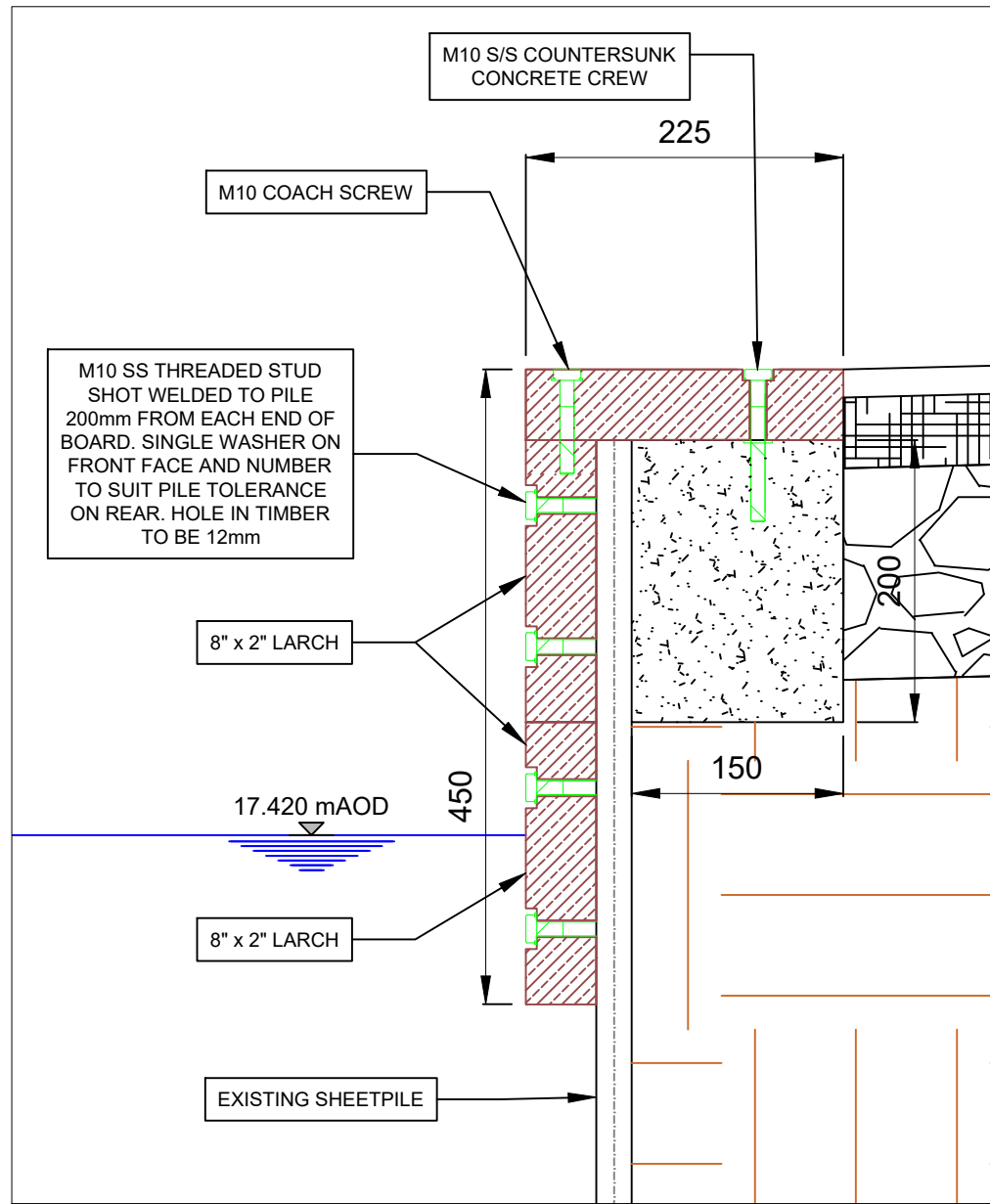
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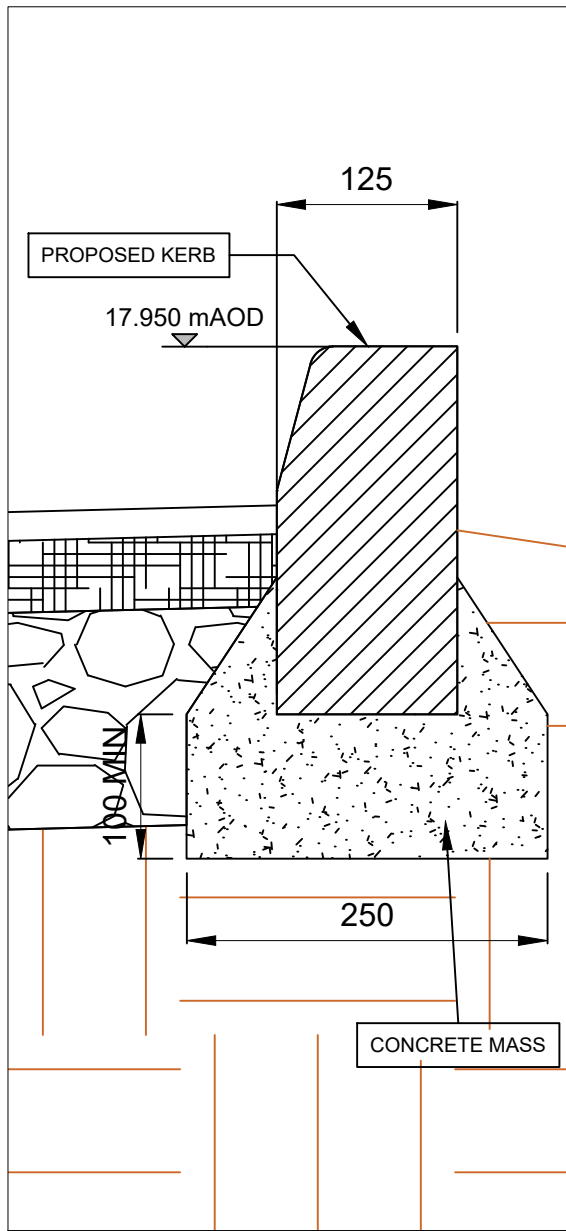
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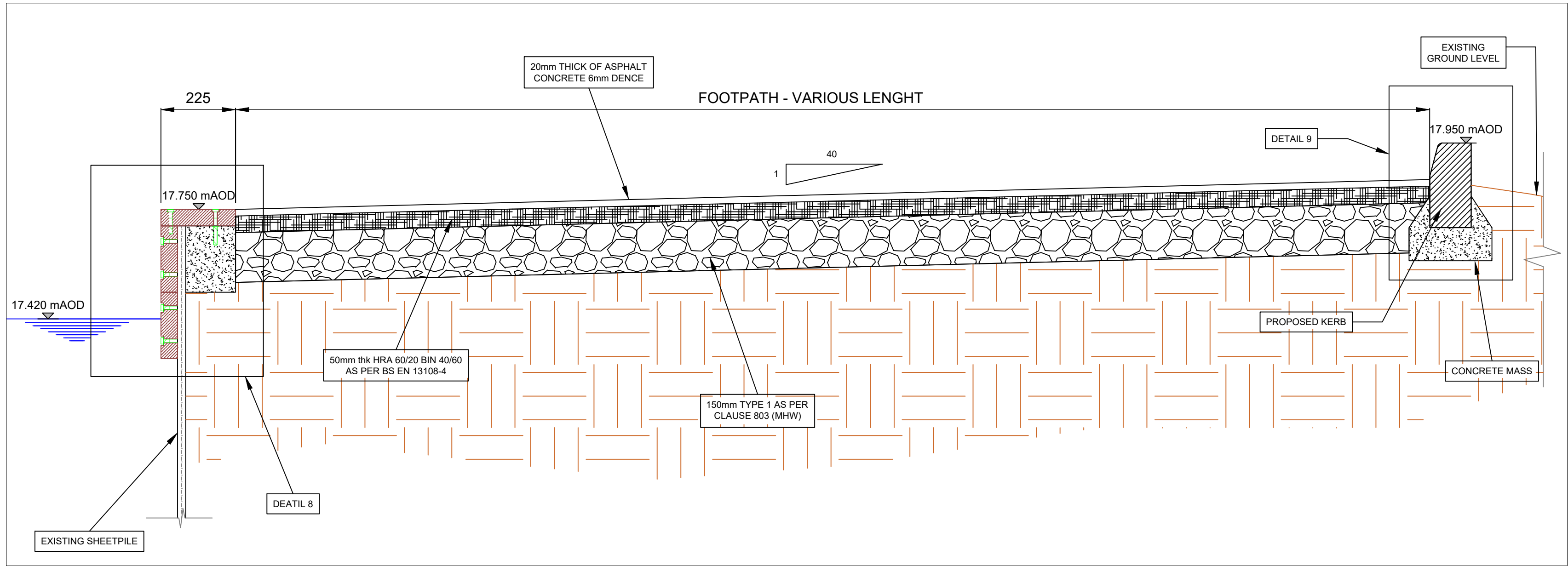
TYPICAL SECTIONAL VIEW  
THROUGH AUXILIARY SPILLWAY  
SCALE 1:20



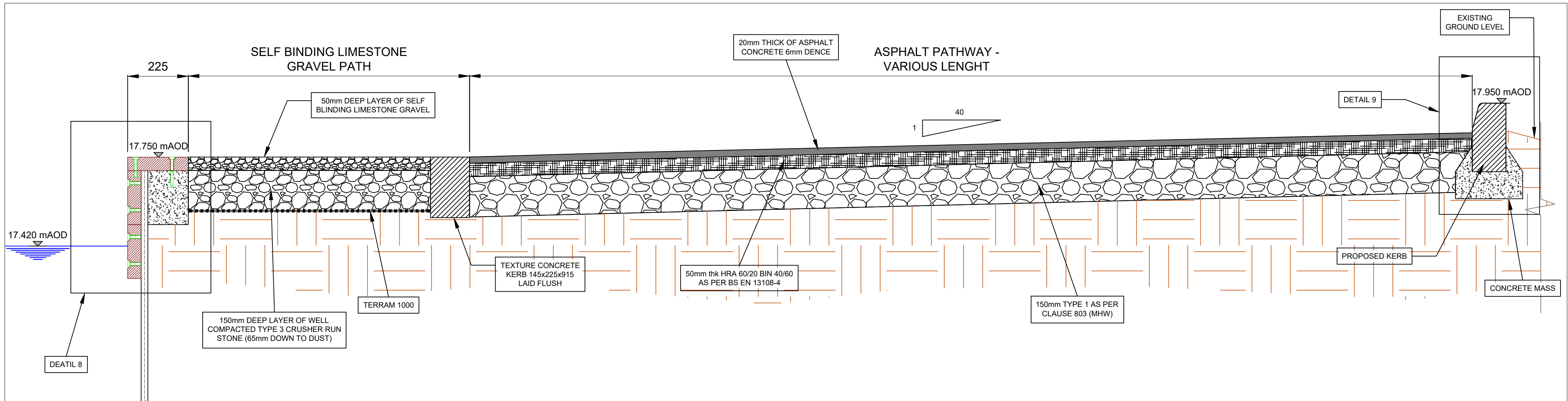
DETAIL 8  
SCALE 1:10



DETAIL 9  
SCALE 1:10



TYPICAL SECTIONAL VIEW  
THROUGH WALKWAY  
SCALE 1:20

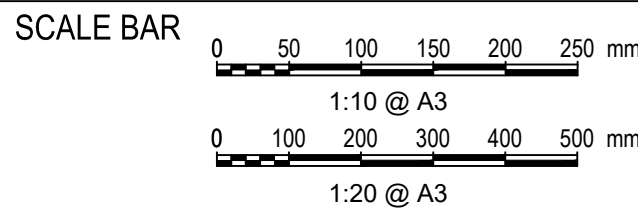


TYPICAL SECTIONAL VIEW  
THROUGH WALKWAY  
SCALE 1:20

**WARD & BURKE**

- NOTES:
1. ALL DIMENSIONS SHOWN IN MILLIMETRES (mm) UNLESS OTHERWISE STATED.
  2. ALL ELEVATIONS STATED ARE IN METRES ABOVE ORDINANCE DATUM (mAOd) BASED ON ORDINANCE DATUM NEWLYN (ODN)
  3. TOPOGRAPHIC INFORMATION HAS BEEN SUPPLIED BY MERTON BOROUGH COUNCIL PRIOR TO PROJECT COMMENCEMENT

LEGEND



- DRAWING REFERENCES
- Reference where applicable
- 1) WMBLDN-WAB-XX-XX-DR-C-010201
  - 2) WMBLDN-WAB-XX-XX-DR-A-20101
  - 3) WMBLDN-WAB-XX-XX-DR-A-20201
  - 4) WMBLDN-WAB-XX-XX-DR-C-010207

S3 : SUITABLE FOR REVIEW & COMMENTS

Revision	Status	Submittal Description	Author	Checked	Approved	Date
P02	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	18/03/21
P01	S3	SUITABLE FOR REVIEW AND COMMENT	CM	BC	PJM	02/02/21



Location Code: WMBLDN	OS Reference: TQ246722	
Role: CIVIL	Volume: All Volumes	
Location/Town: Wimbledon, SW19 8AU		
Site Name: Wimbledon Park		
Project Name: Wimbledon Park Reservoir MIOS Works		
Drawing Title: Primary Spillway TYPICAL FOOTPATH SECTIONS & SECTION E-E		
Scale: AS SHOWN	Sheet Size: A3	Status: S3
Drawing Number: WMBLDN-WAB-XX-XX-DR-C-010204		Revision: P02

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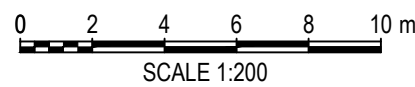
# WARD & BURKE

NOTES

1. ALL DIMENSIONS SHOWN IN MILLIMETRES (mm) UNLESS OTHERWISE STATED.
2. ALL ELEVATIONS STATED ARE IN METRES ABOVE ORDNANCE DATUM (mAOD)
3. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE MERTON BOROUGH COUNCIL
4. TOPOGRAPHIC INFORMATION HAS BEEN SUPPLIED BY MERTON BOROUGH COUNCIL PRIOR TO PROJECT COMMENCEMENT
5. WORKS LOCATIONS IDENTIFIED WILL BE SCHEDULED TO HAVE WORK PHASES RUN CONSECUTIVELY
6. ACCESS TO AREAS OF THE WORKS WILL REQUIRE THE REMOVAL OF EXISTING FENCE IN PARTICULAR LOCATIONS WHICH WILL BE COMMUNICATED WITH THE RELEVANT STAKEHOLDERS
7. EXISTING TARMAC SURFACE TO BE RE-LAID AS PART OF THE WORKS IDENTIFIED
8. EXTENTS ARE SHOWN ON THE DRAWING
9. PEDESTRIAN PATH TO BE RE-PAVED AT MINIMUM 3m WIDTH WITH TARMAC EXISTING SURFACE. REMAINING SECTION OF THE EMBANKMENT TO SLOPE AT 1V:3H UNTIL EXISTING SURFACE IS REACHED
10. EXISTING STRUCTURE TO BE DESTROYED IS TO BE REMOVED AND SAFELY STORED UNTIL THE WORKS ARE COMPLETE WHERE IT WILL BE REINSTATED TO ITS ORIGINAL POSITIONS. IN THE INSTANCE WHERE THIS IS NOT POSSIBLE, THIS WILL BE DISCUSSED WITH MERTON BOROUGH COUNCIL AND A LOCATION TO BE IDENTIFIED
11. WORKS TO INCLUDE LANDSCAPING AND VEGETATION PLANTING WHICH WILL BE CONFIRMED AS PART OF THE LANDSCAPING PACKAGE OF WORKS
12. FLOOD GATE AND BARRIERS TO BE INSTALLED AS STIFFLING POND VIA EITHER AN ADDITIONAL CULVERT OR OPEN CHANNEL / BROOK

### LEGEND

- |                          |   |  |
|--------------------------|---|--|
| Wall                     |  | Proposed Primary Spillway                |
| Line marking             |  | Flat Section                             |
| Centre line              |  | Proposed Primary Spillway Sloped Section |
| Fence                    |  | Proposed Eel Pass                        |
| New / Modified Structure |  | Existing Tree                            |
| Sheet Pile               |   |  |
| Sheet Extension          |   |  |
| New DN500 Pipe           |   |  |
| Culvert to Abandon       |   |  |



## DRAWING REFERENCES

Reference where applicable

- 1) WMBLND-WAB-XX-XX-DR-C-010005
- 2) WMBLND-WAB-XX-XX-DR-C-010101
- 3) WMBLND-WAB-XX-XX-DR-HA-010111
- 4) WMBLND-WAB-XX-XX-DR-C-010003
- 5) WMBLND-WAB-XX-XX-DR-C-010202
- 6) WMBLND-WAB-XX-XX-DR-C-010203
- 7) WMBLND-WAB-XX-XX-DR-C-010204
- 8) WMBLND-WAB-XX-XX-DR-C-010205
- 9) WMBLND-WAB-XX-XX-DR-C-010210
- 10) WMBLND-WAB-XX-XX-DR-A-20101

## S3 : SUITABLE FOR REVIEW &amp; COMMENTS

Revision	Status	Suitability Description	Authored	Checked	Approved	Date
P03	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	19/03/21
P02	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	25/01/21
P01	S3	SUITABLE FOR REVIEW AND COMMENT	CM	BC	PJM	05/10/20

