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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
Edward Foley
Edward Gretton
Najeeb Latif
Dennis Pearce
John Dehaney

Date: Thursday 20 January 2022

Time: 7.15 pm

Venue: Merton Civic Centre, London Road, Morden SM4 5DX

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Planning Applications Committee Agenda

20 January 2022

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting 1 - 12
- 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 Ricards Lodge High School, Lake Road, SW19 7HB 13 - 44
Application
19/P4337

Ward Village

RECOMMENDATION: GRANT Planning permission subject to conditions
- 6 192-202 Martin Way, Morden SM4 4AJ 45 - 80
Application: 21/P1856

Ward: Cannon Hill

RECOMMENDATION

Grant planning permission subject to conditions.
- 7 29 Richmond Road West Wimbledon SW20 0PG 81 - 104
Application number: 20/P1438
Ward: Raynes Park

Recommendation: Grant planning permission subject to relevant conditions
- 8 29 Richmond Road West Wimbledon SW20 0PG 105 - 130
Application number: 21/P2432

Ward: Raynes Park

Recommendation: Grant planning permission subject to relevant conditions

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9	201A South Park Road, Wimbledon, SW19 8RY	131 -
	Application number: 21/P3562	148

Ward: Trinity

Recommendation: GRANT Planning permission subject to conditions

10	Planning Appeal Decisions	149 -
	Officer Recommendation:	152
	That Members note the contents of the report.	

11	Planning Enforcement - Summary of Current Cases	153 -
	Officer Recommendation:	160
	That Members note the contents of the report.	

Note on declarations of interest

Members are advised to declare any Disclosable Pecuniary Interest in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. For further advice please speak with the Managing Director, South London Legal Partnership.

Agenda Item 3

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

PLANNING APPLICATIONS COMMITTEE

9 DECEMBER 2021

PRESENT Councillors (in the Chair) Councillor Stephen Crowe, Councillor Stephen Alambritis, Councillor Billy Christie, Councillor David Dean, Councillor Nick Draper, Councillor Carl Quilliam, Councillor Peter Southgate and Councillor Dennis Pearce

ALSO PRESENT Councillor Daniel Holden
Councillor Sally Kenny

Jonathan Lewis (Development Control Team Leader South) ,
Bola Roberts (Democratic Services Officer) and Richard
Seedhouse (Democratic Services Officer),

ATTENDING REMOTELY Amy Dumitrescu (Democracy Services Manager) Tim Bryson (Development Control Team Leader North), Jourdan Alexander Planning Officer (Environment and Regeneration),(Tim Lipscomb Planning Officer, (Environment and Regeneration) Lesley Barakchizadeh (Building and Development Control Manager, Environment and Regeneration)

(7.15 pm -12:20am)

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Dave Ward and Councillor Simon McGrath. Apologies were received from Councillor Joan Henry and Councillor Dennis Pearce attended as substitute.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 21 October 2021 are agreed as an accurate record.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

The Committee noted the amendments and modifications to the officer's report. The Chair advised that items would be taken in agenda order with the exception of Item 7 which would be heard at the end of the meeting.

For the purpose of the minutes, items appear minuted in the published agenda order.

5 RO 274-320 CANNON HILL LANE SW20 9HN (Agenda Item 5)

Proposal: ERECTION OF A TWO STOREY-FOUR BEDROOM DWELLING, AND A TWO STOREY-TWO BEDROOM DWELLING, INSTALLATION OF DRIVEWAY WITH PARKING, LANDSCAPING, ALONG WITH ASSOCIATED WORKS

The Development Control Leader (South) presented the report.

The committee received a verbal representation from two objectors who made points including:

- The objector obtained 113 signatures of petition and submitted to the Committee, 55 of these are parents and the rest residents
- There was poor connectivity to the road
- There was no arboriculture impact assessment
- The Land is in flood risk zone 2 area
- The application was not in-keeping with surrounding areas, land and layout
- The proposal is contrary to DMO1 as it fails to meet open space policies
- There was failure to demonstrate adequate vehicle access
- Concerns that the application could compromise access to the existing school.

The Applicant spoke in response and made points including:

- The Applicant bought the land during lock down period, prior to that the land was used as a dumping site for refuse The Applicant had removed all fire hazards and used low level tools for maintaining the land
- The site's Open Space designation has been the subject of reassessment by Merton Council as part of its local plan review
- The Applicants felt disappointed that the application had been expedited to committee without trying to resolve issues with them first and that the three reasons could have been addressed prior to going to committee
- Concerns regarding waste collection could have been subject to planning conditions
- The Applicant informed planning officers that the arboriculture reports would be provided

Councillor Sally Kenny speaking on behalf of Forest Hill School and residents, gave a verbal presentation raising the following concerns:

Councillor Kenny had paid a site visit and spoke about the right of access, which belonged to the school and the access road would not enable big vehicles that would need to carry materials to and from the site

- The road leading to the site is part of a school street scheme to support health and safety for children Councillor Kenny maintained that the healthy outdoor approach would be severely affected
 - Building a two storey building compromises privacy. A large tree would be impacted as the roots would be damaged by vehicles going over it.
 - In conclusion Councillor Kelly said that the area was unsuitable as a construction site in close proximity to schools and a residential area.
- The Planning Officer responded that the application was not to change the site's open space designation (this could only be done through the local plan process).
 - The Council had commissioned an open space study and findings had shown that the land was surplus to requirements and that the draft local plan no longer identified it as an open space. The land owner has right of access and there would be no impact on the highway. The Council attach conditions to require construction management plans to address the issues of vehicle access.

The Development Control Team Leader (South) responded to councillors questions

- Only two houses are appropriate. There was no analysis by the applicant as to whether more than two houses could be built on the site. Whether housing output had been optimised in accordance with adopted policy had not been demonstrated.
- Development of the site has to be considered under adopted policies including DMO1. Officers concluded on the basis of the available information that the development of the land would not breach planning policy. Officers commented that the removal of the site from its open space designation was proposed in the draft the local plan. It would be for a Planning Inspector at the public examination of the draft local plan to determine whether or not the proposed removal of the open space designation was acceptable.
- Part H of Building Regulations refers to sewerage to ensure this is dealt with. This is statutory regulation.

Members commented on the proposal that refusal should be on the grounds of an approved local plan which says that the designation has not changed from current open space. The discussion on changing from green space to open space, should be on a Councillor level.

No motion was tabled by members to refuse permission on grounds that differed from the officer's recommendation.

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

RESOLVED:

The Committee agreed to refuse planning permission for the reasons set out in the officers' report:

6 18 CLIFTON ROAD. WIMBLEDON, SW19 4QT (Agenda Item 6)

Proposal: Home extensions to the dwelling new front porch single storey rear extension and replacement outbuilding, landscape and dormer windows in the roof.

The Development Control Team Leader (North) presented the report

The Committee received verbal representation from one objector who made points including:

- The proposal would reduce light to his property
- No daylight or sunlight assessment document has been produced

The Applicants' representative spoke in response:

- The plan is to reinstate the property that was hidden by trees
- Removal of trees on the boundaries opened up southern light to the property 20 Clifton Road, greatly improving their amenities and sunlight
- The property is north facing so a sunlight study was not appropriate

: The Development Control Team Leader (North) responded

- Home extensions did not usually require sunlight daylight studies
- The light is gathered from the applicants' site
- An assessment has been set out in the report in relation to amenities
- There was a tree application which is separate from the planning application
- The site includes tree retention and proposal to plant more trees to create formal gardens.

Members commented on the proposal and were for the improvement of the property. Members' sympathised with the loss of some light but felt this should not affect the application.

The Chair moved to the vote and it was

RESOLVED:

That the Committee granted planning permission subject to conditions.

7 441 COMMONSIDE EAST, MITCHAM CR41HJ (Agenda Item 7)

Proposal: DEMOLITION OF EXISTING SINGLE DWELLING HOUSE AND ERECTION OF 7 X TWO STOREY DWELLING HOUSES

The Planning Officer presented the report

The Planner responded to members' questions:

- The scheme is not a major development
- The planning officer said the developers optimised the site;
- The development would not be cramped and provides family sized dwellings.

The Chair moved to the vote and it was:

RESOLVED:

That the Committee granted planning permission subject to conditions and S106 agreement to secure private waste collection.

8 WIMBLEDON COLLEGE, EDGE HILL. WIMBLEDON. SW19 4NS (Agenda Item 8)

Proposal: to fit 3D astral turf for football and rugby

The Development and Control Leader (North) presented the report

The committee received verbal representations from two objectors

- The light columns are not retractable
- The objector said that it made a mockery of the conservation area having a commercial property
- Proposal would mean a loss of six thousand square metres of green space which would be replaced with steel, concrete and plastic
- An added increase in traffic by churches, scout and school users and parking is already an issue
- As there appears to be no business plan, council auditors should undertake a financial risk assessment and feasibility study to ensure no tax payers money is at risk in this project
- A full environmental report should have been prepared before the application had been lodged
- Section 6.5 of the revised drainage report says a full drainage survey has not been done and Thames Water has not yet accepted
- Crowd and participant audible noise including signal whistle will be ongoing for up to six and a half days every week with no respite for residents
- A noise impact statement should be undertaken
- The six 15 metre lighting towers are over four storeys high and taller than all the surrounding residential buildings
- The lights are not retractable and each require manual skilled intervention to lower them taking 45 minutes
- The hinged towers would therefore more than likely be left up as permanent feature
- Some properties affected by the towers has not been consulted
- The lights will be used mostly in the winter
- No testing has been done and glare calculations should have been done by the institute of lighting professionals
- Concerns raised on the extra use and change in noise direction of the pitch
- The council policies usually opposes restriction on impact, height

- The application conflicts on council policies on impact and conservation

The Applicants' spoke in response to objectors:

- The primary purpose of the proposal is to enhance the sports facilities for the pupils of the school Merton and further afield to enjoy physical activities
- The field due to daily use by pupils is in a state of degradation
- The purpose is to use the field regularly for physical activities on site there are off sites that can be used but the journey time limits the PE time
- There is within the application to hire the pitch in the evenings and weekends from 6-9pm week days and 9-6pm on Saturday and 9-1pm on a Sunday
- Additional information will be provided to the planning department for the telescopic lights and height needed
- The reason for the height is to reduce light spillage
- Parking facilities are onsite and buses that service the school routes
- Ask that consideration of the application be given to the wellbeing of the pupils
- The draining survey is available and will be given to the Council

Councillor Daniel Holden gave a verbal presentation to the committee on behalf of the residents, the application site is within the Wimbledon West conservation area. The 6ft tall lights, which causes light pollution, harm to the wildlife and community and would be detrimental to the neighbourhood. Councillor Holden raised further concerns on the extended hours of operation as 9pm was late and would cause extra ordinary traffic on roads that are normally quiet and would turn them into major roads with frequented vehicles and coaches. Noise was also as issue, as noise from the sporting activities at night would distress neighbours near and further down the hill. There would also be an increase in light flooding as seen down the hill and other surrounding roads. The application does not provide safe guarding against this. The scheme has no sufficient sustainable drainage. In conclusion Councillor Holden stated that the scheme should be refused under policy DMF1 and 2. Not enough considerations had been given to traffic problems caused by school based traffic and the application should therefore be refused under policy DMD1, 2 and 3 or finally refuse application under the general planning policy DMD1 and 2 causing harm to the neighbourhood.

The Development and Control Leader (North) responded to comments raised:

- Funding is not a planning consideration
- The draining scheme has been approved by the Councils flood risk Officer
- There is an existing noise generated from the youths using the sports facilities, the proposed use would be the same
- The pitch is used primarily for the school and a condition before for commercial use for a noise report
- The height for the lights is 15meters in use but retracted to no higher than 5 meters

In response to members' questions officers advised:

- 9pm at night use is not restricted by the school it is used by the daylight hours, perhaps in the summer it could be limited up to 9pm use
- In terms of open spaces it is designated within the local plan policy
- The pitch has been in existence for a long time
- Open space is allowed in recreation to put turf on the ground surface

Members commented on the application on the effect of the appearance of the green fence next to the listed buildings on this ground.

Members welcomed the pitch improvement and stated pupils will enjoy the schooling experience GS3 pitches.

Members also encouraged the changes to the improvement and multi-use of pitch, current and beyond.

Members also raised concerns that developments in a conservation area should enhance the grade 2 listed buildings and floodlight does not do so.

The Chair moved to the vote and it was

RESOLVED:

That the Committee granted planning permission subject to no objection from Thames Water and Conditions.

9 290-302A KINGSTON ROAD.SW20 8LX 20P3165 (Agenda Item 9)

Proposal: REAR INFILL EXTENSION AT 2ND, 3RD AND 4TH FLOOR LEVEL TO PROVIDE 1 FLAT

The Planner presented the report and brought to members' attention that objections raised concerns on construction disturbance which officers noted.

The Committee received a verbal representation from two objectors who raised points including:

- The residents agreed that the development presents an overpopulation of current site
- Noise pollution and inadequate communal facilities with the added floor
- There is a dispute with the developers with a resident regarding poor electrical works and flooring carried out on the top floor of the building, which should be addressed before any more work is carried out
- The building has not been adequately sound proofed and should be addressed before further works
- Summer sunlight will be restricted by the balcony as demonstrated by the balcony analysis
- The issue of privacy as the balcony will overlook downstairs flats and reduce sky light

- The development would disrupt users of essential services
- There are no plans to improve the lift.
- There is currently an issue with bin storage. Added units will produce more residences and impact on the bin storage capacity.
- Fewer parking spaces will lead to parking in other residential areas
- The Applicants spoke in response and made points including:
 - The Applicants have worked closely with Merton Council officers in the design, waste management and all areas were addressed. A number of changes were made from the original planning application
 - The new homes will comply with adopted standards in terms of space and amenities and overall quality.
 - The design team have fully updated Officers.
- The Applicants are aware of the issue with waste and cycle storage and are addressing this. The current set up is fully compliant but will be much better when the work is complete
- The Applicants consider both applications are sound on all planning grounds
- The Applicants are willing to accept safeguarding conditions from the Council should the application be accepted
- Building Regulations will ensure residents and amenities are preserved
- The Applicants are committed to continuous consultation with residents.
- The Applicant aims to deliver five new homes that have no impact to the existing neighbours and are fully compliant
- Two residents also spoke in support of the application.

Planning Officers in response advised that:

- The application has to be assessed on merit
- There is other legislation that deals with the issues of lift access should the lift fail and legislation to address noise pollution
- There was a comment from the waste management team, who are happy with the arrangement being proposed
- It is acknowledged that there is a historical issue with the waste collection but the current situation they are satisfied with
- Car displacement should not be grounds to stop the application
- Parking locally is subject to a CPZ, enabling parking permits to be restricted from the occupiers of the new flats in the event of permission being granted.

In response to Members questions, the Planning Officers advised:

- Some of the conditions are standard.
- Some conditions relate to the actual construction process.
- Conditions on sustainability are proposed to ensure London Plan targets are met.

- Conditions on noise from plant used in the construction process including that relating to non-road mobile machinery are proposed in order to meet the Mayor of London's requirements.
- There are conditions on dust emissions and air quality
- Conditions relating surface drainage, this shows method of water drainage from site
- The conditions listed in the officer's report sets out a reasonable framework for controlling the development.

Members commented on the proposal and welcomed the infill flat. The art déco design enhances the building. Members noted the concerns of residents who did not support the proposal

The Chair moved to the vote and it was:

RESOLVED

That the Committee granted planning permission subject to Conditions and S106 legal agreement

10 290-302A KINGSTON ROAD SW20 8LX 20P3168 (Agenda Item 10)

Proposal: SINGLE STOREY ROOF EXTENSION AND INFILL EXTENSION FOR THE CREATION OF 5 SELF CONTAINED FLATS

The planning officer presented the report.

The Committee received a verbal representation from two Objectors

- Issues raised on privacy and overcrowding of the building
- The current arrangements were not sufficient
- The proposed bin storage is only marginally sized
- Objector is not happy to go through a year of building construction

The Applicant responded

- Planning cannot reasonably defend overlooking and members can come to a decision on this;
- The planning process is fairly limited as to what it can consider. It cannot get involved in other legal arrangements that are not planning concerns.

The Chair moved to the vote and it was

RESOLVED:

That the Committee granted permission subject to conditions and S106 legal agreement.

11 81-83 WIMBLEDON HILL ROAD SW19 7QS (Agenda Item 11)

Proposal for a full redevelopment of the site

The Development Control (Team Leader North) presented the report

The Committee received a verbal presentation from two objectors who made points including:

- The proposal will provide no affordable housing
- The Met says the layout is unsafe and recommends change
- No fire risks reports submitted
- It would result in loss of light in several dwellings
- There would be loss of trees
- Construction work would cause protracted disturbance
- The proposed development breaches planning policies
- Would like a more policy compliant design
- The planning officers' report has not been updated since then to include the lighting report
- The report admits breach of policies, yet on the other hand the report agrees the plans to go ahead
- The application would result in loss of privacy

The Applicant spoke in response and made points including:

- The Applicant had worked closely on the designs with the Planning Officers and supports report
- The Applicant says that the proposal has positive characteristics of the area and amenities that's provided for residence to live in
- The Applicant stated that current planning policy is clear in making sufficient use of land in sustainable locations to ensure the delivery of new homes
- The site is just outside Wimbledon in an urban area just outside the train station and walking distance to shops
- The Applicant said that 60% of new homes over the years has come from small land
- The proposal has reached a balance and considered impact to residence amenities and use of space
- The application has a positive impact on street scape
- The nature of the building has been carefully appraised in context of the neighbouring buildings in relation to trees
- The plan shows the layout in terms of lower elevation and it is in keeping with the plan
- The plan sets out boundaries with neighbours
- The Applicant has provided Sunlight and Daylight
- The proposed scheme shows overlooking of sight there is no overlooking as windows used will be glazed
- The Applicant has signed up as be seen be green energy efficient
- The majority of the unit will be car free and will have electric charging points and the plans sets this out in full

- The scheme has the approval of the highway department
- The scheme will make an important contribution to Merton's housing target

Council Daniel Holden gave a verbal presentation to the Committee stating that the proposal is too big for the scheme and would contribute to loss of light and gardens would be overshadowed. He had concerns that the scheme will have a detrimental impact to neighbours to loss of amenities. The scheme has failings of planning policy DM2. The scheme had no affordable housing contribution.

The Development Control Team Leader (North) responded to points raised adding that the application had an independent viability report reviewed by Merton Council viability consultants which concluded that the scheme cannot provide affordable housing. The application was submitted with the viability report.

With regards to the parking provision the existing plan has provisions for parking. The new London Plan came into effect after the scheme was submitted and the proposal provides electric charging points and 2 x disabled parking spaces. A balance has to be met and the proposal would provide less than 1 space per unit.

With regards to the fire statement, again the scheme was submitted prior to that requirement however officers have requested a condition to be included for the applicant to submit one prior to commencement of works.

With regards daylight sunlight issues, professional opinions differs in the report between the Applicant and third parties. Relating to window impact, a judgement has to be taken by officers in terms of the impact.

In regards elevations to neighbouring windows there is a reduction in terms of overlooking and the balconies have been set back.

The London Plan sets out that small sites should be utilised as set out in the report.

In response to members further questions, The Team Leader advised that the S106 agreement will capture heads of terms.

The viability has been looked at by the Councils and independent assessors in relation to cost and they are aware of the plans and what is proposed.

National Policy applies in providing guidance to daylight/sunlight issues under paragraph 125c of the NPPF. The balance on this scheme was deemed acceptable and the application was judged in that context.

The scheme is replacing an early 20th century building. The late stage review is done on 75% is sold, the late state review is to be secured within the legal agreement.

From within the daylight and sunlight report the terms are accurate and this is from both reports from the Applicant and independent in terms of window testing if they retain over 80% of daylight and they are satisfied under the BRE guidance then this comes into effect.

Members commented on the proposal and made points including:

- The absence of affordable housing.
- Concerns regarding the impact on neighbouring properties
- Credibility in loss of profits by providing affordable housing

- Concerns regarding the height of the proposal
- in the proposal was not in-keeping with the current surrounding buildings

- Good area in Wimbledon will be replacing an existing one three house building by 17 flats, there was regret in non-affordable housing

The Chair moved to the vote and it was

RESOLVED:

That the Committee agreed to refuse the application for the following reasons:

Absence of affordable housing

Impact on neighbouring amenity of properties at Leeward Gardens and Bluegates

It should be 'car free' in support of recent adopted London Plan Policy.

Lack of a signed S106 Agreement for the heads of terms set out in the report.

The final wording of the reasons for refusal was agreed to be drafted by officers and then sent to the Chair and Vice-Chair for their authorisation prior to issuing the decision notice.

12 PLANNING APPEAL DECISIONS (Agenda Item 12)

The Committee noted the report.

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

The Committee noted the report.

PLANNING APPLICATIONS COMMITTEE

20 JANUARY 2022

APPLICATION NO.

DATE VALID

19/P4337

07/01/2020

Site Address:

Ricards Lodge High School, Lake Road, SW19 7HB

Ward:

Village

Proposal:

ERECTION OF FLOODLIGHTS ADJACENT TO EXISTING HOCKEY PITCH. THE FLOODLIGHTS WOULD BE PERMITTED TO OPERATE BETWEEN 8AM AND 10PM MONDAY TO FRIDAY, AND BETWEEN 8AM AND 9PM ON SATURDAYS, SUNDAYS AND BANK HOLIDAYS.

Drawing Nos:

RL/01; RL/02, RL/03, RL/04; RL/06 (R2); RL/07

Contact Officer:

Calum McCulloch (02082745232)

RECOMMENDATION

GRANT Planning permission subject to conditions

CHECKLIST INFORMATION

Is a screening opinion required	No
Is an Environmental Statement required	No
Press notice	Yes
Site notice	Yes
Design Review Panel consulted	No
Number of neighbours consulted	101
External consultations	1
Internal consultations	4
Controlled Parking Zone	Yes - P2S

1. INTRODUCTION

- 1.1 This planning application has been brought before the planning committee due to the nature and number of representations received.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises an existing artificial sports pitch and immediate surroundings located within the grounds of Ricards Lodge High School, Lake Road, Wimbledon.
- 2.2 The site lies within the Wimbledon North Conservation Area
- 2.3 The existing playing surface is used by school and by local clubs that hire the facility at weekends.
- 2.4 The school grounds of which the site forms part is designated open space in the Merton Core Strategy 2014.
- 2.5 To the north of the site is a locally designated Site of Importance to Nature Conservation (SINC) abutting Arthur Road.
- 2.6 The site is located in Flood Zone 1.
- 2.7 A locally listed 18th century tunnel is located under the grounds of Ricards Lodge High School. The old school building adjacent to the site is also locally listed. The site is also located in the Wimbledon Park House Archaeological Priority Zone.
- 2.8 The site is positioned on relatively higher ground with land sloping downwards to the south towards Wimbledon town centre. The grounds of Ricards Lodge High School are set within a residential area of detached and semi-detached dwellings. However, the site itself is set back from the surrounding residential dwellings to the north-east, east and south by intervening open space and school buildings. The nearest residential dwellings are located to the northwest and west of the site on St. Aubyn's Avenue (odd no.s 9-21) and Arthur Road (evens no.s 14-20). The land slopes up from east to west resulting in these dwellings being on slightly higher ground than the site to the east.

3. CURRENT PROPOSAL

- 3.1 It is proposed to erect floodlights around the existing artificial sports pitch on site. The floodlights would be permitted to operate between 8am and 10pm Monday to Friday, and between 8am and 9pm on Saturdays, Sundays and bank holidays.
- 3.2 The floodlights would enable use during the darker months by The School, Wimbledon Hockey Club and other outside groups. The pitch would be available for the School's outreach charity use from 5pm to 6pm most weekday evenings during school term time. Wimbledon Hockley Club would use the floodlit pitch from 6pm to 10pm on weeknights, and between 8am and 9pm on Saturdays, Sundays and Bank Holidays. When Wimbledon Hockey Club do not require the pitch, it will be available for use by other hirers.

- 3.3 The proposed floodlights would comprise 8nos. of 15m high columns capable of being lowered to allow servicing of lamps at ground level. The lighting statement notes that 15m is the minimum height necessary to achieve the requirements of England Hockey and The Federation International de Hockey. Furthermore it is noted that 15m is the optimum height to avoid light spill.
- 3.4 The proposed lights will be 24no.s Philips MVO 507 Optivision luminaries with 2kW lamps. When in use the average lighting level on the playing pitch itself would be 512 lux. The lighting statement notes these lamps are “designed specifically to illuminate the playing area whilst minimising light spill into neighbouring areas and upwards from the luminaire”.

Amendments to the planning application

- 3.5 A number of amendments were made to the application since it was validated. These included the following:
- Provision of a Noise Impact Assessment
 - Updated western elevation to include acoustic barrier to mitigate noise
 - Updated Lighting Statement to include an assessment of glare as required by most recent ILP guidance.
 - Update to the Phase I Bat Survey and provision of on-site Phase II Bat Survey.

4. PLANNING HISTORY

- 4.1 01/P2779 - DEMOLITION OF THE EXISTING PARK HOUSE MIDDLE SCHOOL BUILDINGS (WITH THE EXCEPTION OF THE SCHOOLKEEPERS HOUSE). ALTERATIONS TO THE PLAYING FIELD AREA INCLUDING THE PROVISION OF A NEW ALL WEATHER SPORTS PITCH AND TENNIS COURTS. ALTERATIONS AND EXTENSIONS TO THE EXISTING BUILDINGS ON THE RICARDS LODGE SITE: A NEW TWO-STOREY TEACHING BLOCK BUILDING ON THE NORTH SIDE OF THE EXISTING BUILDING; A NEW SPORTS HALL AND CHANGING ACCOMMODATION TO THE SOUTH-WEST OF THE EXISTING BUILDINGS; TWO SINGLE-STOREY EXTENSIONS TO PROVIDE ADDITIONAL DINING - GRANT PERMISSION SUBJECT TO CONDITIONS - 10/06/2002
- 4.2 97/P0448 - ERECTION OF SINGLE STOREY CLASSROOM BLOCK. (COUNCIL APPLICATION) – GRANT PERMISSION SUBJECT TO CONDITIONS - 19/06/1997
- 4.3 97/P0488 - ERECTION OF EXTERNAL LIFT SHAFT AND MOTOR ROOM TO NORTH EAST ELEVATION OF BUILDING, WITHIN INTERNAL COURTYARD. (COUNCIL APPLICATION) - GRANT PERMISSION SUBJECT TO CONDITIONS - 19/06/1997
- 4.4 Various Tree applications.

5. CONSULTATION

- 5.1 **Conservation Officer:**

- 5.2 One of my concerns will light pollution caused by the height of the lights and the impact on the conservation area. I'm also aware that it is on high ground.
- 5.3 I also have concerns about damage to the underground tunnel which is locally listed. I believe that it is partly under the pitch. It is important the any excavations do not damage this historic tunnel.
- 5.4 I will add that I am concerned about light pollution affecting adjacent properties in the conservation area and possibly an impact on wildlife in particular bats.
- 5.5 The light columns are very high and may be able to be lowered to reduce the impact.
- 5.6 **Transport Officer:** Raise no objection. The proposal is unlikely to have a significant impact on the adjoining highway
- 5.7 **Environment and Health Officer:** The Council's E&A Officer raised the following points:
- 5.8 Additional consideration should be given particularly when there are low ambient noise levels in an area and where there will be an increase in noise levels when a new or extended facility would be in operation, further noise increases should be avoided.
- 5.9 Perhaps the proposed facility could operate with reduced operational times.
- 5.10 Should officers be minded to approve the planning application then consideration should be given that appropriate controls are implemented and I suggest the following conditions.
- 1) The noise mitigation measures contained within the Southdowns Acoustic reports, submitted by the applicant, shall be implemented in full, used during the use of the facility and maintained or replaced with alternatives to an equal or better standard.
 - 2) A post construction completion noise monitoring assessment fully representative of the pitch use shall be undertaken with 6 weeks of first use to demonstrate that compliance that the site noise criteria has been achieved. The report shall be submitted to the LPA with 3 weeks for the assessment.
 - 3) The use of whistles shall not be permitted during practice drill/non match periods.
 - 4) A comprehensive Noise Management Plan (NMP) shall be developed to assist in minimising the potential noise impact of the use of the sports pitch. In addition to the physical mitigation measures specified with the Southdowns noise impact assessment, this shall include practical and organisational control measures and a procedure for dealing with complaints. This shall be implemented and reviewed every year.
- 5.11 **Sport England:** The proposed development is for ancillary facilities supporting the principle use of the site as a playing field, and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use. This being

the case Sport England does not wish to raise an objection to the application.

Council's Green spaces Officer (Ecology): I confirm that I have read the attached report (Phase II Bat Survey produce by Darwin Ecology) and consider that the survey methodology is appropriate and the conclusions and recommendations are sound.

Neighbour Consultation

5.12 Neighbours were consulted on three occasions during the application process. The application was also advertised via Conservation Area site notice. This comprised:

- A 21-day consultation was administered on 10th January 2020
- A 14-day re-consultation was administered on 9th February 2021. The consultation sought comments on amendments the application notably:
 - Provision of a Noise Impact Assessment (NIA).
 - Inclusion of an acoustic barrier on the western elevation
- A 21-day re-consultation was administered on 19th October 2021 which sought comments on:
 - Updated lighting statement and calculations
 - An addendum to a noise impact assessment
 - Phase II Bat Survey

Across the three consultation periods, the Council received:

- 60 Objections
- 7 general comments
- 45 letters of support

Consultation responses to letters sent 10th January 2020

5.13 The key points of objection raised during the first consultation period include:

- Negative impact on local wildlife, notably foxes, bats and owls.
- Negative impact on the designated green corridor
- Negative impact on the Conservation Area due to the height and light pollution emitted from the lighting columns
- Increased noise from pitch activity with associated negative impacts on character of Conservation Area and on neighbour amenity.
- Concerns the proposal would have negative impact on traffic in the area with associated impacts of noise and pollution
- Concerns the proposal would negatively impact sleep, physical and mental health of local residents.
- Concerns supporting ecological report does not consider owls as well as bats
- Concerns the floodlights are unnecessary for the school as will largely only be operational outside of school hours and would be for commercial gain.