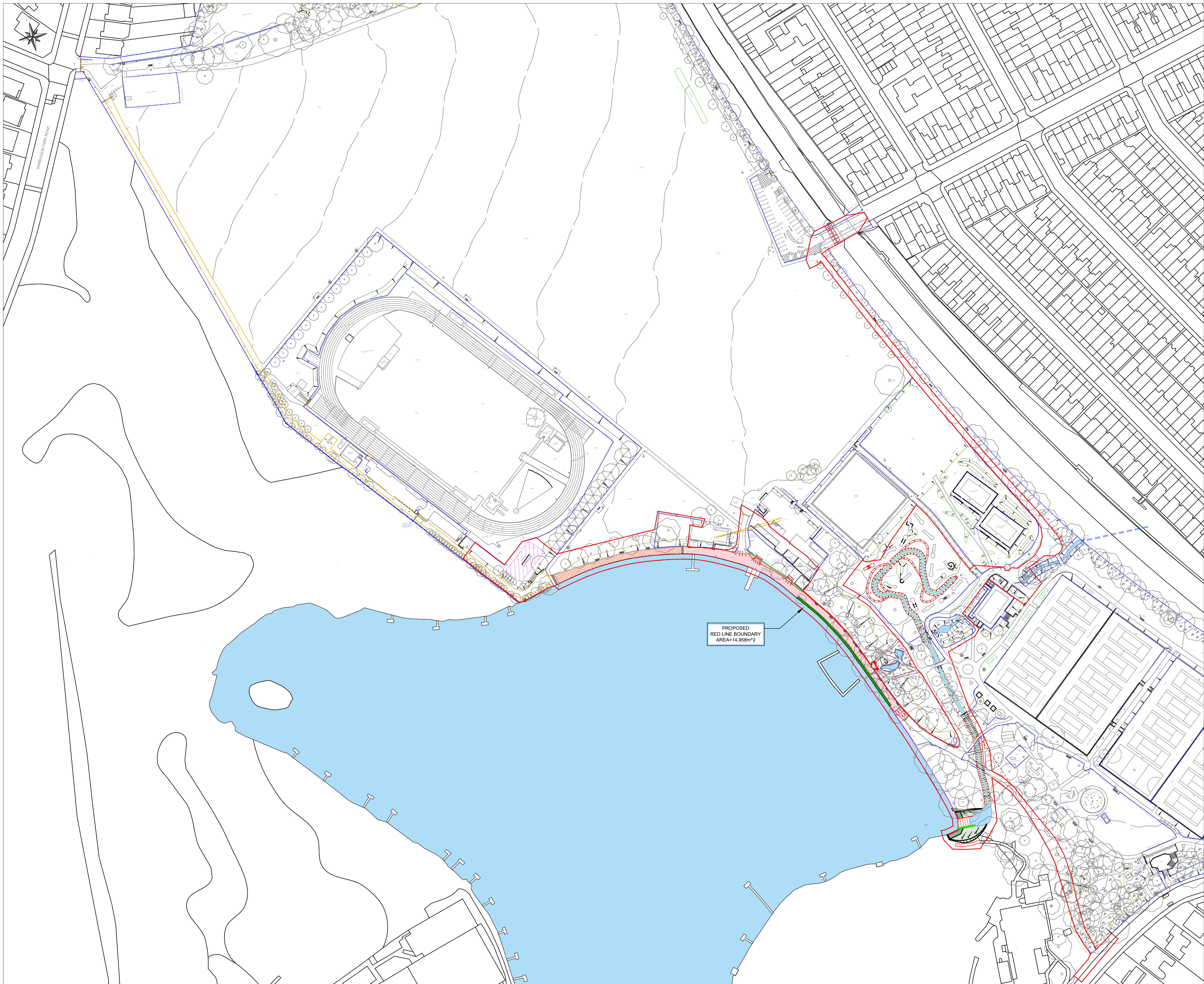


Location Code: WMBLDN	OS Reference: TQ246722	
Role: CIVIL	Volume: All Volumes	
Location/Town: Wimbleton, SW19 8AU		
Site Name: Wimbleton Park		
Project Name: Wimbleton Park Reservoir MIOS Works		
Dwosing Title: Primary Spillway General Arrangement		
Scale: 1:200	Sheet Size: A3	Status: S3
Drawing Number: WMBLDN-WAB-XX-XX-DR-C-010201		Revision: P03

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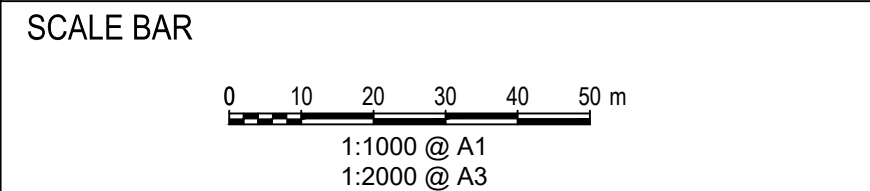




# WARD & BURKE

- NOTES:
1. ALL DIMENSIONS SHOWN IN MILLIMETRES (mm) UNLESS OTHERWISE STATED.
  2. ALL ELEVATIONS STATED ARE IN METRES ABOVE ORDNANCE DATUM (mAOD) BASED ON ORDNANCE DATUM NEWLYN (ODN).
  3. TOPOGRAPHIC INFORMATION HAS BEEN SUPPLIED BY MERTON BOROUGH COUNCIL PRIOR TO PROJECT COMMENCEMENT.
  4. SITE ACCESS IS AVAILABLE VIA MERTON COUNCIL ACCESS ON WIMBLEDON PARK ROAD AS SHOWN.
  5. WORKS LOCATIONS IDENTIFIED WILL BE SCHEDULED TO HAVE WORK PHASES RUN CONSECUTIVELY.
  6. ACCESS TO AREAS OF THE WORKS WILL REQUIRE THE REMOVAL OF EXISTING FENCE IN PARTICULAR LOCATIONS WHICH WILL BE COMMUNICATED WITH ANY RELEVANT STAKEHOLDERS PRIOR.
  7. ACCESS TO THE WORKS VIA MORTON BOROUGH COUNCIL CONTROLLED GATES WILL BE AGREED PRIOR TO WORKS COMMENCEMENT.
  8. ACCESS AS DISCUSSED IN NOTE 4. TRAFFIC WILL BE CONTROLLED VIA A 2-WAY TRAFFIC SYSTEM ALONG THE ROUTE IDENTIFIED. ALL TRAFFIC WILL BE SUPERVISED IN AND OUT OF THE SITE.

LEGEND			
Buildings	Overhead Cable	New / Modified Structure	Access line
Wall	Concrete edge	Sheet Pile	Line Boundary
Kerb line	Proposed access road	Pathway to remove	Culvert to Abandon
Line marking	Ex. Watercourse	New Culvert	
Fence	Proposed Primary Spillway Flat Section	Park Bench	
Centre line	Proposed Primary Spillway Sloped Section	Gate	
Tarmac edge	Existing Soft Verges to be Replaced	Existing Tree	
Grass verge	Proposed Auxiliary Spillway	Proposed Climbing Plants	
Canopy/Overhang	Existing Walkway to be Replaced	Proposed Compound Site	
Verge	Proposed Eel Pass		



- DRAWING REFERENCES
- Reference where applicable
- 1) WMBLDN-WAB-XX-XX-DR-C-010001
  - 2) WMBLDN-WAB-XX-XX-DR-C-010005

## S3 : SUITABLE FOR REVIEW & COMMENTS

Revision	Status	Suitability Description	Author	Checked	Approved	Date	
P03	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	12/03/21	
P02	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	25/01/21	
P01	S3	SUITABLE FOR REVIEW AND COMMENT	CM	BC	PJM	05/10/20	

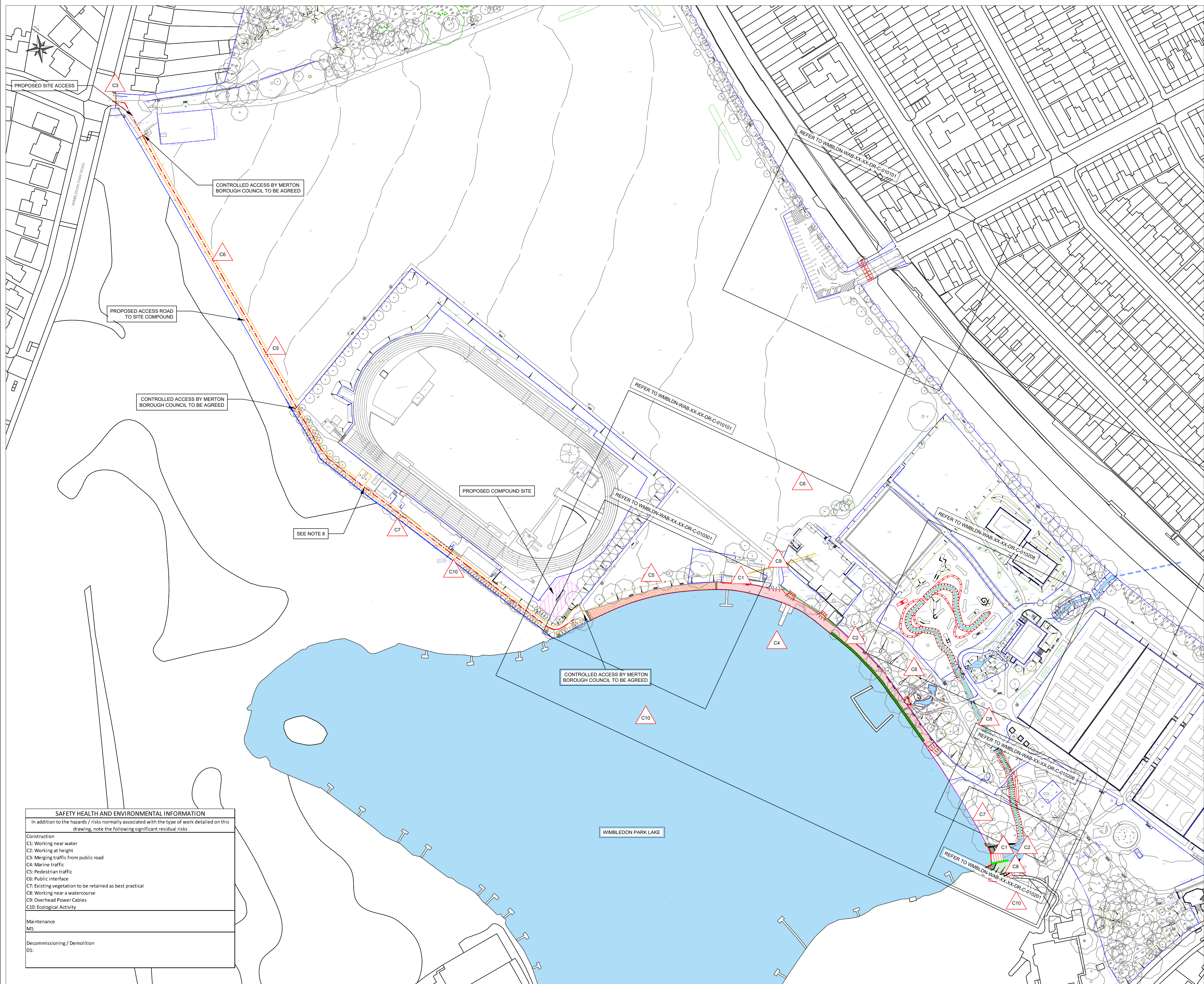


Location Code: WMBLDN		OS Reference: TQ246722	
Role: CIVIL		Volume: All Volumes	
Location/Town: Wimbledon, SW19 8AU			
Site Name: Wimbledon Park			
Project Name: Wimbledon Park Reservoir MIOS Works			
Drawing Title: Site Overview Red Line Boundary			
Scale: 1:2000		Sheet Size: A3	Status: S3
Drawing Number: WMBLDN-WAB-XX-XX-DR-C-010005			Revision: P03



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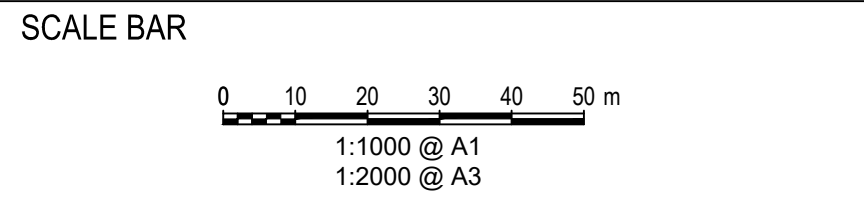


SAFETY HEALTH AND ENVIRONMENTAL INFORMATION	
In addition to the hazards / risks normally associated with the type of work detailed on this drawing, note the following significant residual risks	
Construction	
C1: Working near water	
C2: Working at height	
C3: Merging traffic from public road	
C4: Marine traffic	
C5: Pedestrian traffic	
C6: Public interface	
C7: Existing vegetation to be retained as best practical	
C8: Working near a watercourse	
C9: Overhead Power Cables	
C10: Ecological Activity	
Maintenance	
M1:	
Decommissioning / Demolition	
D1:	

# WARD & BURKE

- NOTES:
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  2. ALL ELEVATIONS STATED ARE IN METRES ABOVE ORDNANCE DATUM (mAOD) BASED ON ORDNANCE DATUM NEWLYN (ODN)
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LEGEND			
Buildings	Overhead Cable	New / Modified Structure	Fence
Wall	Concrete edge	Sheet Pile	Access line
Kerb line	Proposed access road	Pathway to remove	Culvert to Abandon
Line marking	Existing Culvert	New Culvert	
Centre line	Proposed Primary Spillway	Flat Section	
Tarmac edge	Proposed Primary Spillway	Sloped Section	
Grass verge	Existing Soft Verge to be Replaced	Gate	
Canopy/Overhang	Proposed Auxiliary Spillway	Gate	
Verge	Existing Walkway to be Replaced	Existing Tree	
	Proposed Eel Pass		



- DRAWING REFERENCES
- Reference where applicable
- 1) WMBLDN-WAB-XX-XX-DR-C-010005
  - 2) WMBLDN-WAB-XX-XX-DR-C-010101
  - 3) WMBLDN-WAB-XX-XX-DR-HA-010111
  - 4) WMBLDN-WAB-XX-XX-DR-C-010201
  - 5) WMBLDN-WAB-XX-XX-DR-C-010301
  - 6) WMBLDN-WAB-XX-XX-DR-C-010206
  - 7) WMBLDN-WAB-XX-XX-DR-C-010208
  - 8) WMBLDN-WAB-XX-XX-DR-A-20101

## S3 : SUITABLE FOR REVIEW & COMMENTS

Revision	Status	Suitability Description	Author	Checked	Approval	Date
P03	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	19/03/21
P02	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	25/01/21
P01	S3	SUITABLE FOR REVIEW AND COMMENT	CM	BC	PJM	05/10/20



Location Code: WMBLDN	OS Reference: TQ246722
Role: CIVIL	Volume: All Volumes
Location/Town: Wimbledon, SW19 8AU	
Site Name: Wimbledon Park	
Project Name: Wimbledon Park Reservoir MIOS Works	
Drawing Title: General Arrangement Site Overview	

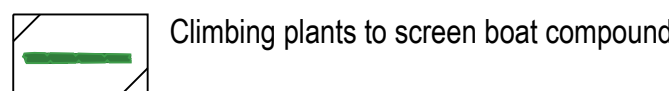
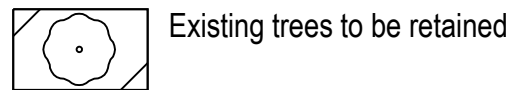
Scale: 1:2000	Sheet Size: A3	Status: S3
Drawing Number: WMBLDN-WAB-XX-XX-DR-C-010003		Revision: P03



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Key



NOTE:  
1. Landscape works to be carried out in the first planting season after commencement of the lakeside engineering works.  
2. The Contractor will be responsible for all maintenance operations during the maintenance period (12 months) which will run concurrently with the Defects Liability Period.

**Preparation and Planting**  
All areas to be planted are to receive a minimum depth of 400 mm and grassed areas 200mm of good vegetable topsoil imported to the site.  
Topsoil surface to be cultivated to a depth of 150mm to relieve compaction prior to planting and seeding. Any imported compost to the site must be peat free.  
Planted areas to have a 75mm deep layer of bark mulch applied after planting is complete.

**Maintenance Operations**  
The following maintenance operations are to take place at visits during establishment maintenance:  
Litter removal; weeding; watering; fertilising; wind firming; grass areas made good by disturbance along new path edge to be maintained between 50-100mm and all arisings taken away from site.

Prior to end of Defects Liability Period any defective plants are to be replaced at the Contractors expense (except those maliciously damaged or removed from site).

**OUTLINE SPECIFICATION**  
**Standard of operations**

All works shall be carried out in accordance with good professional horticultural practice by qualified and experienced staff. Works shall comply with all relevant and current British Standards and codes of practices including:

- Topsoil: BS 3882: 2015 Multipurpose Grade
- Nursery Stock: BS 3936 1-9
- Tree work, BS 3998: 2010
- Code of Practice for general landscape operations, BS 4428: 1989
- Trees in relation to construction BS 5837: 2012
- Grounds maintenance, BS 7370: 1998
- Joint Council for Landscape Industries (JCLI) Committee for Plant Supply and Establishment 'Guidance on Handling and Establishing Landscape Plants' see Appendix 1, HTA National Plant Specification.

**Weed Treatment**

All areas to be planted are to be treated with Roundup a minimum of 10 days prior to planting. Planted areas are to be kept weed free with the use of herbicides. Following the use of herbicides remove dead vegetation.

**Planting General**

All plant material to be supplied in accordance with HTA National Plant Specification.  
All planting to be local provenance wherever possible and from local supplier.  
Consider using reference to the Forestry Commision's practice note 8 'Using local stock for planting native trees and shrubs' if the site is in a sensitive rural location.

**General Planting Notes**

All plants to be healthy, hardened-off and with good fibrous root systems and to comply with the requirements of BS3936 Specification for Nursery Stock. All planting to be undertaken in accordance with S4428 Code of Practice for General Landscape Operations.  
All plants to be protected from wind exposure at all times. All plants to be soaked in water for several hours prior to planting and to be well watered in. No planting to be carried out during poor weather conditions, i.e. when ground is frozen, waterlogged, or during droughts, hot sunshine or persistent dry or cold winds. All plant material to receive enough water to ensure healthy establishment.

**NATIVE SHRUB PLANTING**

**Specification:**  
Form; Age = Age/condition or number of times transplanted; Supply Height = Overall height or minimum height (in millimetres) at time of supply;  
Root Condition = Bare Root or Container Grown; Pot Size= Litres; Breaks = Minimum number of breaks/branches  
\* Note: Bare root whips to be planted between October and March.

REFERENCE	SPECIES	SPECIFICATION	SPACING (metre ctrs)	COMMENT
NS1 75m2	15 Nr. Cornus sanguinea	Transplant; 1u1; H. 600-800; Bare Root; 3 breaks	1	Plant in random groups of between 5-10Nr.
	30 Nr. Crataegus monogyna	Transplant; 1+1; H. 600-800; Bare Root; 3 breaks	1	
	10 Nr. Viburnum opulus	Transplant; 1+2; H. 1000-1250; Bare Root; 3 breaks	1	
	15 Nr. Rosa canina	Bare Root; H. 600-800; branched; 1+1; 3 breaks	1	
	5 Nr. Ilex aquifolium	Container Grown; H.400-600; 3Lt; leader with laterals	1	
NS2 65m2	10 Nr. Cornus sanguinea	Transplant; 1u1; H. 600-800; Bare Root; 3 breaks	1	Plant in random groups of between 5-10Nr.
	30 Nr. Crataegus monogyna	Transplant; 1+1; H. 600-800; Bare Root; 3 breaks	1	
	10 Nr. Viburnum opulus	Transplant; 1+2; H. 1000-1250; Bare Root; 3 breaks	1	
	10 Nr. Rosa canina	Bare Root; H. 600-800; branched; 1+1; 3 breaks	1	
	5 Nr. Ilex aquifolium	Container Grown; H.400-600; 3Lt; leader with laterals	1	
NS3 28m2	6 Nr. Cornus sanguinea	Transplant; 1u1; H. 600-800; Bare Root; 3 breaks	1	Plant in random groups of between 3-7Nr.
	5 Nr. Crataegus monogyna	Transplant; 1+1; H. 600-800; Bare Root; 3 breaks	1	
	5 Nr. Viburnum opulus	Transplant; 1+2; H. 1000-1250; Bare Root; 3 breaks	1	
	7 Nr. Rosa canina	Bare Root; H. 600-800; branched; 1+1; 3 breaks	1	
	5 Nr. Ilex aquifolium	Container Grown; H.400-600; 3Lt; leader with laterals	1	
NS4 40m2	5 Nr. Cornus sanguinea	Transplant; 1u1; H. 600-800; Bare Root; 3 breaks	1	Plant in random groups of between 5-10Nr.
	15 Nr. Crataegus monogyna	Transplant; 1+1; H. 600-800; Bare Root; 3 breaks	1	
	10 Nr. Viburnum opulus	Transplant; 1+2; H. 1000-1250; Bare Root; 3 breaks	1	
	5 Nr. Rosa canina	Bare Root; H. 600-800; branched; 1+1; 3 breaks	1	
	5 Nr. Ilex aquifolium	Container Grown; H.400-600; 3Lt; leader with laterals	1	
NS5 65m2	10 Nr. Cornus sanguinea	Transplant; 1u1; H. 600-800; Bare Root; 3 breaks	1	Plant in random groups of between 5-10Nr.
	30 Nr. Crataegus monogyna	Transplant; 1+1; H. 600-800; Bare Root; 3 breaks	1	
	10 Nr. Viburnum opulus	Transplant; 1+2; H. 1000-1250; Bare Root; 3 breaks	1	
	10 Nr. Rosa canina	Bare Root; H. 600-800; branched; 1+1; 3 breaks	1	
	5 Nr. Ilex aquifolium	Container Grown; H.400-600; 3Lt; leader with laterals	1	

**Labelling and Information:**

General: Provide each plant/ tree or group of plants/ trees of a single species or cultivar with supplier's labelling for delivery to site, showing:

- Full botanical name.
- Number of bundles.
- Supplier's name.
- Plant specification, in accordance with scheduled National Plant Specification categories.
- Total number.
- Part bundles.
- Employer's name and project reference.
- Additional information: Submit on request: Country of Origin.

**Times of year for planting/ seeding:**

Deciduous trees and shrubs: Late November to late March.  
Container grown stock - Any time of year as providing adequately watered, autumn planting desirable.  
Container grown plants: At any time if ground and weather conditions are favourable.

**CLIMBING PLANTS TO SCREEN BOAT COMPOUND (14M2)**

**Specification:**  
C.G = Container Grown B.R. = Bare Root H = Height or shoot length (in millimetres) D = Diameter S = Seed  
V = Vegetative Pot size in litres Plant spacing centres in millimetres

REFERENCE	SPECIES	SPECIFICATION	SPACING (Centres)	COMMENT
B1 (4m2)	3 Nr. Hedera helix 2 Nr. Lonicera japonica 'Halliana'	C.G.; H. 600-800; 7Lt; Several shoots; 7 breaks C.G.; H. 600-800; 7Lt; Several shoots; 3 breaks	1m 1m	Plant Hedera & Lonicera alternately to fence as shown
B2 (6m2)	8 Nr. Hedera helix 8 Nr. Lonicera japonica 'Halliana'	C.G.; H. 600-800; 7Lt; Several shoots; 7 breaks C.G.; H. 600-800; 7Lt; Several shoots; 3 breaks	1m 1m	Plant Hedera & Lonicera alternately to fence as shown
B3 (4m2)	4 Nr. Hedera helix 3 Nr. Lonicera japonica 'Halliana'	C.G.; H. 600-800; 7Lt; Several shoots; 7 breaks C.G.; H. 600-800; 7Lt; Several shoots; 3 breaks	1m 1m	Plant Hedera & Lonicera alternately to fence as shown

\* Beds B1 – B3 to have a 75mm deep layer of bark mulch applied after planting

**PRE-ESTABLISHED COIR ROLLS (100M2)**

100m2 of marginal planting supplied by Salix River & Wetland Services Ltd, Norfolk or similar and approved. \*To be installed as per suppliers' instructions.  
Proposed species include;  
- Carex acutiformis (Lesser Pond Sedge)  
- Carex flacca (Blue Sedge)  
- Iris pseudacorus (Yellow Flag Iris)  
- Juncus effusus (Soft Rush)  
- Juncus inflexus (Hard Rush)  
- Lythrum salicaria (Purple Loosestrife)  
- Phalaris arundinacea (Reed Canary Grass)

**PRE-ESTABLISHED COIR PALLETS (450M2)**

90m2 of stream bank restoration and erosion control mature coir pallets supplied by Salix River & Wetland Services Ltd, Norfolk or similar and approved. Typically contains a mixture of plant species depending on availability.  
\*To be installed as per suppliers' instructions.

**GRASS SEED MIX FOR LOW MAINTENANCE – WET SITES (1300M2)**

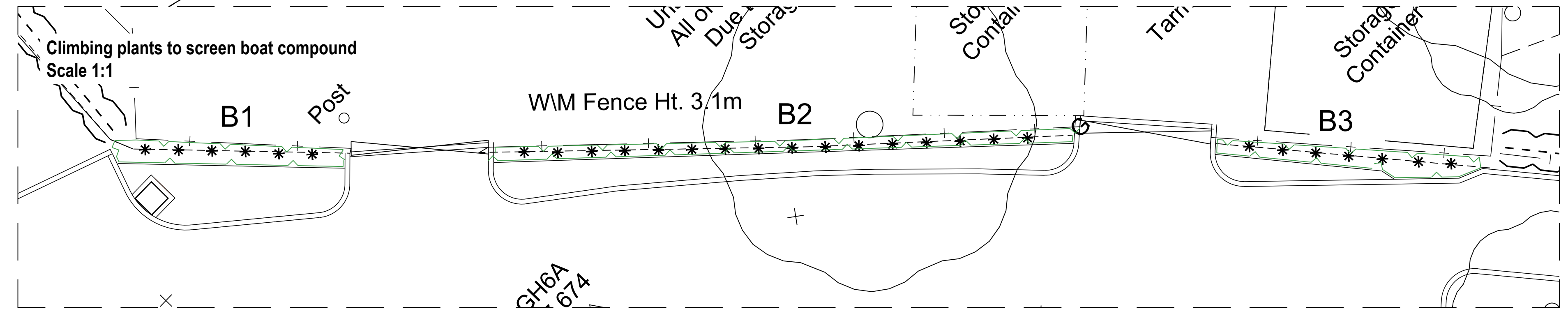
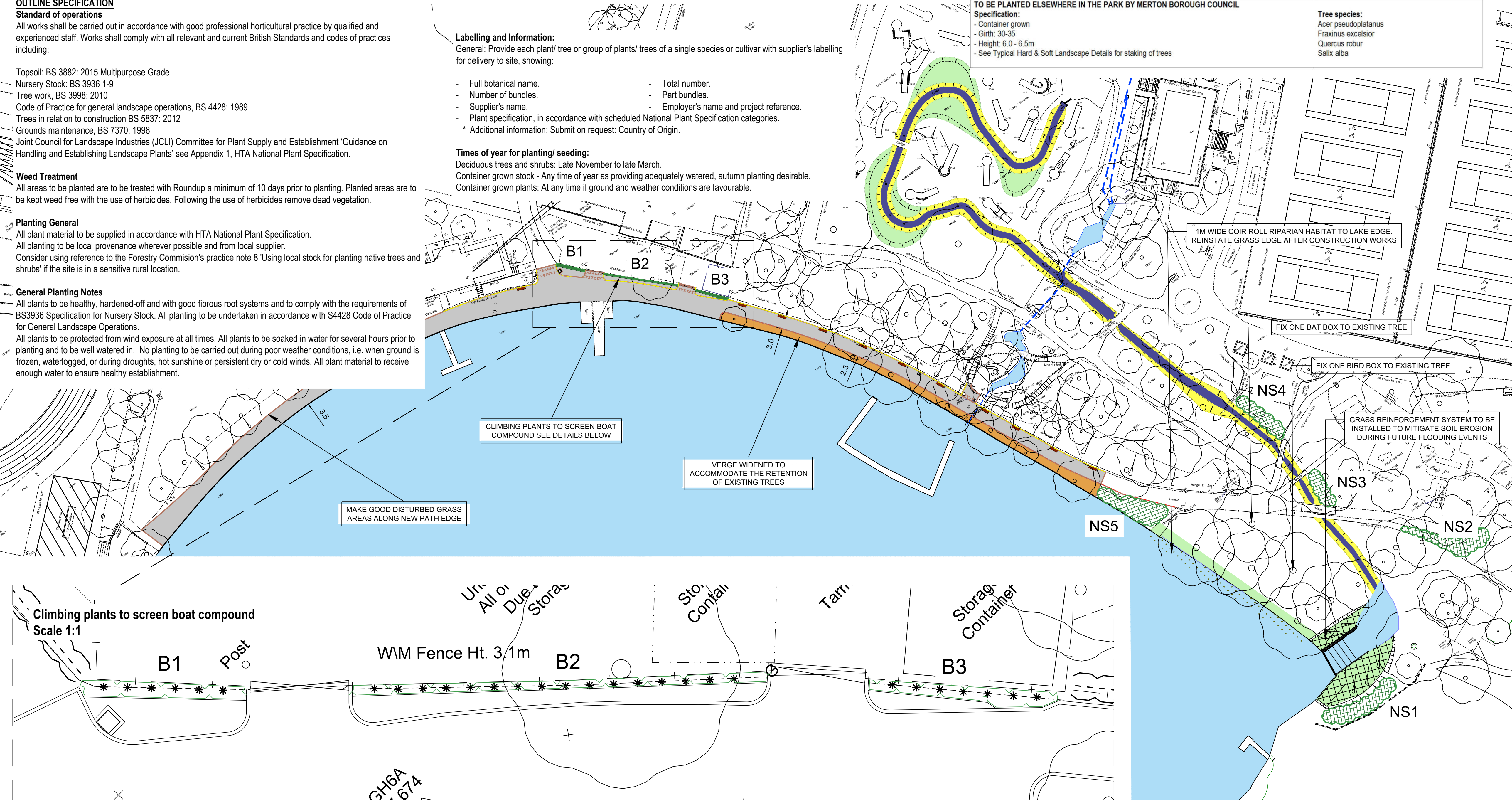
Sow the following at 20-30 grams per sq/m  
40% Creeping Red Fescue  
30% Rough-stalked Meadow Grass  
30% Creeping Bent

**SEMI MATURE TREE PLANTING**

TO BE PLANTED ELSEWHERE IN THE PARK BY MERTON BOROUGH COUNCIL

**Specification:**  
- Container grown  
- Girth: 30-35  
- Height: 6.0 - 6.5m  
- See Typical Hard & Soft Landscape Details for staking of trees

**Tree species:**  
Acer pseudoplatanus  
Fraxinus excelsior  
Quercus robur  
Salix alba



**Notes:**

Check all dimensions on site. Do not scale from this drawing  
Report any discrepancies and omissions to HLM Architects  
This Drawing is Copyright ©

- Seats and bins within construction area to be carefully removed and stored safely. Bins to be reinstated to positions shown on this drawing on completion of construction works.

- Any excavations work within tree canopy to be carefully undertaken to avoid damage to tree roots. Method of work to be approved by Contract Administrator prior to commencement.

- Any disturbance to grassed areas to be re-profiled, seeded and reinstated.

- Existing trees to be protected as per BS5837:2012 Trees in relation to Construction.

- Planting of shrubs and perennials to be carried out in the first planting season after completion of construction works.

- There are 9no trees to be felled to facilitate construction works. Felled trees to be cut into log piles for wildlife habitat creation. See 'Tree and Vegetation Removal' drawing.

- Contractor to supply trees which are to be replaced in locations elsewhere in the park by Merton Borough Council. Exact tree replacement ratio to be confirmed by Merton Borough Council.



? HLMArchitects  
Suite 104  
The Creative Quarter  
Morgan Arcade  
The Hayes  
Cardiff CF10 1AF  
www.hlmarchitects.com  
T. +44 (0) 29 2039 6070  
F. +44 (0) 29 2039 6080  
cardiff@hlmarchitects.com

P04	S3	AMENDED AS PER CLIENT REQUEST	DF	HLM	HLM	19/04/21
P03	S3	AMENDED AS PER CLIENT REQUEST	DF	HLM	HLM	31/03/21
P02	S3	AMENDED AS PER CLIENT REQUEST	DF	HLM	HLM	18/03/21
P01	S3	FOR FINAL APPROVAL	DF	HLM	HLM	16/03/21
Revision	Status	Suitability Description	Author	Checked	Approved	Date











Location Code: WMBLDN		OS Reference: TQ246722	
Role: CIVIL		Volume: All Volumes	
Location/Town: Wimbledon, SW19 8AU			
Site Name: Wimbledon Park			
Project Name: Wimbledon Park Reservoir MIOS Works			
Drawing Title: Soft Landscape Layout & Schedule			
Scale: 1:500		Sheet Size: A1	Status: S3
Drawing Number: WMBLDN-WAB-XX-XX-DR-A-20301			Revision: P04




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- # LEGEND
- |                      |   |  |   |
|----------------------|---|--|---|
| Buildings            | Overhead Cable  | New / Modified Structure                 | Fence   |
| Wall                 | Concrete edge   | Sheet Pile                               | Access line   |
| Kerb line            | Proposed access road  | Pathway to remove                        | Culvert to Abandon  |
| Line marking         | Ex. Watercourse   | New Culvert                              | Park Bench  |
| Centre line          |  | Proposed Primary Spillway Flat Section   |  Gate              |
| Tarmac edge          |  | Proposed Primary Spillway Sloped Section |   |
| Grass verge          |  | Existing Soft Verge to be Replaced       |  Proposed Eel Pass |
| Grass verge/Overhang |  | Proposed Auxiliary Spillway              |   |
| Verge                |  | Existing Walkway to be Replaced          |  Existing Tree     |
|                      |   | Proposed Climbing Plants                 |   |

SCALE BAR



0 5 10 15 20 25 m

1:500 @ A1  
1:1000 @ A3

### DRAWING REFERENCES

Reference where applicable

- 1) WMBLBN-WAB-XX-XX-DR-C-010005  
 2) WMBLBN-WAB-XX-XX-DR-C-010003  
 3) WMBLBN-WAB-XX-XX-DR-C-010104  
 4) WMBLBN-WAB-XX-XX-DR-HA-010111  
 5) WMBLBN-WAB-XX-XX-DR-C-010201  
 6) WMBLBN-WAB-XX-XX-DR-C-010301  
 7) WMBLBN-WAB-XX-XX-DR-A-20301

## S3 : SUITABLE FOR REVIEW &amp; COMMENTS

3	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	18/03/21	
2	S3	SUITABLE FOR REVIEW AND COMMENT	KC	ML	BC	25/01/21	
1	S3	SUITABLE FOR REVIEW AND COMMENT	CM	BC	PJM	05/10/20	
ion	Status	Stability Description	Authorised	Checked	Approved	Date	



Location Code: MBLDN	OS Reference: TQ246722
Accession Number: 00000000000000000000000000000000 CIVIL	Volume: All Volumes

Location/Town:  
Wimbledon, SW19 8AU

Name: Wimbledon Park

Project Name: Wimbledon Park Reservoir MIOS Works

Drawing Title:  
**Embankment Modifications**  
 Site Layout

le: 1000	Sheet Size: A3	Status: S3
rawing Number: TMLBDN-WAB-XX-XX-DR-C-010101		Revision: P03

WIMBLEDON PARK LAKE

PROPOSED SITE COMPOUND

EMBANKMENT CREST AT THIS LEVEL TO FALL AT 1V:12H TO LEVEL 17.700mAOD

ACCESS TO SITE VIA MERTON BOROUGH COUNCIL CONTROLLED ACCESS VIA WIMBLEDON PARK ROAD

PROPOSED AUXILIARY SPILLWAY L=75m AT LEVEL 17.700mAOD

EXISTING PILES TO BE REPAIRED AS REQUIRED

EMBANKMENT CREST AT THIS LEVEL TO RISE AT 1V:12H TO LEVEL 17.750mAOD

125mm HIGH KERB TO BE INSTALLED ALONG THE BACK OF THE CREST OF THE EMBANKMENT WALKWAY TO FALL 75mm (NO GREATER THAN 1:40) TOWARDS TO RESERVOIR TOP OF THE KERB AT 17.950mAOD

AREA GRADED LOCALLY TO ACHIEVE HEIGHT OF 17.950mAOD

EXISTING BRICK RETAINING WALL TO BE REPAIRED AS REQUIRED

GATES TO BE RAISED AS NECESSARY TO AVOID CLASH WITH KERB DURING OPERATION

AREA GRADED LOCALLY TO ACHIEVE HEIGHT OF 17.950mAOD

PAVING ALONG WATERS EDGE TO BE HOGGIN TYPE SURFACING

ACCESS GATE TO BE REMOVED AND GAP FILLED TO MATCH EXISTING FENCE

PROPOSED PATHWAY & ACCESS GATE

FOOTPATH TO BE RAISED LOCALLY TO 17.950mAOD AND FALL BACK TO EXISTING LEVELS AT 1V:12H FALL

PATHWAY TO BE REMOVED

AREA TO SLOPE DOWN LOCALLY (VARIOUS FALL)

EMBANKMENT CREST AT LEVEL 17.950mAOD

PROPOSED KERB AT LEVEL 17.950mAOD TO ACT AS TRAINING WALL

EXISTING BERTH

GATES TO BE RAISED AS NECESSARY TO AVOID CLASH WITH KERB DURING OPERATION

SEE NOTE 8

AREA GRADED LOCALLY TO ACHIEVE HEIGHT OF 17.950mAOD

SHEET PILES TO BE REPAIRED AS REQUIRED AND CAPPING REPLACED WITH A LEVEL OF 17.750mAOD

3 NO. BENCHES TO BE RELOCATED FURTHER TO SOUTH OF EMBANKMENT

TREES IN THIS AREA TO BE RETAINED

PRIMARY SPILLWAY TO BE CONSTRUCTED ADJACENT TO THE EXISTING WIDENED SPILLWAY WITH A CREST LEVEL OF 17.450mAOD

CHANNEL DESIGNED TO ALLOW LOW FLOW TO BE DIVERTED INTO EXISTING STILLING POND AND DISCHARGE

SLEEPING POLICEMAN INSTALLED TO 16.000mAOD ENDS RETURNED INTO TFL EMBANKMENT TO ENSURE CONTINUITY OF THIS MINIMUM LEVEL

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## PLANNING APPLICATIONS COMMITTEE 23rd September 2021.

<b>UPRN</b>	<b>APPLICATION NO.</b> 21/P1546	<b>Item No:</b> <b>DATE VALID</b> 20.04.2021
<b>Address/Site</b>	21 Neath Gardens Morden SM4 6JN	
<b>Ward:</b>	Ravensbury	
<b>Proposal:</b>	ERECTION OF A NEW SINGLE STOREY END OF TERRACE DWELLING HOUSE AND SINGLE STOREY REAR EXTENSION TO THE EXISTING HOUSE	
<b>Drawing Nos:</b>	Site location plan and drawings 20/12/02 B & 20/12/03 B.	
<b>Contact Officer:</b>	Leigh Harrington (020 8545 3836)	

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### RECOMMENDATION

Grant planning permission subject to conditions.

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### CHECKLIST INFORMATION.