- Concerns no consultation was done with local residents prior to the application being submitted.
- Concerns regarding intensification of the use of the site and car park resulting in noise later into the night with associated impact on the amenity of properties adjacent.
- Concerns the floodlights would have negative environmental impact in terms of increased energy usage.
- Concerns the school will have to install additional safety lights for the benefits of the car park users which would be lit up to about 10.30pm
- Concerns regarding conflict of interest relating to section 24 of the planning application form.
- The hours of use by the Wimbledon Hockey Club would outweigh the use by school significantly
- A third party ecology report was produced by Ecology Network (dated January 2021) – available [here](#). The report focuses on the November 2017 report by Darwin Ecology “Bat Lighting Assessment, Ricards Lodge High School” The report concludes the level of ‘investigation’ (relying entirely upon broad third-party records with no direct investigation whatsoever of roosts or activity), is more suited to a broad ecological scoping exercise, rather than one focussed on bats. A more appropriate survey would have included at least one of:
 - Inspection of the trees adjacent to the pitch
 - Liaison with the local community to ascertain potential roosts within nearby residences, and/or
 - Activity surveys, to gain an initial idea of level of activity and species, if not a comparative indication of activity in the vicinity of the pitch compared with that in (for example) the adjacent tree-line and/or gardens.

It is recommended that a basic activity survey is undertaken in the spring / summer to address the above.

5.14 The key points of support include:

- Benefits for people in addition to pupils of the school, including Quick Start Hockey Charity
- Improve the uptake of hockey with long term health benefits.
- Appropriate steps have been taken to minimise inconvenience to the applicant including 10pm curfew and lights-out policy of 10pm.
- There would not be a significant impact on traffic or natural environment.
- The lights would facilitate greater use of the existing facility

Consultation responses to letters sent 9th February 2020

5.15 Responses included the points raised above. In addition the following points were raised:

- The proposed acoustic barrier would not sufficiently address the impact of noise on neighbours
- Concerns that there are errors in the technical lighting information submitted.

- Concerns of discrepancy in the operational times between application form and transport statement
- A bat survey should take place in line with the recommendations of Ecology Network.
- Concerns increased use of pitch will lead to increased nuisance from users such as through littering.
- The movements in and out of the car park would increase more than thirty-two fold to more than 192,00p.a producing large amounts of CO₂ and pollutants.
- Concerns the transport statement overstates the existing use of the pitch with weekday use after 5pm rare.
- Concerns the increased traffic could lead to a further 30-40 accidents per year.
- Concerns over the methodology and analysis within the Noise Impact Assessment underestimates the impact on nearby residents
- Concerns the proposal would fail to comply with secured by design principles.
- Concerns the noise impact assessment was conducted at an atypical time.
- Concerns there is misleading claims of the existing use in the noise report.
- The lighting statement refers to out of date guidance and does not consider the impact of 'glare'.
- Concerns that noise from increases in traffic should be factored into the noise report.
- The proposal represents development creep in addition to the previous conversion of the playing field to an artificial pitch.
- The noise impact assessment does not take account of spectators who would be present at games
- Three third party reports were produced on behalf of a resident. This comprised:
 - Review of Noise Impact Assessment produced by RF Environmental (dated 23/02/21) – available [here](#). Please refer to the linked document for analysis and conclusions
 - Observations on Paul Hawkins critique produced by (Ecology Network (dated February 2021) – available [here](#)

Consultation responses to letters sent 19th October 2021

5.16 Responses included the points raised above

- Concerns increased vehicle movements is not considered in the noise assessment.
- Justification should not be based on evening use based on previous activity in 2018 and 2019 amounting to 9 evenings in total up to 8pm latest.
- There is no information on spectator attendance numbers either historically or anticipated.
- The sports pitch has recently been resurfaced with a resultant increased usage which has a negative impact on residents through increased noise.
- Concerns regarding that the proposal would breach the post-curfew limit will be 500cd as set by ILP.

- Three third party reports were produced on behalf of a resident this comprised:
 - Bat Activity Survey produced by Ecology Network (dated October 2021) – available [here](#)
 - Review of Darwin Ecology (August 2021) report Phase 2 Report and Mitigation Plan produced by Ecology Network – available [here](#)
 - Review Southdowns Environmental Consultants' Noise Impact Assessment produced by RF Environmental (dated November 2021)– available [here](#)
- The Wimbledon Society noted the following:
 - The acoustic barrier is not clearly shown on the site plan or elevation
 - No provision has been made to accommodate changing rooms or loos for visitors.
 - The hours of operations should be restricted to 9pm and not 10pm to ensure local residential amenities are respected.
 - Toilet facilities should be available at all times, and no play permitted unless they are operational
 - The acoustic fencing should be in place before play is permitted
 - If the low light spill luminaires are changed from the approved model, no illumination should be permitted until the replacement has been first agreed by the Council.
 - An Archaeological Protection Condition should be in place.

6. POLICY CONTEXT

National Planning Policy Framework 2021

- Chapter 4 Decision-making
- Chapter 8 Promoting healthy and safe communities
- Chapter 11 Making effective use of land
- Chapter 12 Achieving well-designed places
- Chapter 15 Conserving and enhancing the natural environment
- Chapter 16 Conserving and enhancing the historic environment

London Plan 2021

- D1 London's form, character and capacity for growth
- D4 Delivering good design
- D14 Noise
- HC1 Heritage conservation and growth
- S1 Developing London's social infrastructure
- S2 Health and social care facilities
- S5 sports and recreation facilities
- G1 Green Infrastructure
- G6 Biodiversity and access to nature
- G7 Trees and woodlands
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts

- T6 Car parking

Merton Core Strategy 2011

- Policy CS 8 Housing Choice
- Policy CS 9 Housing provision
- Policy CS 13 Open space, nature conservation, leisure and culture
- Policy CS 14 Design
- Policy CS 15 Climate Change
- Policy CS 20 Parking, Servicing and Delivery

Merton Sites and Policies Plan 2014

- DM O2 Nature Conservation, Trees, hedges and landscape features
- DM D1 Urban design and the public realm
- DM D2 Design considerations in all developments
- DM D4 Managing heritage assets
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM C1 Community facilities
- DM C2 Education for children and young people

7. PLANNING CONSIDERATIONS

7.1 The planning considerations for the proposed development relate to the following:

- Principle of development
- Visual amenity, heritage and impact on the Wimbledon North Conservation Area
- Neighbour Amenity
- Biodiversity
- Transport and parking

Principle of development

7.2 Development Plan policy generally supports development which enhances sports facilities for the benefit of health and wellbeing. The relevant policies are considered in detail below:

7.3 The NPPF 2021 is of relevance with regards to: Section 8 (Promoting healthy and safe communities) paragraph 93 supports the provision of social, recreational and cultural facilities and services the community needs. Paragraph 93 part a) specifically supports planning “positively for the provision and use of shared spaces, community facilities (such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments”.

7.4 Section 11 (Making effective use of Land) paragraph 123 supports developments to make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the

quality of service provision and access to open space.

- 7.5 London Plan (2021) S2 (Health and social care facilities) which supports Boroughs to work with community organisations to develop proposals that support the provision of high-quality new and enhanced health and social care facilities to meet identified need.
- 7.6 London Plan (2021) Policy S5 (Sports and recreation facilities) supports development that ensures there is sufficient supply of good quality sports and recreation facilities. The policy notes that development proposals for sports facilities should maximise the multiple use of facilities, and encourage the co-location of services between sports providers, schools, colleges, universities and other community facilities; and support the provision of sports lighting within reasonable hours, where there is an identified need for sports facilities, and lighting is required to increase their potential usage, unless the lighting gives rise to demonstrable harm to the local community or biodiversity.
- 7.7 Merton Core Strategy (2011) Policy CS13 supports development that based on assessment of need and capacity, enhances opportunities in sport by refurbishing sport facilities in Merton's open spaces; and Promoting healthy lifestyles to encourage physical education and well-being through the use of schools, open spaces and playing pitches.
- 7.8 Merton Sites and Policies Plan (2014) Policy DM C1 (Community Facilities) supports enhancing community facilities provided they are appropriately located without harmful impact in terms of neighbour amenity, parking and transport.
- 7.9 Merton Sites and Policies Plan (2014) Policy DM C2 (Education for young people) refers to education and states "development proposals for new schools and/or improved education facilities for children (≥ 5) and young people will be supported, particularly where new facilities are required to provide additional school places in an area to meet an identified shortfall in supply".
- 7.10 In addition to the above policies, [the Merton Playing Pitch Strategy 2019](#) is also relevant indicating that
- 78% of all demand in Merton is produced by Wimbledon HC.
 - The consultation with England Hockey indicates that even with the additional pitch at Raynes Park High School, the increase in demand for hockey from Merton clubs and those based in neighbouring boroughs has been so rapid, there is not considered to be sufficient supply to meet projected future demand.
 - There is increasing demand by clubs for hockey and there is an estimated 8.5 hours of further demand that would ideally be played in Merton.
 - The report makes a recommendation to encourage educational establishments that provide playing pitches for use by local community teams, through artificial provision, to secure formal community use of pitches and ancillary facilities through a Community Use Agreement (CUA). Furthermore the proposed enhancements to the hockey pitch (resurfacing and new floodlights) are included in the Strategy's Action Plan.
- 7.11 In light of the above, Officers consider the principle of enhancing the hockey

pitch with provision of floodlights to expand its use to be acceptable. The proposal accords with policies that support enhanced sports and health facilities. The floodlights would have both educational and health benefits by providing an enhanced facility for the School and Wimbledon Hockey Club (WHC). The applicant's planning statement notes that there is currently a waiting list of circa 200 juniors hoping to join the club. The extended hours used by WHC will enable more children to join the club from the local area.

7.12 However, in addition to the above the proposal must be assessed against the below planning considerations:

Visual amenity, heritage and impact on the Wimbledon North Conservation Area

7.13 London Plan policies D1, D4 and HC1, Core Strategy policy CS14 and SPP Policies DMD2 and DMD4 require proposals to preserve or enhance heritage assets, including Conservation Areas and Listed assets.

7.14 The floodlights would have an impact on the character and appearance of the Conservation Area by increasing the amount of light and installing noticeably taller structures which are uncommon in the surrounding area. However, the lux plan provided indicates light spill would fall off significantly away from the playing pitch area. In addition, the lights are positioned as such that they would not be significantly visible from nearby street scenes due to the playing pitch immediate surroundings to the north-east, east and south by intervening open space and school buildings. The existing playing pitch is sited well within the school grounds, away from public roads. Therefore, this impact is not considered to be significant. The rear elevations of the nearest residential properties, located to the west, are at least 40m from the hockey pitch. Whilst the floodlights when in use would generate light and illuminate the hockey pitch, owing to the position of the pitch being well within the school grounds, officers do not consider at the illumination would cause harm and would be viewed from significant distances from outside the school grounds. On balance therefore, officers do not consider the proposal would cause harm to the character of the Conservation Area and there would be no harm to its significance.

7.15 A locally listed 18th century tunnel is located under the grounds of Ricards Lodge High School. Plan RL/05 demonstrates the tunnel is located some 20m away from the base of nearest floodlight. As such this feature would not be harmed by the proposed development. Further, the proposed lights would be sited well away from the locally listed building in the school grounds.

7.16 The proposal is located within the Wimbledon Park House Archaeological Priority Zone. Officers do not consider there to be enough ground disturbance that would warrant archaeological investigation.

7.17 The Council's Conservation Officer (CO) was consulted for this application. The CO expressed the following concerns:

- Impact of light pollution on the character of the Conservation Area
- Impact of tall structures on the character of the Conservation Area. The area is on high ground.
- Impact of excavations on locally listed tunnel.

- Impact of light light pollution affecting adjacent properties in the Conservation Area and possibly an impact on wildlife in particular bats.

7.18 Officers acknowledge the Conservation Officers concerns above, however, for the reasons stated in the preceding paragraphs, Officers consider the floodlights would preserve the character and appearance of the Conservation Area and would not harm the locally listed tunnel or locally listed school building. Therefore, the proposal would comply with the relevant policies in respect of heritage and conservation area impacts.

Neighbour Amenity

7.19 Merton Sites and Policies Plan (2014) Policy DM D2 seeks to ensure that the potential impact of new development has regard for neighbour amenity. London Plan (2021) Policy D14 (Noise) and DM EP2 (Reducing and mitigating noise) requires development to reduce, manage and mitigate noise to protect local amenity.

7.20 In this instance, the nearest residential properties most likely to be impacted are those located to west and north-west on St. Aubyn's Avenue (odd Nos. 9-21) and Arthur Road (evens nos. 14-20). The rear boundaries of the properties on St Aubyn's Avenue and Arthur Road benefit from some vegetation that forms a natural barrier between the site and these properties, however some of this vegetation is deciduous thereby offering limited screening in winter when the proposed floodlights would be in use most.

Impact of lighting

7.21 There would be some effect on outlook for the properties located to the west and north-west noted above due to the relative proximity of the floodlights.

7.22 A Lighting Statement has been submitted by the applicant which is supported by relevant calculations and light spill plans. Vertical illumination to the houses to the west of the pitch at heights of 2m and 4m are shown in drawings RL/02 and RL/03 respectively. These plans generally show the amount of vertical illuminance falls off significantly as one moves away from the hockey pitch. There would be some minor horizontal light spill into the rear of nos. 14, 16 and 20 Arthur Road and nos. 19, 21, and 23 St. Aubyn's Avenue. However, the plans demonstrate the proposals would result in a maximum vertical illuminance of 1 lux on properties. This is compliant with the most recent relevant guidance from the Institute for Lighting Professionals guidance (ILP GN01/2021) gives a maximum vertical illuminance on properties of 5 lx pre-curfew.

7.23 There would also be some noticeable visible glare from these properties (otherwise called maximum luminous intensity). However the Lighting Statement notes this would not exceed 5789cd which is compliant with the relevant guidance from the Institute of Lighting Professionals which gives a maximum pre-curfew limit of 7500 lux.

7.24 Whilst there would be an impact on properties to the west, the impact is not considered harmful in planning terms. This is because the rear elevations of the properties to the west of the site would be roughly 40m away from hockey pitch providing a significant degree of separation. The proposed lighting would

comply with most recent guidance the Institute of Lighting Professionals. Further, the curfew of 10pm on weeknights and 9pm on all other days secured by condition would prevent intrusive light pollution during antisocial hours.

Noise Impact

7.25 There are no development plan policies which set specific restrictions on noise levels. However, there is related guidance which help inform Officers' assessment of noise. In this instance the relevant guidance comprises:

- The guidance document Artificial Grass Pitch (AGP) Acoustics – Planning Implications, published by Sport England in 2015
- The Institute of Environmental Management & Assessment (IEMA) document Guidelines for Environmental Noise Impact Assessment, published in 2014

7.26 The applicant has submitted a [noise impact assessment](#) produced by Southdowns Environmental Consultants Ltd. The noise report involved assessing the impact of noise on the nearest residential properties, notably:

- 13 St Aubyn's Avenue
- 23 St Aubyn's Avenue
- 20 Arthur Road
- The Well House
- 5 Curie Hill Close

7.27 The assessment involved undertaking two key tests:

- **Test 1:** An assessment of absolute noise levels from the Sports Pitch using the criteria of the Sport England's Guidance on Artificial Grass Pitch (AGP) Acoustics; and
- **Test 2:** An assessment of the change in ambient (LAeq,T) noise levels using the semantic descriptors of the IEMA Guidelines for Environmental Noise Assessment (outlined in Section 2.5)

7.28 The key findings from the noise survey include:

- The noise assessment found the main sources of noise associated with the sports pitch usage include human voice (adults and juniors), whistles and hockey balls coming into contact with perimeter boards. The residual noise climate in the vicinity of Ricards Lodge School is comprised of road traffic, birdsong, pedestrians, trains and aircraft.
- Noise levels from the Sports Pitch have been calculated to be up to 53 dB LAeq,1hr in the garden of the closest residential receptor, R2 – 23 St Aubyn's Avenue, which exceeds the guideline design criterion of 50 dB LAeq,1hr recommended in Sport England's Artificial Grass Pitch (AGP) Acoustics guidance.
- The contribution of the Sports Pitch noise to the overall ambient noise levels at receptors during the assessment period of 16:00 hrs to 22:00 hrs would result in a change in ambient noise levels of up to +6.6 dB LAeq,1hr in the garden of R2 – 23 St Aubyn's Avenue. Based on The IEMA's guideline criteria detailed within the Guidelines for Environmental Noise Impact Assessment, this change would indicate a substantial impact at this receptor. At other receptor locations in the vicinity of Ricards Lodge School

the magnitude of the predicted impact is less, ranging from 'none / not significant' to 'moderate'.

- Noise mitigation is proposed in the form of a 2.8m high acoustic barrier along the south-western side of the Sports Pitch. The results of preliminary acoustic modelling of this barrier show that using this mitigation measure noise levels of the Sports Pitch could be reduced to 47 dB LAeq,1hr or lower at the residential receptor locations, achieving the Sport England design criterion. Furthermore, the predicted magnitude of impact at residential receptors would be limited to no greater than 'slight'.

7.29 A further [addendum](#) was submitted by South Downs Environmental Consultants upon request of the Council. The addendum provided:

- assessment of the change in ambient noise level (LAeq,1hr) at the receptors in each hourly period between 16:00 hrs and 22:00 hrs due to the contribution of the sports pitch;
- presentation of the effect outcome based on all receptors being classed as sensitive;
- further information on the frequency of occurrence of maximum (LAmax) noise levels and how sources associated with these will be managed; and the development of a Noise Management Plan (NMP) as a further noise mitigation measure.

7.30 The key findings from the addendum included:

- The calculated noise level of the sports pitch including the effect of the proposed noise barrier has been compared against the existing noise levels to determine the predicted change in ambient noise levels (LAeq,1hr) at residential receptors in the vicinity of the facility. According to the effect descriptors of the IEMA Guidelines an insignificant impact is indicated by the assessment at all receptors during the hourly periods between 16:00 hrs and 18:00 hrs.
- A moderate impact is indicated by the assessment at R2 – 23 St Aubyn's Close during the hourly periods between 18:00 hrs and 21:00 hrs. However, this effect outcome is based on the receptor being classed as sensitive. The consultants infer that, due to the existing seasonal use of the sports pitch during the evening, it may mean the receptor has a lower sensitivity to noise in which case the effect outcome would be a slight effect according to the IEMA guideline effect descriptors.
- With mitigation, the calculated noise level of the sports pitch at all receptors would be lower than the 50 dB LAeq,1hr guideline limit of the Sport England guidance on Artificial Grass Pitch acoustics which is intended to avoid moderate annoyance in the daytime and evenings.
- Appendix A of the addendum includes a noise management plan (NMP) as suggested by Merton Council Environmental Health Officer. The NMP details physical and practical measures to control noise from the sports pitch.

7.31 The submitted noise reports demonstrate:

- With the acoustic barrier put in place, the calculated noise level of the sports pitch at all receptors would be lower than the 1db of the 50 dB LAeq,1hr

guideline limit of the Sport England guidance on Artificial Grass Pitch acoustics.

- With the acoustic barrier put in place, there would be a 'moderate' impact at 23 St Aubyn's Close during the hourly periods between 18:00 hrs and 21:00 hrs in respect of the IEMA Guidelines for Environmental Noise. However this is based on the surrounding residential properties being classed as sensitive. Taking into account an existing level of noise, no. 23 may have a lower sensitivity to noise in which case the effect outcome would be a slight effect according to the IEMA guideline effect descriptors.

7.32 Case officers are mindful that the levels of noise from the Hockey pitch that would be generated after dark would be similar to that already permitted during daylight hours. The curfew of 10pm on weeknights and 9pm on all other days would prevent adverse impacts occurring during more anti-social hours. A number of conditions are also recommended by the Council's Environmental Health Officer to limit the amount of noise.

7.33 This includes:

- Physical mitigation measures specified in the noise report are delivered.
- A post construction completion noise monitoring assessment to demonstrate that compliance that the site noise criteria has been achieved
- A comprehensive Noise Management Plan (NMP) shall be developed to assist in minimising the potential noise impact of the use of the sports pitch
- Prohibition of whistles during non-match periods

7.34 The above conditions would be added to any recommendation for approval, with the exception of prohibition of whistles. Use of whistles is an inherent part of hockey play (whether in game play or training) and it would not be practical to enforce this condition. This condition would therefore not be put forward by officers.

7.35 Case Officers note there have been concerns from residents over the potential increase in noise from the car park located to the north-east of the site. Case Officers do not consider the likely noise generated from the car park harmful to the amenity of nearby residents, notably 55 – 59 (odds) Leopold Road. The levels of noise from the car park that would be generated after dark would be similar to that already permitted during daylight hours. Notwithstanding, Officers have requested a noise management plan which would detail measures to reduce noise in the car park. This for example, could comprise, asking users of the pitch not let engines idle and avoid loud conversations in the car park.

7.36 Officers note residents' concerns regarding the methodology adopted for the noise impact assessment. Notably, a third party review of the applicant's noise impact assessment addendum takes issue with the method of deriving the existing baseline sound levels in 1 hour periods between 16:00 and 22:00 hrs. Second, the impact noise from referee's whistles, ball strikes and shouting will occur on a frequent basis and are expected to be noticeable and intrusive. Officers acknowledge that there are other methods of deriving a representative baseline level from a series of data, but there is no standardised assessment procedure for assessing sports pitch noise and no single agreed method. With regard to the noise from referee's whistles, ball strikes and shouting, officers are mindful that these noises already form part of the existing permitted noise

climate and the implementation of a noise management plan will aide in mitigating this impact.

7.37 Overall, Officers consider that the proposed development would not generate noise to such a level that would give rise to significant adverse impacts on health and the quality of life of nearby residents. The existing use of the pitch would remain (Hockey pitch) and officers are satisfied that the use of the pitch for its hockey use into evening hours would be acceptable.

7.38 For the reasons given above, the proposed development is not considered to harm the amenity of surrounding residents from light pollution or noise and would therefore comply with Merton Sites and Policies Plan (2014) Policy DM D2 and DM EP2 (Reducing and mitigating noise), and London Plan (2021) Policy D14.

Biodiversity

7.39 London Plan (2021) Policy G6, Merton Core Strategy Policy CS1 and SPP Policy DMO2 require development proposals to conserve and enhance biodiversity, particularly areas which are designated such as site of Importance to Nature Conservation (SINCs). A SINC is located to the north of the site abutting Arthur Road. Furthermore, trees are located to the west of the site at the rear of neighbouring residential plots.

7.40 Darwin Ecology provided a Bat Lighting Assessment in 2017. This report identified that the boundary features around the site provided foraging and commuting habitat for bats. Subsequently, a Phase II Bat Survey was conducted to investigate the presence of bats.

7.41 The Phase II bat survey notes the following findings:

- The survey work to date has confirmed that the site supports foraging and commuting common pipistrelle, soprano pipistrelle, noctule and serotine bats. Common pipistrelle bats were recorded more frequently at the site with noctule and serotine only recorded with a single pass each.
- The western boundary hedgerow along with the northern boundary provides the key foraging areas for the species identified at the site. Only light tolerant species have been recorded, likely due to the light in the immediate area from residential dwellings and lighting from the school to the east and south of the site.
- Overall, the survey has confirmed low bat activity on site with the site being confirmed to be of local, parish or district value for bats.
- Assuming a 10pm turnoff time of the floodlights, the proposal has the potential to impact bats between the start of March to mid-November when bat emergence times will coincide with the floodlighting being on. However, these impacts are considered likely to be small scale and highly localised and will not result in a population level impact as a result of the lighting
- The species identified using the site are light tolerant, however the lighting will increase chances of predation on the site.
- The low level additional lighting on the circa. 100m of one side of tree line habitat, is not anticipated to impart bats ability to roost, feed or reproduce,

and will therefore not constitute a significant disturbance of the local bat population

- 7.42 Officers have consulted a certified ecologist from within the Council's Green Spaces Team who considers the bat survey methodology carried out by Darwin Ecology was appropriate and the conclusions and recommendations are sound.
- 7.43 Officers note a number of third party reports have been submitted by a local resident in relation to bats. Most relevant are the documents entitled 'Bat activity survey' (October 2021) and Review of Darwin Ecology report of Phase 2 Report and Mitigation Plan (November 2021) written by Ecology Network.
- 7.44 The 'Bat Activity Survey' comprised a single dusk survey adjacent to the western boundary of the site. The third party survey identified activity of common pipistrelle, soprano pipistrelle and noctules. The report concludes that further surveys are needed to reveal the full extent to which bats are reliant upon the vegetated boundary, and that the proposal should not be implemented unless it can be clearly demonstrated that any adverse impact upon the conservation status of bats may be mitigated.
- 7.45 The Review of Darwin Ecology report of Phase 2 Report and Mitigation Plan. The report raises the following points:
- The degree of bat activity noted within the report does not appear to be fully reflected within the conclusions drawn.
 - Insufficient attention was given to establishing the presence, or otherwise, of roosts at the western boundary. It is recommended that further survey is focussed upon (a) establishing presence or likely absence of roosts along the western boundary and (b) establishing the presence or likely absence of additional species during the latter part of the survey window.
 - The above information will be an important consideration in ensuring that the proposed scheme is legislatively compliant.
- 7.46 Officers have sought a response from the applicant's ecologists in response to the points raised by Ecology Network. Officers have reviewed this response and are satisfied with the clarifications and justifications made by Darwin Ecology which combined with the prior response from a Council Ecologist indicate the findings of the applicant's phase II bat survey are suitably robust. Case Officers do not consider further survey work proportionate as surveys at Ricards Lodge were conducted in peak times maternity months for the most bat species group, such as pipistrelles and Myotis sp., (May-July), in order to establish if any high level roosts could be detected nearby. It's also notable that the bats recorded in the third party bat survey do not include any species which were not identified in the applicant's bat survey which are considered by Darwin Ecology to be light tolerant.
- 7.47 NPPF paragraph 180 notes that planning permission should be refused if *significant* harm to biodiversity cannot be avoided. Based on the evidence submitted by the applicant and the third party bat survey, officers do not consider there is sufficient evidence to suggest that the threshold for significant harm is met. There is unlikely to be unacceptable impact on bats or other statutory protected species resulting from the proposal. Consequently, the development is considered compliant with NPPF paragraph 180, London

Plan (2021) Policy G6, Merton Core Strategy Policy CS1 and SPP Policy DMO2.

Transport and parking

- 7.48 London Plan Policy T4, Adopted Merton Core Planning Strategy (2011) CS20 (Parking, Servicing and Delivery), Sites and Policies Plan (2014) DM T2 (Transport Impacts of Developments), DM T3 (Car Parking and Servicing Standards) require developers to demonstrate that their development would not adversely affect pedestrian and cycle movements, safety, the convenience of local residents or the quality of bus movements and/or facilities; on street parking and traffic management and provision of parking to the council's current standards.
- 7.49 There would be no change to the parking arrangements as a result of the floodlights being installed. Users of the hockey pitch currently utilise the existing school car park during the year during daylight hours. The car park would simply be used later on into the evening when days are shorter. The Council's Transport Planner has reviewed the application and does not consider the proposal would harm the local highway network. Accordingly the proposed development is considered acceptable in respect of transport and parking.

8. CONCLUSION

- 8.1 The principle for the proposed development is considered acceptable by officers. Installing floodlights would enhance the quality and make more effective use of the designated open space allowing for extended use to meet the demands of the school and Wimbledon Hockey Club. The positioning of the floodlights are such that they would not harm the character and appearance of the Conservation Area and would not harm the locally listed tunnel or locally listed school building. Officers acknowledge there would be some impact on neighbouring properties as a result via an extended period of noise and light emitted from the floodlights and use of the hockey pitch. However, the impact is not considered harmful taking into consideration the existing permitted use for sports during daylight hours, measures to avoid light spill, noise mitigation and the imposed cut off time of 10pm and 9pm on weekdays and weekends respectively. The applicant has submitted sufficient evidence that there would be no significant harm to bats and therefore the proposal is considered compliant with biodiversity policy. The existing parking facilities are considered acceptable for the proposed development and there would be no harm to the highway network. In light of the above it is recommended to grant planning permission subject to conditions.

9. RECOMMENDATION

- 9.1 Grant planning permission subject to conditions:

Conditions

1. **A1 Commencement** of development (full application)

2. **A7 Approved Plans:** The development hereby permitted shall be carried out in accordance with the following approved plans: **RL/01; RL/02, RL/03, RL/04; RL/06 (R2); RL/07**

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

3. **D11 Construction Times:** No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy D14 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

4. **Hours of Use:** The development hereby permitted shall only be used between the hours of 8am and 10pm Monday to Friday, and between 8am and 9pm on Saturdays, Sundays and Bank Holidays.

Reason: To protect the amenities of local residents and ensure compliance with policy DM D2 and DM EP2 of Merton Sites and Policies Plan (July 2014)

5. **Light levels:** The light Lux levels of the floodlights shall not exceed those set out on drawing RL01, RL02 and RL03.

Reason: To protect the amenities of local residents and ensure compliance with policy DM D2 and DM EP2 of Merton Sites and Policies Plan (July 2014)

6. The noise mitigation measures contained within the Southdowns Acoustic reports, submitted by the applicant, shall be implemented in full, used during the use of the facility and maintained or replaced with alternatives to an equal or better standard.

Reason: To protect the amenities of local residents and ensure compliance with policy DM D2 and DM EP2 of Merton Sites and Policies Plan (July 2014)

7. A post construction completion noise monitoring assessment fully representative of the pitch use shall be undertaken within 6 weeks of first use to demonstrate compliance that the site noise criteria has been achieved. The assessment report shall be submitted to the LPA within 3 weeks of it being carried out.