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 26
- Press notice – No
- Site notice – No
- External consultations: No
- Archaeological Priority Zone – No
- Controlled Parking Zone – No
- Density 62 Dwellings per hectare

## 1 INTRODUCTION

- 1.1 The application has been brought before the Committee due to the level of public interest. The application is subject to a requirement for planning permission because it involves the subdivision of the site to erect a new house and is not permitted development.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site is a two storey end of terrace single family dwelling located in the north east corner of a grassed square located on the north side of Neath Gardens on the St Helier Estate in Morden.
- 2.2 The property does not benefit from any existing extensions but has a large rear garden that has been subdivided. It is not located within a conservation area.

## **3. CURRENT PROPOSAL**

- 3.1 The proposals follow a refusal under officers' delegated powers last July (LBM Ref 20/P1440) for the erection of a single storey end of terrace dwelling including the erection of a single storey front and rear extension and hip to gable and rear roof extensions to the existing house.
- 3.2 The proposals have now been scaled down and no longer include the front extension or roof extensions.
- 3.3 For the existing house the proposals again involve the subdivision of the rear garden and the erection of a 3m single storey rear extension with access out to the rear garden via a set of full length doors. The new single storey house would follow the same building line to the rear of the extended existing house and share the same flat roof with half pitch surround and matching brickwork finish. The front elevation would now be set back from that of the existing house with a front door and the main living space to the front, with the bedroom and bathroom to the rear.
- 3.4 The house would have a Gross Internal Area of 37 sq.m. and would be finished in matching facing brickwork and feature a canopy flat roof finished in tiles and grey fibre glass for the flat roof element.
- 3.5 A space is indicated for refuse and cycle stores in front of the new house.
- 3.6 Officers confirm that the new house has been designed to meet Part M of the Building Regulations enabling access to the dwelling including by persons with disabilities but the application has not been submitted specifically for a disabled occupant.

## **4. PLANNING HISTORY**

20/P1440 Planning permission refused for the erection of a single storey end of terrace dwelling including the erection of a single storey front and rear extension and hip to gable and rear roof extensions to the existing house.

### **Reasons for refusal:**

**The size, siting and design of the proposed new house and the front extension represent an unneighbourly form of development that would be visually intrusive and overly dominant and a) fail to**

respect or relate positively and appropriately to the appearance, scale, bulk, proportions and character of the original building and its surroundings and b) would result in a loss of outlook thereby harming the amenity of neighbouring residents and the character and appearance of the Neath Gardens streetscene contrary to London Plan 2016 policies 7.4 and 7.6, policy CS14 of the Merton LDF Core Planning Strategy (2011) and policies DM D2 and DM D3 of the Merton Sites and Policies Plan (2014)

And

The applicant has failed to demonstrate how the proposed development would meet the Council's sustainability policy objectives or comply with adopted emissions reductions targets, contrary to policy 5.3 of the London Plan (2016) and policy CS 15 of the Merton LDF Core Planning Strategy (2011).

## **5. CONSULTATION**

Consultation letters sent to neighbours and site notice posted. Letters of objection were received from five neighbours raising concerns relating to:

- Increased pressure on parking which can inhibit access to the area by larger emergency vehicles.
- This house is for a disabled user so more pressure on limited disabled parking.
- Building very close to boundary.
- Increase in noise, disturbance and traffic during construction particularly hard on the local elderly residents.
- Gas main was damaged by someone driving over the Green.
- Building materials will be dumped everywhere and block access
- Access needs to be kept clear to the neighbour's houses.
- Who will supervise the work and ensure any damage is rectified? - No council surveyor to supervise the work.

## **6. POLICY CONTEXT**

Relevant policies in the London Plan 2021 are;

H1 Increasing housing supply

H2 Small sites

D1 London's form, character and capacity for growth

D3 Optimising site capacity through a design lead approach

D5 Inclusive design

D6 Housing Quality and standards

D11 Safety & Security

GG2 Making the best use of land

GG4 Delivering Homes Londoners need

GG6 Increasing efficiency and resilience

SI 2 Minimising greenhouse gas emissions

SI.3 Sustainable drainage

T5 Cycling

T6.1 Residential Parking

NPPF 2021

London Housing Supplementary Planning Guidance 2016.

Merton Local Development Framework Core Strategy (2011)

Relevant policies include:

CS 8 Housing choice.

CS 9 Housing targets

CS 14 Design

CS 15 Climate Change

CS 17 Waste

CS 18 Transport

CS 20 Parking servicing and delivery

The relevant policies in the Council's Adopted Sites and Policies Plan 2014 are:

DM D1 Urban design and the public realm

DM D2: Design considerations

DM E3 Scattered employment sites

DM T2 Transport impacts of development

DM T3 Car Parking and servicing standards

St Helier Estate Design Guide

## **7. PLANNING CONSIDERATIONS**

- 7.1 The principal planning considerations in this case relate to the principle of residential development on the site, the impact of the scale and design of the works on the appearance and character of the local area, the impact on neighbour and occupier amenity as well as the provision of housing to a suitable standard.

### **Principle of development and the need for additional housing.**

- 7.2 The National Planning Policy Framework 2019, London Plan 2021 policy H1 and the Council's Core Strategy policy CS9 all seek to increase sustainable housing provision where it can be shown that an acceptable standard of accommodation will also provide a mix of dwelling types. Policy D3 of the London Plan 2021 requires all development to make the best use of land by following a design-led approach that optimises the capacity of sites, including site allocations. Optimising site capacity means ensuring that development is of the most appropriate form and land use for the site.
- 7.3 Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially



mixed and sustainable neighbourhoods through physical regeneration and effective use of space.

- 7.4 As the site is for dwellings in a back garden Core Strategy policy CS 13 is considered relevant and such proposals must be justified in relation to the;
- Local context and character of the site.
  - Biodiversity value of the site .
  - Value in terms of green corridors and green island.
  - Flood risk and climate change impacts.
- 7.5 Whilst these issues are revisited in more detail later in this report, although houses in rear gardens are not characteristic of the area, the site is not readily visible from the street, the land is given to grass and small trees of limited biodiversity value and as such has no 'green' classification in the local plan and there are no known flood risk issues, the site being in Flood Zone 1.
- 7.6 The proposals will provide a new dwelling, for which there is a recognised need, while enlarging the existing house, would not displace any space or use protected by adopted planning policies and, in view of no conflict with policy CS 13, the principle is considered acceptable.
- 7.7 The National Planning Policy Framework requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.
- 7.8 Policy H1 of the new London Plan 2021 sets the ten-year targets for net housing completions that each local planning authority should plan for. The ten year target for the London Borough of Merton is 9,180 dwellings. The London Plan 2021, paragraph 4.1.10 states "The increase in housing delivery required by these targets may be achieved gradually and boroughs are encouraged to set out a realistic and, where appropriate, stepped housing delivery target over a ten-year period. This should be supported by a clear articulation of how these homes will be delivered and any actions the boroughs will take in the event of under delivery".
- 7.9 In accordance with para 4.1.10 of the new London Plan, Merton will submit a stepped target for the ten year period to the Secretary of State in Merton's new Local Plan later in 2021.
- 7.10 As at June 2021: Merton's housing target is 918 homes per annum until 2028/29, the five year cumulative target is 4,590 homes (918 homes x 5 years), the London Borough of Merton can demonstrate a supply of 4,981 homes to be built within the next five years. Overall, Merton has 109% of the five-year supply.

- 7.11 Having regard to the potential output of housing in the coming five years, while the proposal would unarguably make a contribution towards the borough's housing stock and would optimise housing output from this modest plot, officers consider that considerable weight should also be attached to matters of design and the impact of the proposals on the surrounding dwellings and streetscene.

### **The impact of the design and appearance on the building and street scene**

- 7.12 London Plan policy D3, Core Strategy policy CS14 and SPP Policy DMD3 require well designed proposals that will respect the appearance, materials, scale bulk, proportions and character of the original building and its surroundings. SPP Policy DM D2 requires developments to relate positively and appropriately to the siting, scale, proportions and massing of surrounding buildings and existing street patterns.
- 7.13 The single storey rear extension to the existing house is only 3m deep and were it not for the extension beyond the flank wall of the house, would be within permitted development allowances. To resist the proposals on the grounds of impact on the visual amenities of the adjoining dwelling would be unreasonable.
- 7.14 In relation to the new dwelling, the previous application was refused because of the harmful impact of a proposed front extension to the new and existing house. In response the applicants have removed this element from this new application and the front elevation of the new house is now set back from the front elevation of the existing house. Officers consider this reflects the appearance of the side extension to the house at the other end of the terrace. The width has been reduced so that it is the same width as the existing house. While wider than that which officers might normally support the extension is tucked away from view and it may be unreasonable to resist on grounds of bulk and massing and a harmful impact on the streetscene. Similarly, while the design of the roof of the side extension does not integrate as well as it might, again flowing from the width of the side extension, it would nevertheless have limited impact on the streetscene. As a matter of judgement officers consider that greater weight can be attached to the provision of a new dwelling and that the proposals may be supported.

### **The impact on neighbour amenity**

- 7.15 SPP policy DM D2 and London Plan policy D3 require that proposals do not have a negative impact on neighbour amenity from loss of light, privacy, visual intrusion or increased disturbance and that people feel comfortable with their surroundings. The proposals have generated

objections on the grounds of amenity although the ground floor rear extension to the existing dwelling on its own would be within Permitted Development. For the new house element the height has been significantly reduced from the previous application where it reached to just under the window sill on the side elevation to now where the height is less than 3m. The new house is narrower and shorter than on the previous scheme and it is considered that these changes have now made the proposal much less dominant and visually intrusive.

- 7.16 Neighbours have had concerns regarding access to houses, in particular, number 19 where the entrance to the house is along the side elevation facing north. As the proposed house would now be set back from the path line it is considered that previous concerns about access have been resolved. However the site is confined and there have been a number of objections regarding the impact of the building works on neighbour access to properties. Subject to suitable safeguarding conditions, the construction should be able to be undertaken, as it was at the other end of the terrace, without undue disruption for neighbours. A condition for details of a construction management plan detailing how the works will be undertaken to protect neighbour amenity is recommended.

#### **Housing standards, amenity space provision and design**

- 7.17 SPP Policy DM D2, Core Strategy 2011 policies CS 9 Housing Provision and CS 14 Design and London Plan policy D5 Housing standards are all policies that seek to provide additional good quality residential accommodation with safe and secure access that meets minimum internal and external space standards.
- 7.18 With a GIA of 37sqm the new dwelling in side extension meets the minimum standard for a one bed, one person dwelling and both the new and existing houses will have adequate outdoor amenity space. The new house along with the proposed private amenity space for both the new and existing house exceed the minimum standards.

#### **Parking, servicing and deliveries**

- 7.19 Core Strategy Policy CS 20 is concerned with issues surrounding pedestrian movement, safety, serving and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection.
- 7.20 The proposals generated objections from neighbours on the grounds of a harmful impact on parking and traffic movements. There is no on-street parking in front of the site and as it is not within a CPZ it would not be possible to restrict parking by means of a legal agreement. The proposals for the new house would only provide one bedroom for one person and therefore in terms of traffic volume and vehicle movements the proposals would not result in any significant increase in parking demand over and

above that which might arise were the house simply to be extended enabling occupation by a larger family with greater car ownership. Officers consider it would be unreasonable to refuse the proposals on the grounds of impact on parking pressure locally.

- 7.21 Core strategy policy CS18 Active Transport and London Plan policy T5 cycling encourage the provision of adequate amounts of secure sheltered cycle storage facilities. Whilst there is no requirement to provide secure cycle storage for the existing house the applicant has indicated the required provision of one secure cycle store for the proposed house in the rear garden. A condition securing the delivery of an acceptably designed store is recommended.

### **Refuse**

- 7.22 Core Strategy policy CS 17 and London Plan policy 5.17 relate to waste management. The applicant has indicated the provision of a refuse store to the rear of the house to protect visual amenity and keep the front clear. An informative advising that the refuse will need to be presented for collection in the same way as neighbouring properties is recommended as operatives will not go into the rear garden to service the property.

### **Sustainable design and construction**

- 7.23 New buildings must comply with the Mayor's and Merton's objectives on carbon emissions, renewable energy, sustainable design and construction, flood risk management and sustainable drainage.
- 7.24 All new developments comprising the creation of new dwellings should demonstrate how the development will:
- a. Comply with Merton's Core Planning Strategy (2011) Policy CS15 Climate Change (parts a-d) and the policies outlined in Chapter 5 of the London Plan (2016).
  - b. As a minor development proposal, outline how the development will achieve a 19% improvement on Buildings Regulations 2013 Part L and submit SAP output documentation to demonstrate this improvement.
  - c. Achieve internal water usage rates not in excess of 105 litres per person per day.
- 7.25 For this application the applicant has provided details of how the new house will meet those standards. A condition requiring it to be demonstrated that they have been met prior to occupation is recommended.

### **Other matters**

- 7.26 The assertion of vehicles having driven over the gas main are not a planning matter. The recommended construction management plan condition can ensure that this development is built in a considerate manner so as to mitigate against short term environmental impacts on neighbours.
- 7.27 There is no requirement for the applicant to utilise the services of the Council's Building Control Section to oversee construction as they are entitled to use an Approved Inspector.

## **8. CONCLUSION**

- 8.1 The proposals would provide an additional unit of residential accommodation for which there is an identified need and which meets the minimum internal and external space standards and as such would provide suitable accommodation for future occupiers. The proposals would not harm neighbour amenity in terms of visual impact, loss of light or overlooking. The applicant has sought to address the reasons for refusal of the previous scheme with a more modest scheme. The dwelling by reason of its location within the pattern of development in Neath Gardens would be relatively well tucked away from view and the merits of delivering a new dwelling are considered to carry greater weight in the assessment of the proposals. The proposals would not materially impact on parking conditions locally.
- 8.2 Subject to the imposition of suitable conditions the proposals are recommended for approval.

## **RECOMMENDATION.**

Grant planning permission subject to the following conditions:

1. A1 Commencement of works
2. A7 Built to plans Site location plan and drawings 20/12/02 B & 20/12/03 A
3. B2 Matching materials
4. B4 Surface treatment
5. B5 Boundary treatment
6. C5 No cables or flues
7. C6 Refuse No development above ground level 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.

8. D9 No external lighting
  9. C8 No use of flat roof
  10. H6 Cycle storage No development above ground level 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.to be approved
  11. H10 Construction working method statement
  12. H13 Construction logistics plan
  13. Non-standard condition 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 SI 2 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011

## **Informatives**

1. Informative
  - Carbon emissions evidence requirements for Post Construction stage assessments must provide:
  - Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and compliance with the 19% improvement of DER over TER based on 'As Built', SAP outputs (i.e. dated outputs with accredited energy assessor name; registration number, assessment status, plot number and development address); OR, where applicable:
  - A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; AND
  - Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation
2. Informative
  - Water efficiency evidence requirements for post construction stage assessments must provide:
  - Documentary evidence representing the dwellings 'As Built'; detailing:
    - i) the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);

ii) the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; AND:

- Water Efficiency Calculator for New Dwellings; OR
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

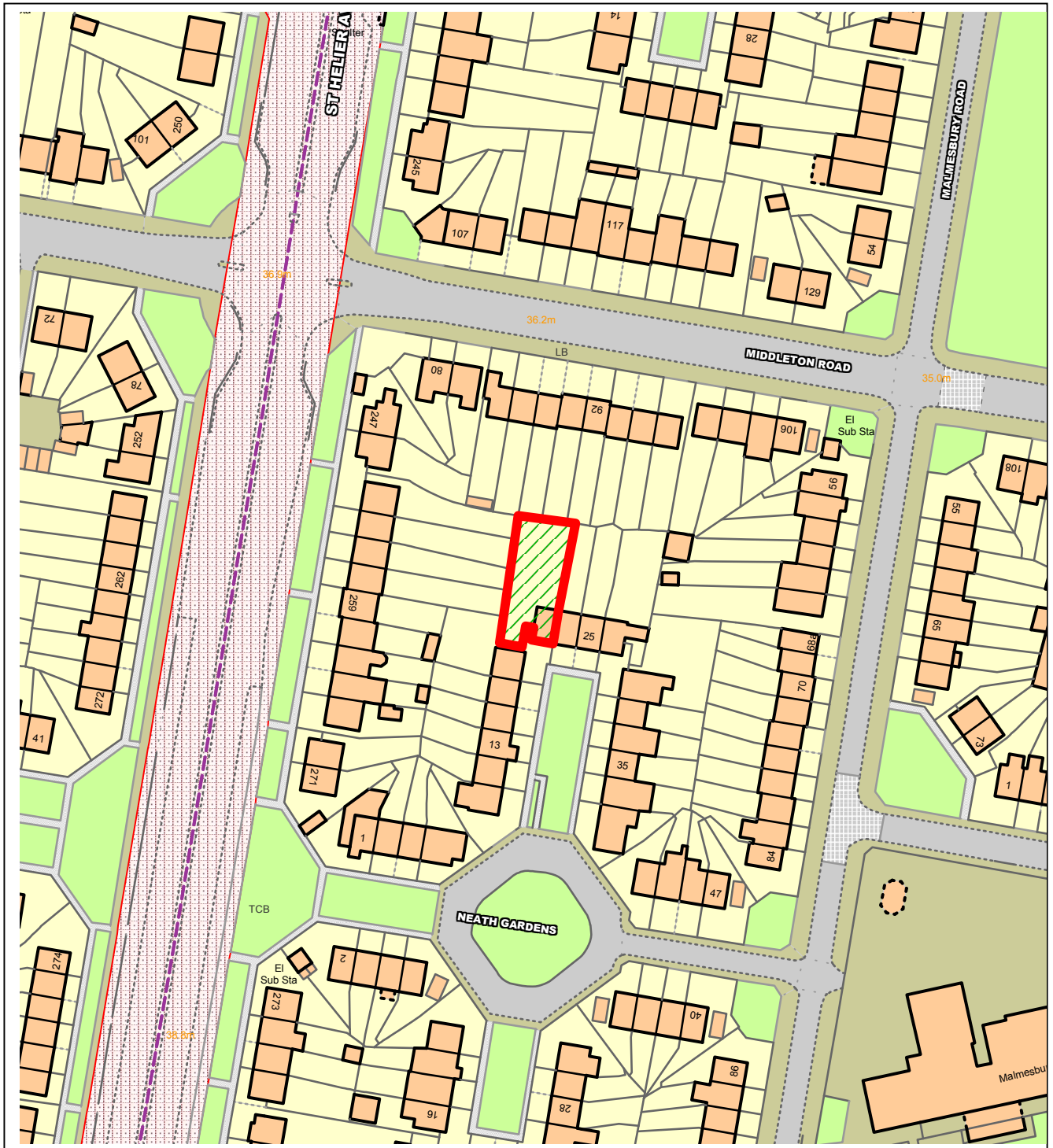
3. Informative

Notwithstanding the details shown on the approved plans the applicant is advised that refuse will need to be presented for collection as with other properties on Neath Gardens as operatives will not enter the rear of the site to collect refuse.