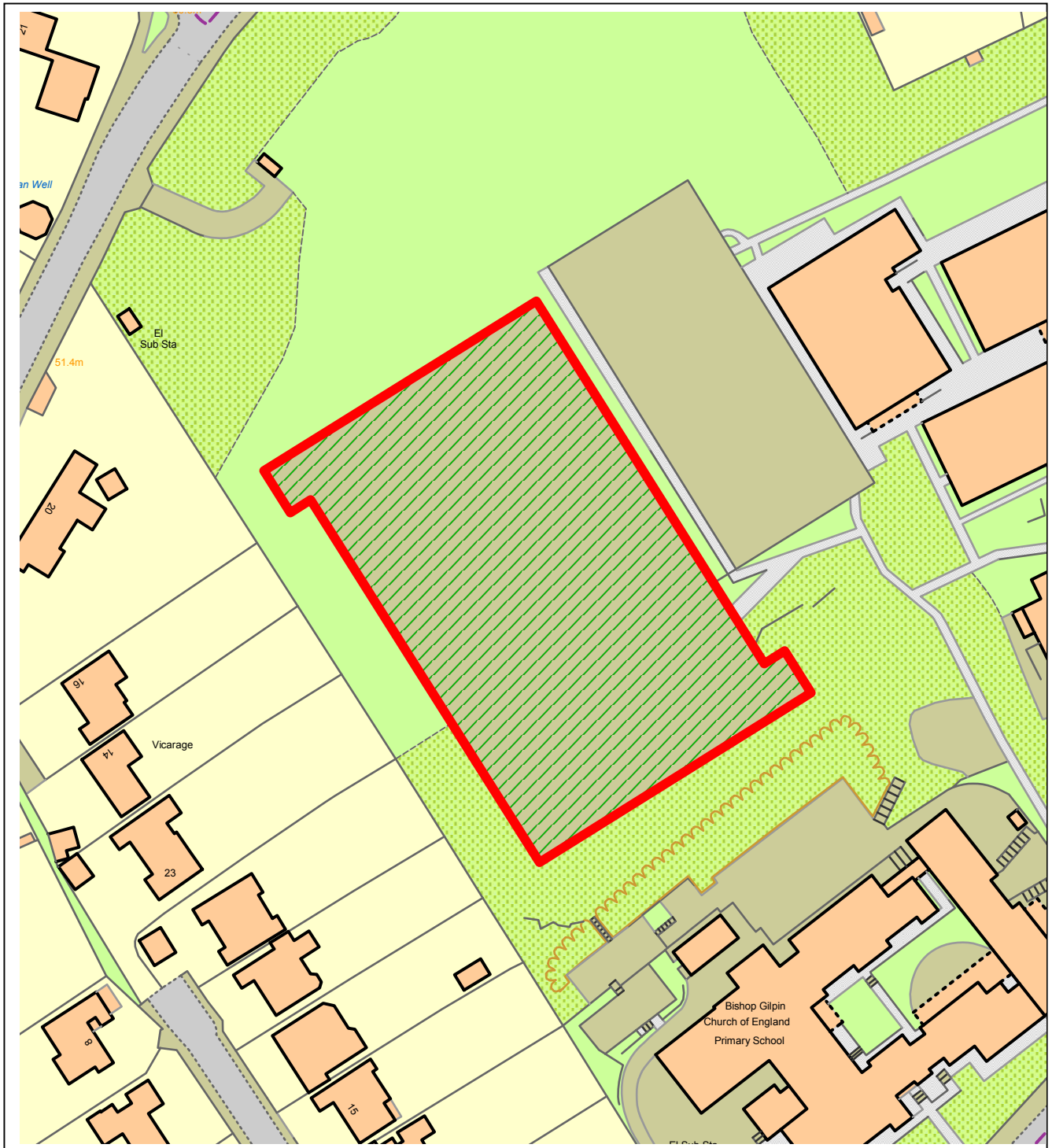
Reason: To protect the amenities of local residents and ensure compliance with policy DM D2 and DM EP2 of Merton Sites and Policies Plan (July 2014)

8. No development shall take place until a comprehensive Noise Management Plan (NMP) has been submitted and approved by the Local Planning Authority. The NMP shall be developed to assist in minimising the potential noise impact of the use of the sports pitch. In addition to the physical mitigation measures specified with the Southdowns noise impact assessment, this shall include practical and

organisational control measures and a procedure for dealing with complaints. The noise NMP shall be implemented and reviewed every year.

Reason: To protect the amenities of local residents and ensure compliance with policy DM D2 and DM EP2 of Merton Sites and Policies Plan (July 2014)

NORTHGATE SE GIS Print Template

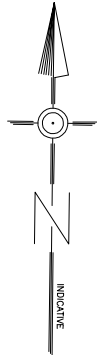
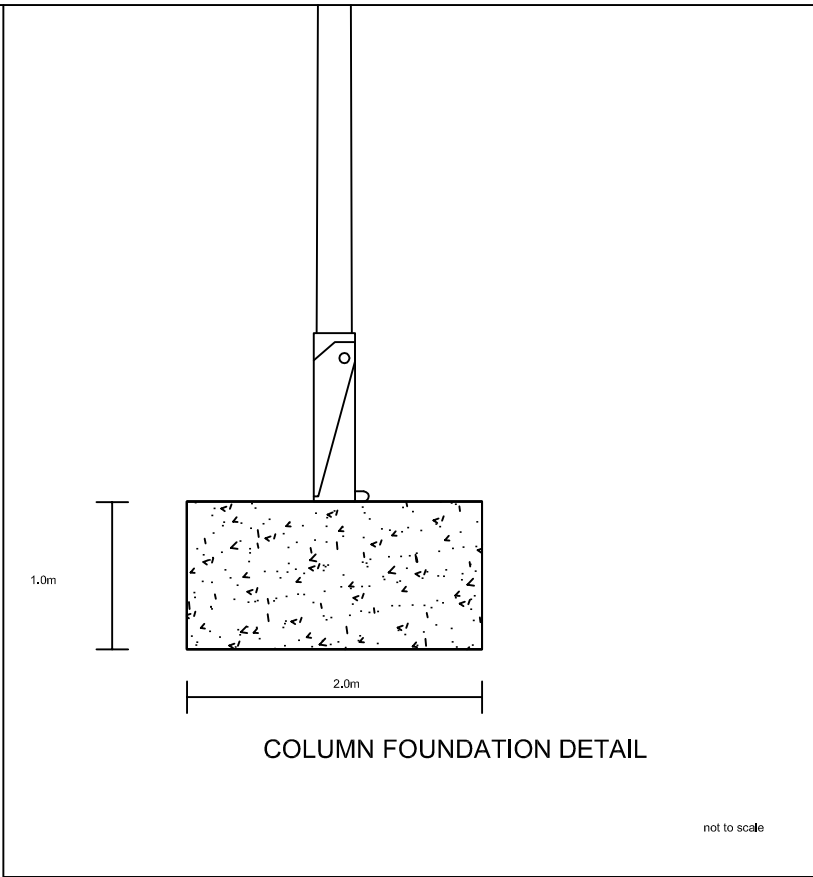
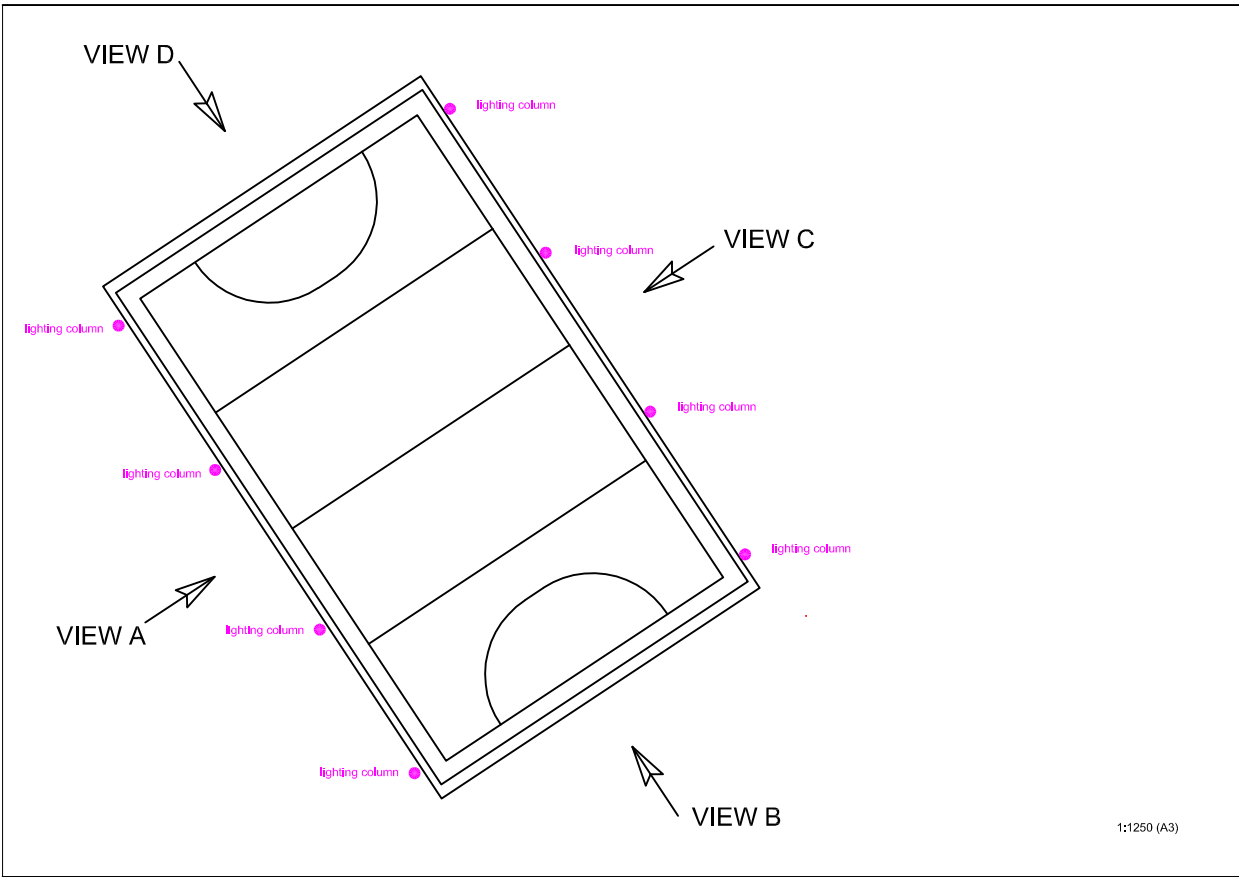


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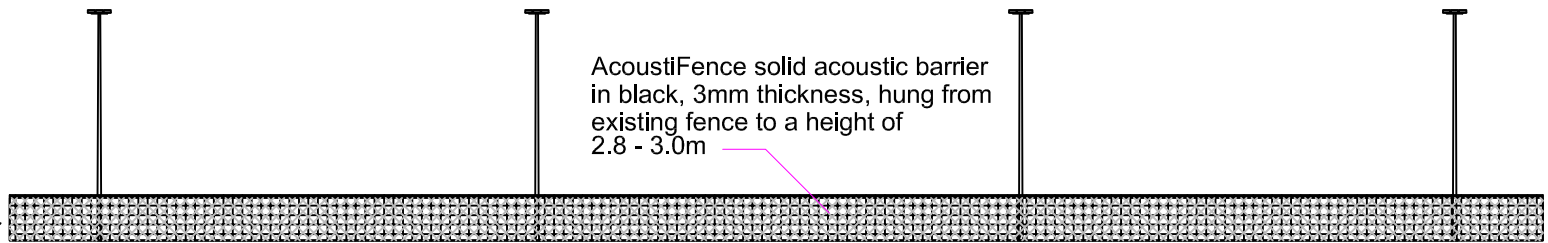
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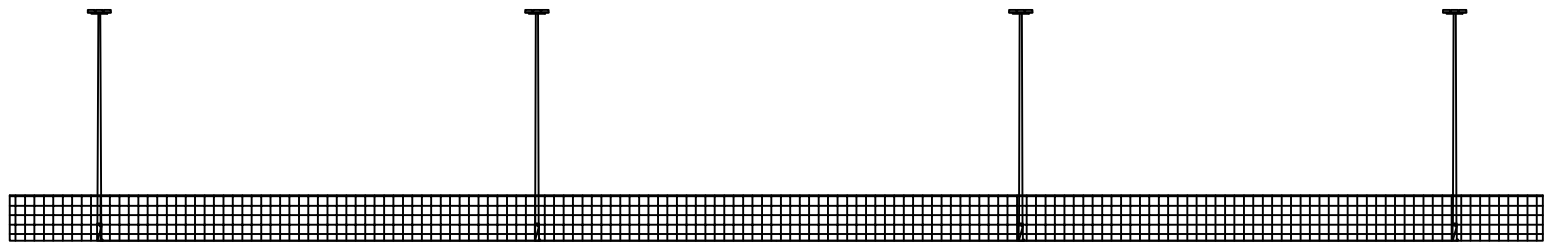
Page 39

Existing 3m fencing with added acoustic barrier



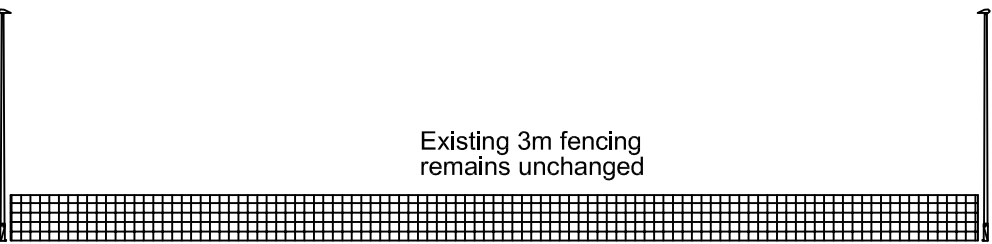
VIEW A

Existing 3m fencing remains unchanged



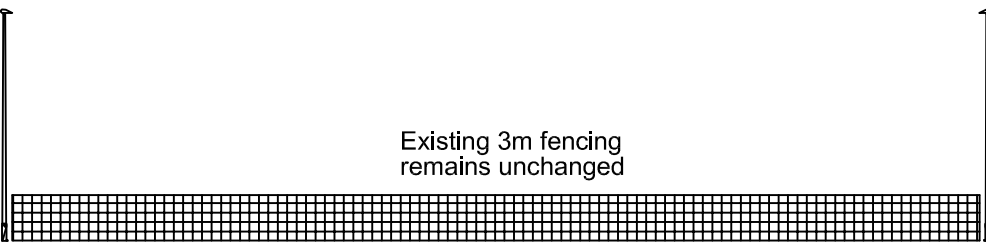
VIEW C

Existing 3m fencing remains unchanged



VIEW B

Existing 3m fencing remains unchanged



VIEW D

15m

REVISION HISTORY

r1 - additional elevations and fence details

r2 - AcoustiFence acoustic barrier added.

PHD	Paul Hawkins Development 365 Uppingham Road, Leicester LE5 4DP
RL/06 r2	Ricards Lodge High School Artificial Turf Pitch Lighting column and fence elevations
04/02/21	PAUL HAWKINS DEVELOPMENT 2020
Scale: 1:500 (A3)	

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PLANNING APPLICATIONS COMMITTEE January 2022

APPLICATION NO.

21/P1856

DATE VALID

27/05/2021

Address/Site: 192-202 Martin Way, Morden SM4 4AJ

Ward: Cannon Hill

Proposal: ERECTION OF AN ADDITIONAL STOREY TO PROVIDE 5 x SELF-CONTAINED FLATS, ALONG WITH REFUSE AND CYCLE STORAGE PROVISION.

Drawing No.'s: PR-L001. Rev C; PR-P001. Rev C; PR-P002. Rev C; PR-P003. Rev C; PR-P004. Rev C; PR-P005. Rev C; PR-E001. Rev C; PR-E002. Rev C; PR-E003. Rev C; PR-E004. Rev C; PR-S001 Rev C.

Contact Officer: Jourdan Alexander (020 8545 3122)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 43
- External consultations: 0
- Conservation area: No
- Listed building: No
- Archaeological priority zone: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Flood Zone: Zone 1
- Designated Open Space: No
- Town Centre: No
- Public Transport Accessibility Level 2/3 (0 being the worst and 6 being excellent).

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site is a corner plot located at the junction of Martin Way and Ashridge Way in Lower Morden. The application building 192-202 Martin Way is a detached building with a commercial parade occupying the ground floor level and residential flats on the first and second floors. There is a car park behind the building for use by the building's occupants.
- 2.2 The ground floor commercial makeup includes 4 separate units including a Sainsbury's Local. The first and second floor level contain 6 flats across each level, with each flat being 2 bedroom.
- 2.3 The surrounding area is in mixed use with a social and community club facility on the opposite side of Ashridge Way, and there is a mix of commercial units further east on Martin Way. There are also a large number of residential households surrounding the site. This includes dwellinghouses to the south and east of the site, and to west is Meretune Court, which is a large part three/part four storey block of flats.
- 2.4 The site is not located within a Controlled parking Zone (CPZ) and has a public transport access level (PTAL) of 2/3 (0 being poor and 6 being excellent). The site is within a 14 min walk to Morden Tube Station, and overall is considered to have fair connections by way of public transportation.

3. CURRENT PROPOSAL

- 3.1 The application seeks planning permission for erection of one additional storey to the building to provide 5 residential flats. Each of the flats would be 1 bedroom 1 person units and includes. The applicant proposes that the external walls of the extension to be a zinc cladding, with windows installed to the front, side and rear. A metal railing fence would be installed above the buildings front parapet in order to facilitate the use of the front section of roof for private external terrace areas for the occupants.
- 3.2 The application includes the installation of bin and cycle storage within the rear car parking area that fronts onto Ashridge Way.
- 3.3 The development would have the following approximate dimensions:
- Existing building height – approx. 8.0m
 - Proposed building height – approx. 10.5m
 - Building length – approx. 40m (same as existing)
 - Building width – approx. 14m (same as existing)

4. RELEVANT PLANNING HISTORY

- 4.1 21/P0463 – Pre-application advice for erection of additional two storeys under Class AA to Provide 12 Flats. Officer's advice – scheme cannot be considered under prior approval. Two additional storeys not supported, but a one storey addition may be acceptable subject to compliance with planning policies.
- 4.2 14/P3464 - Amalgamation of three shop units involving the erection of single storey rear extension and alterations to shopfront, including the installation of 1 x atm. Erection of first floor rear extensions to flats 200a and 202a with the provision of an outdoor amenity space at first floor level. Permission granted subject to Conditions on 29-10-2014.
- 4.3 13/P3192 - Application for a lawful development certificate for the existing use of the first floor as six flats. Certificate of Lawfulness issued on 17-12-2013.
- 4.4 99/P0110 - Erection of second floor extension to provide 6 no. two bedroom flats with rear parking and landscaping. Permission granted subject to Conditions on 02-08-1999.

5. CONSULTATION

- 5.1 Public consultation was undertaken by way of site notice and by post sent to neighbouring properties.
- 5.2 11 letters were received objecting to the proposal for the following reasons as summarised:
- I have concerns about safety with the increase of traffic and parking generated by the development.
 - The development will reduce daylight of other homes.
 - The building at 4 storeys would be too tall.
 - The development would be out of character for the area.
 - The development will block my view of the sky.
 - The traffic survey does not account for vehicles parked within the rear parking area of the site, and no allowances have been made for these vehicles given that cycle and refuse stores for the development would displace on site car parking.
 - The development will result in additional parking pressure on-street.
 - The proposal is considered over development.
 - The development would make it unviable for the commercial units at ground floor to operate.
 - The development would impact local sewage and drainage.
 - The proposal would increase refuse issues for the building.
 - It is not clear whether the units are designed for one person or two, and is it possible for an enforcement officer to enforce only 1 person to each unit.

- I am concerned about construction works and disturbance.
- I am concerned about structural issues with the building that may result by adding another level to the building. I am also concerned about damp and ventilation issues for the existing units.
- Consultation of the application missed many residents that live close-by to the site.

5.3 A letter was also submitted by the Wimbledon Swift Group providing advice on methods to improve swift population health.

5.4 Planning officer's comments – Planning objections are addressed more fully in the report below. In terms of impact from construction activity, all works would be expected to adhere to the Council's Construction Code of Practice. Adherence to a Working Method Statement and Construction Logistics Plan have been conditioned. In terms of noise and disturbance created during the building work, where they constitute a statutory nuisance they would be the responsibility of the Council's Environmental Health team. In terms of public consultation; all adjoining properties to the site were notified of the proposals as per legislative requirement for planning applications. All works would be expected to adhere to the Council's Construction Code of Practice. Adherence to a Working Method Statement and Construction Logistics Plan have been conditioned. With regards to impact on the fabric and integrity of the building; the applicant would need to ensure that they have all necessary permits and approvals for the works such as those relating to the Building Act.

5.5 LBM Transport Planner:

No objections, the parking survey results are acceptable for 5 x one bedroom flats.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2021)

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

6.2 London Plan (2021)

Relevant policies include:

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG6 Increasing efficiency and resilience
- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D5 Inclusive design
- D6 Housing quality and standards

- D8 Public realm
- G6 Biodiversity and access to nature
- H1 Increasing housing supply
- H2 Small sites
- SI2 Minimising greenhouse gas emissions
- SI5 Water infrastructure
- SI13 Sustainable drainage
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6.1 Residential parking
- T7 Delivery servicing and construction

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

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 12 Economic development
- CS 13 Open Space, Nature Conservation, Leisure and Culture
- CS 14 Design
- CS 15 Climate change
- CS 17 Waste management
- CS 18 Active Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM D1 Urban Design
- DM D2 Design considerations
- DM F2 Sustainable urban drainage systems
- DM O2 Nature conservation, trees, hedges and landscape features
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

6.5 Supplementary planning considerations

- London Housing SPG – 2016
- London Character and Context SPG -2014
- DCLG - Technical Housing Standards 2015
- Merton Small Site's Toolkit – 2021
- Merton Character Study - 2021

7. PLANNING CONSIDERATIONS

- 7.0 The application for an additional storey to the building has been made by way of a traditional planning application rather than under the new 'prior approval route'. The scheme would not benefit from prior approval because the existing

building has already been enlarged by a previous additional storey above the original building, refer Planning Application ref: 99/P0110.

7.1 Material Considerations:

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

- Principle of development.
- Design and impact upon the character and appearance of the area.
- Impact upon neighbouring amenity.
- Standard of accommodation.
- Housing mix and affordable housing.
- Transport, parking, and refuse and cycle facilities.
- Sustainable design and construction.

Principle of development

7.2 Paragraph 1.4.5 of the London Plan (2021) states that to meet the growing need, London must seek to deliver new homes through a wide range of development options. Policy H1 'Increasing housing supply' marks an increase to Merton's 10 year targets for net housing completions, with the new target set at 9,180 or 918 homes per year. Policy D3 – 'Optimising site capacity through the design-led approach', states that incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way. 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.

7.3 Given that the development seeks to add 5 additional residential units, increasing density within a building already providing residential accommodation at upper levels, the principle of development is considered to be acceptable, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

Design and impact upon the character and appearance of the area

7.4 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. Policies CS14, DMD1 & DMD2 require that new development reflect the best elements of the character of the surrounding area, or have sufficient distinctive merit so that the development would contribute positively to the character and appearance of the built environment. Policy DM D2 of Merton's Sites and Policies Plan requires development to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area and to use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.

- 7.5 From front and side facing views the new storey would be appropriately set-in (0.8m) from the main building, respecting its mass and establishing itself as a secondary component, which does not seek to overwhelm its lower half. The works once completed would result in a building of 4 stories in height. The building of this scale would be reflective of the neighbouring building at Meretune Court, which is also over four stories, and therefore would appear of a comparable size at this location. The subject building, similar to the established Meretune Court building would also use articulation between levels to suitably break-up the perceived massing of the development, which is considered to work well. The zinc cladding to the additions rear and sides would provide a suitable finish to a recessed upper level.
- 7.6 The raised parapet around the building is also considered of good design, as it both allows the additional storey to appear lower in height on the main building, whilst doubling to enclose the balcony, with short metal railings above. Window and door openings to the upper floor align well with the windows of the existing building beneath, creating a clear sense of rhythm to the building which is welcome.
- 7.7 As viewed from the rear, the building would have the similar proportions to the existing building, given that the addition would be constructed in-line within the existing rear building line, finished in render, and with windows aligned with those beneath.
- 7.8 Planning officer's view the applicant's design and massing approach as acceptable, because it adequately integrates with the host building. It is noted that there is an existing flue on the rear elevation that extends from a commercial unit at ground floor to roof-level. This flue is not detailed within the proposed drawings. A condition is in place to secure details of this element including adaptations that may be required to the flue as part of the build.

Impact upon neighbouring amenity

- 7.9 London Plan policy D3 and SPP policy DM D2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of surrounding land and buildings, particularly residential properties, in terms of loss of daylight or sunlight/overshadowing, quality of living conditions, privacy, visual intrusion, amenity space or noise. The impact of the proposal on neighbouring properties has been assessed as follows:

Ashridge Way

- 7.10 The south facing windows of the proposed flats would face towards residential properties along Ashridge Way. Views towards from these windows are not considered to unduly impact neighbour's existing levels of privacy, because the existing flats at first and second floor within the subject building already have windows facing towards these houses. The proposed flats would not create any new views noticeably different from that already attained from the building, and therefore impacts to these properties would be similar to that of the existing situation. A condition is in place requiring that the 1.7m barrier

shown on the drawings to be installed prior to occupation, to prevent the rear part of the roof being used as a terrace, thus protecting adjoining neighbour's privacy.

- 7.11 The increased height and bulk of the building would not be to such a degree to appear dominant or oppressive from neighbouring views. The proposal would not block light as the site is located directly north of Ashridge Way houses.

Martin Way

- 7.12 The social and community club facility to the east of the building, would not be harmed by the proposal. There would be sufficient separation from this facility to ensure that no close views would be created. In addition, the current use of the adjoining building would not be particularly sensitive to overlooking or other amenity impact created from a small residential development.
- 7.13 To the west of the site is Meretune Court, which steps down in height from 4 to 3 stories next to the subject building. It is noted that Meretune Court has windows within the eastern flank wall, which currently look onto the windowless flank wall of the subject building, which at 3 stories in height sits level with this part of Meretune Court. The proposed upper level would be recessed from the existing building's roof edge, this recess would be satisfactory in terms of alleviating potential enclosing impacts from the development. The additional storey does not propose any westward facing windows, and therefore no views would be created between the internal spaces of the proposed development and existing windows within Meretune Court.
- 7.14 The subject building is separated from the houses on the opposite side of Martin Way by approximately 25m. This distance would be adequate to safeguard existing levels of privacy because no close views would be created by the development.

Subject Building

- 7.15 The proposal would not impact the existing residential units within the subject building given that the massing of the development would be directly above the main roof, and therefore would not be visible from within the existing flats. It is acknowledged that there would be additional occupants within the building, and therefore a greater level of footfall on shared stair cores. However, given that the proposal only seeks to create 5 small units, suitable for individual use, the increased density from the development, along with any associated noise created would be no more than minor, and not harmful.
- 7.16 Lastly, the proposal would not impact the commercial operation of the business premises at ground floor.

Conclusion

7.17 Overall, the proposal with recommended conditions in place would safeguard the living conditions of adjoining neighbours, and therefore would comply with relevant local plan policy.

Standard of accommodation

7.18 London Plan policy D6 states that housing development should be of high quality design and provide adequately-sized rooms, with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners. The Sites and Policies Plan policy DM D2 seeks to ensure good quality residential accommodation with adequate levels of privacy, daylight and sunlight for existing and future residents, the provision of adequate amenity space and the avoidance of noise, vibration or other forms of pollution.

7.19 The table below provides a breakdown of the internal space for each flat along with private external amenity space.

Upper Level Flat	Type	GIA (sqm)	London Plan requirement for GIA (sqm)	External amenity space (sqm)
194C	1b/1p	37.99	37	6.4
196C	1b/1p	37.93	37	3.9
198C	1b/1p	37.09	37	3.9
200C	1b/1p	37.50	37	3.9
202C	1b/1p	37.76	37	19.0

7.20 All of the houses would meet Internal Space Standards (GIA), and would have adequately sized rooms and efficient room layouts, which are functional and fit for purpose (albeit compact) for single occupancy. All flats would have good outlook as well as receive high levels of daylight / sunlight being dual aspect with adequately sized windows. This arrangement would help to support a satisfactory standard of accommodation. There are no existing views from neighbouring buildings that would materially impact the privacy of the additional storey. In addition, given that these flats would be located at third floor level, noise and associated activity from the existing businesses occupying the ground floor of the building, should not be close enough to cause any undue disturbance to the new occupiers.

7.21 In terms of external amenity space, a narrow balcony (0.8m) would be provided along the front of the building, set behind a parapet wall. Although, three of the flats would have amenity spaces that fall below London Plan criteria, which requires amenity spaces to have a size of at least 5sqm for one person. Officer's view is that given the constraints of the site that includes a modest footprint in which the additional floor must be positioned, officers consider that some degree of flexibility be applied to the application of amenity space standards so as to provide a valuable outdoor area for the individuals who occupy the units, whilst retaining adequate internal floor areas. Furthermore, the building is within a short walk of Joseph Hood

Recreation Ground and therefore there are good levels of outdoor provision for the new occupants to complement private terraces.

Housing mix and affordable housing

- 7.22 In terms of housing mix, the scheme would provide 5 x one bedroom units. In assessing development proposals the Council will normally take account of Merton's Housing Strategy (2011-2015) borough level indicative proportions which are set out a split between one bedroom, two bedroom and 3+ bedroom units.
- 7.23 Although the proposal would not meet the Council's housing mix requirements, no objections are raised towards housing mix. This is because the development site does not lend itself favourably towards family sized accommodation, being a recessed upper level. In addition the proposal is for just 5 units, and would be compatible with the existing housing mix within the building, comprising small flats.
- 7.24 The scheme is not a major application as less than 10 dwellings are being created. There would therefore be no policy requirement for the applicant to provide affordable homes.

Transport, parking, and refuse and cycle facilities.

- 7.25 Core Strategy policy CS20 and SPP policy DM T3 require that developments would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, on street parking or traffic management.
- 7.26 No on-site car parking is proposed within the development, and therefore the additional cars created through the proposal would need to park on-street. Whilst this can be problematic in many circumstances, no objections are likely to be raised towards transport and parking for the scheme proposed. This is because the scheme would be designed to accommodate only 5 individuals, of which many are unlikely to own a car. It is known that across all of Merton car ownership for households was between 60 and 70%, and car ownership levels are likely to be less than the above averages, for small units.
- 7.27 The applicant has commissioned a parking stress survey that identifies the number of available parking spaces on-street during different hours of the day. The survey has been reviewed by the Council's Transport Planner who concludes that the survey is satisfactory and that there is adequate on-street parking provision to accommodate the small number of cars that may be created by the proposal. As a result, the proposal is unlikely to result in undue parking stress to the detriment of neighbour amenity.
- 7.28 The proposed drawings show refuse and cycle stores positioned along the rear boundary wall. These facilities are located in a similar position to the existing refuse provision for the site. It is not considered that the bin and bike stores would result in displacement parking, given that available space to the

rear of the site would be kept to a largely similar size as existing. However, it is acknowledged that the applicant has not adequately detailed the retained and new refuse stores within the plans, and whether refuse would be amalgamated between the existing and new units. It is also unknown how refuse facilities would be incorporated with the new bike store whilst also retaining on-site parking. It is considered that an adequate solution to the above could be established, by way of conditions that require final details of refuse (retained and new) along with the new cycle storage. These conditions provide further opportunities for these aspects to be interrogated to ensure a robust solution comes forward.