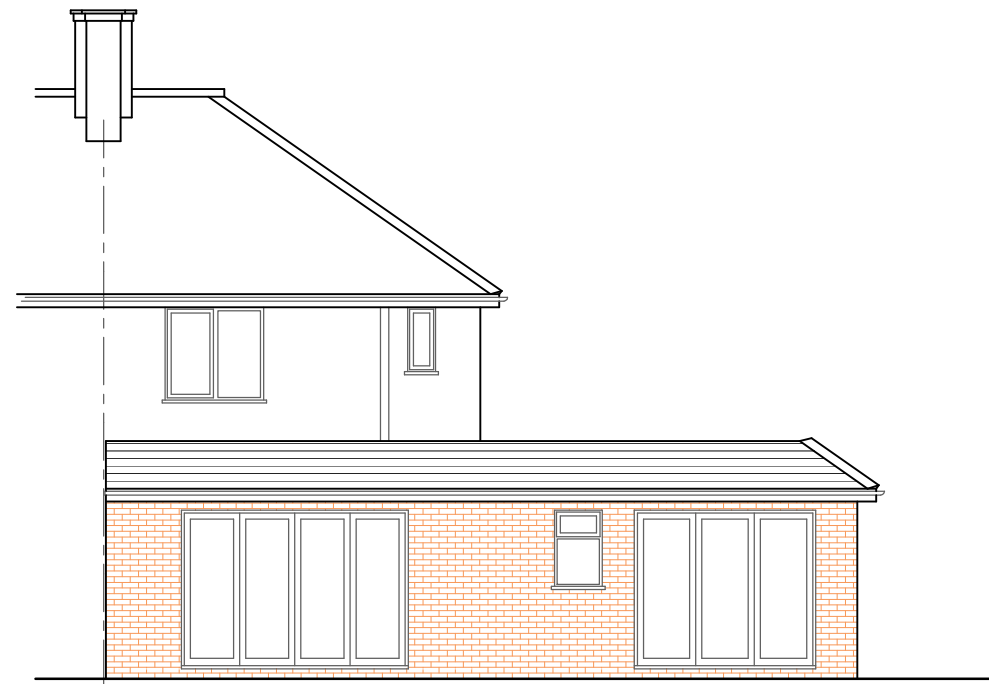
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# NORTHGATE SE GIS Print Template

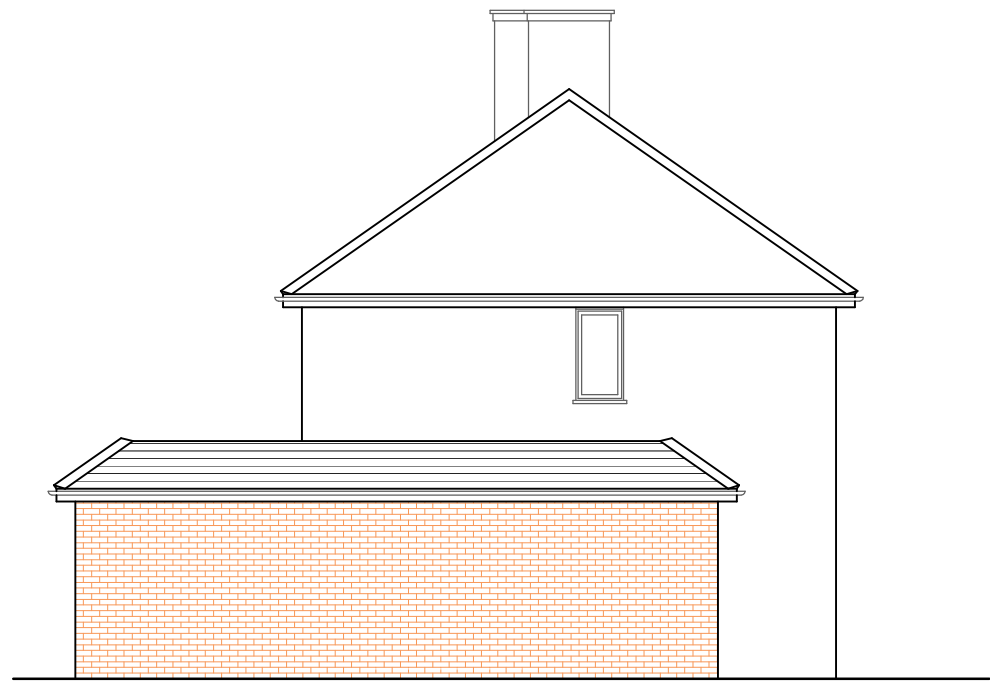


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Proposed rear ( north ) elevation.

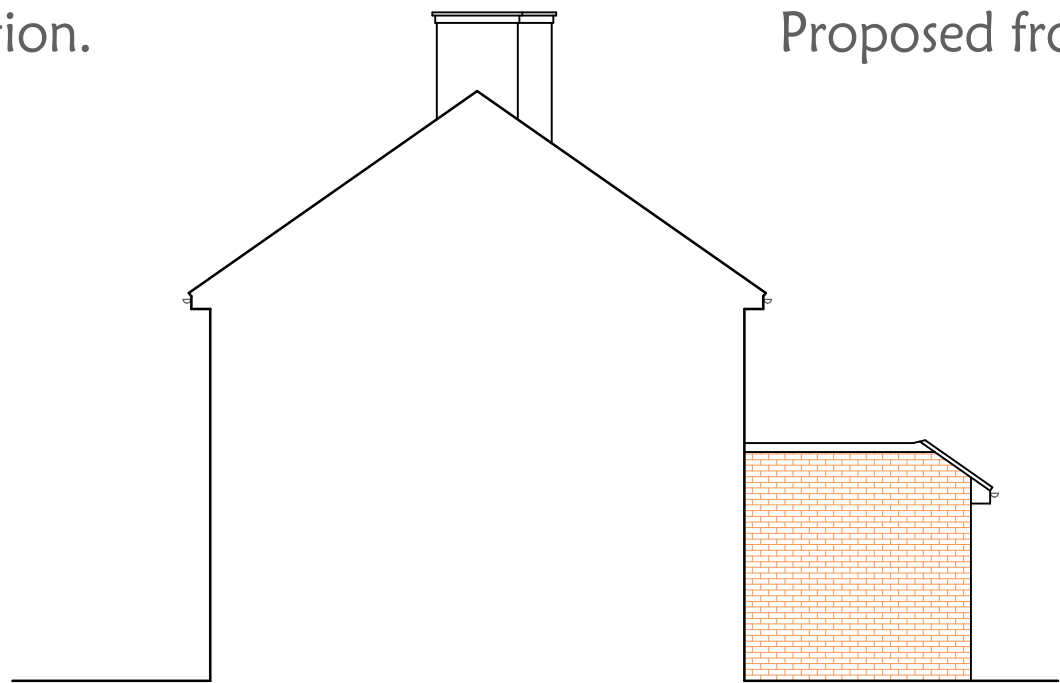


Proposed side ( west ) elevation.

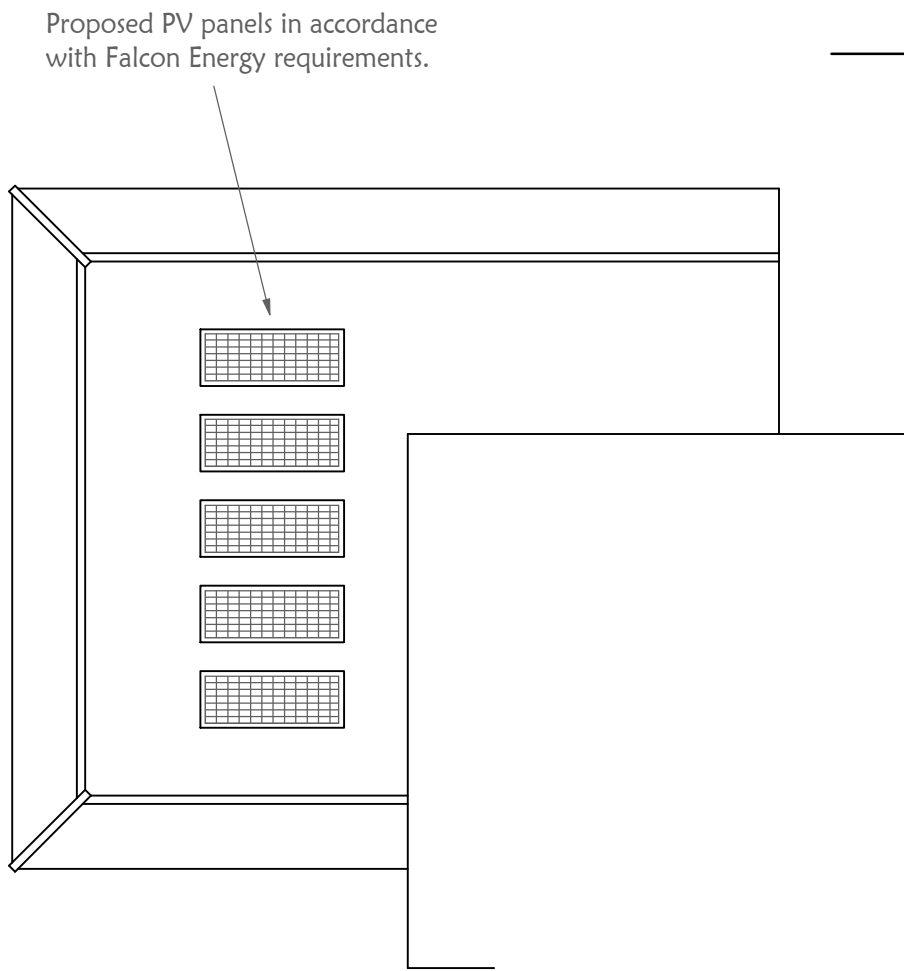


Proposed front ( south ) elevation.

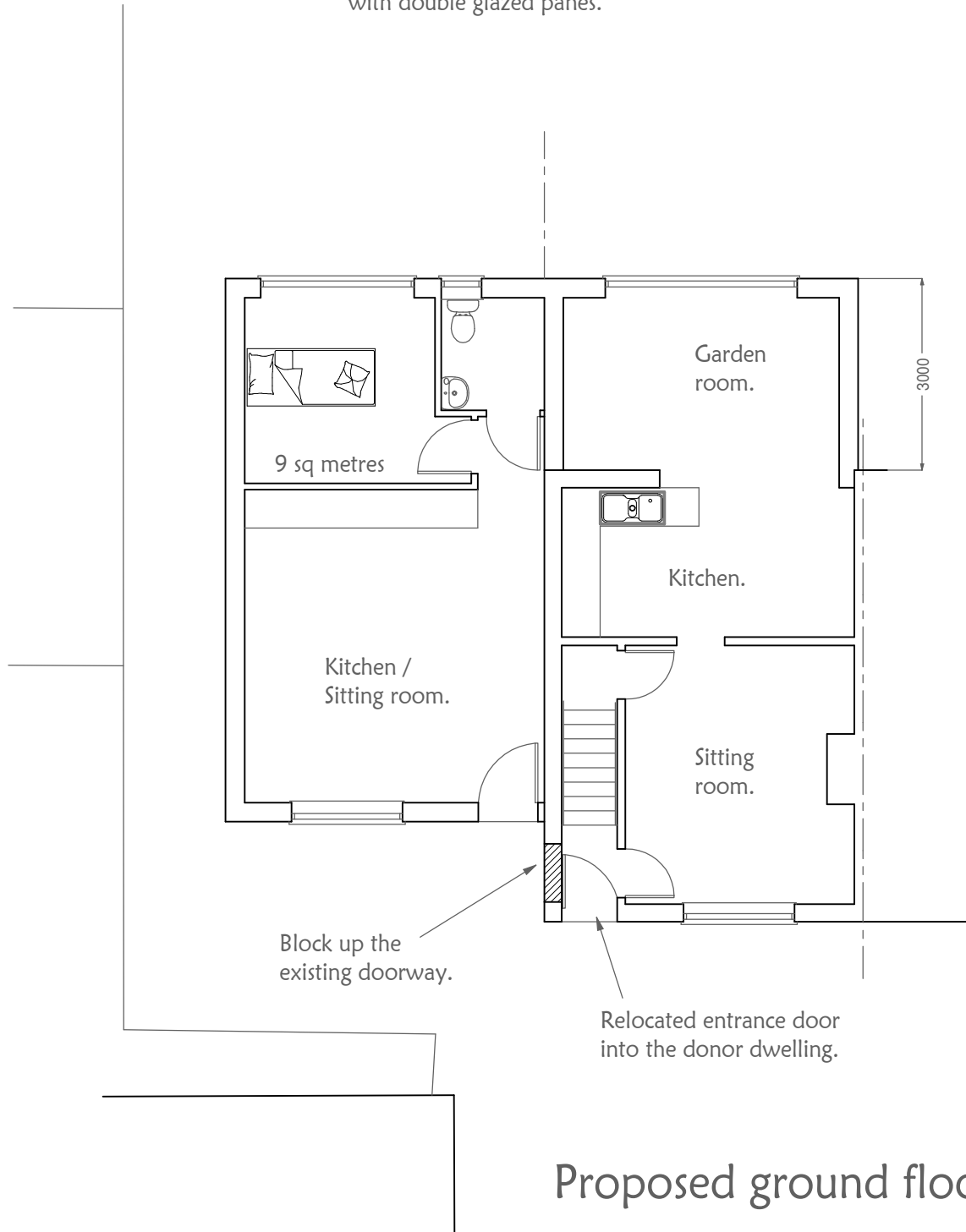
Proposed materials.  
Walls to be face brickwork to match the existing house.  
Roof and dormer tiled to match the existing roof.  
The part flat roofed area of the proposed dwelling to be grey fibreglass finish.  
Windows and doors are to be white PVCu frames with double glazed panes.



Proposed side ( east ) elevation.



Proposed roof plan.



Proposed ground floor plan.

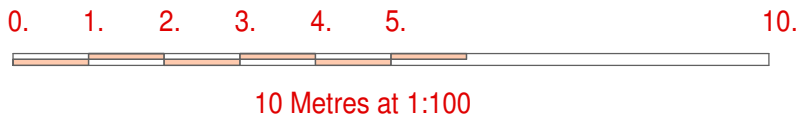
B.	Bedroom reduced in size.	14/6/21
A.	Revised to suit planning department comments on previous application.	17/9/20
Rev.	Description.	Date.

Plans2build

Jolly Lane Cottage  
Hexworthy  
Princetown  
Yelverton  
Devon PL20 6SD

Tel 01364 631031 Mob 07932 085309  
E-mail designdrawings@btinternet.com  
Website. www.plans2build.net  
Architectural & Structural Consultants

Client	Mr D Steers.
address	21 Neath Gardens, Morden, SM4 6JN.
site address	
scale.	1:100
date.	March 2020
	Proposed plans & elevations.
Drawing No.	20/12/02 B.



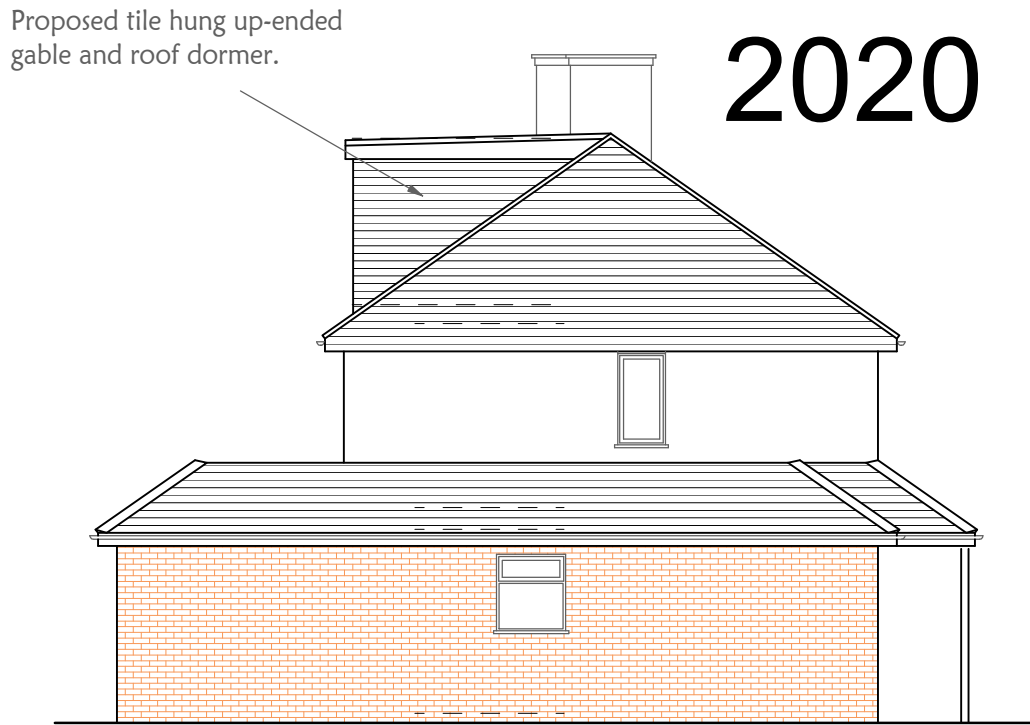
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# 2020 - Refused scheme.



Proposed rear ( north ) elevation.

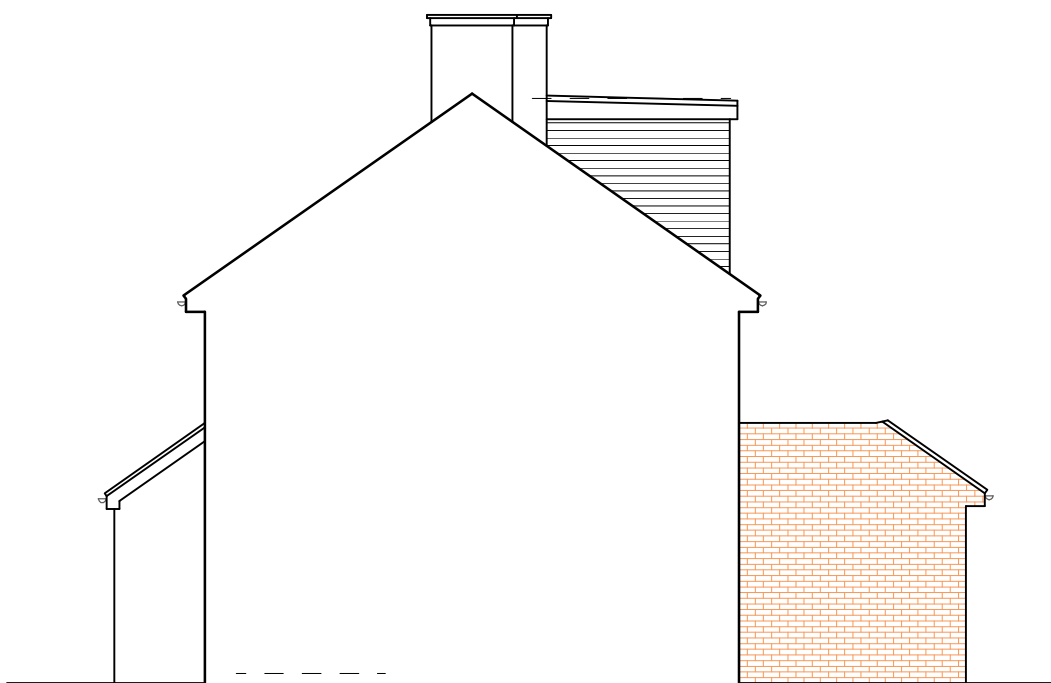


Proposed side ( west ) elevation.