- 7.29 It should be also be acknowledged that the site has moderate levels of public transport connection, with bus stations along Martin Way, and South Merton Train Station and Merton Tube Station a short walk away. Existing public transport facilities should provide reasonable levels of access to outside places without private vehicle use.
- 7.30 The additional storey would involve a reasonable amount of construction work, and therefore planning conditions are in place to secure a Construction Management and Logistics plans.

Sustainable design and construction

- 7.31 London Plan policies SI2 and SI5, and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.
- 7.32 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. It is recommended to include a condition which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

8. CONCLUSION

- 8.1 The proposal is considered to be acceptable in principle, providing 5 residential flats in line with planning policy. The proposal is considered to be acceptable in design, appropriately responding to the host building through proportions and finishing materials.
- 8.2 The proposal is considered to accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations which would warrant a refusal of the application.

RECOMMENDATION

Grant planning permission subject to 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: [Refer to the schedule on page 1 of this report].

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

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

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D3 and D4 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. No development shall take place until details of the external flue at the rear of the building has been submitted to the local planning authority. These details shall show how the existing flue would be adapted to accommodate the development. No works which are the subject of this condition shall be carried out until the details are approved, and the flue shall be carried out in full accordance with the approved details. In addition, the flue shall be painted white to match the finish of the building's rear elevation.

Reason: To ensure a satisfactory appearance of the development, safeguard amenity, and to comply with the following Development Plan policies for Merton: policy D3 and D4 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.

5. 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

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.

6. 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 construction and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policy T4 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011, and policy DM D2 and DM T2 of Merton's Sites and Policies Plan 2014.

7. No development shall take place until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. The details shall include the storage and recycling provisions for both the new units and existing units within the building, and shall also show the retained vehicle parking spaces on site. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2, DMT3 of Merton's Sites and Policies Plan 2014.

8. No development shall commence until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The details submitted shall also show the retained vehicle parking spaces on site. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy T5 of the London Plan 2021, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1, DMT3 of Merton's Sites and Policies Plan 2014.

9. The units hereby approved shall not be occupied until the 1.7m barrier, as shown within the approved drawings, has been fully installed, and shall be permanently retained as such thereafter.

Reason: to ensure appropriate levels of privacy for neighbouring occupiers, and to comply with policy D3 of the London Plan 2021, and policy DMD2 of the Sites and Policies Plan 2014.

10. The approved flats shall not be occupied until full details 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 have been submitted to and approved by the local planning authority.

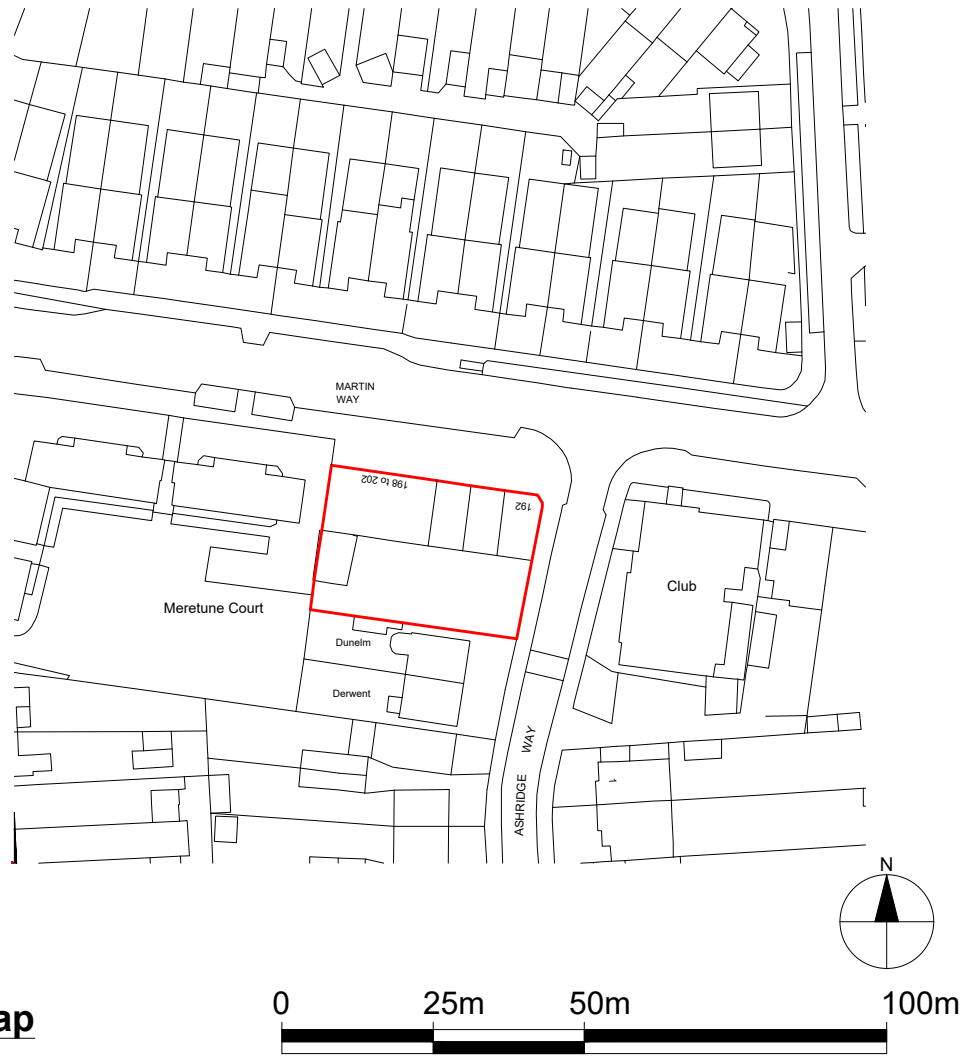
Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI2 and SI5 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

NORTHGATE SE GIS Print Template



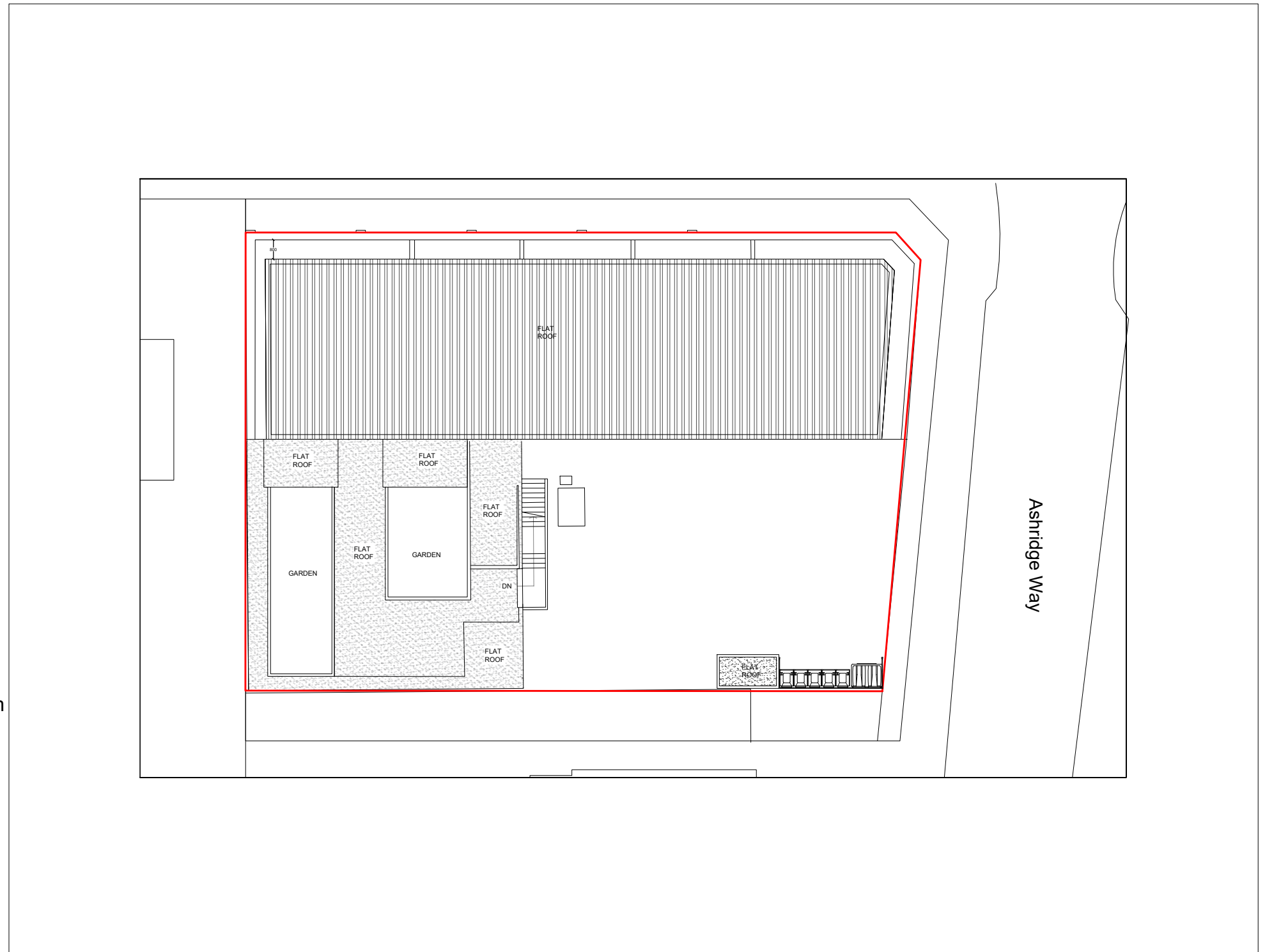
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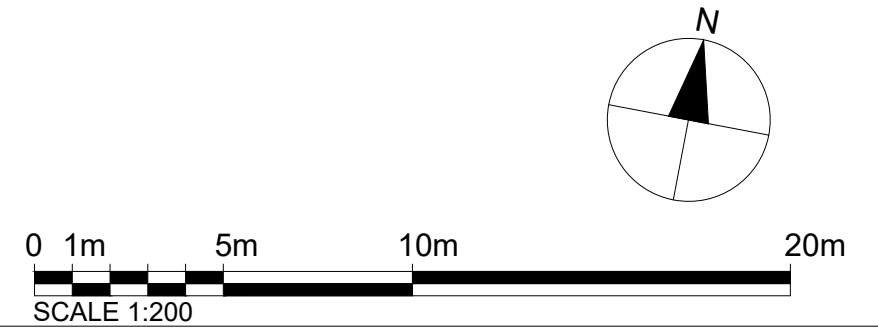


SCALE 1:1250

 Property Boundary



Location Plan



Notes.
Contractors must verify all dimensions at the site before commencing any work.
No construction work before Building Control approval and structural engineer confirmation.
Any discrepancies to be reported to Gridline.
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Project No.S

REV	DATE	DESCRIPTION	BY	CH

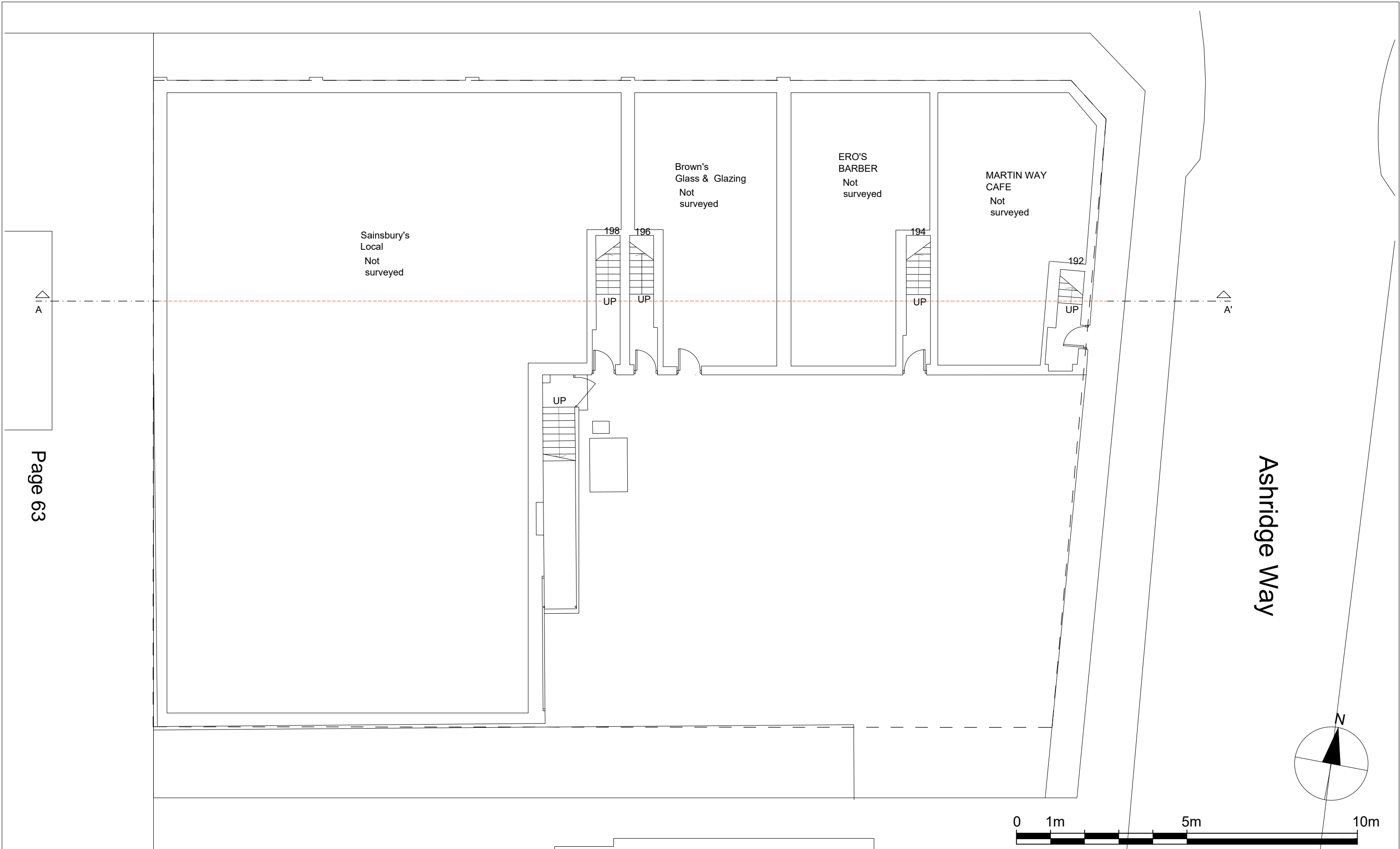
PROJECT TITLE
192-202 Martin way
Modern
SM4 4AJ
DATE
April 2021

Project No.
2608

DRAWING TITLE
Proposed - OS Map- Location
CLIENT
Mr Braun
DRAWING No.
PR-L001
SCALE @ A3
1:1250 / 1:200
Drawn by:
Niloufar



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Project No.S

REV	DATE	DESCRIPTION	BY	CH

PROJECT TITLE 192-202 Martin way Modern SM4 4AJ	
DATE October 2020	Project No. 2608

DRAWING TITLE Existing - Ground Floor		
CLIENT Mr Braun		
DRAWING No. EX-P001	SCALE @ A3 1:100	Drawn by: Niloufar



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Project No.S				
REV	DATE	DESCRIPTION	BY	CH

PROJECT TITLE
192-202 Martin Way
Morden
SM4 4AJ

DATE
October 2020

Project No.
2608

DRAWING TITLE
Existing-Front Elevation

CLIENT
Mr Braun

DRAWING No.
EX-E001

SCALE @ A3
1:100

Drawn by:
Niloufar



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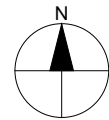
Project No.S				
REV	DATE	DESCRIPTION	BY	CH

PROJECT TITLE 192-202 Martinway Modern SM4 4AJ	
DATE October 2020	Project No. 2608

DRAWING TITLE Existing - Rear Elevation		
CLIENT Mr Braun		
DRAWING No. EX-E002	SCALE @ A3 1:100	Drawn by: Niloufar

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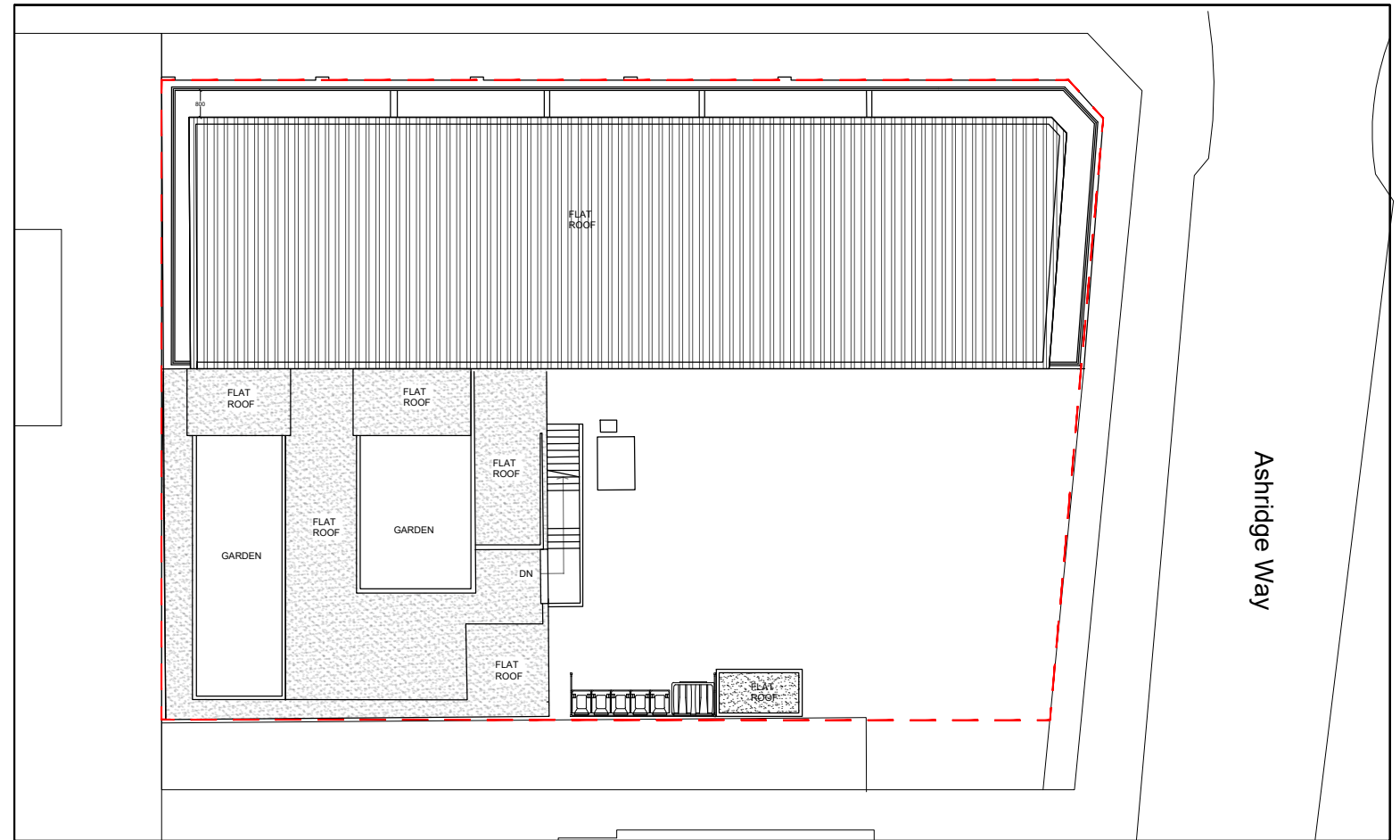
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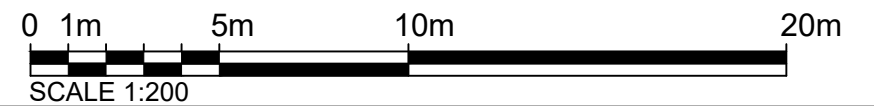
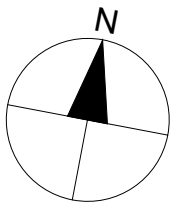
Page 699
OS Map

Property Boundary



Ashridge Way

Location Plan



SCALE 1:200

Notes.
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Project No.S

REV	DATE	DESCRIPTION	BY	CH
A	04/08/21		N	N
B	04/08/21		N	N
C	30/11/21		N	N

PROJECT TITLE
192-202 Martin way
Modern
SM4 4AJ
DATE
November 2021

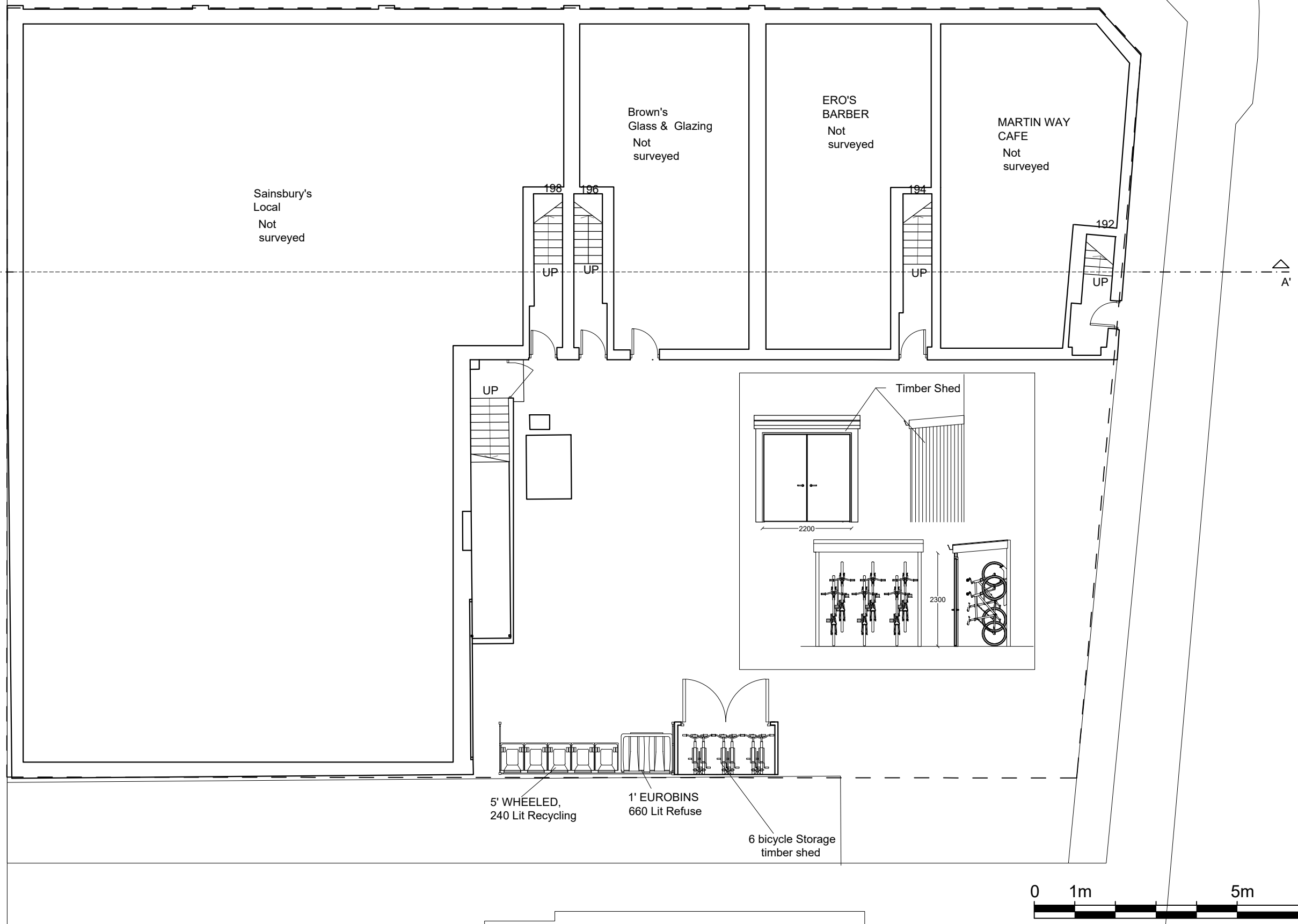
Project No.
2608

DRAWING TITLE
Proposed - OS Map- Location
CLIENT
Mr Braun
DRAWING No.
PR-L001

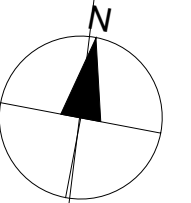
SCALE @ A3
1:1250 / 1:200

Drawn by:
Niloufar





Ashridge Way



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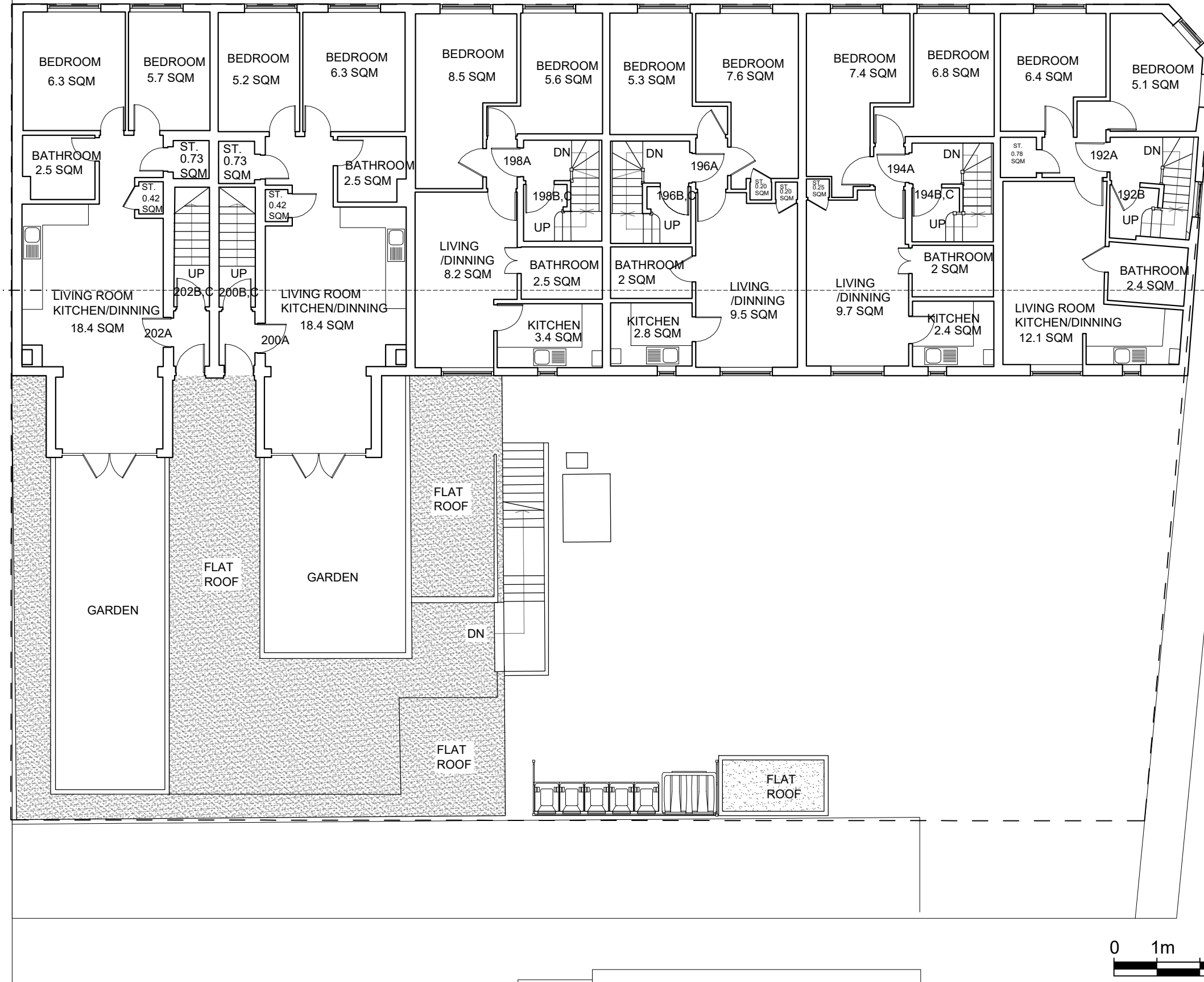
Project No.S

REV	DATE	DESCRIPTION	BY	CH
A	04/08/'21		N	N
B	04/08/'21		N	N
C	30/11/'21		N	N

PROJECT TITLE	
192-202 Martin way	
Modern	
SM4 4AJ	
DATE	Project No.
November 2021	2608

DRAWING TITLE		
Proposed - Ground Floor		
CLIENT		
Mr Braun		
DRAWING No.	SCALE @ A3	Drawn by:
PR-P001	1:100	Niloufar

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C	30/11/'21		N	N

PROJECT TITLE
192-202 Martin way
Modern
SM4 4AJ
DATE
November 2021

Project No.
2608

DRAWING TITLE
Proposed -First Floor
CLIENT
Mr Braun
DRAWING No.
PR-P002

SCALE @ A3
1:100

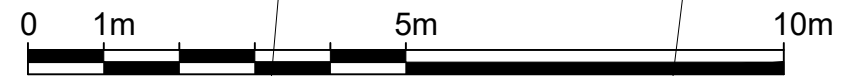
Drawn by:
Niloufar





192-202 MARTIN WAY AREA SCHEDULE= 5 proposed flats

- 194C(1 BEDROOM)
Total Area shown in colour= 37.99 M²
- 196C(1 BEDROOM)
Total Area shown in colour= 37.93 M²
- 198C(1 BEDROOM)
Total Area shown in colour= 37.09 M²
- 200C(1 BDEROOM)
Total Area shown in colour= 37.5 M²
- 202C(1 BEDROOM)
Total Area shown in colour= 37.76 M²