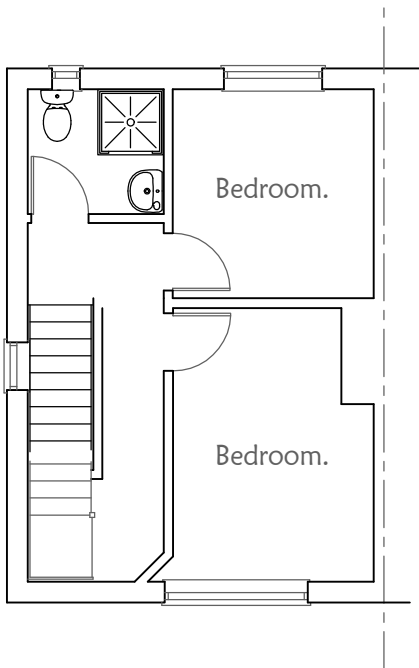


Proposed front ( south ) elevation.

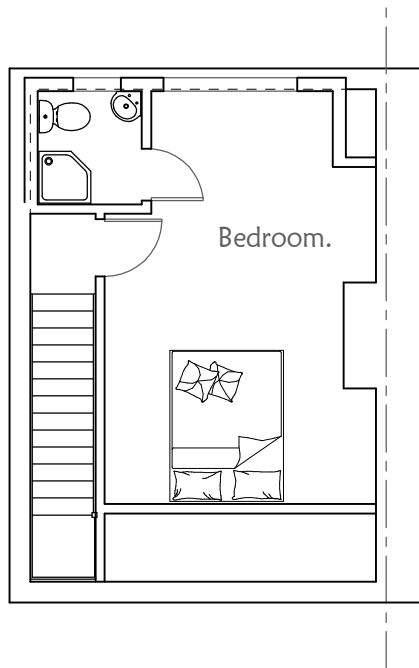
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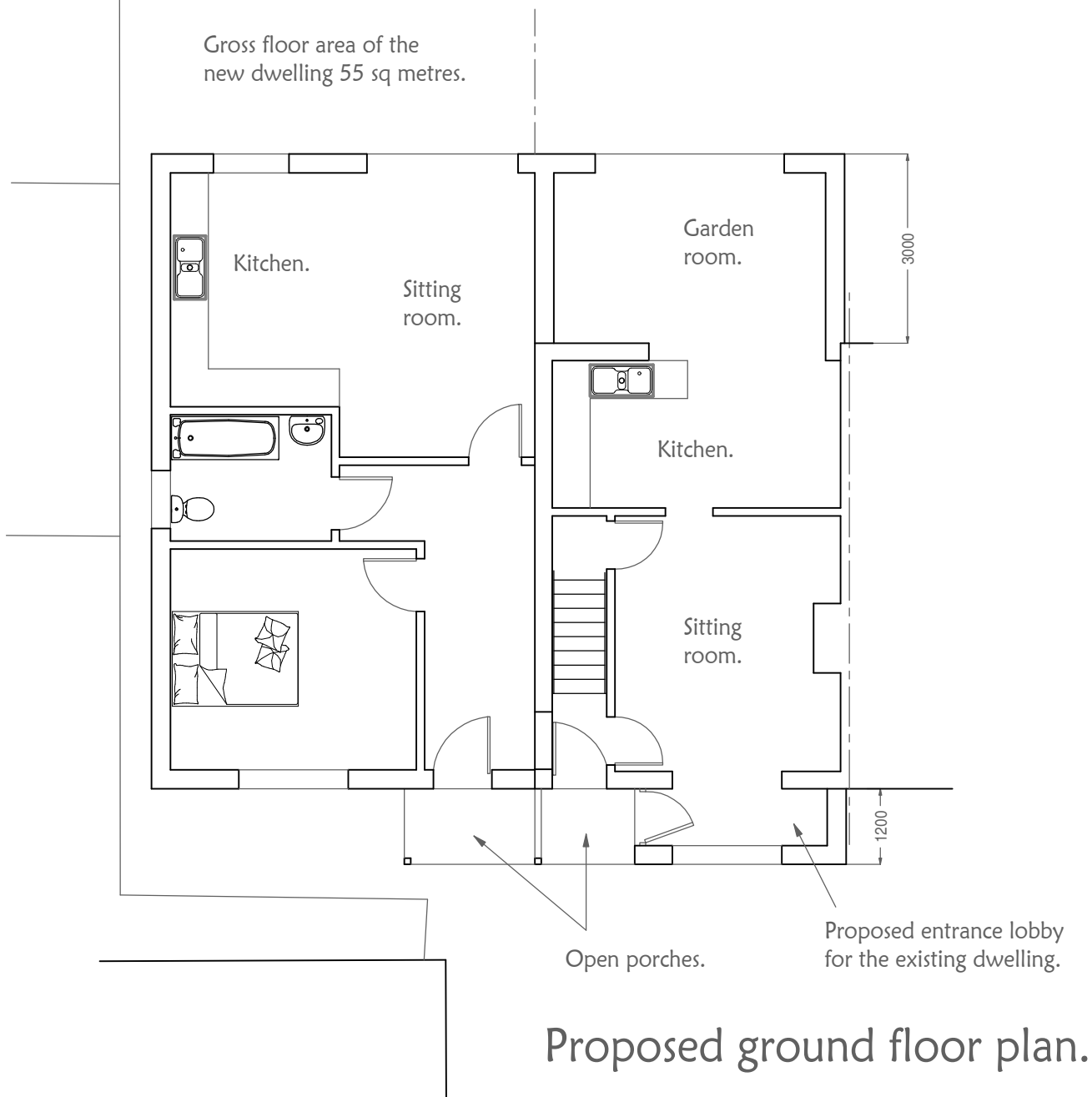
Proposed side ( east ) elevation.



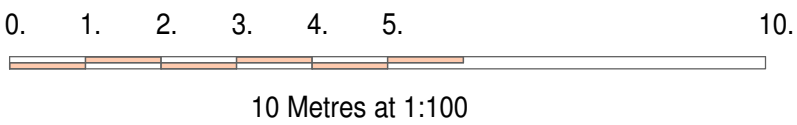
Proposed first floor plan.



Proposed second floor plan.



Proposed ground floor plan.



Rev.	Description.	Date.

## Plans2build

Jolly Lane Cottage  
Hexworthy  
Princetown  
Yelverton  
Devon PL20 6SD

Tel 01364 631031 Mob 07932 085309  
E-mail [designdrawings@btinternet.com](mailto:designdrawings@btinternet.com)  
Website. [www.plans2build.net](http://www.plans2build.net)  
Architectural & Structural Consultants

Client	Mr D Steers.
address	21 Neath Gardens, Morden, SM4 6JN.
site address	
scale.	1:100
date.	March 2020
	Proposed plans & elevations.
Drawing No.	20/12/02

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## PLANNING APPLICATIONS COMMITTEE

**23 SEPTEMBER 2021**

<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
21/P2154	01/06/2020
<b>Site Address:</b>	89 Worple Road, WIMBLEDON, SW19 4JG
<b>Ward:</b>	Hillside
<b>Proposal:</b>	APPLICATION FOR PRIOR APPROVAL IN RESPECT OF THE PROPOSED ERECTION OF ONE ADDITIONAL STOREY ON TOP OF EXISTING BLOCK OF FLATS TO CREATE 2 ADDITIONAL RESIDENTIAL UNITS
<b>Drawing Nos:</b>	2003-05 PL.11; 2003-05 PL.10; 2003-05 PL.12
<b>Contact Officer:</b>	Calum McCulloch

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### **RECOMMENDATION**

Grant Prior Approval, subject to conditions and permit free legal agreement

### **CHECKLIST INFORMATION**

Is a screening opinion required	No
Is an Environmental Statement required	No
Press notice	No
Site notice	Yes
Design Review Panel consulted	No
Number of neighbours consulted	63
External consultations	0
Internal consultations	0
Controlled Parking Zone	Yes - W6

## **1. INTRODUCTION**

- 1.1 This planning application has been put forward to the planning committee due to the number of representations received.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site – 89 Worple Road – comprises a four-storey detached block of flats situated on South Park Road in Wimbledon. The existing block comprises 8 self-contained flats.
- 2.2 The site is accessible to pedestrians from Worple Avenue. There is also off-street car parking and garages located to the rear.
- 2.3 The site surroundings have a predominant residential character which feature a mixture of two three-storey residential properties with some more modern four-storey blocks of flat including Haverley Court located on the opposite side of Worple Avenue.
- 2.4 The application site itself is not located within a Conservation Area.
- 2.5 The site is within Flood Zone 1 indicating low probability of flooding.
- 2.6 The site has a PTAL of 2.
- 2.7 The site is located in within Controlled Parking Zone (CPZ) Zone W6.
- 2.8 The site provides off-street parking to the rear of the site.
- 2.9 Existing refuse storage is located in the parking area at the rear.

## **3. CURRENT PROPOSAL**

- 3.1 This application seeks Prior Approval for the erection of a one-storey extension containing 2 self-contained 2-bed flats under the prior approval process of Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).
- 3.2 The proposal would add two additional storeys above the existing building thereby giving the block a total of five storeys.
- 3.3 The height of the building with extensions proposed would be approximately 15.24m
- 3.4 The proposed 5<sup>th</sup> storey would adopt a pitched roof profile with projecting gables and roof dormers inserted.
- 3.5 The extension would be finished in brickwork to match the facades beneath and a mid-grey slate roof.

## **4. PLANNING HISTORY**

- 4.1 MER1114/85 - ERECTION OF A 4 STOREY BUILDING COMPRISING 8 TWO BEDROOM FLATS INCLUDING PROVISION OF 10 PARKING SPACES AND FORMATION OF NEW VEHICULAR ACCESS ONTO WORPLE ROAD –

GRANT PERMISSION SUBJECT TO CONDITIONS – 13/02/1986

- 4.2 MER1095/72(O) - OUTLINE APPLICATION FOR THE ERECTION OF A 5 STOREY BLOCK OF 10, TWO BEDROOM FLATS AND GARAGES, AND DEMOLITION OF EXISTING DETACHED HOUSE – GRANT PERMISSION SUBJECT TO CONDITIONS - 09/11/1972
- 4.3 MER1095/72(D) - DETAILED APPLICATION FOR THE ERECTION OF A 5 STOREY BLOCK OF 10, TWO BEDROOM FLATS AND GARAGES, AND DEMOLITION OF EXISTING DETACHED HOUSE – APPLICATION GRANTED - 29/03/1973
- 4.4 91/P0987 - ERECTION OF A FOUR STOREY BUILDING COMPRISING EIGHT TWO BEDROOM FLATS INCLUDING PROVISION OF TEN PARKING SPACES AND FORMATION OF NEW VEHICULAR ACCESS ONTO WORPLE AVENUE – GRANT PERMISSION SUBJECT TO CONDITIONS – 16/01/1992
- 4.5 92/P0908 - ERECTION OF A BLOCK OF 5 GARAGES WITH ATTACHED REFUSE STORE AND SERVICES INTAKE TOGETHER WITH PROVISION OF FIVE PARKING SPACES – GRANT PERMISSION SUBJECT TO CONDITIONS – 24/06/2021
- 4.6 92/P0197 - ERECTION OF A FOUR STOREY BUILDING COMPRISING EIGHT SELF CONTAINED TWO BEDROOM FLATS INCLUDING PROVISION OF 10 PARKING SPACES AND FORMATION OF NEW VEHICULAR ACCESS ON TO WORPLE AVENUE (MODIFICATION TO PREVIOUSLY APPROVED SCHEME 91/P0987) – GRANT PERMISSION SUBJECT TO CONDITIONS - 08/05/1992
- 4.7 97/P0688 - ALTERATIONS TO THE EXISTING GARAGE BLOCK AT THE REAR OF 89 WORPLE ROAD TO PROVIDE 5 FLAT ROOFED GARAGES, PROVISION OF REPLACEMENT BIN STORAGE AREA, AND PROVISION OF BOUNDARY TREATMENT AND LANDSCAPING TO THE CAR PARKING AREA – GRANT PERMISSION SUBJECT TO CONDITIONS - 13/11/1997
- 4.8 13/P2906 - REPLACE EXISTING BALCONIES WITH NEW STAINLESS STEEL AND GLASS BALCONIES - Grant Permission subject to Conditions - 13/11/2013
- 4.9 21/P0034 - APPLICATION FOR PRIOR APPROVAL IN RESPECT OF THE PROPOSED ERECTION OF TWO ADDITIONAL STOREYS ON TOP OF EXISTING BLOCK OF FLATS TO CREATE 3 ADDITIONAL RESIDENTIAL UNITS - Prior Approval Refused - 08/03/2021 – Appeal Pending

## **5. CONSULTATION**

### **External**

- 5.1 Consultation letters were sent to neighbouring properties and a site notice displayed. 16 objections were received, including objections from the Wimbledon Society and Edge Hill Residents Association on the following grounds:



- Scale and size of the proposed development and its impact on the surrounding area.
- Negative impact on the street scene
- Increased parking pressure and congestion (post-construction)
- Decrease in air quality
- Disruption from building works, including noise and congestion
- Concerns that car free units cannot be enforced legally
- Loss of light toward south east of 3 Worple Avenue
- Increased strain on gas supply
- Increased overlooking
- Increased overshadowing
- Concerns of increased risk of flooding
- Concerns regarding capacity of waste and cycle storage
- Concerns regarding the Daylight Sunlight Assessment including:
  - Still, no attempt has been made by ERS to download floorplans for Haverley flats from the Land Registry. The form and function of the rooms facing the proposed development affect key variables that determine pass/fail results.
  - The VSH still does not take into account window size or whether there is any other access to natural light within a room. There is only one window per room for the flats facing the proposed development. Any effect on the existing light is, as a result compounded especially when there is more than one room for an existing flat on that elevation.
  - Regardless, in their new analysis of the ADF, ERS demonstrate that now previous fails now achieve pass (except major fails with 91 Worple), using the bare minimum values still is a disregard for a person's "right to light".
  - The results from the ERS analysis show borderline results. The ERS document is pivotal to the proposed development.
- One resident noted the development would not comply with condition AA (2) (c) of the GDPO because the roof pitch of the principle part of the dwelling house following development would not be the same as the roof pitch of the existing dwellinghouse.
- Concerns Design and Access statement was not available.
- Concerns the proposal will exceed density standards in the London Plan, which sets the standard as 150 – 250 habitable rooms per hectare for a site like this. The present block at 310 (24 rooms on a 750 sq m site) already exceeds this standard and the addition of more rooms will raise this to 390. This would indicate over density.
- Concerns development would not meet the London Plan social housing target

- Concerns that the highest standards for fire safety should be followed.
- Concerns that energy efficiency measures are not included as part of the development.
- Concerns there is no lift for the development limiting access to the vulnerable.

5.2 One representation was received from the occupier of Wimbledon Swift group highlighting the opportunity to integrate habitats for swifts into the development.  
Internal

Council's Transport Officer: No objections subject to permit free legal agreement, cycle parking and a construction logistics plan.

Council's Environment and Health Officer: No objections raised.

## 6. POLICY CONTEXT

Town and Country Planning (General Permitted Development Order) 2015 (as amended)

- Schedule 2, Part 20, Class A – New dwellinghouses on detached blocks of flats

National Planning Policy Framework (2021)

## 7. PLANNING CONSIDERATIONS

- 7.1 Under the prior approval process, the proposal must accord with all criteria set out within Schedule 2, Part 20, Class A of the GPDO 2015 (as amended) for new dwellinghouses on detached blocks of flats.
- 7.2 In accordance with procedure for applications for prior approval under Part 20 provision B. (15) states that the local planning authority must, when determining an application –
- 7.3 *(b) Have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in February 2019, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.*

**Schedule 2, Part 20, Class A - New dwellinghouses on detached blocks of flats: Criteria**

**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, together with any or all –**

**(a) Engineering operations reasonably necessary to construct the additional storeys and new dwellinghouses;**

**(b) Works for the replacement of existing plant or installation of additional plant on the roof of the extended building reasonably necessary to service the new dwellinghouses;**

**(c) Works for the construction of appropriate and safe access to and egress from the new and existing dwellinghouses, including means of escape from fire, via additional external doors or external staircases;**

**(d) Works for the construction of storage, waste or other ancillary facilities reasonably necessary to support the new dwellinghouses.**

7.4 Officers acknowledge the proposed works include:

- The operations necessary to construct the roof extension and flats.
- No removal of existing plant and no proposals for additional plant.
- Access to the new flats to be provided (including means of escape) via the existing internal staircase and its extension to the proposed top floor. The proposals are also subject to building regulations.
- The proposals involve will enlarging the existing bin enclosure adjacent to the external rear stairs and retaining the existing separate household waste store in the North-West site boundary garden wall and planter.

**6.2 DEVELOPMENT NOT PERMITTED – A.1**

***A.1. Development is not permitted by Class A if –***

***(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.***

7.5 Not applicable to no. 89 Worple Road.

**(b) Above ground level, the building is less than 3 storeys in height.**

7.6 89 Worple Road is 4 storeys in height as existing.

**(c) The building was constructed before 1 July 1948 or after 5th March 2018.**

- 7.7 89 Worple Road was constructed following approval of application 92/P0197 decided on 8<sup>th</sup> May 1992. The applicant states the building was constructed some 30 years ago.

**(d) The additional storeys are constructed other than on the principal part of the building.**

- 7.8 The additional storeys are constructed on the principal part of the building.

**(e) The floor to ceiling height of any additional storey, measured internally, would exceed the lower of –**

**(i) 3 metres; or**

**(ii) The floor to ceiling height, measured internally, of any storey of the principal part of the existing building.**

- 7.9 The floor to ceiling height of the 5<sup>th</sup> floor proposed would be 2.36m

**(f) The dwellinghouses are not flats.**

- 7.10 The proposed units within the newly constructed floor at 89 Worple Road are both self-contained flats.

**(g) The height of the highest part of the roof of the extended building would exceed the height of the highest part of the roof of the existing building by more than 7 metres (not including plant, in each case).**

- 7.11 The overall height of the roof of the extended building at 89 Worple Road is 2.73m taller than the highest part of the existing roof which is 12.68m in height.

**(h) The height of the highest part of the roof of the extended building (not including plant) would be greater than 30 metres.**

- 7.12 The extended building would be 15.24m 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.**

7.13 The completed building will have no visible support structures.

**(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.**

7.14 The development does not consist of engineering operations outside the existing curtilage of the building.

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

7.16 There is no existing plant on the building which requires relocating as part of the development.

**(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 extended 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.**

7.17 Not applicable to 89 Worple Road

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

7.18 Not applicable to 89 Worple Road. All development and engineering operations will take place within 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.**

7.19 Not applicable to 89 Worple Road

**(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.**

7.20 Not applicable to 89 Worple Road

7.21 Overall, the proposal complies with A.1 of Schedule 2, Part 20, Class A of the GPDO 2015 (as amended).

### **6.3 DEVELOPMENT NOT PERMITTED – CONDITIONS - A.2**

**A.2. – (1) Where any development under Class A is proposed, development is permitted subject to the condition that before beginning the development, the developer must apply to the local planning authority for prior approval of the authority as to -**

7.22 (a) Transport and highways impacts of the development.