Notes.
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Project No.S

REV	DATE	DESCRIPTION	BY	CH
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C	30/11/21		N	N

PROJECT TITLE
192-202 Martinway
Modern
SM4 4AJ
DATE
November 2021

Project No.
2608

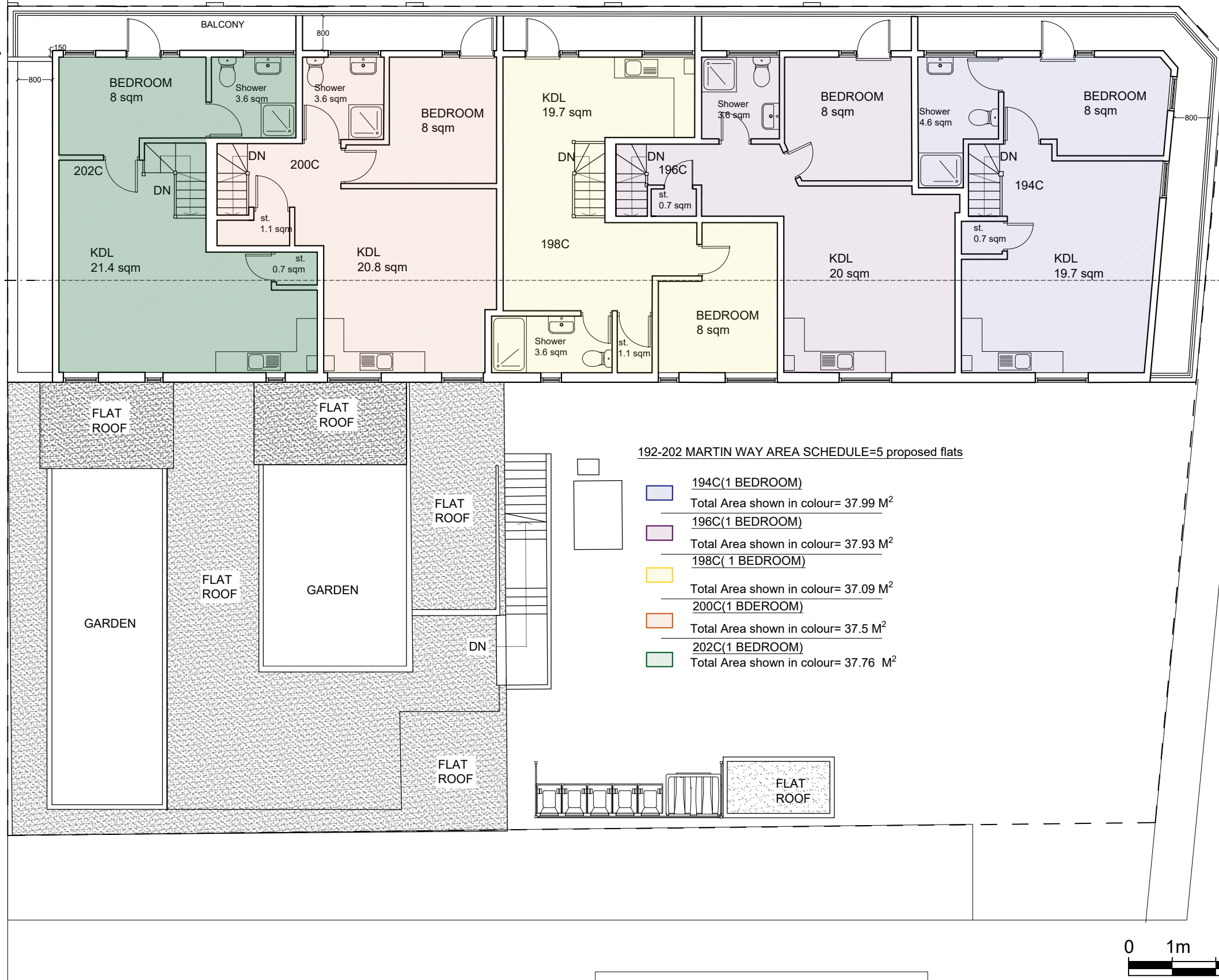
DRAWING TITLE
Proposed - Second Floor
CLIENT
Mr Braun
DRAWING No.
PR-P003

SCALE @ A3
1:100

Drawn by:
Niloufar

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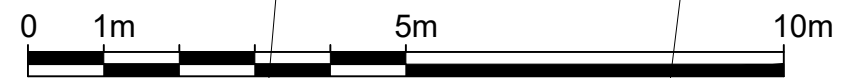
1.7 m Barrier



192-202 MARTIN WAY AREA SCHEDULE=5 proposed flats

- 194C(1 BEDROOM)
Total Area shown in colour= 37.99 M²
- 196C(1 BEDROOM)
Total Area shown in colour= 37.93 M²
- 198C(1 BEDROOM)
Total Area shown in colour= 37.09 M²
- 200C(1 BDEROOM)
Total Area shown in colour= 37.5 M²
- 202C(1 BEDROOM)
Total Area shown in colour= 37.76 M²

Ashridge Way



Notes.
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No construction work before Building Control approval and structural engineer confirmation.
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Project No.S

REV	DATE	DESCRIPTION	BY	CH
A	04/08/21		N	N
B	04/08/21		N	N
C	30/11/21		N	N

PROJECT TITLE
192-202 Martinway
Modern
SM4 4AJ
DATE
November 2021

Project No.
2608

DRAWING TITLE
Proposed - Third Floor

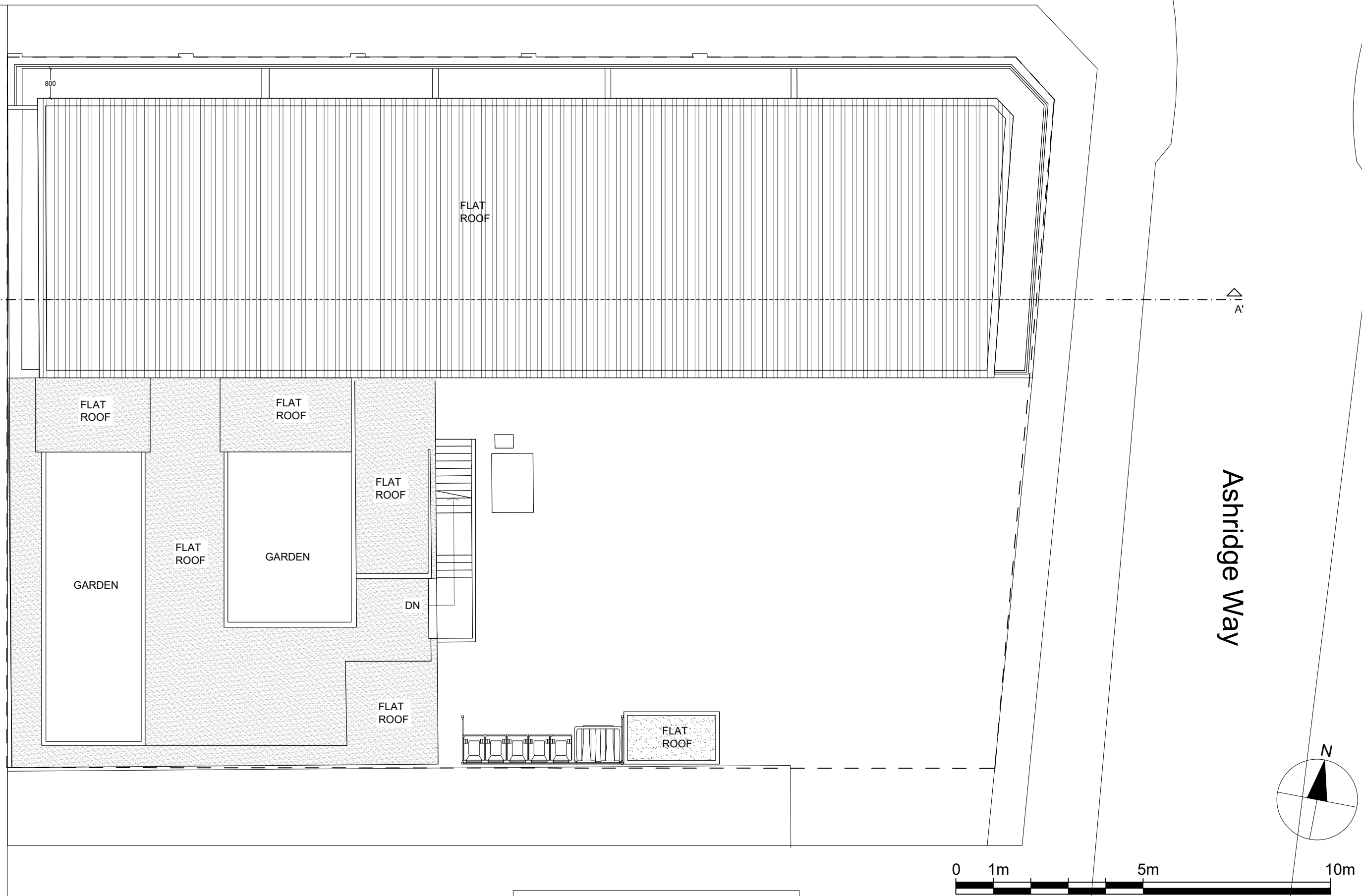
CLIENT
Mr Braun

DRAWING No.
PR-P004

SCALE @ A3
1:100

Drawn by:
Niloufar





Notes.
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Project No.S

REV	DATE	DESCRIPTION	BY	CH
A	04/08/21		N	N
B	04/08/21		N	N
C	30/11/21		N	N

PROJECT TITLE
192-202 Martin way
Modern
SM4 4AJ
DATE
November 2021

Project No.
2608

DRAWING TITLE
Proposed - Roof Plan

CLIENT
Mr Braun

DRAWING No.
PR-P005

SCALE @ A3
1:100

Drawn by:
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B	04/08/'21		N	N
C	30/11/'21		N	N

PROJECT TITLE 192-202 Martin Way	
Morden SM4 4AJ	
DATE November 2021	Project No. 2608

DRAWING TITLE Proposed-Front Elevation		
CLIENT Mr Braun		
DRAWING No. PR-E001	SCALE @ A3 1:100	Drawn by: Niloufar

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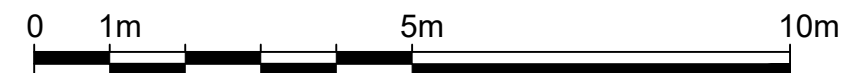
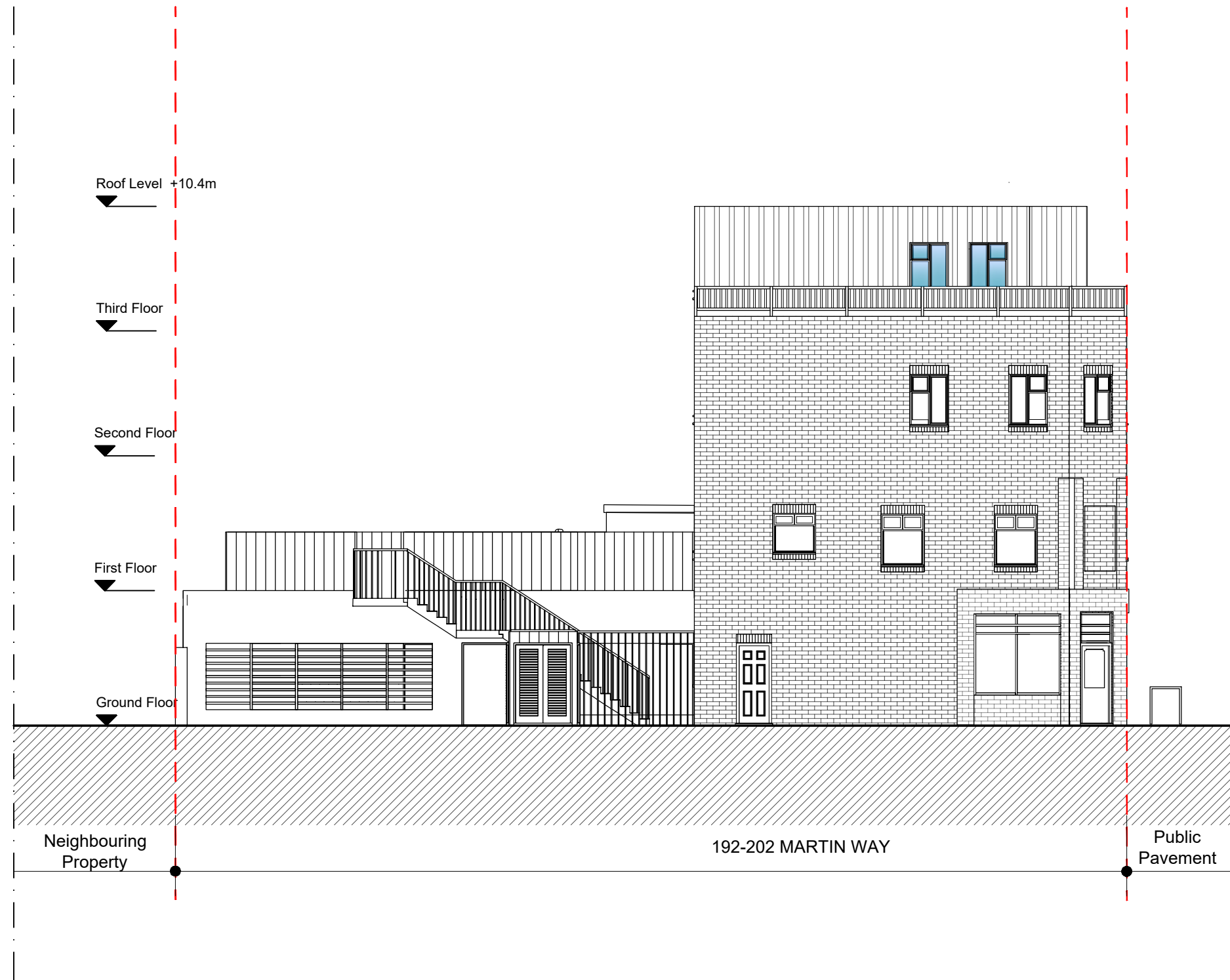
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REV	DATE	DESCRIPTION	BY	CH
A	04/08/'21		N	N
B	04/08/'21		N	N
C	30/11/'21		N	N

PROJECT TITLE 192-202 Martinway Modern SM4 4AJ	
DATE November 2021	Project No. 2608

DRAWING TITLE Proposed- Rear Elevation		
CLIENT Mr Braun		
DRAWING No. PR-E002	SCALE @ A3 1:100	Drawn by: Niloufar

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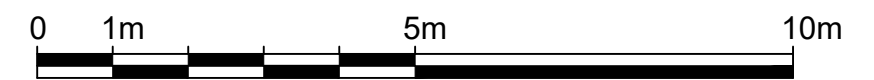
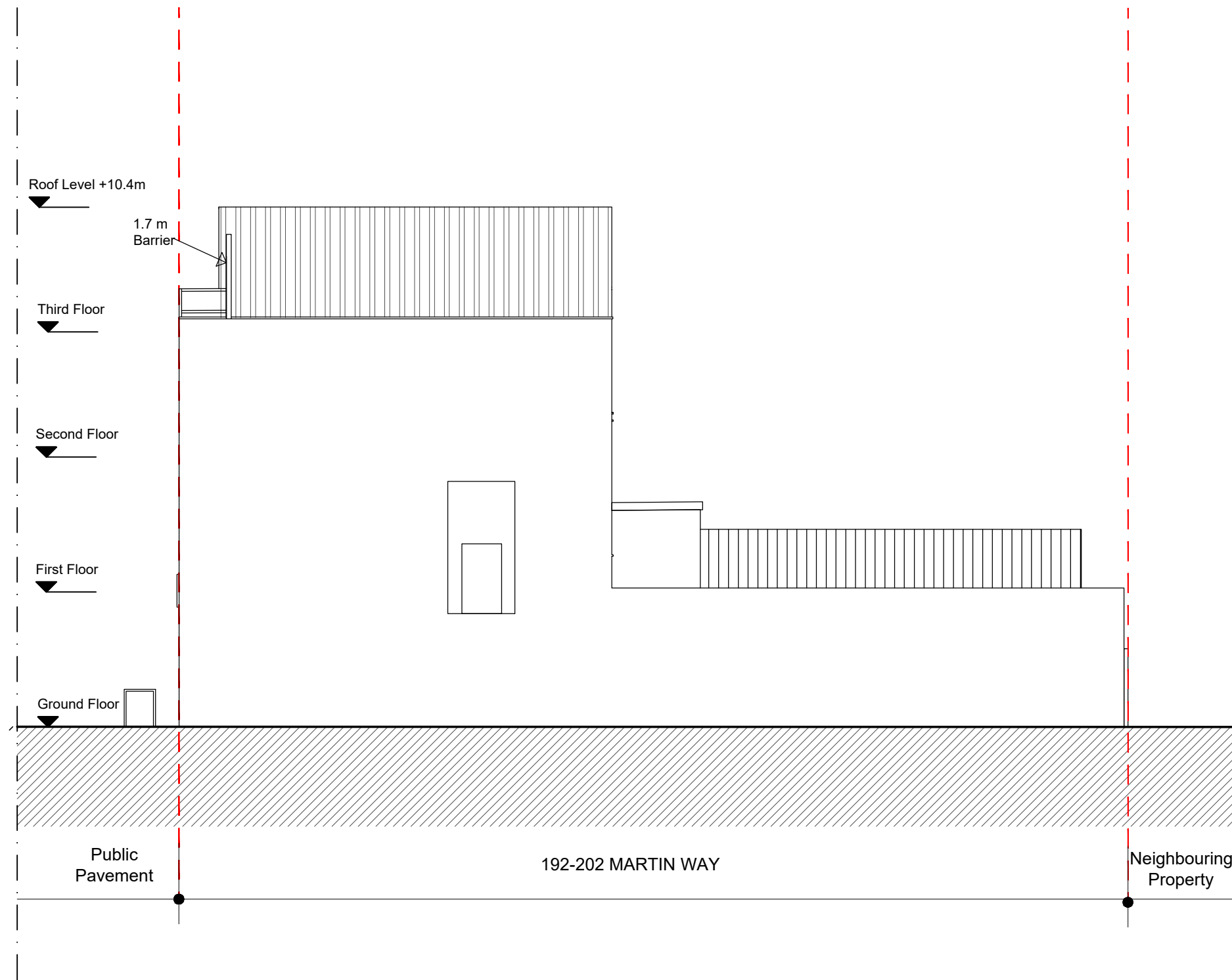
Project No.S

REV	DATE	DESCRIPTION	BY	CH
A	04/08/'21		N	N
B	04/08/'21		N	N
C	30/11/'21		N	N

PROJECT TITLE 192-202 Martinway Modern SM4 4AJ	
DATE November 2021	Project No. 2608

DRAWING TITLE Proposed- Side Elevation 1		
CLIENT Mr Braun		
DRAWING No. PR-E003	SCALE @ A3 1:100	Drawn by: Niloufar

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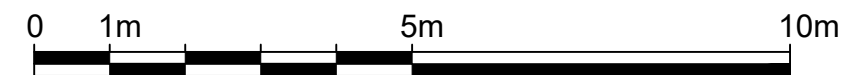
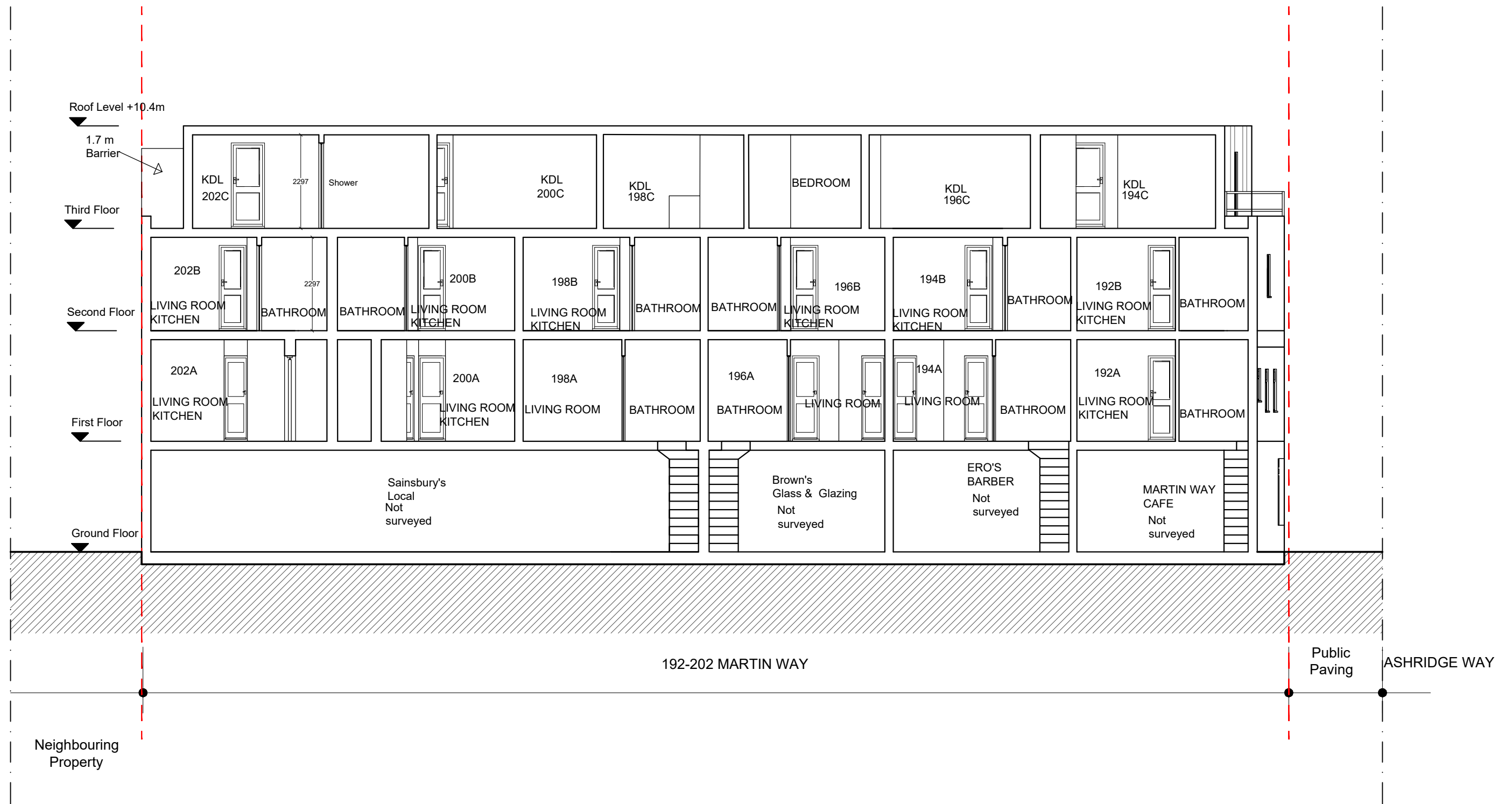
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B	04/08/21		N	N
C	30/11/21		N	N

PROJECT TITLE 192-202 Martinway Modern SM4 4AJ	
DATE November 2021	Project No. 2608

DRAWING TITLE Proposed - Side Elevation 2		
CLIENT Mr Braun		
DRAWING No. PR-E004	SCALE @ A3 1:100	Drawn by: Niloufar





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REV	DATE	DESCRIPTION	BY	CH
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B	04/08/'21		N	N
C	30/11/'21		N	N

PROJECT TITLE 192-202 Martin way Modern SM4 4AJ	
DATE November 2021	Project No. 2608

DRAWING TITLE Proposed - Section AA		
CLIENT Mr Braun		
DRAWING No. PR-S001	SCALE @ A3 1:100	Drawn by: Niloufar

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PLANNING APPLICATIONS COMMITTEE
20th January 2022.

UPRN	APPLICATION NO. 20/P1438	Item No: DATE VALID 04.05.2020
Address/Site	29 Richmond Road West Wimbledon SW20 0PG	
Ward:	Raynes Park	
Proposal:	ERECTION OF SINGLE STOREY SIDE AND REAR WRAP AROUND EXTENSION, PARTIAL TWO-STOREY REAR EXTENSION, ERECTION OF FRONT PORCH AND HIP TO GABLE AND REAR ROOF EXTENSION WITH INSTALLATION OF THREE ROOFLIGHTS TO THE FRONT SLOPE.	
Drawing Nos;	Site location plan and drawings Numbers 1-12 All Revision 1 (July 2020)	

Contact Officer: Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant planning permission subject to relevant conditions.

CHECKLIST INFORMATION.

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 4
- Press notice – No
- Site notice – No
- External consultations: No
- Archaeological Priority Zone – No
- Controlled Parking Zone – No
- Number of jobs created: N/A
- Density N/A

1 INTRODUCTION

- 1.1 The application is the first of two for this property that has been brought before the Committee due to the level of public interest. Development comprising extensions to 29 Richmond Road was implemented following the grant of planning permission in respect of application reference 19/P3601. The planning application before Committee under reference 20/P1438 sought to incorporate changes to the approved scheme. It has remained undetermined as the works that went ahead did not simply differ from the consented scheme but also differed from the submitted drawings and included raising the ridge of the house.
- 1.2 The second application for consideration on the Committee agenda, 21/P2432 seeks to retain the works that were undertaken and which differed materially from application 20/P1438 primarily in respect of raising the ridge of the roof.
- 1.3 The adjoining neighbour at 31 Richmond Road has submitted an application 21/P2881 for roof extensions also entailing raising the ridge of the roof.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a two-storey semi-detached dwelling located to the north east side of Richmond Road. The surrounding area is predominantly residential and comprises of semi-detached and detached two-storey dwellings that display an eclectic range of designs.
- 2.2 The site is not located within a conservation area, nor is the property listed. The site is located in Flood Zone 1.

3. PROPOSAL

- 3.1 The submitted proposal was for the erection of a single storey side and rear wrap around extension, partial two-storey rear extension, erection of front porch and rear dormer extension with installation of three rooflights to the front slope.
- 3.2 This application is similar to that previously approved under application ref. 19/P3601. The additional changes within this application relate to a hip to gable extension, rear dormer extension and the three roof lights to the front roof plane. It is also noted there are some other minor

alterations to the layout of the roof to the side of the property and the removal of a bathroom window in the side elevation.

- 3.3 The dormer is to project 2.8 m from the roof plane; it would have a width of 8.4 m and a height of 1.9 m. This would include two windows and a Juliette balcony in the rear elevation. The extension would also benefit from a single roof light. The proposed extension would provide space for a study, bedroom and en-suite in the roof space.
- 3.4 The dormer would be constructed from slate hanging tiles, with the windows having a white aluminium powder finish.

4. PLANNING HISTORY

- 4.1 11/P1423. Application for a lawful development certificate in respect of the proposed erection of a single story rear extension. Issued Certificate of Lawfulness 18th June 2011.
- 4.2 19/P3601. Erection of single storey side and rear wrap around extension, part two-storey rear extension and erection of a front porch. Granted Permission subject to Conditions 28th January 2020.
- 4.3 21/P3432. Concurrent application to retain works as constructed.

5 CONSULTATION

- 5.1 Consultation letters were sent to 4 neighbouring properties. 2 representations have been received in objection to the proposed development. The responses have been summarised below:
 - The proposal is too large and too close to the neighbouring property.
 - Disrupt the sense of harmony between the two semi-detached houses.
 - Proposed materials and roof lights out of keeping with character of the area.
- 5.2 The Wimbledon Society - 8th June 2020
Object to the objection on the following basis:
 - The dormer would be visually dominant and needs to be reduced in size.

6 POLICY CONTEXT

Relevant policies in the London Plan 2021 are;
D3 (Optimising site capacity through a design lead approach)

Merton Local Development Framework Core Strategy (2011)
Relevant policies include:
CS 14 Design

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 D3 Alterations and extensions to existing buildings

7 PLANNING CONSIDERATIONS

7.1 The principal planning considerations in this case relate to the impact of the proposed extensions on the character and appearance of the host building along with the surrounding area and the impact upon neighbouring amenity

7.2 Design and Character of the Area

Policies DMD2 and DMD3 seek to ensure a high quality of design in all development, which relates positively and appropriately to the siting rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street scene patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning policy CS14 supports these SPP Policies.

7.2.1 Hip to Gable Conversion, Dormer Extension and Roof Lights

The proposal includes a hip to gable conversion. It is acknowledged that this part of the proposal could disrupt the symmetry with the application property's semi-detached counterpart. While the application has still to be determined, officers would note that the neighbour at 31 Richmond Road has submitted a similar application in respect of raising the ridge height. It is acknowledged that several other semi-detached properties in the area have implemented similar conversions and, in this regard, it is considered to be part of the character of the area.

7.2.2 It is acknowledged that the dormer extension is large in scale and it is a matter of judgement as to whether or not it would appear subordinate within the context of the host dwelling. However, being positioned at the rear of the dwelling, the dormer extension would be largely screened from the street scene and would therefore have a limited impact on the wider character of the area. Further to this, it is noted that there are several other dormer extensions along Richmond Road and in this regard, the proposal would be considered to be part of the prevailing pattern of development in the area. On balance, therefore, the scale and massing of the proposed dormers are considered to be acceptable.

7.2.3 The materials proposed on the dormer extension comprising horizontally laid cedar cladding would be sympathetic to the character of the host dwelling and would not appear unduly at odds with other neighbouring dwellings (the as built arrangement has dark grey slate tiling on the dormer and first floor extension. The proposed roof lights are considered to integrate well with the character of the existing dwelling.

7.3 Ground Floor Extensions

It is noted that single storey rear extensions are a common characteristic of the surrounding area. Although the depth is 5m, given the context of the size of the house, the size of the garden, the presence of extensions on each side and a general increase in extension sizes following the introduction of Prior Approval the single storey rear extension element is considered to respect the size, mass, bulk, and character of the original house and would not materially detract from the established character and appearance of the local area.