7.23 The applicant notes the development would be 'car free' and not entitled to access to residents parking permits. It is therefore assumed the existing on-site car parking spaces and garages are at capacity and would not be available to use by the proposed units. The development does not propose any increases to parking capacity.

7.24 The application is within a Controlled Parking Zone (CPZ) and has a PTAL of 2. Despite the lower PTAL rating, the site located in close proximity to bus stops on Worple Road with buses travelling towards Wimbledon Station. Therefore, the site is considered to have enough connectivity to public transport services

that a permit-free development could be permissible.

- 7.25 Subject to the developer entering a legal agreement restricting the proposed units from parking permits, the proposed development is considered acceptable.

**(b) Air traffic and defence asset impacts of the development.**

- 7.26 The development is not assessed to have an adverse impact on air traffic or defence assets.

**(c) Contamination risks in relation to the building.**

- 7.27 There are no known contamination risks in relation to the building.

**(d) Flooding risks in relation to the building.**

- 7.28 The site is located within Flood Zone 1 indicating low probability of flooding where in principle new residential development is considered acceptable in flood risk terms.

**(e) The external appearance of the building**

- 7.29 Officers' assessment of part e) relating to 'the external appearance of the building' is guided by recent appeal decisions which provide more clarity on how this should be assessed. The prior approval legislation is relatively newly introduced (2020) and over time appeal decisions would naturally be released which will provide guidance on how officers should interpret the legislation. Although the appeal decisions referenced below are not in Merton, they do provide useful guidance on how the legislation is interpreted. Previously, Officers assessed the external appearance of the proposed building in relation to the existing building as well as the visual impact on the surrounding area. However, some recent appeal decisions demonstrate the assessment of external appearance should be limited to the external appearance of the building in isolation rather than its effect on the wider area. Two appeal decisions of relevance are described below.

- Seaforth Court, 91 Victoria Drive, Eastbourne BN20 8LA (APP/T1410/W/20/3263486) – Proposal for construction of two additional floors to create 4 self-contained dwellings – appeal allowed

The inspector notes:

*"The principal objection of the Council is less about the external appearance of the building per se, but rather with the additional height and bulk making the resultant building appear as a dominant and intrusive feature in the street scene, which is characterised by mainly two storey, family houses with pitched roofs. The Council makes reference to paragraphs 118 and 127 of the Framework which support upward extensions where the development would be consistent with the prevailing height and form of neighbouring properties and the overall street scene, and is sympathetic to local character and history, including the surrounding built*

*environment, while not preventing or discouraging appropriate innovation or change (such as increased densities). For the purposes of assessing whether prior approval should be granted, I consider the assessment of the matter in dispute is limited to the external appearance of the building rather than its effect on the wider area. The Framework is only relevant so far as it relates to the subject matter of the prior approval, in this case the external appearance of the building. Even if a wider interpretation of the matter to be considered under prior approval is taken, the principle of upward extension of up to 2 storeys is established by the permitted development right in Part 20, Class A of the 2015 Order, and the matters requiring prior approval need to be interpreted in the context of that principle. The Framework and indeed development plan policies should not be applied so as to frustrate the purpose of the grant of permitted development rights through the 2015 Order in the first place.”*

- Kings Gate, 111 The Drive, Hove BN3 6FU (APP/Q1445/W/21/3267608) for the erection of an additional two storeys to provide 10no self-contained flats – appeal allowed

The inspector notes:

*Whilst I have acknowledge that the proposal would result in a building of significant height being included within the street scene, which would be noticeably larger than its neighbours, it is unavoidable that in some circumstances development permitted by the 2015 Order will result in more substantial variations to the wider area. The introduction of the permitted development right supports the Government’s objective of significantly boosting the supply of homes as set out in paragraph 59 of the Framework. 17. I conclude that the external appearance of the proposed building would be acceptable when viewed by itself, and for the purposes of Part 20, Class A of the 2015 Order the increase in height and bulk would not be inconsistent with the overall street scene having regard to the support for additional homes and increased densities in the Framework.*

- 7.30 In terms of the current proposal, officers consider the architectural form, language, detailing and materials of the additional storey acceptable in relation to the host building by itself. The 5<sup>th</sup> floor would be finished in brick matching the appearance of the below floors, and the tiled pitched roof with gables inserted, would respond to the form of the existing roof profile. The windows and dormers are also of an acceptable design assimilating well with the facades and would not unduly dominate the roof profile. The previously refused proposal (21/P0034) had a flat roof design which did not assimilate well with the existing design of the building. The current proposal would provide a suitable design with use of a pitched roof and gable features, more in keeping with the existing buildings character.
- 7.31 Officers are sympathetic to concerns from residents regarding the building’s height in relation to surrounding buildings. However, as demonstrated by recent appeals, the principle of additional storeys is already established and Officers are not in position to impose local development plan policies to restrict the building’s height. The design and form of the proposed works are considered suitable to the existing building.
- 7.32 For the reasons stated above, the development is considered acceptable in respect of part e) relating to the external appearance of the building.



**(f) The provision of adequate natural light in all habitable rooms of the new dwellinghouses.**

- 7.33 The development is considered to provide adequate natural light in all habitable rooms of the new self-contained flats.

**(g) Impact on the amenity of the existing building and neighbouring premises including overlooking, privacy and the loss of light.**

- 7.34 The impact on properties are considered in turn below:

*2 and 3 Worple Avenue*

- 7.35 No 2 and 3 Worple Road are orientated and separated from the building in such a way that there would be no harm from increased sense of enclosure, loss of sunlight, daylight or outlook. This view is supported by the Daylight Sunlight Assessment (DSA) conducted by ERS Consultants which found that the proposal would have an undue negative impact in respect of the four tests - Vertical Sky Component (VSC), Average Daylight Factor (ADF), Annual Probable Sunlight Hours (APSH) and No Sky Line

*85-87 Worple Road (Haverley House)*

- 7.36 Haverley House comprises a block of flats located to the east of the site built under planning permission 94/P0590. There would be a separating distance of 15.47m between the application site and Haverley House. The DSA demonstrates the VSC, ADF, APSH and No Sky Line values meet the BRE guidelines in respect of the habitable rooms analysed. Whilst the proposal would increase the sense of enclosure and change the outlook for apartments facing the site, there is not considered to be material harm to dwellings at no. 85-87 Worple Road given the separating distance across the street of 15.47m.

*91 Worple Road*

- 7.37 91 Worple comprises a semi-detached building split into flats under planning permission 88/P0881. There are number of windows on the side elevation of the building facing the application site, though it is noted these are somewhat enclosed already by the existing building at no. 89. The DSA demonstrates there would be a negligible impact on APSH for all rooms analysed. There would be a 'low' impact on VSC for one kitchen at first floor level (R3 Kitchen). A second floor kitchen window (R2 Kitchen) failed the standard No Sky Line Test and ADF test. The floorplans for the rooms in question show that the kitchens negatively impacted are only large enough to be used for cooking rather than dining with principle habitable areas located to the front and rear of the building. It is also common for windows positioned on the side elevation of a mansion block such as 91 Worple Road to tolerate a degree of enclosure. For these reasons, on balance officers do not consider the daylight and sunlight impacts likely to be so significant that they would warrant refusal of this application and there would be no material harm to the amenity of dwellings at no. 91 Worple Road.

*126 – 132 (Evens) Worple Road*

- 7.38 These properties located on the opposite side of Worple Road from the site were not considered within the DSA. However, there is a separating distance of roughly 29m between the proposed building and the front of these properties. Therefore, although there would be some change in outlook from the front of no. 126-132, the proposal is not considered to harm the amenity of these properties.
- 7.39 Overall, the potential impacts of the development towards the amenities of neighbouring properties are considered acceptable the proposed development is considered acceptable in respect of part (g)

**(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 issued by the Secretary of State.**

- 7.40 Not applicable.

## **7. REPRESENTATIONS**

***(15) The local planning authority must, when determining an application***

***(a) Take into account any representations made to them as a result of any consultation under sub-paragraph (5), (6), (7) or (10) and any notice given under sub-paragraph (12).***

- 7.41 In accordance with statutory requirements, officers issued consultation letters to adjoining properties and those considered to be potentially impacted by the development. Officers reviewed the 14 representations received and assessed their comments in the assessment of this application.
- 7.42 Each flat would have a floorspace of 76 sq m and would meet the National Space Standard requirement of 70 sq m for a 2 bed/4 person flat. The floor to ceiling height for both flats would be at 2.36 m, which would meet the National Space standard of minimum of 75% of the floorspace having at least 2.3 m floor to ceiling height.

## **8. CONCLUSION**

- 8.1 The proposed development is considered compliant with the criteria set out under Schedule 2, Part 20, Class A of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

## **9. RECOMMENDATION**

- 9.1 Grant Prior Approval subject to a legal agreement restricting occupants of the proposed units from obtaining parking permits and subject to the below conditions.

## **Conditions**

1. The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans: 2003-05 PL.11; 2003-05 PL.10; 2003-05 PL.12
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. **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.

5. **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 amenity of surrounding occupiers.

6. **Construction Logistics Plan:** Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

**Reason:** 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 T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

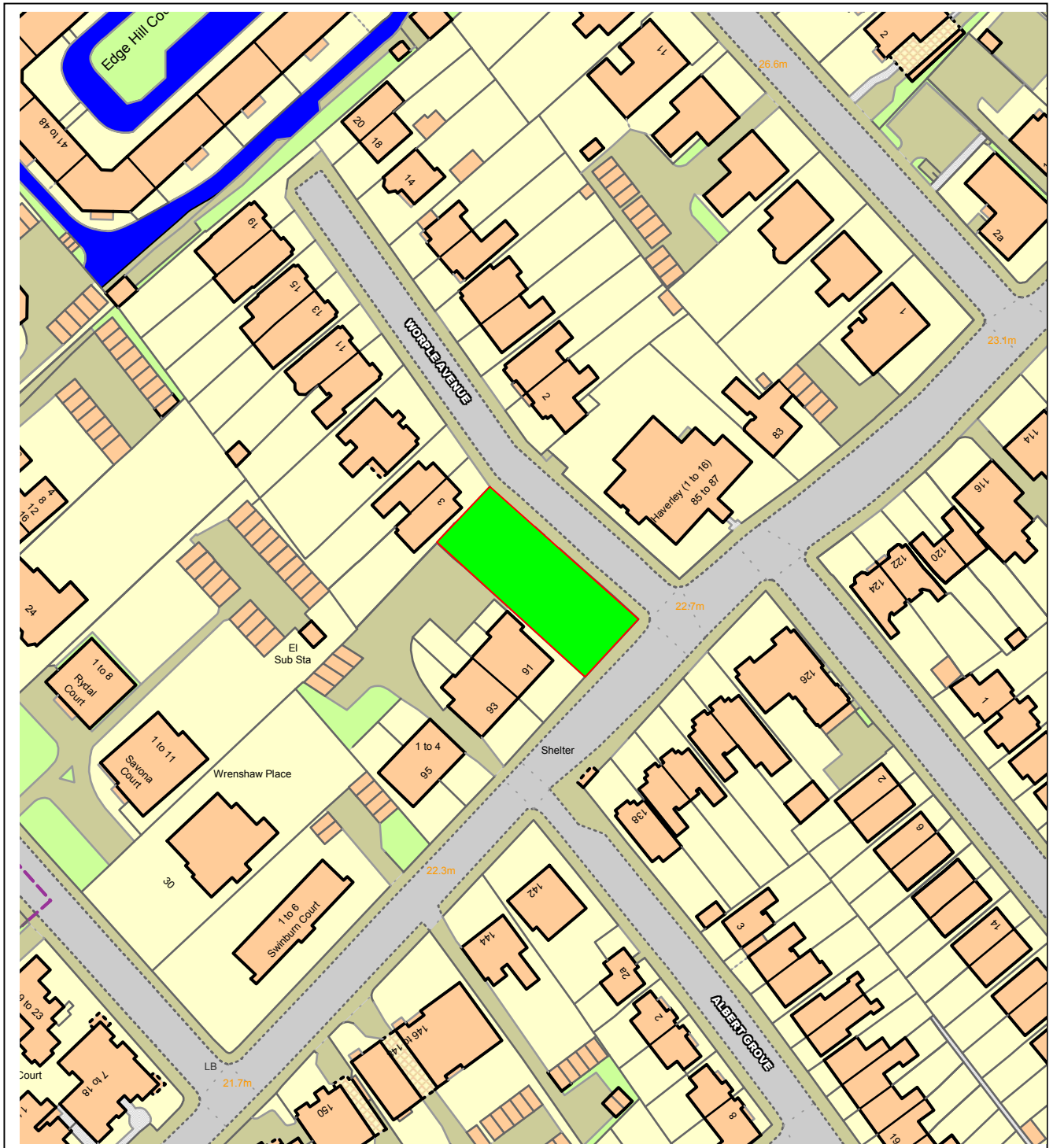
7. **Refuse and recycling:** The proposed development shall not be occupied until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been 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: policies SI 7 and D6 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.



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# NORTHGATE SE GIS Print Template



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**OS Map**  
Scale 1:1250 @ A3



**Proposed Site Block Plan**  
Scale 1:500 @ A3



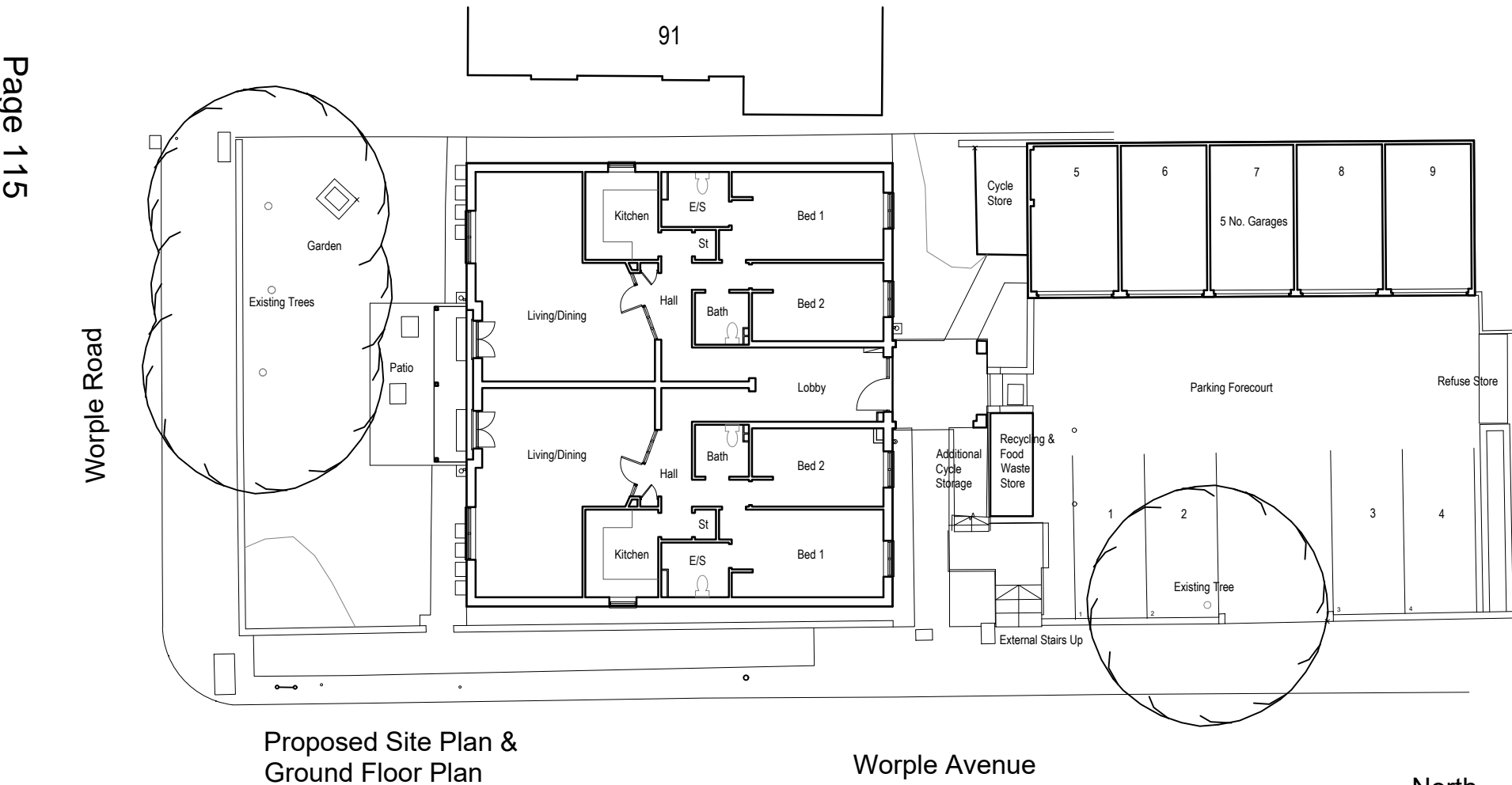
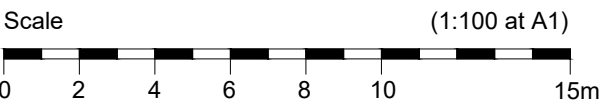
## LAWFUL DEVELOPMENT CERTIFICATE

Rev:	Date:	Description:	Project:				
*	14.10.2020	Issued to the client	89 Worple Road, Wimbledon SW19 4JG				
			Dwg no: 2003-05 PL.00				
			Drawing:	OS Map and Site Block Plan			
NOTES: Do not scale from this drawing. All dimensions in millimeters. All dimensions to be checked on site. All omissions and discrepancies to be reported to the architect immediately. This drawing is © 3s Architects and Designers. Use of these drawings must be authorised by 3s.			Date:	October 2020	C	PS	D
			Scale:	1:1250 & 1:500 @ A3	EC	Rev:	-
			T +44 (0)20 8332 99-66 F -91 W www.3s-ad.com E info@3s-ad.com 17A Princes Road, Richmond upon Thames, Surrey TW10 6DQ				



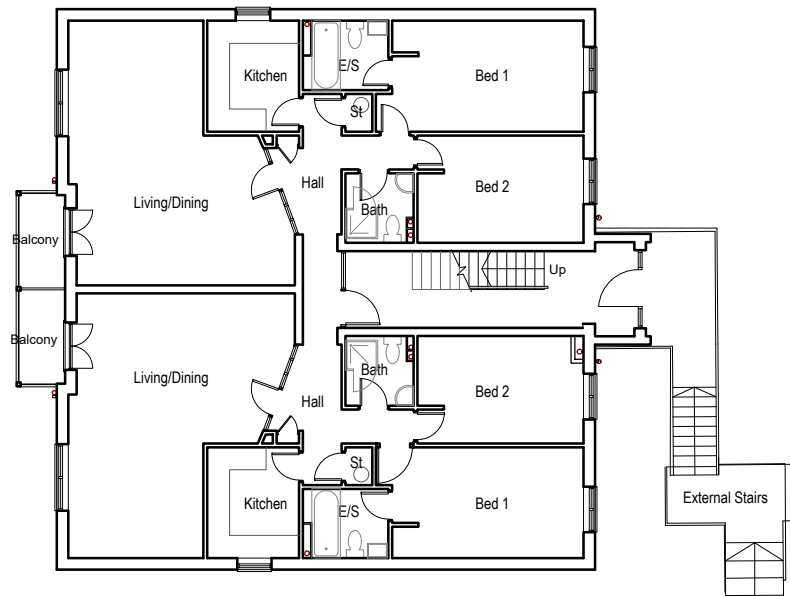
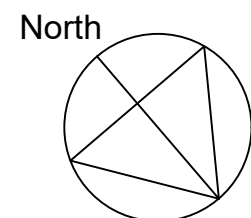
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Worple Road