7.3.1 The proposed side extension would be set behind the front building line by 1 metre and will appear as a subordinate addition when viewed from the street. It is considered that the design of the side extension would respect the size, mass, bulk and character of the original house and would not materially detract from the established character and appearance of the street scene.

7.4 First Floor Rear Extension

The proposed first floor addition would be almost identical to the first floor extension at no. 31 Richmond Road which adjoins the site. However, this proposal includes a false pitch on the rear elevation such that there are 2 short side dormer extensions on the pitched roof of the first floor extension. The first floor extension is to be set down from the main roof and will read as a subordinate addition from the rear elevation in terms of its projection. The positioning of the property in relation to the neighbour does restrict views from the street and therefore this extension is not considered to harm the character and appearance of the property or street scene.

7.5 Front Porch Extension

The proposed front porch is considered to respect the size and character of the original house and would not materially detract from the established character and appearance of the street scene.

7.6 Neighbouring Amenity

London Plan policy D3 and SPP Policies DM D2 and DM D3 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise. There have been no objections to the proposals on the grounds of impact on amenity

7.6.1 Dormer Extension

The proposed rear dormer extension would have an overall width of 8.4m and would be built up to the joint mutual boundary with no. 31 Richmond Road. It is acknowledged that at second floor height, the dormer would provide some overlooking into the neighbouring rear amenity spaces, particularly with regards to no. 31 Richmond Road. However, it is noted that an existing overlooking effect is already created by the first-floor windows to the rear of the property. The windows and openings on this proposal are actually 64% larger than what have been installed but the windows would create no more overlooking or impact on privacy than would those in a permitted development dormer. In this regard, it is not considered that the dormer extension would result in an impact significantly greater than that already existing. As such, it is considered that the dormer extension is acceptable in terms of its impact on amenity.

7.6.2 Ground Floor Extensions

The proposed side/rear extension would extend 2.3 m beyond the rear wall of the existing ground floor rear extension at no. 27 Richmond Road. This depth is not considered to harm the amenity of occupiers of no. 27. A condition to prohibit the use of the flat roof is recommended.

7.6.3 The rear extension would extend 3.5 m past the rear wall of the existing ground floor rear extension at no. 31 Richmond Road. Due to the eaves height of 2.4 m, the proposed depth is not considered to significantly harm the amenity of occupiers at no. 31.

7.6.4 First Floor Rear Extension

The neighbouring property at no. 27 is set approximately 1 metre in front of the application site. The first floor rear extension would therefore extend 3 metres beyond the rear wall of no. 27 and will be 2.1 m from the nearest flank wall. Due to this distance, the proposed first floor extension would not be considered to have a significant detrimental impact on the amenity of occupiers at no. 27

7.6.5 A condition would be attached to the permission which required the proposed first floor side window facing no. 27 to be obscure glazed in order to protect the privacy of occupiers at no 27.

7.6.6 The first floor extension would be 3.5 m away from the boundary with the adjoining neighbours at no. 31. Due to this distance, the proposed first floor extension would not be considered to have a detrimental impact on the amenity of the occupiers at no. 31 Richmond Road.

7.6.7 Front Porch Extension

Given the siting and scale, the proposed front porch would have no impact on the amenity of neighbouring properties.

8. **CONCLUSION**

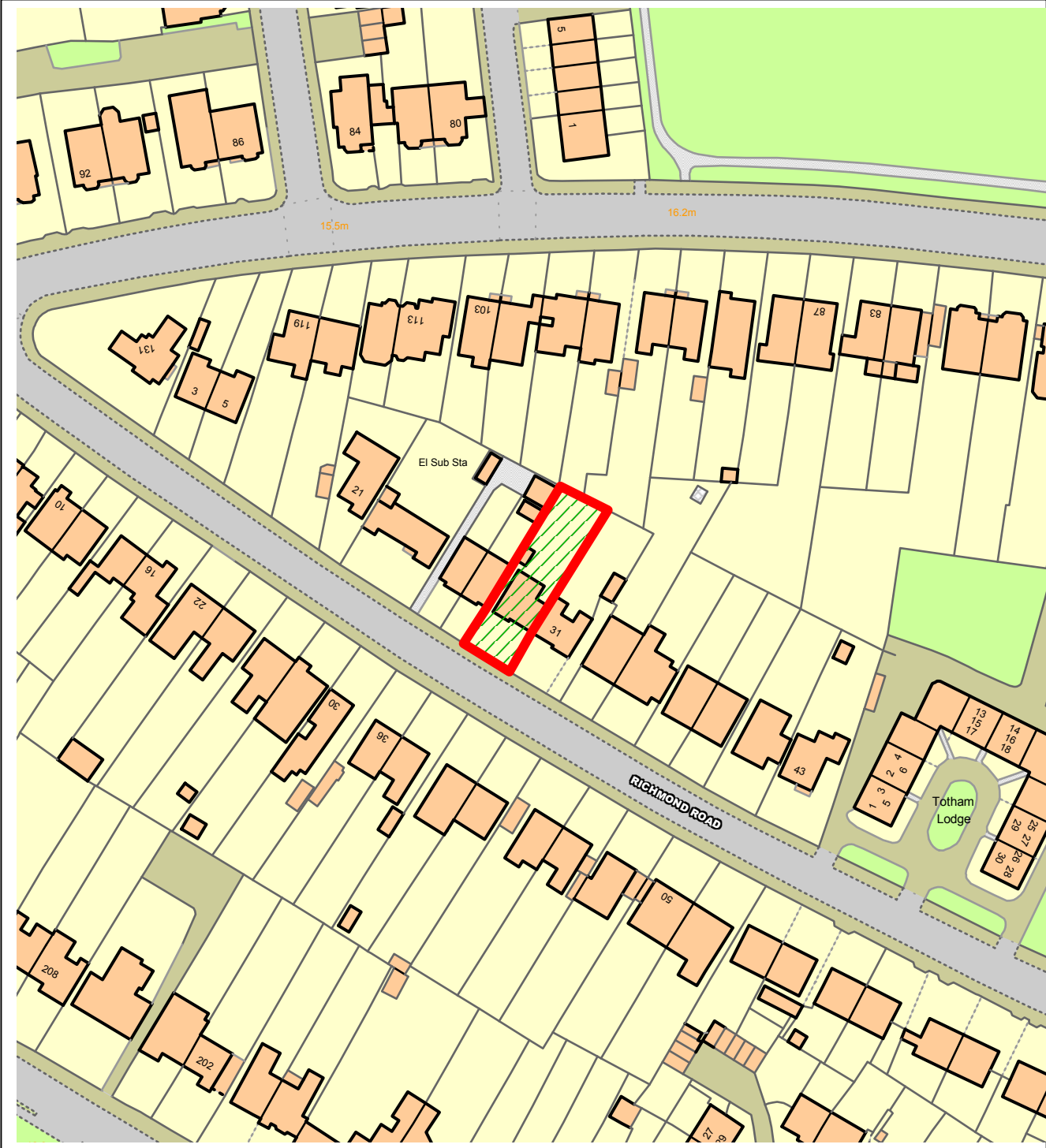
- 8.1 This application is similar to that previously approved under application ref. 19/P3601 but with additional elements relating to a hip to gable extension, rear dormer extension and the three roof lights to the front roof plane along with some other minor alterations to the layout of the roof to the side of the property and the removal of a bathroom window in the side elevation.
- 8.2 On balance, and taking into account the previous permission, it considered to be acceptable. Given that it is possible to see what the house currently looks like with works built larger than those subject to this application, it is also considered possible to determine that the scale, form and positioning of the proposed extensions. Officers conclude that the extensions, had they been constructed in accordance with the submitted plans would not cause material harm to the appearance of the host building or the amenity of the surrounding properties and are therefore an acceptable optimisation of the site's capacity.
- 8.3 Consequently, subject to the imposition of suitable conditions the proposals are not considered harmful to the amenity of neighbours and the proposals are accordingly 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 Numbers 1-12 All Revision 1 (July 2020).
3. Materials as specified
4. C4 Obscure glazing. The first floor windows in the side elevation facing 27 Richmond Road shall be glazed with obscured glass and shall be maintained as such thereafter.
5. C8 No use of flat roof.

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NORTHGATE SE GIS Print Template



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29 Richmond Road, London, SW20 0PG



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29 Richmond Road, London, SW20 0PG

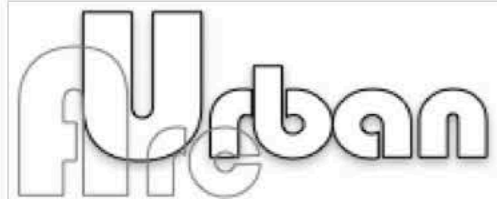


Location Plan

Map area bounded by: 522535,169537 522677,169679. Produced on 16 July 2019 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2019. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p2buk/368364/500217



Site Plan

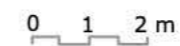


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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

DRAWING TITLE
Site Plan



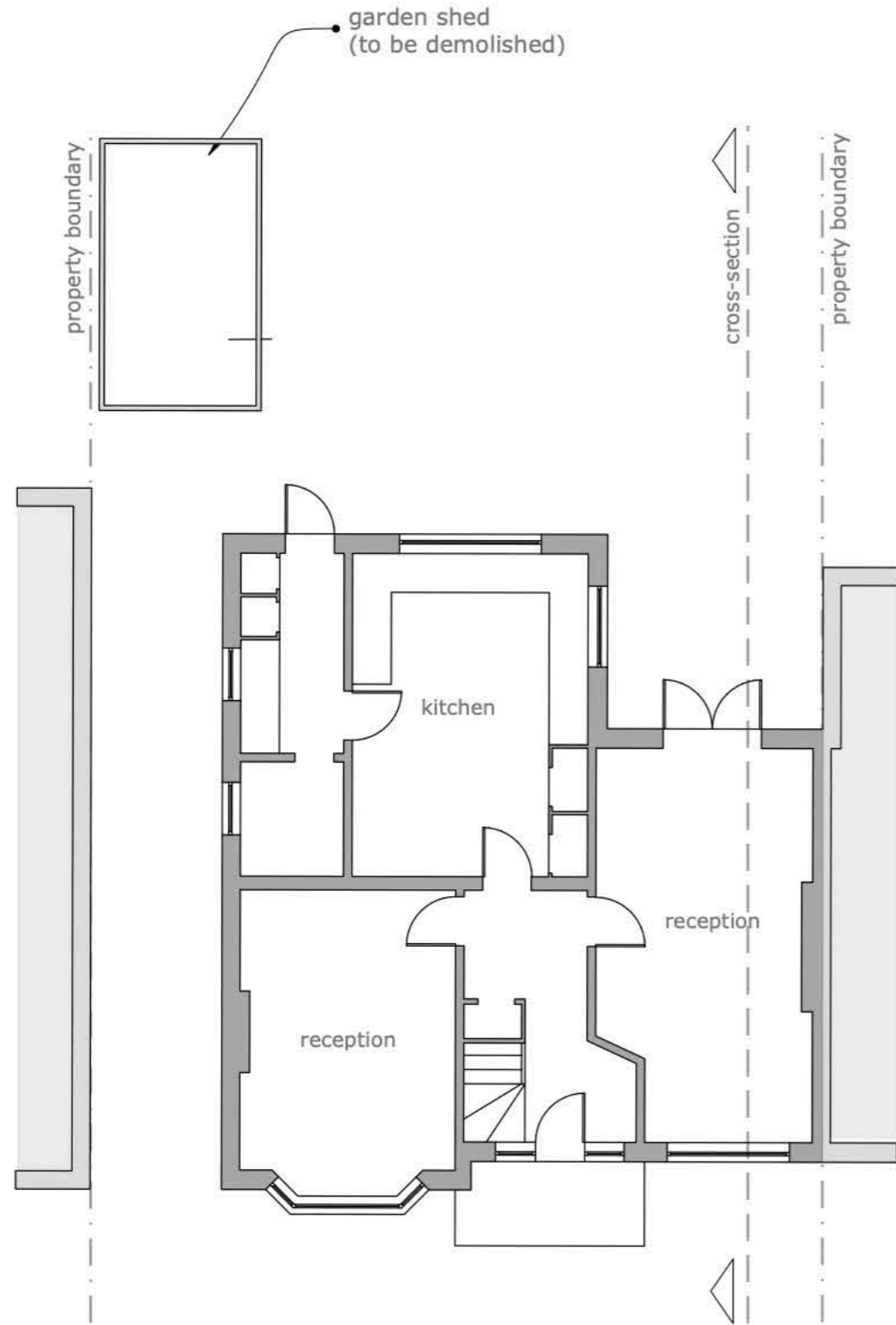
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DATE
July 2020

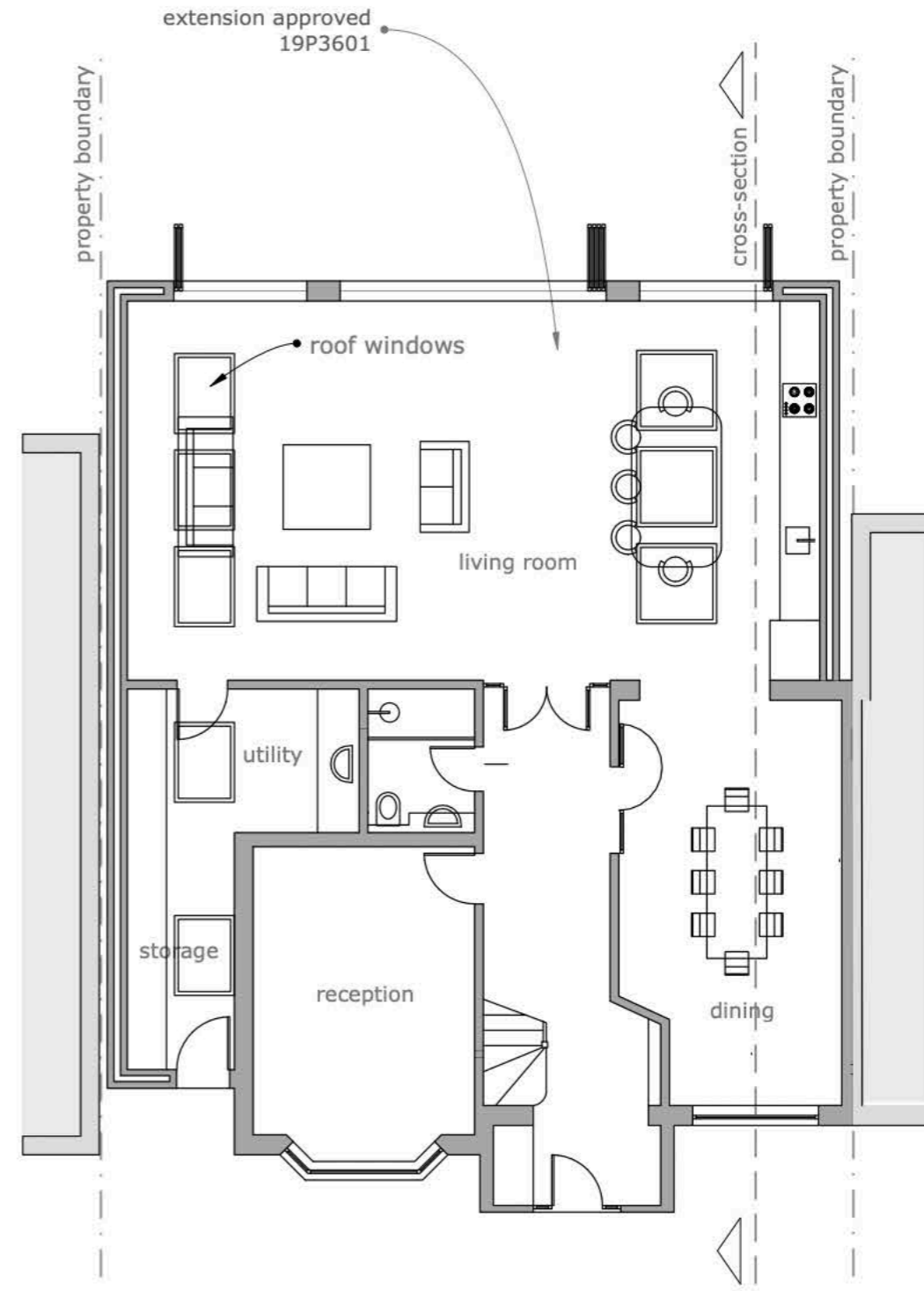
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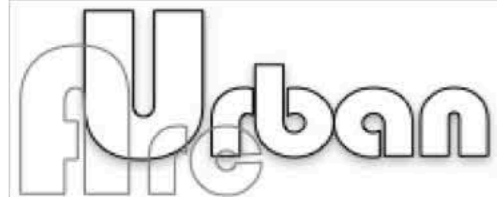
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Existing Ground Floor Plan



Proposed Ground Floor Plan



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PROJECT TITLE
 House extension

PROJECT ADDRESS
 29 Richmond Road

DRAWING TITLE
 Ground Floor Plans

0 1 2 m

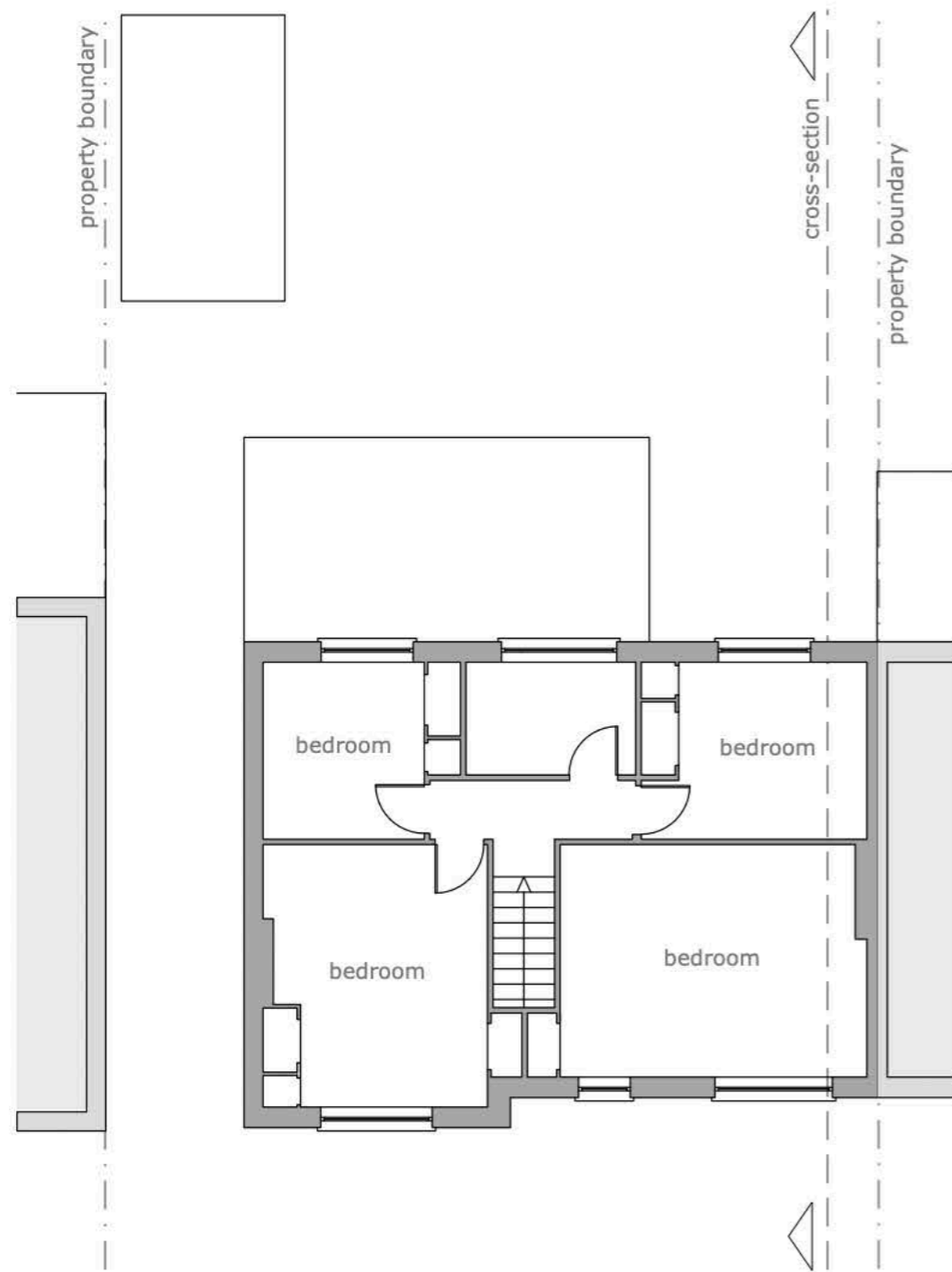
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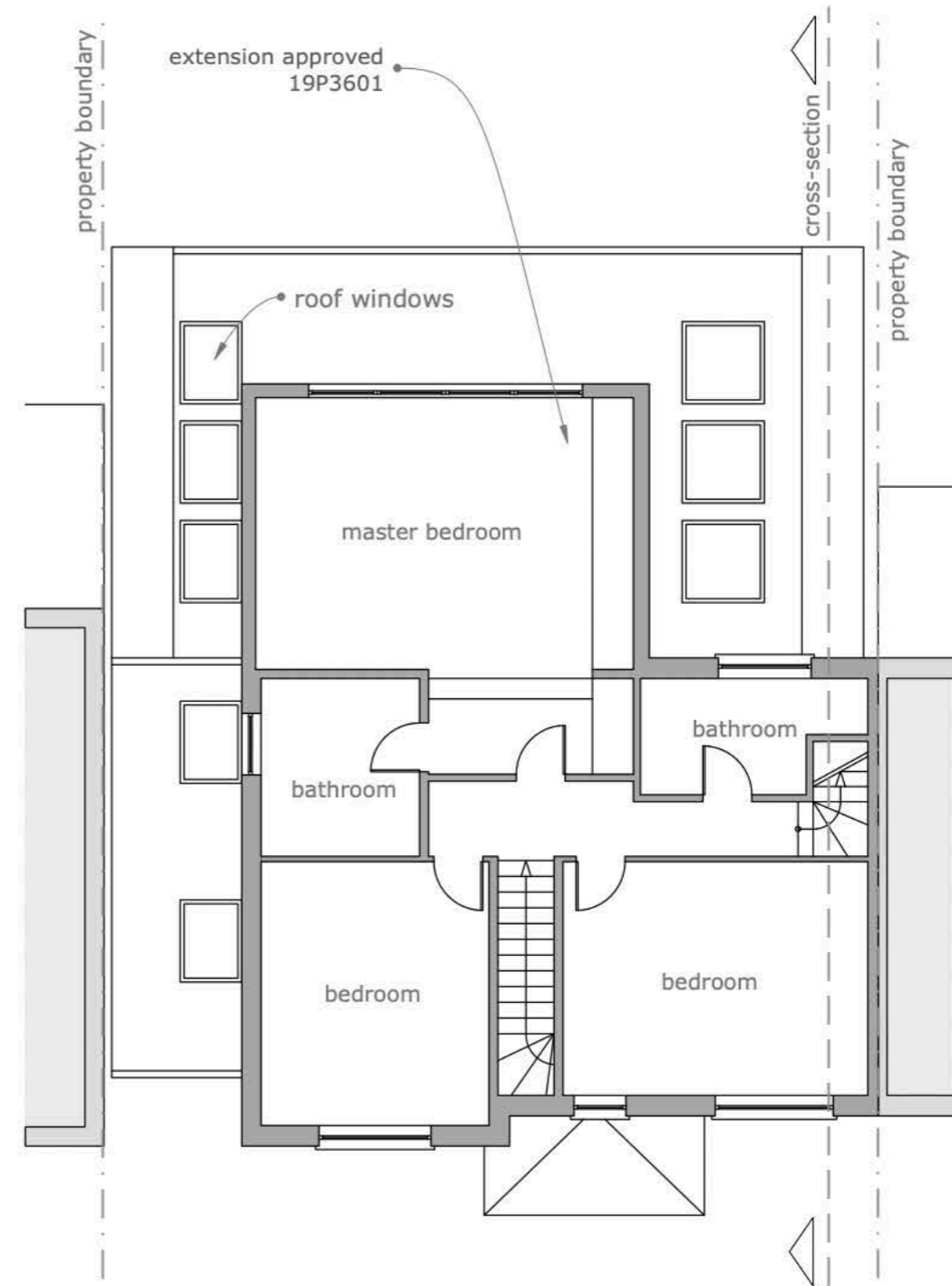
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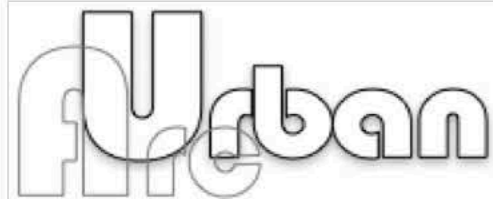
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Existing First Floor Plan



Proposed First Floor Plan



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PROJECT TITLE
 House extension

PROJECT ADDRESS
 29 Richmond Road

DRAWING TITLE
 First Floor Plans

0 1 2 m

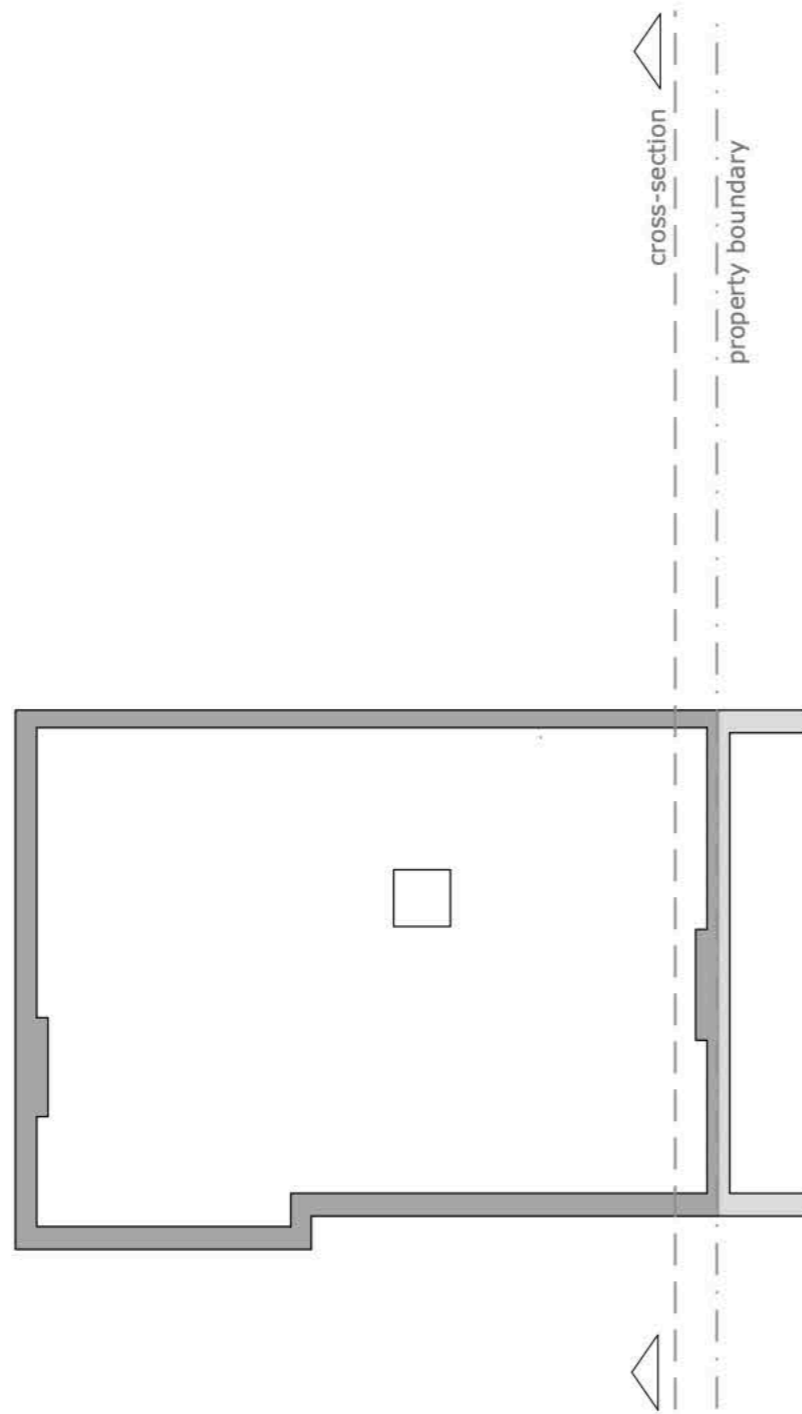
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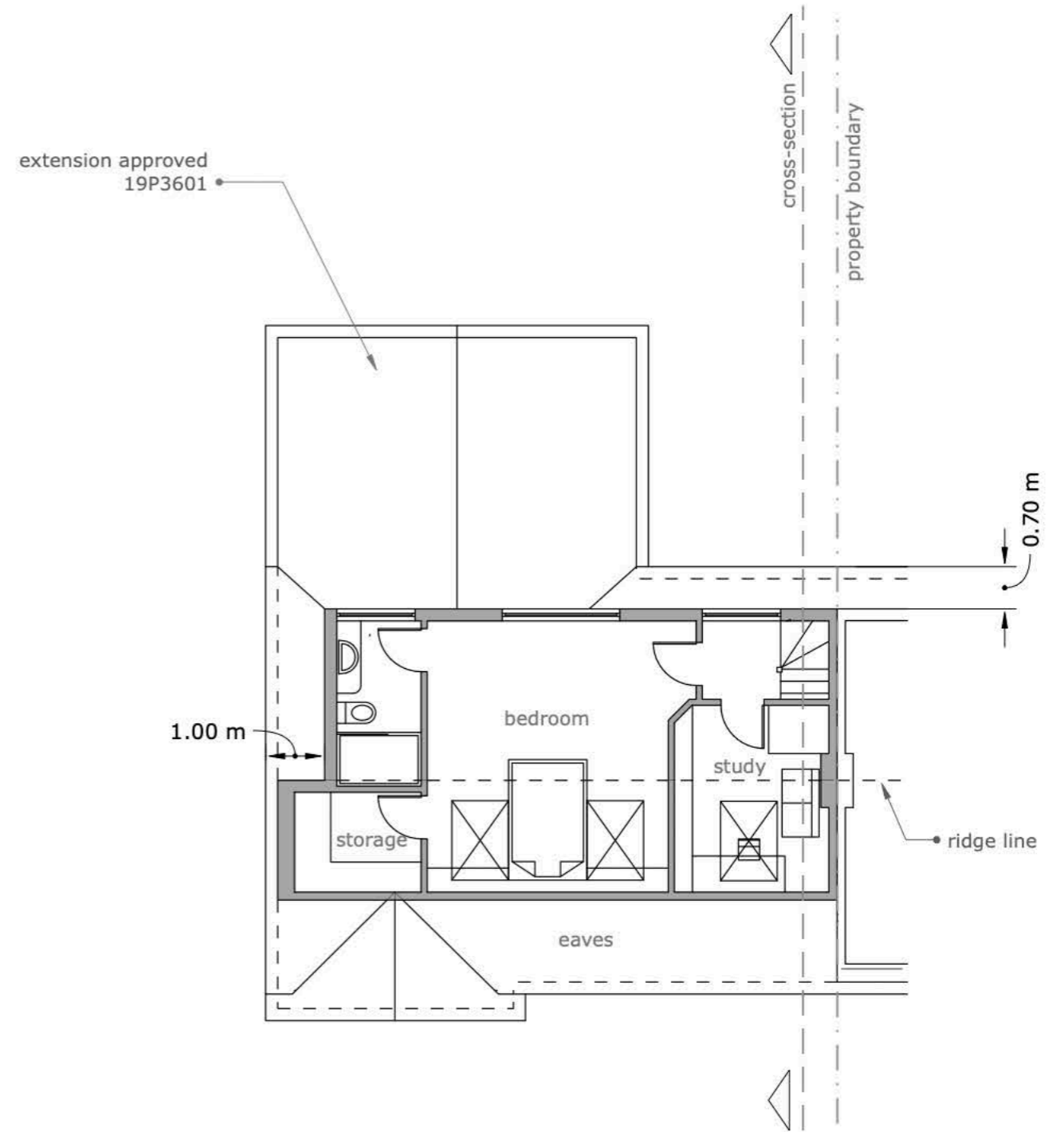
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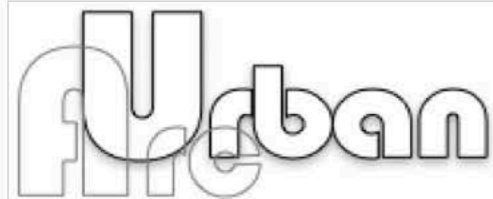
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Existing Second Floor Plan