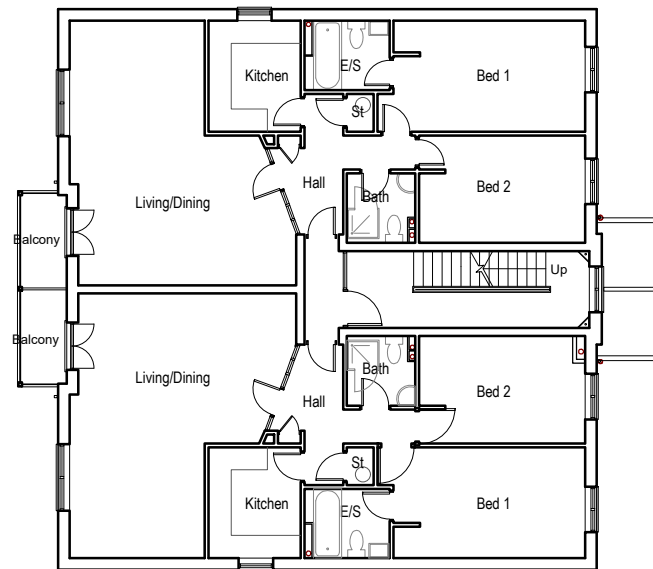


Proposed Site Plan & Ground Floor Plan

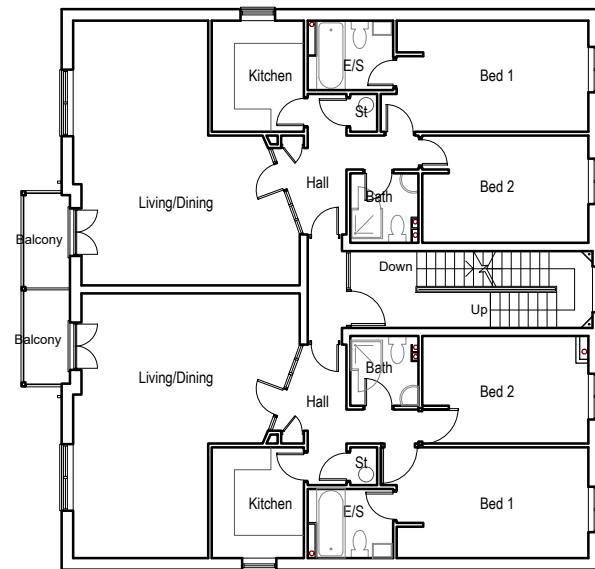
Worple Avenue



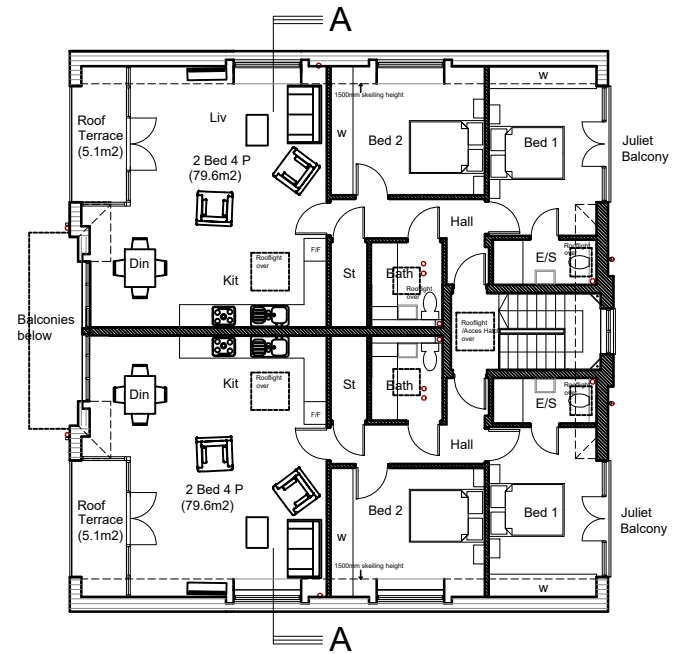
Proposed First Floor Plan



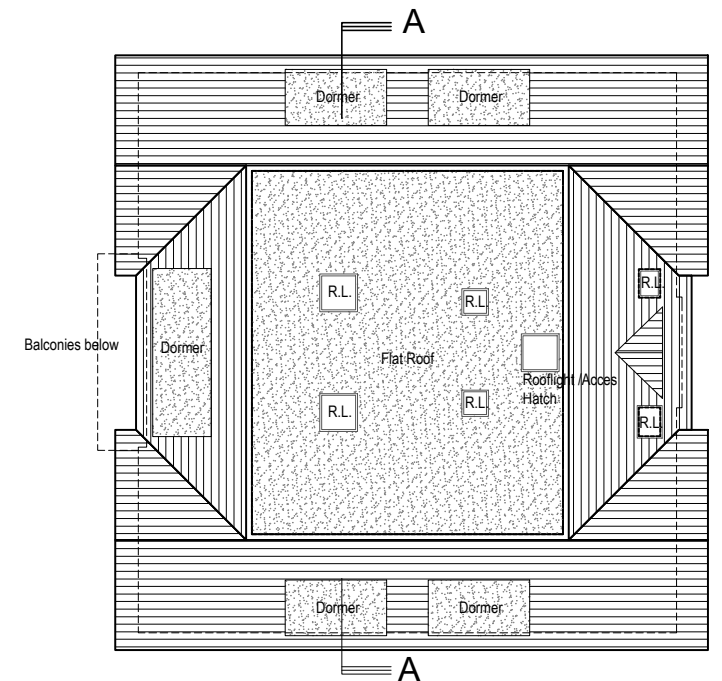
Proposed Second Floor Plan



Proposed Third Floor Plan



Proposed Fourth Floor Plan



Proposed Roof Plan

Rev.	Date	Description	Drawn
Client	GAVIL GROUP		
Project	89 WORPLE ROAD WIMBLEDON SW19 4JG		
Drawing Title	PROPOSED FLOOR PLANS		
Scale	1:100 (at A1)		
Date	May 2021		
Drawn	IR		

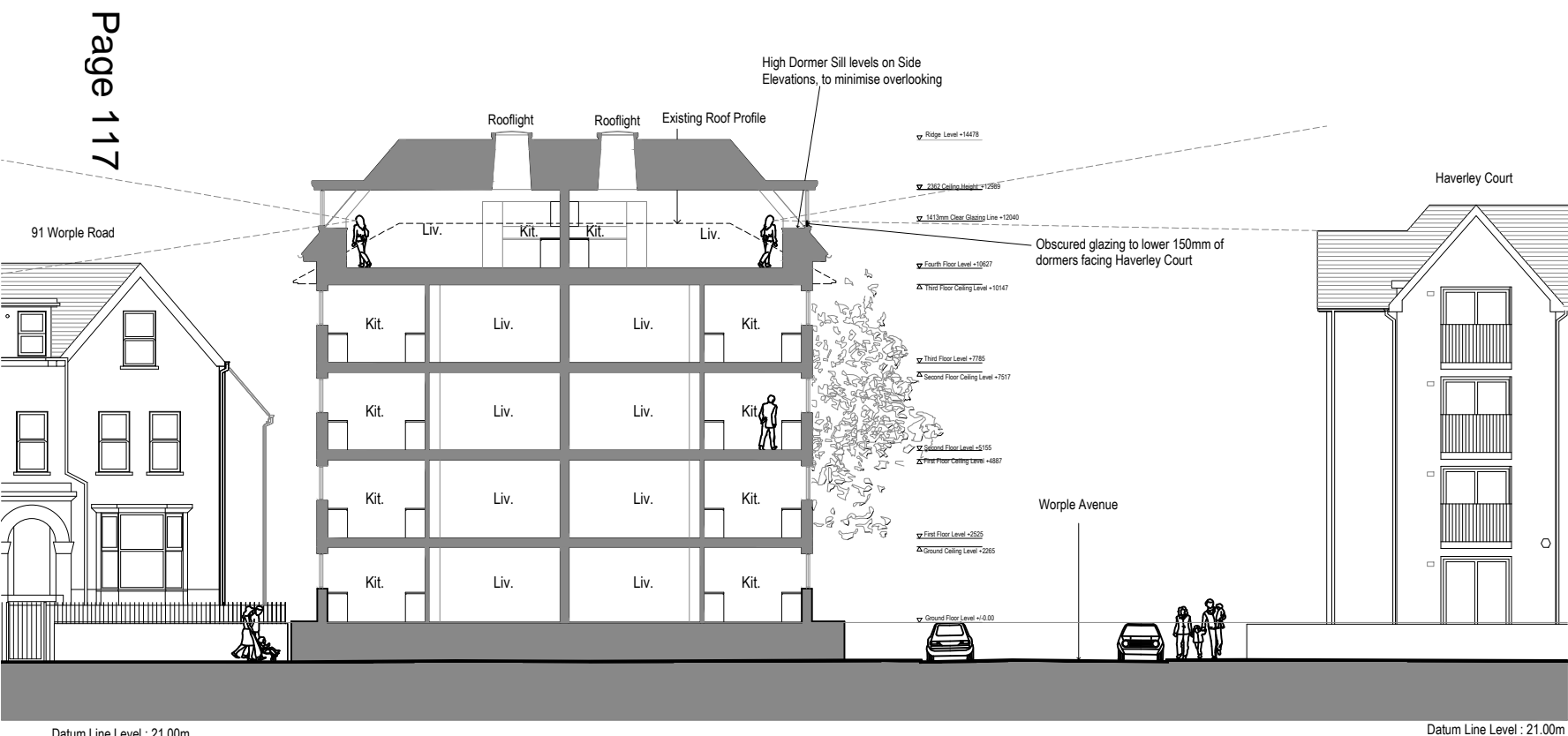
Org.No. 2003-05 PL.10 Rev -



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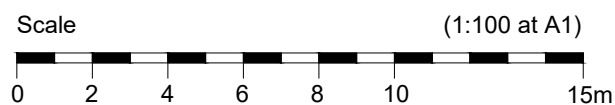
Front Elevation (from Worple Road)



Section A:A



Rear Elevation



#### MATERIALS LEGEND:

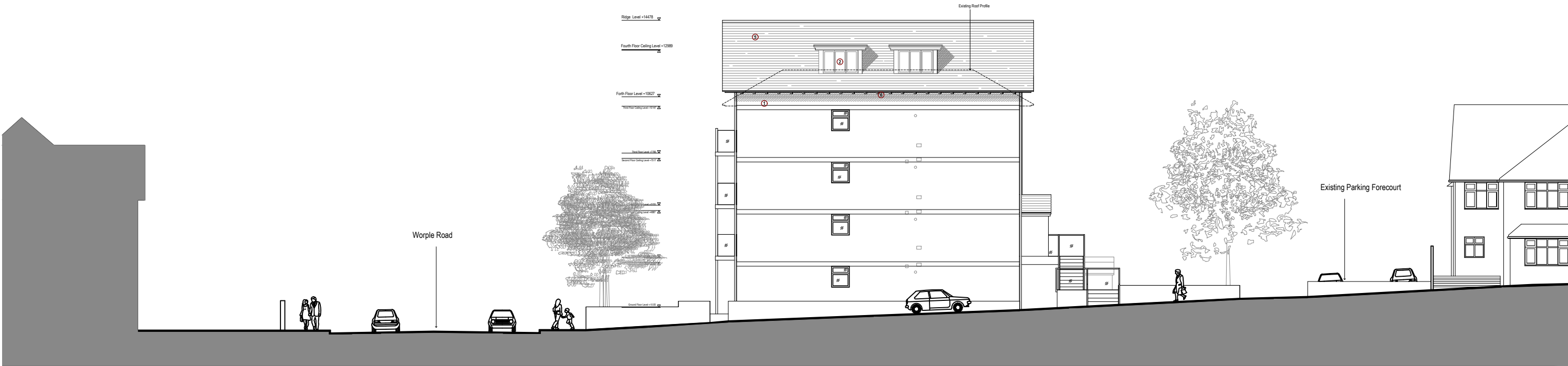
1. Brickwork to match existing
2. Windows to match existing
3. Patio doors to match existing
4. Glass balustrade
5. Mid-grey roof slate, to match 93 Worple Road's roof
6. Feature eaves brackets to soffits



Rev.	Date	Description	Drawn
Client	GAVIL GROUP		
Project	89 WORPLE ROAD WIMBLEDON SW19 4JG		
Drawing Title	PROPOSED FRONT & REAR ELEVATIONS & SECTION A:A		
Scale	1:100 (at A1)		
Date	May 2021		
Drawn	IR		



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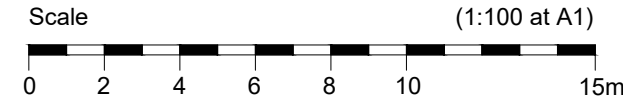


North-East Elevation (from Worple Avenue)

Page 119



South-West Elevation



- MATERIALS LEGEND:**
1. Brickwork to match existing
  2. Windows to match existing
  3. Patio doors to match existing
  4. Glass balustrade
  5. Mid-grey roof slate, to match 93 Worple Road's roof
  6. Feature eaves brackets to soffits



Rev.	Date	Description	Drawn
Client		GAVIL GROUP	
Project		89 WORPLE ROAD WIMBLEDON SW19 4JG	
Drawing Title		PROPOSED SIDE ELEVATIONS	
Scale		1:100 (at A1)	
Date		May 2021	
Drawn		IR	

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Rev.	Date	Description	Drawn
Client		GAVIL GROUP	
Project		89 WORPLE ROAD WIMBLEDON SW19 4JG	
Drawing Title		PROPOSED STREET VIEW	
Scale		NTS	
Date		May 2021	
Drawn		IR	



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<b>Committee:</b>	Planning Applications
<b>Date:</b>	23 <sup>rd</sup> SEPTMEBER 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**

<b>Application Number</b>	<b>20/P2667</b>
<b>Appeal number:</b>	APP/T5720/D/20/3262670
<b>Site:</b>	Oriel House, 26 The Grange, Wimbledon
<b>Development:</b>	EXCAVATION OF BASEMENT LEVEL, A SINGLE STOREY REAR EXTENSION AND ALTERATION TO FRONT BOUNDARY WALL.
<b>LPA Decision:</b>	Refuse (Delegated)
<b>Appeal Decision:</b>	<b>DISSMISSED</b>
<b>Date of Appeal Decision:</b>	27 <sup>th</sup> August 2021

**[click LINK TO DECISION NOTICE](#)**

## DETAILS

<b>Application Number</b>	<b>20/P3848</b>
<b>Appeal number:</b>	APP/T5720/D/21/3273184
<b>Site:</b>	133 Pelham Road, Wimbledon SW19 1NZ
<b>Development:</b>	ERECTION OF A SINGLE STOREY SIDE EXTENSION AND ERECTION OF REAR ROOF EXTENSION, INCLUDING PROJECTION OVER THE EXISTING TWO STOREY REAR EXTENSION
<b>LPA Decion:</b>	Refuse (Delegated)
<b>Appeal Decision:</b>	<b>ALLOWED</b>
<b>Date of Appeal Decision:</b>	9 <sup>th</sup> August 2021

[click LINK TO DECISION NOTICE](#)

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### Alternative options

- 3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is 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:** 23<sup>rd</sup> September 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 DAVE WARD, CHAIR, PLANNING APPLICATIONS COMMITTEE**

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

**Recommendation:**

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That Members note the contents of the report.

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**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>545</b>	<sup>1</sup> (539)	<b>New Appeals:</b>	(0)	(0)
<b>New Complaints</b>	39	(36)	<b>Instructions to Legal</b>	2	(0)
<b>Cases Closed</b>	<b>23</b>		<b>Existing Appeals</b>	2	(2)
No Breach:	19		<hr/>		
Breach Ceased:	3		<b>TREE ISSUES</b>		
NFA <sup>2</sup> (see below):	1		<b>Tree Applications Received</b>	<b>50</b>	<b>(32)</b>
Total	23		<b>% Determined within time limits:</b>	<b>50 %</b>	
<b>New Enforcement Notices Issued</b>			<b>High Hedges Complaint</b>	<b>0</b>	<b>(1)</b>
Breach of Condition Notice:	0		<b>New Tree Preservation Orders (TPO)</b>	<b>2</b>	<b>(2)</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)	1	(0)			
Total	0	(0)			
<b>Prosecutions:</b> (instructed)	0	(0)			

Note (**figures are for the period from (from 12<sup>th</sup> August 2021 to 13<sup>th</sup> September 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

**TRUSTFORD, 67 – 71 PLOUGH LANE, TOOTING, SW19 0BW.** On the 14<sup>th</sup> May 2021, 11 trees were removed from the front boundary to the property. This property is located within the Wandle Valley Conservation Area, and the statutory notice of 6 weeks prior to the commencement of tree work was not given to this Authority. This case is currently under investigation with a view to taking enforcement action. Trustford have begun planting new trees on the site. 12 new Silver Birch trees have been planted alongside the boundary with the River Wandle. New trees are proposed to be planted along the boundary to the front of the site in September, with an additional underplanting of shrubs.

**52B Russell Road, Wimbledon, London, SW19 1QL.** This is regarding the erection of a 2 metre boundary fence, facing the highway, which had a retrospective planning application submitted ref: 20/P2317 and refused. The applicant appealed the decision to the Planning Inspectorate. The appeal was dismissed on 14th June 2021. An enforcement notice is to be issued to remove the fence.

**Land to the rear of 42 Tamworth Lane, Mitcham, CR4 1DA.** This is concerning a s215 notice served on untidy land. A s215 notice was issued on 10<sup>th</sup> May 2021. This notice requires compliance at the end of July 2021 requiring the Land to be tidied up / cleared. The Council are now taking Direct Action to clear the land.

**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 tidied up / cleared. The Land is actively being 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 tidied 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.

**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 has now been recommended for approval.

**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-sub-mitted and approved.

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.

This Planning Enforcement Notice has now been satisfactorily complied with.

**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.

At trial the defendant changed his plea from not guilty to guilty on the two charges of failing to comply with the two Planning Enforcement Notices, however due to the current appeals with the Planning Inspectorate relating to two planning application appeals associated with the two illegal developments, sentencing has been deferred until 7<sup>th</sup> October 2021 at Wimbledon Magistrates Court.

**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 24<sup>th</sup> September 2019 and would have taken effect on 24<sup>th</sup> 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.

By Decision Letter dated 4<sup>th</sup> November 2020 the appeal was dismissed and the Enforcement Notice was upheld. The compliance date was 4<sup>th</sup> December 2020. The owner claims the requirements of the Notice have been met and an inspection is to be carried out.

**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**

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