Proposed Second Floor Plan



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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

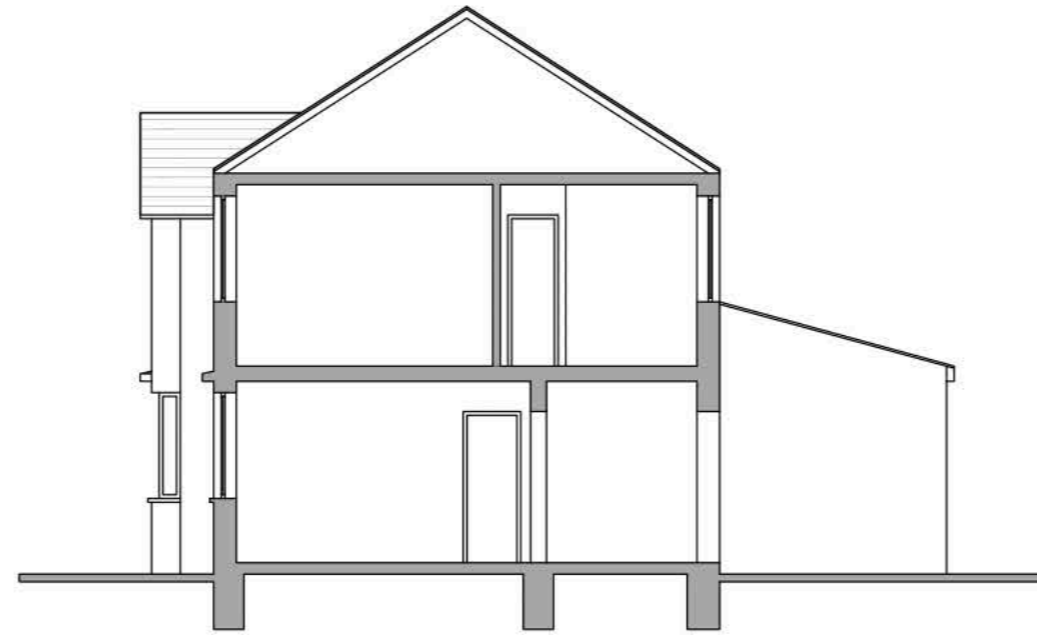
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July 2020

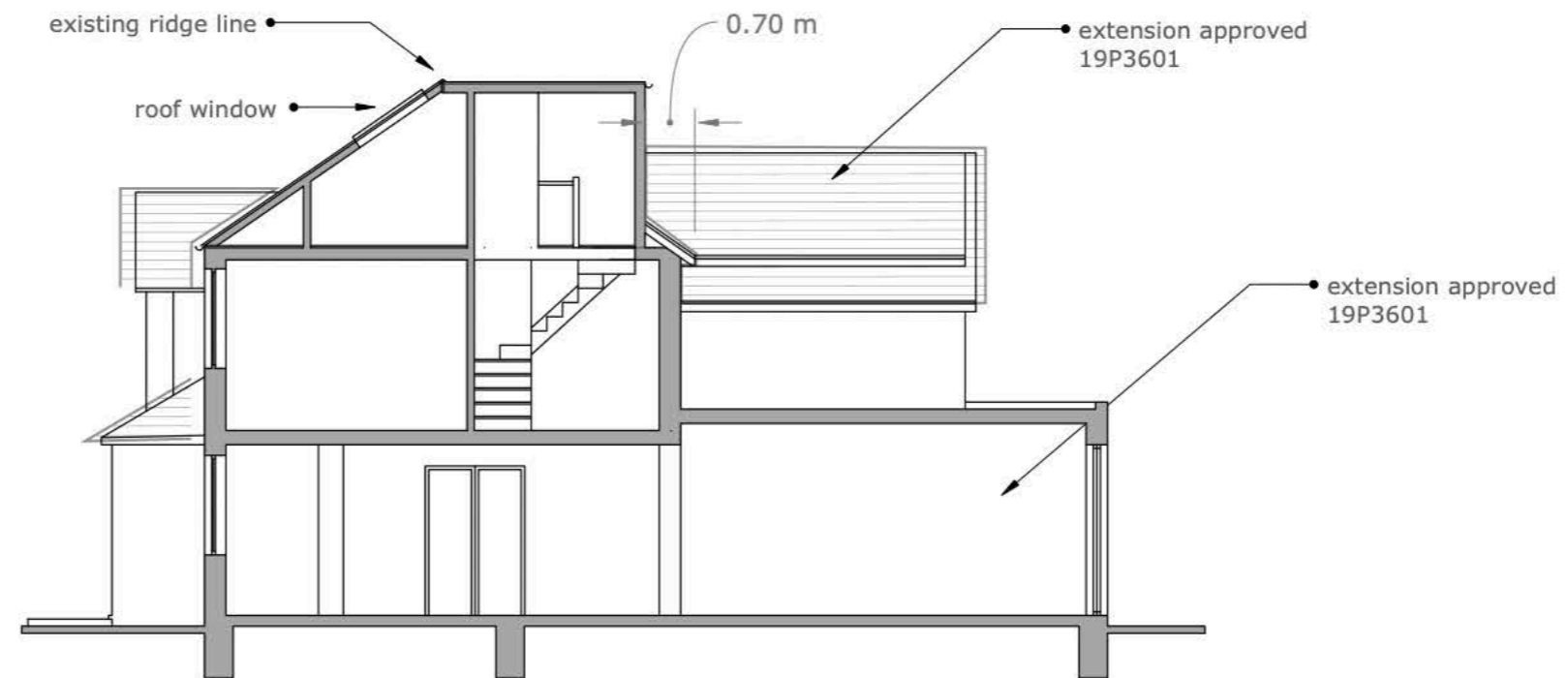
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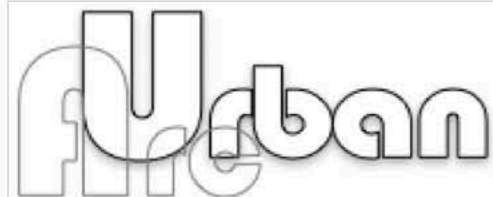
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Existing Section



Proposed Section



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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

DRAWING TITLE
Sections

0 1 2 m

SCALE
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DATE
July 2020

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06

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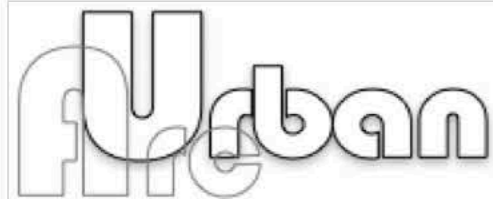
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Existing Front Elevation



Proposed Front Elevation



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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

DRAWING TITLE
Back Elevations

0 1 2 m

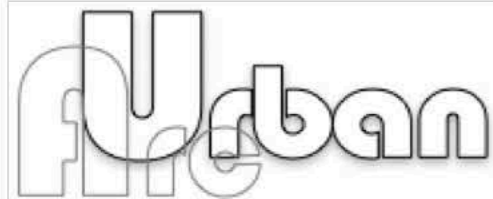
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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

DRAWING TITLE
Back Elevations

0 1 2 m

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DATE
July 2020

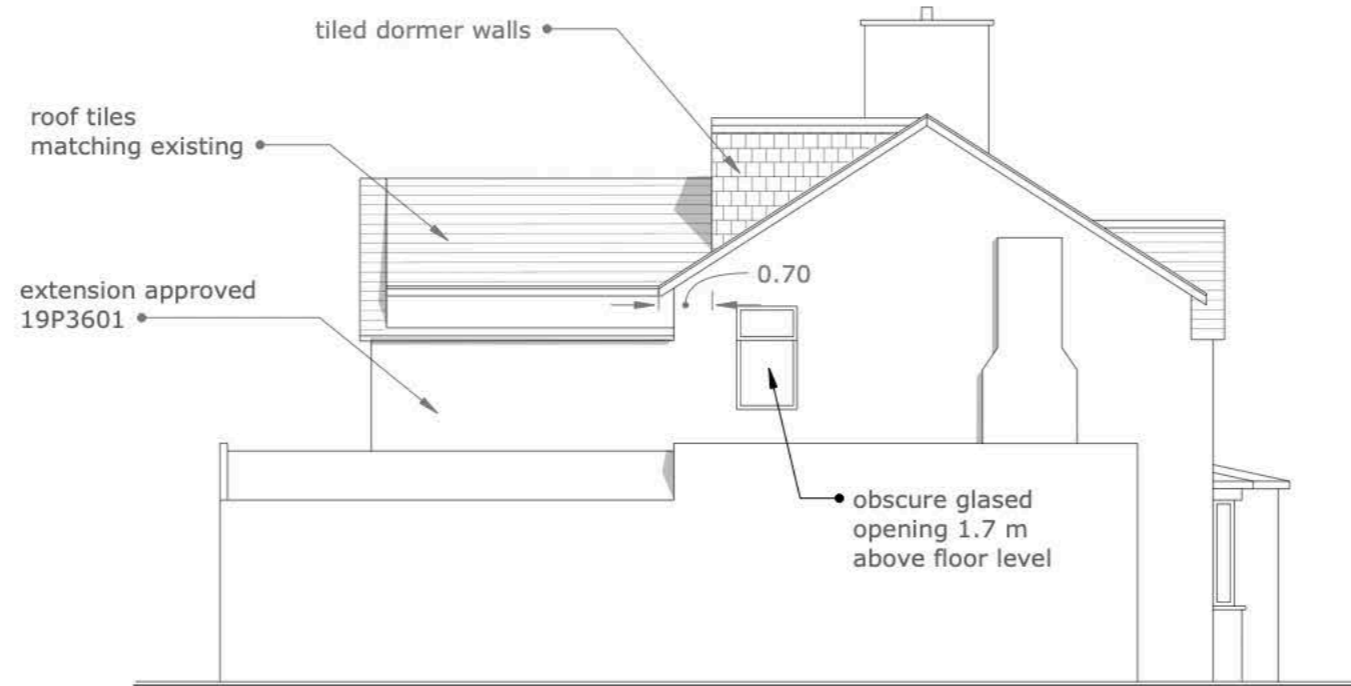
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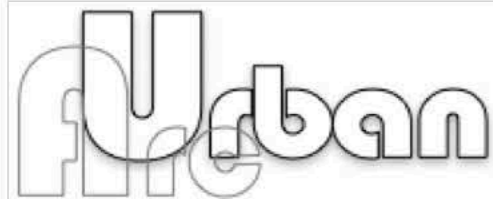
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Existing Side Elevation



Proposed Front Elevation



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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

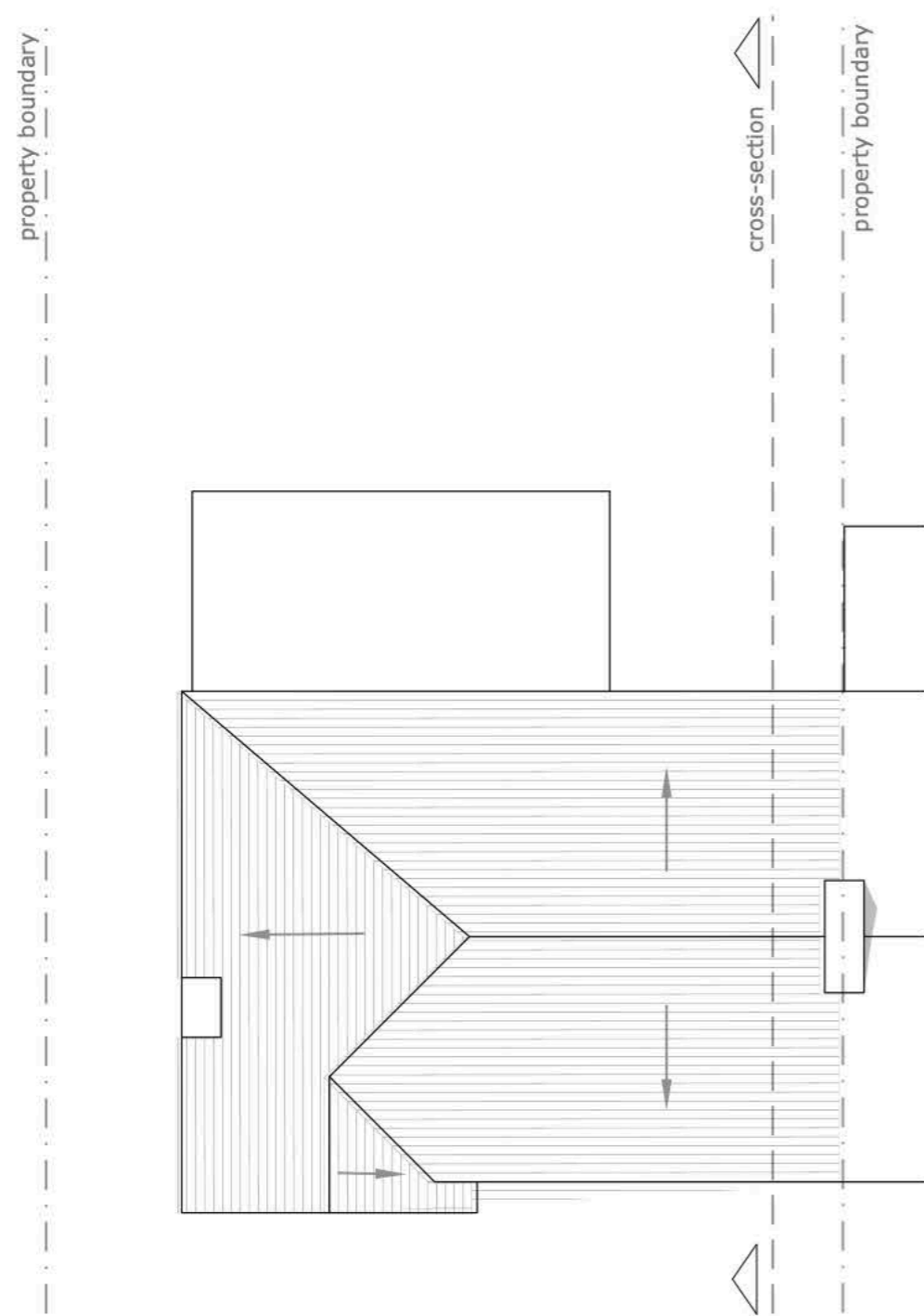
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Elevations
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DATE
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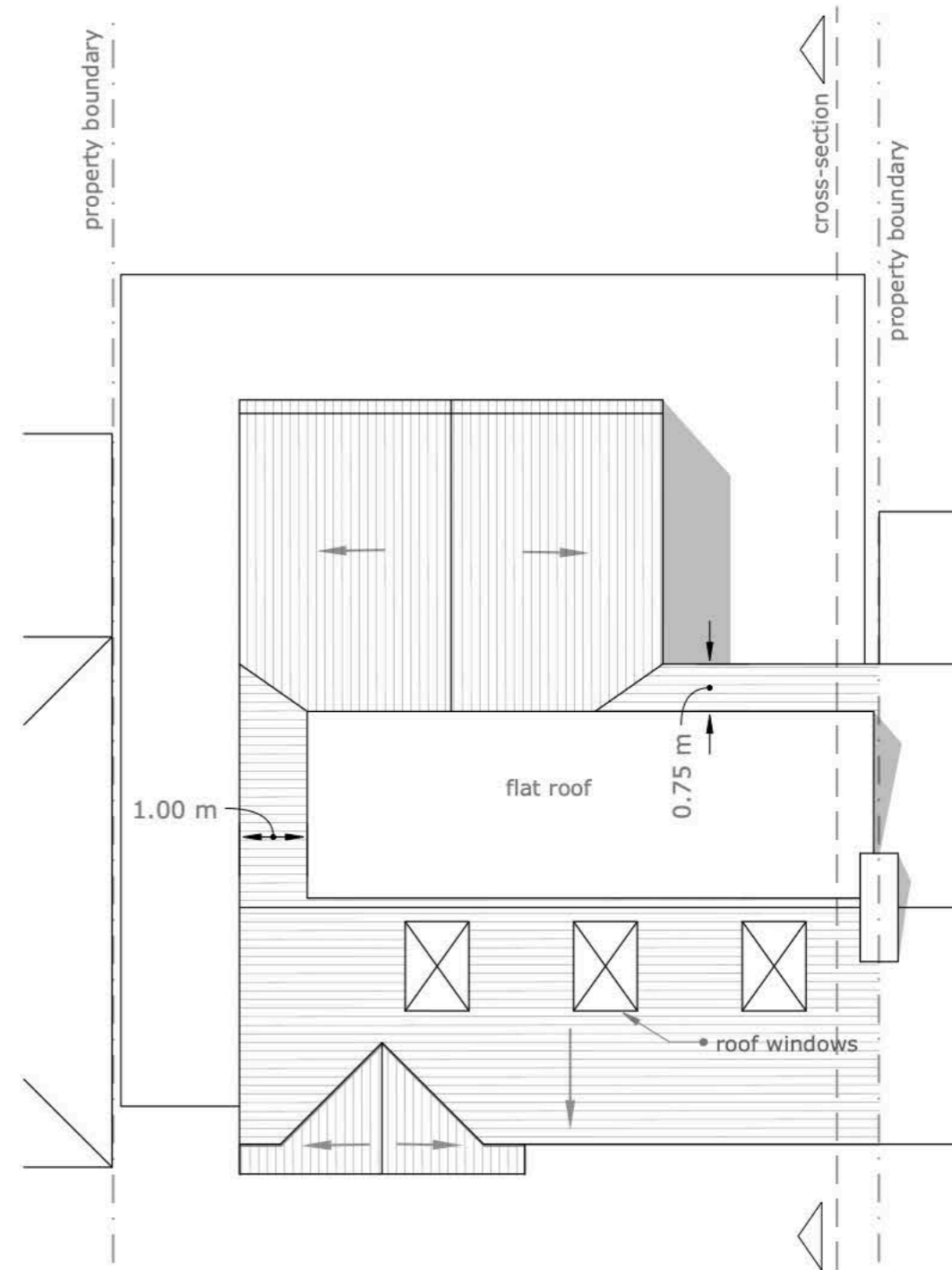
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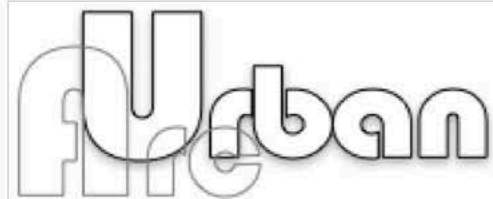
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Existing Roof Plan



Proposed Roof Plan



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PROJECT TITLE
 House extension

PROJECT ADDRESS
 29 Richmond Road

DRAWING TITLE
 Roof Plans

0 1 2 m

SCALE
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DATE
 July 2020

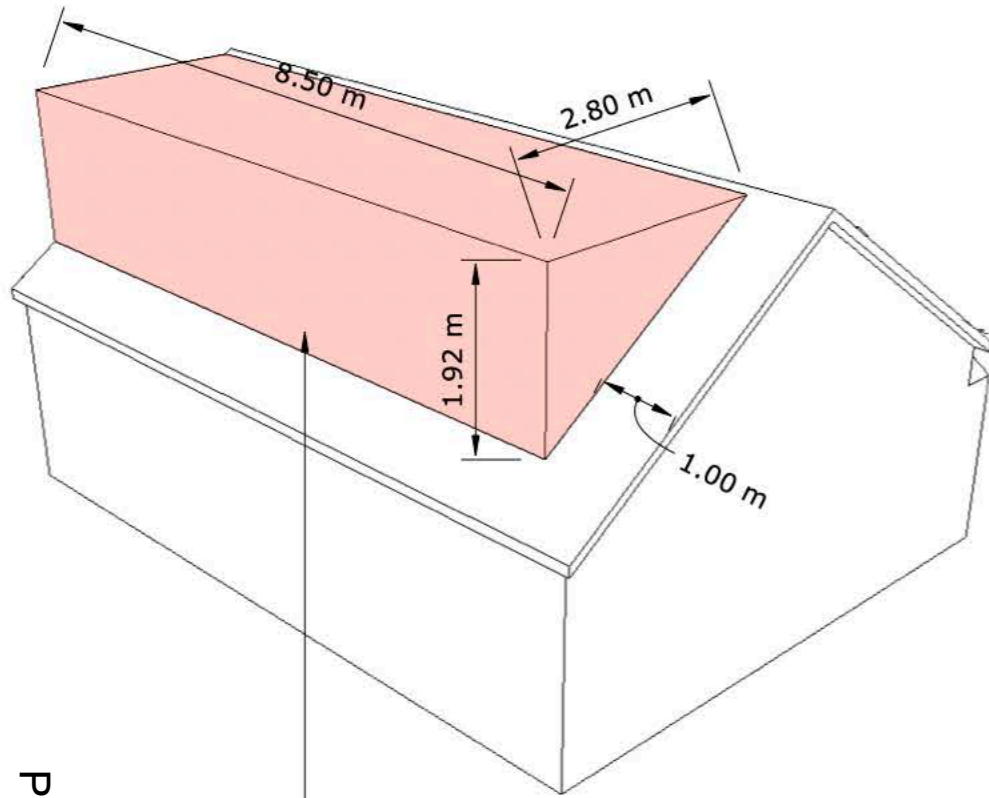
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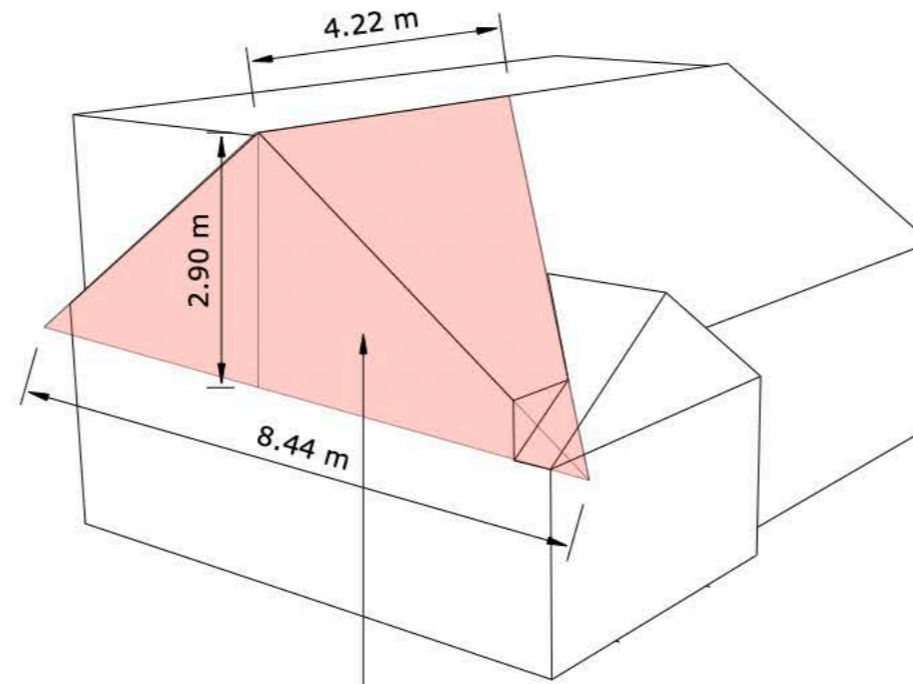


View from the garden



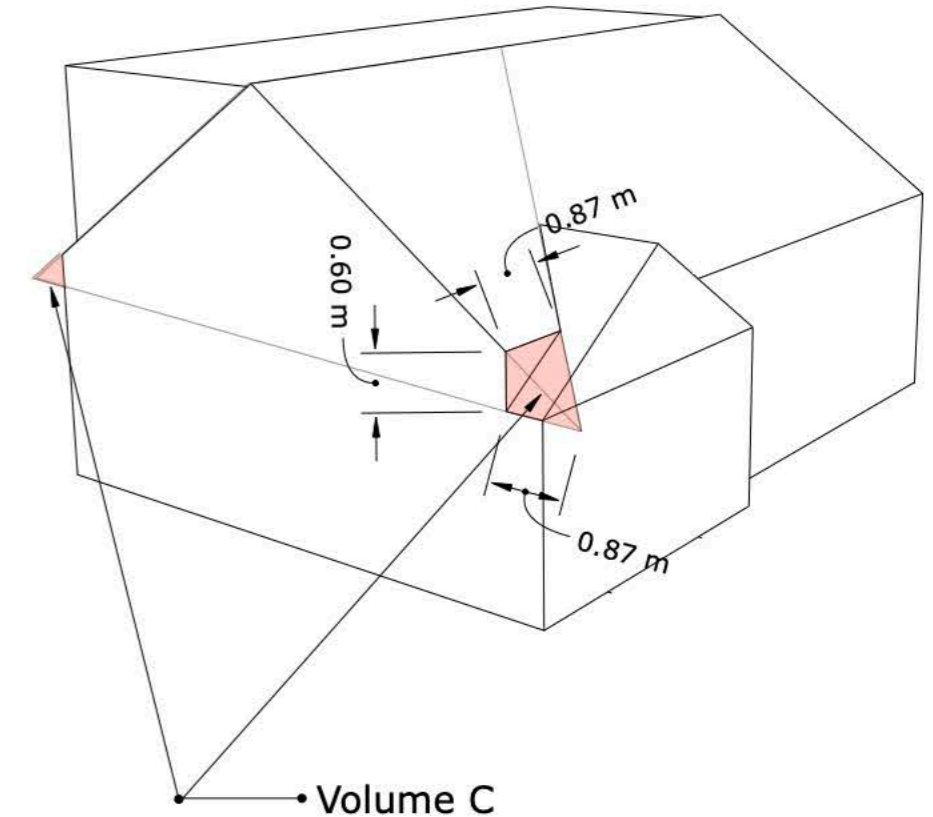
• Volume A
(dormer)

$$\text{Volume A} = ((2.80 \times 1.92) / 2) \times 8.50 = 22.85 \text{ m}^3$$



• Volume B
(hip to gable)

$$\text{Volume B} = ((8.44 \times 2.90) / 2) \times 4.22 / 3 = 17.21 \text{ m}^3$$



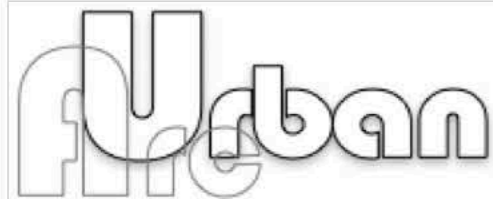
• Volume C

$$\text{Volume C} = ((0.87 \times 0.60) / 2) \times 0.87 / 3 = 0.11 \text{ m}^3$$

$$\text{Total Volume} = \text{Volume A} + \text{Volume B} - (\text{Volume C}) \times 2$$

$$\text{Total Volume} = 22.85 + 17.21 - (0.11 \times 2) = \text{morning } 39.84 \text{ m}^3$$

Volumetric calculations



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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

DRAWING TITLE
Volumetric calculations

SCALE
not to scale

DATE
July 2020

DRAWING NUMBER
12

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KS

REVISION
01

PLANNING APPLICATIONS COMMITTEE
20th January 2022.

UPRN	APPLICATION NO. 21/P2432	Item No: DATE VALID 23.06.2021
Address/Site	29 Richmond Road West Wimbledon SW20 0PG	
Ward:	Raynes Park	
Proposal:	APPLICATION FOR THE RETENTION OF THE AS BUILT SINGLE STOREY SIDE AND REAR WRAP AROUND EXTENSION, PARTIAL TWO-STOREY REAR EXTENSION, ERECTION OF FRONT PORCH AND HIP TO GABLE AND REAR ROOF EXTENSION WITH INSTALLATION OF THREE ROOFLIGHTS TO THE FRONT SLOPE INCORPORATING A RISE IN THE ROOF RIDGE HEIGHT.	
Drawing Nos;	Site location plan and drawings Numbers 1-12 All Revision 00 (July 2021)	

Contact Officer: Leigh Harrington (020 8545 3836)

RECOMMENDATION

Grant planning permission subject to relevant conditions.

CHECKLIST INFORMATION.

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 7
- Press notice – No
- Site notice – No
- External consultations: No
- Archaeological Priority Zone – No
- Controlled Parking Zone – No
- Number of jobs created: N/A
- Density N/A

1 INTRODUCTION

- 1.1 The application is the second of two for this property that has been brought before the Committee due to the level of public interest. The application seeks to retain the works that have been undertaken without planning permission and which differed materially from the scheme approved under planning permission reference 19/P3601.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a two-storey semi-detached dwelling located to the north east side of Richmond Road. The property has been extended by means of the single storey side and rear, part two storey rear and hip to gable and rear roof dormer extension subject of this application.
- 2.2 The surrounding area is predominantly residential and comprises of semi-detached and detached two-storey dwellings that display an eclectic range of designs.
- 2.3 Ridge lines vary within the road and there are examples of other houses in close proximity to the site which appear to have raised or have off set ridge lines; 10, 12, 38, 37, 39 and 57 Richmond Road.
- 2.4 The site is not located within a conservation area, nor is the property listed. The site is located in Flood Zone 1.

3. CURRENT PROPOSAL

- 3.1 The current proposal is for the retention of the “as built” single storey side and rear wrap around extension, part two storey rear extension, erection of a front porch and hip to gable and rear roof extension with the installation of three roof lights to the front roof slope and incorporating raising the height of the roof ridge.
- 3.2 Planning permission (LBM Ref 19/P3601) has been granted for the erection of a single storey side and rear wrap around extension, part two storey rear extension and erection of a front porch. At ground floor level the plan layout for this level has the same single storey rear extension as that approved under LBM Ref 19/P3601 but the single storey side extension now abuts the neighbouring property at 27 with a box gutter and a marginally higher parapet on the front elevation. At first floor level the two storey rear extension also has the same exterior as approved under 19/P3601.
- 3.3 At roof level the proposals include a hip to gable that was not on the 2019 application. Internally the ‘As built’ element is deeper on the North West side than approved although externally it remains the same depth and width. The ridge height is 0.14m higher whilst the three roof lights that

have been installed are smaller than those previously approved. On the rear elevation of the roof dormer the windows are smaller than those approved with a window unit replacing the approved Juliette balcony. The reduction in the amount of glazing between what was previously applied for and what has been installed is nearly 64%. The extension has also been finished in dark grey slate tiling rather than cedar cladding that was originally approved.

- 3.4 The detailing for the entrance door on the front porch now has a door and separate glazed panel rather than glazed panes flanking the door.

4. PLANNING HISTORY

- 4.1 11/P1423. Application for a lawful development certificate in respect of the proposed erection of a single storey rear extension. Issued Certificate of Lawfulness 18th June 2011.
- 4.2 19/P3601. Erection of single storey side and rear wrap around extension, part two-storey rear extension and erection of a front porch. Granted Permission subject to Conditions 28th January 2020.
- 4.3 20/P1438 Erection of single storey side and rear wrap around extension, partial two-storey rear extension, erection of front porch and rear roof extension with installation of three rooflights to the front slope. Currently before members for consideration on this Committee Agenda.

5 CONSULTATION

- 5.1 Consultation letters were sent to 7 neighbouring properties. As a result 7 representations have been received in objection to the proposed development. The responses have been summarised below:
- The works were undertaken without planning permission
 - Raising the ridge line will set a precedent
 - Other neighbouring properties do not have raised ridge lines
 - The attachment of the rain water goods to the wall of 27 Richmond Road can lead to damp issues
 - The side extension is too close to 27 Richmond Road
 - There is a hardstanding of more than 5sqm that is not porous and this can lead to flooding risk.
 - The proposal is too large and too close to the neighbouring property.
 - Disrupt the sense of harmony between the two semi-detached houses.
 - Proposed materials and roof lights out of keeping with character of the area.

6 POLICY CONTEXT

Relevant policies in the London Plan 2021 are;
D3 (Optimising site capacity through a design lead approach)

Merton Local Development Framework Core Strategy (2011)
Relevant policies include:
CS 14 Design

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 D3 Alterations and extensions to existing buildings

7 PLANNING CONSIDERATIONS

7.1 The principal planning considerations in this case relate to the impact of the "as built" extension works on the character and appearance of the host building along with the surrounding area and the impact upon neighbouring amenity

Impact on character of the area and design considerations.

7.2 Policies DMD2 and DMD3 seek to ensure a high quality of design in all development, which relates positively and appropriately to the siting rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street scene patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning policy CS14 supports these SPP Policies.

7.3 The as built works include a hip to gable conversion and raising the ridge. It is acknowledged that this part of the proposal may be considered as disrupting the symmetry with the application property's semi-detached counterpart at 31 Richmond Road. However, it is acknowledged there are examples of other houses in close proximity to the site which appear to have either raised or have an offset ridge line; 10, 12, 38, 37, 39 and 57 Richmond Road. In this regard, it is considered to be part of the character of the area.

7.4 Given the context of the size of the house and its setback from the street the front garden officers consider the roof additions are not so prominent that it would be reasonable to conclude that on balance, therefore, the scale and massing of the proposed changes are considered to be acceptable.

7.5 Officers note that while the application is still to be determined, and thus its merits remain under review, adding a hip to gable and raising the ridge at 31 as proposed as part of a current application shows how potentially redressing the balance in terms of the overall character of the roofscape could be achieved.

- 7.6 Being positioned at the rear of the dwelling, the dormer extension would be largely screened from the street scene and would therefore have a limited impact on the wider character of the area. Further to this, it is noted that there are several other dormer extensions along Richmond Road and in this regard, the proposal would be considered to be part of the prevailing pattern of development in the area.
- 7.7 The appearance of the extensions are not considered to be harmful to the character of the house, its adjoining neighbour or the wider street scene.
- 7.8 The materials used on the dormer extension comprise dark grey hanging tiles rather than the cedar panelling proposed for the 2020 application and these are considered more sympathetic to the character of the host dwelling and do not appear at odds with other neighbouring dwellings. The proposed roof lights on the front roof slope are considered to integrate well with character of the existing dwelling and are a common design for roof extension rooflights and are within permitted development criteria.

Ground Floor Extensions

- 7.9 It is noted that single storey rear extensions are a common characteristic of the surrounding area. Although the depth is 5m given the context of the size of the house, the size of the garden, the presence of extensions on each side and a general increase in extension sizes following the introduction of Prior Approval the single storey rear extension element is considered to respect the size, mass, bulk, and character of the original house and would not materially detract from the established character and appearance of the local area.
- 7.10 The side extension is set behind the front building line by 1 metre and appears as a subordinate addition when viewed from the street. The side extension has been built such that the guttering along the side is attached to the wall of 27 Richmond Road. In terms of visual appearance this is not readily apparent and is not considered to be sufficiently harmful to the appearance and character of the house or the wider setting such as to warrant a refusal of permission but is of concern to those occupiers. In practical terms it is often best practice not to have a very small gap between walls as these are difficult to access and maintain clear from the accumulation of debris ect that can lead to damp. Therefore the existing situation would actually be to the betterment of both neighbours as the gap at ground floor level wont be problematic in the future. Consequently it is considered that the design of the as built side extension respects the size, mass, bulk and character of the original house and does not materially detract from the established character and appearance of the street scene.

First Floor Rear Extension

- 7.11 The proposed first floor addition is almost identical to the first floor extension at no. 31 Richmond Road which adjoins the site. However, this built extension includes a false pitch on the rear elevation such that there are 2 short side dormer extensions on the pitched roof of the first floor extension. The first floor extension is set down from the main roof and reads as a subordinate addition from the rear elevation in terms of its projection. The positioning of the property in relation to the neighbour does restrict views from the street and therefore this extension is not considered to harm the character and appearance of the property or street scene.

Front Porch Extension

- 7.12 The as built front porch is considered to respect the size and character of the original house and does not materially detract from the established character and appearance of the street scene.

Impact on neighbouring amenity

- 7.13 London Plan policy D3 and SPP Policies DM D2 and DM D3 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise. There have been no objections to the proposals on the grounds of impact on amenity

Rear Dormer Extension

- 7.14 The proposed rear dormer extension has an overall width of 8.4m and has been built up to the joint mutual boundary with no. 31 Richmond Road. It is acknowledged that at second floor height, the dormer would provide some overlooking into the neighbouring rear amenity spaces, particularly with regards to no. 31 Richmond Road. However, it is noted that an existing overlooking effect is already created by the first-floor windows to the rear of the property. The windows and openings on this as built proposal are actually 64% less than was originally proposed but the windows would create no more overlooking or impact on privacy than would those in a permitted development dormer. In this regard, it is not viewed that the dormer extension would result in an impact significantly greater than that already existing. As such, it is considered that the dormer extension is acceptable in terms of its impact on amenity.

Raised ridge line

- 7.15 The ridge line has been raised by only 14cms and therefore in the context of the size of the site and the distance to neighbouring properties it is not considered to be visually intrusive or to result in any tangible loss of light or overshadowing. As such, it is considered that the raised ridge line is considered acceptable in terms of its impact on amenity.

Ground Floor Extensions

- 7.16 The side/rear extension extends 2.3 m beyond the rear wall of the existing ground floor rear extension at no. 27 Richmond Road. This depth is not considered to harm the amenity of occupiers of no. 27. A condition prohibiting the use of the flat roof is recommended.
- 7.17 The rear extension extends 3.5m past the rear wall of the existing ground floor rear extension at no. 31 Richmond Road. Due to the eaves height of 2.4 m, the proposed depth is not considered to significantly harm the amenity of occupiers at no. 31.

First Floor Rear Extension

- 7.18 The neighbouring property at no. 27 is set approximately 1 metre in front of the application site. The first floor rear extension therefore extends 3 metres beyond the rear wall of no. 27 and 2.1m from the nearest flank wall. Due to this distance, the proposed first floor extension does not have a significant detrimental impact on the amenity of occupiers at no. 27
- 7.19 There is a bathroom window in the first floor side elevation, indicated on the plans as being obscured glazed to 1.7m above floor level. A condition requiring the window in the flank wall opposite number 27 to be obscure glazed is recommended in order to protect the privacy of occupiers at no 27.
- 7.20 The first floor extension will be 3.5 m away from the boundary with the adjoining neighbours at no. 31. Due to this distance, the proposed first floor extension will not have a detrimental impact on the occupiers at no. 31 Richmond road.

Front Porch Extension

- 7.21 Given the siting and scale, the proposed front porch will have no impact on the amenity of neighbouring properties.

Other matters

- 7.23 A significant number of the objections related to the fact that the applicants had undertaken the works without first obtaining consent. A failure to obtain planning permission before undertaking works that require it does not by itself constitute grounds for refusing a subsequent planning application.
- 7.24 An objection related to the hardstanding area. Planning permission would only be required if the area was more than 5sqm, which it is and if the surface is not made from porous materials or was made so as to drain off within the site. The driveway replaces an existing driveway and is built according to the site plan submitted with the application. It is paved with resin-bound gravel. The surfaces are porous and allow for water to drain through to the ground. This material is widely used for residential properties in the neighbourhood. Rainwater from the roof tops is collected through a drainage system connected to the main sewer.

8. **CONCLUSION**

- 8.1 Notwithstanding that the extensions have been constructed without the benefit of first securing planning permission officers considered it reasonable to invite an application to seek to regularise the development through a retrospective application.
- 8.2 Taking into account the previous permission, and assessing the impact both on neighbour amenity and the streetscene it is considered that the scale and massing of the development “as built” and the additional bulk added can reasonably be supported. Officers consider that the scale, form and positioning of the proposed extensions do not cause material harm to the appearance of the host building or the amenity of the surrounding properties and are therefore an acceptable optimisation of the site’s capacity.
- 8.3 With respect to specific detailed design matters, the erection of hip to gable and rear roof dormer extensions are a common form of development with most being undertaken using permitted development rights. However, in this instance the original ridge line is such that it restricts the available head height in any roof extension so that whilst the space can be used, the lower ceiling height can make it feel cramped. By raising the ridge line a modest 14cms this can make the space more comfortable.
- 8.4 Where proposals entail both a hip to gable and raising the ridge the impact important considerations include whether the proposals unbalance the symmetry of a pair of semi-detached houses and their impact on the appearance of an established terrace ridge height. Hip to gable extensions on their own will routinely fall within the scope of permitted development while raising the ridge does not. Hip to gable extensions are to be found in the locality and it would be unreasonable to focus solely on this aspect of the extensions. Officers however are of the view that in this instance the ridge height would not appear out of character to the extent that it would be harmful to the streetscene and there are other examples of raised or offset ridge lines occurring locally which can be found at 10, 12, 38, 37, 39 and 57 Richmond Road. While its merits are still to be determined, a hip to gable extension and raising the ridge as proposed on a current application for 31 could potentially redress a degree of symmetry. However, the determination of the application before members should not reasonably be delayed on the basis of the application at 31 not being determined.
- 8.5 Subject to the imposition of suitable conditions the proposals are not considered harmful to the amenity of neighbours and the proposals are accordingly recommended for approval.

RECOMMENDATION. Grant planning permission subject to the following conditions:

CONDITIONS

1. A7 (Amended to read “retained as per the approved plans”) Site location plan and drawings Numbers 1-12 All Revision 00 (July 2021).
2. C4 Obscure glazing. The first floor windows in the side elevation facing 27 Richmond Road shall be glazed with obscured glass for so long as the development remains.
3. C8 No use of flat roof.

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NORTHGATE SE GIS Print Template



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29 Richmond Road, London, SW20 0PG



Location Plan

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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

DRAWING TITLE
Location Plan

SCALE
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DATE
July 2020

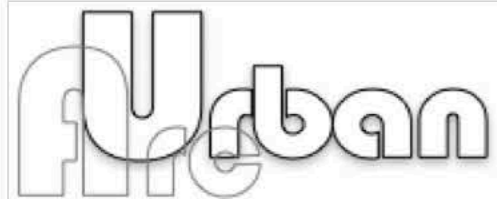
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01



Site Plan

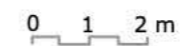


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PROJECT TITLE
 House extension

PROJECT ADDRESS
 29 Richmond Road

DRAWING TITLE
 Site Plan



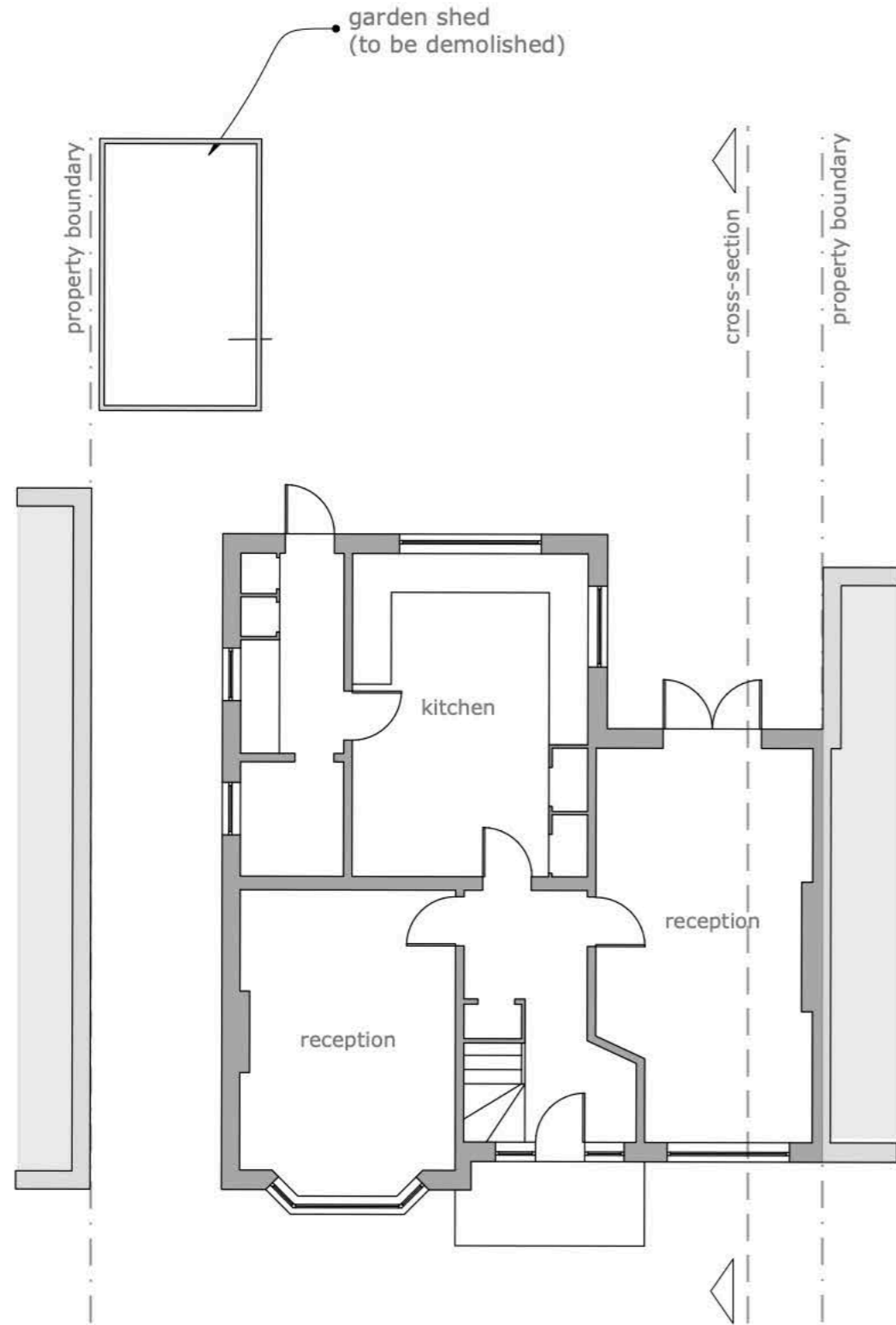
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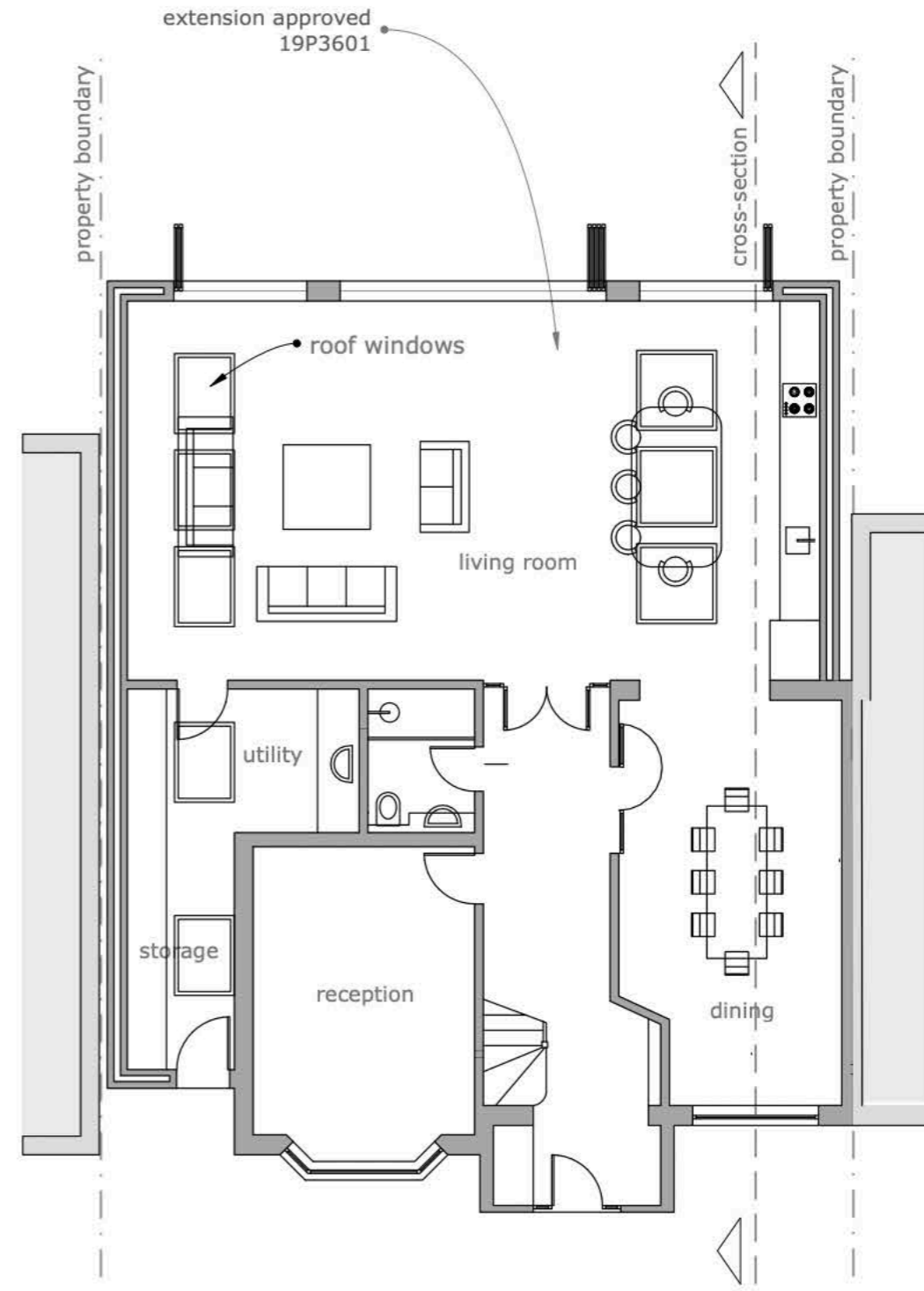
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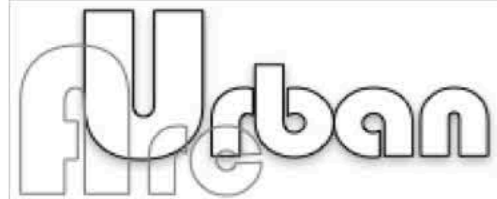
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Existing Ground Floor Plan



Proposed Ground Floor Plan



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PROJECT TITLE
 House extension

PROJECT ADDRESS
 29 Richmond Road

DRAWING TITLE
 Ground Floor Plans

0 1 2 m

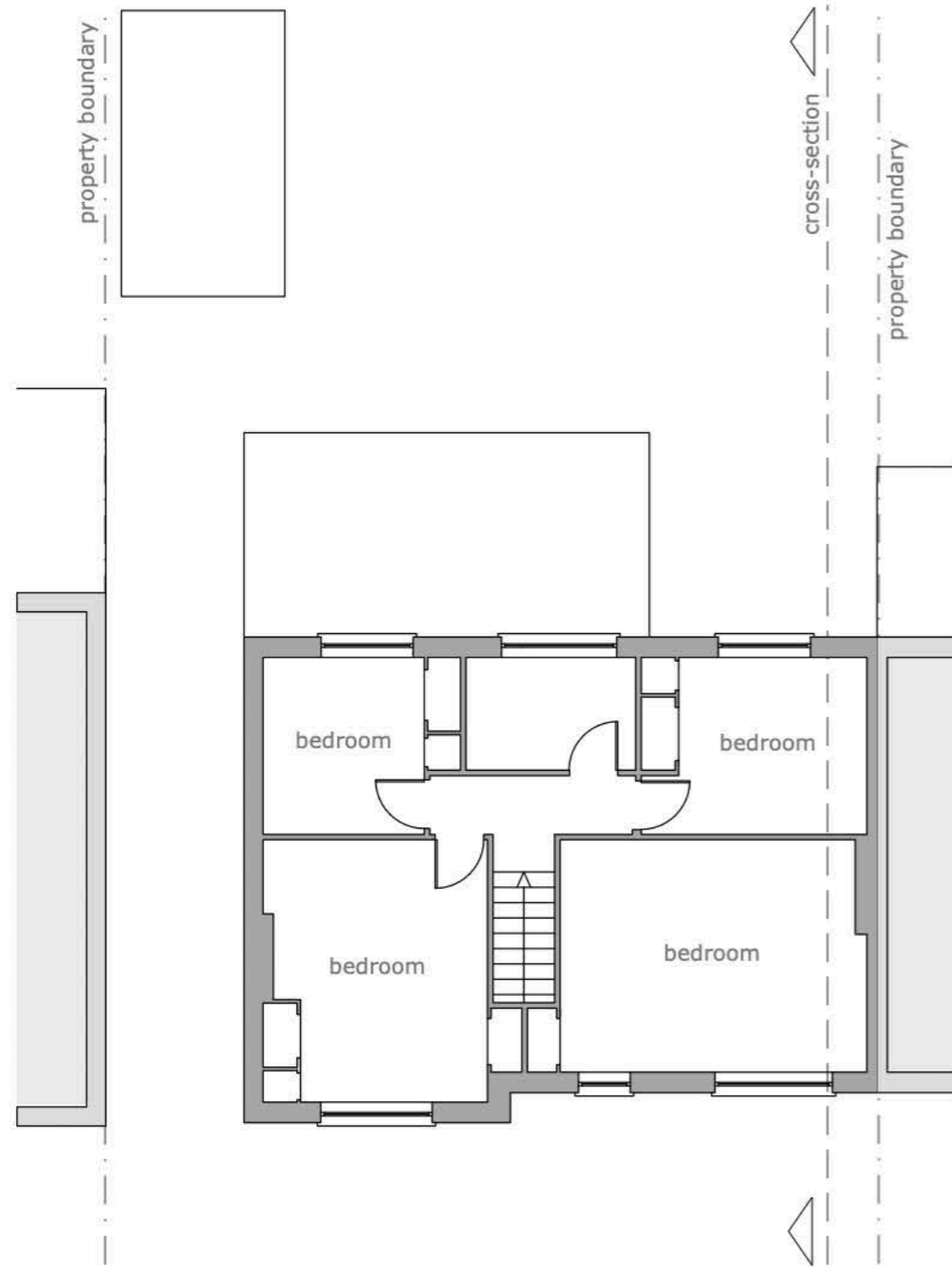
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DATE
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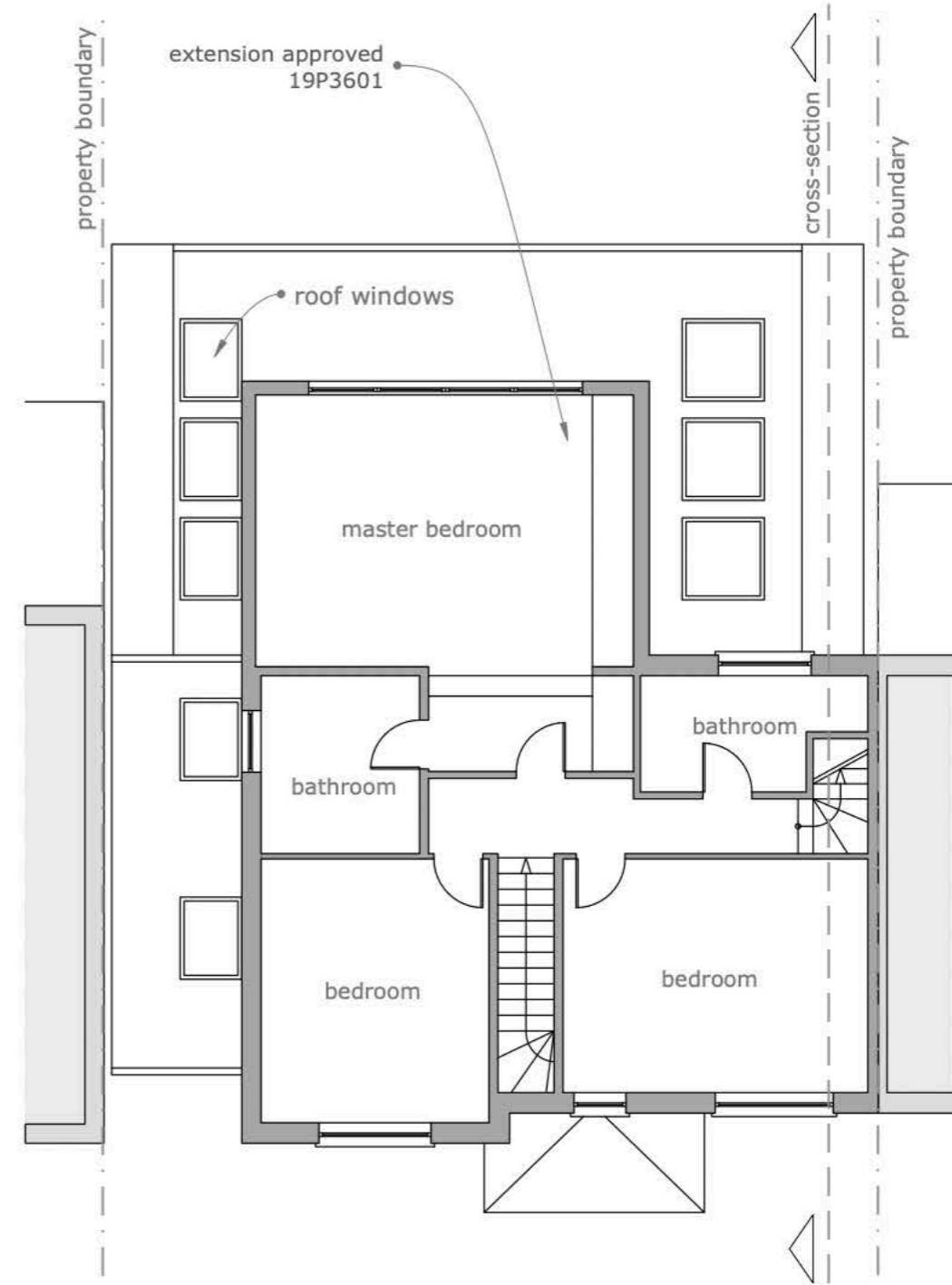
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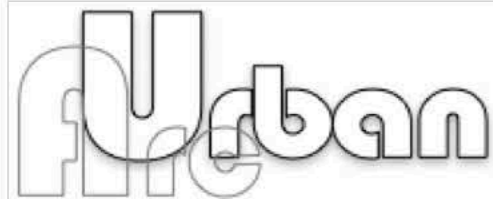
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Existing First Floor Plan



Proposed First Floor Plan



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PROJECT TITLE
 House extension

PROJECT ADDRESS
 29 Richmond Road

DRAWING TITLE
 First Floor Plans

0 1 2 m

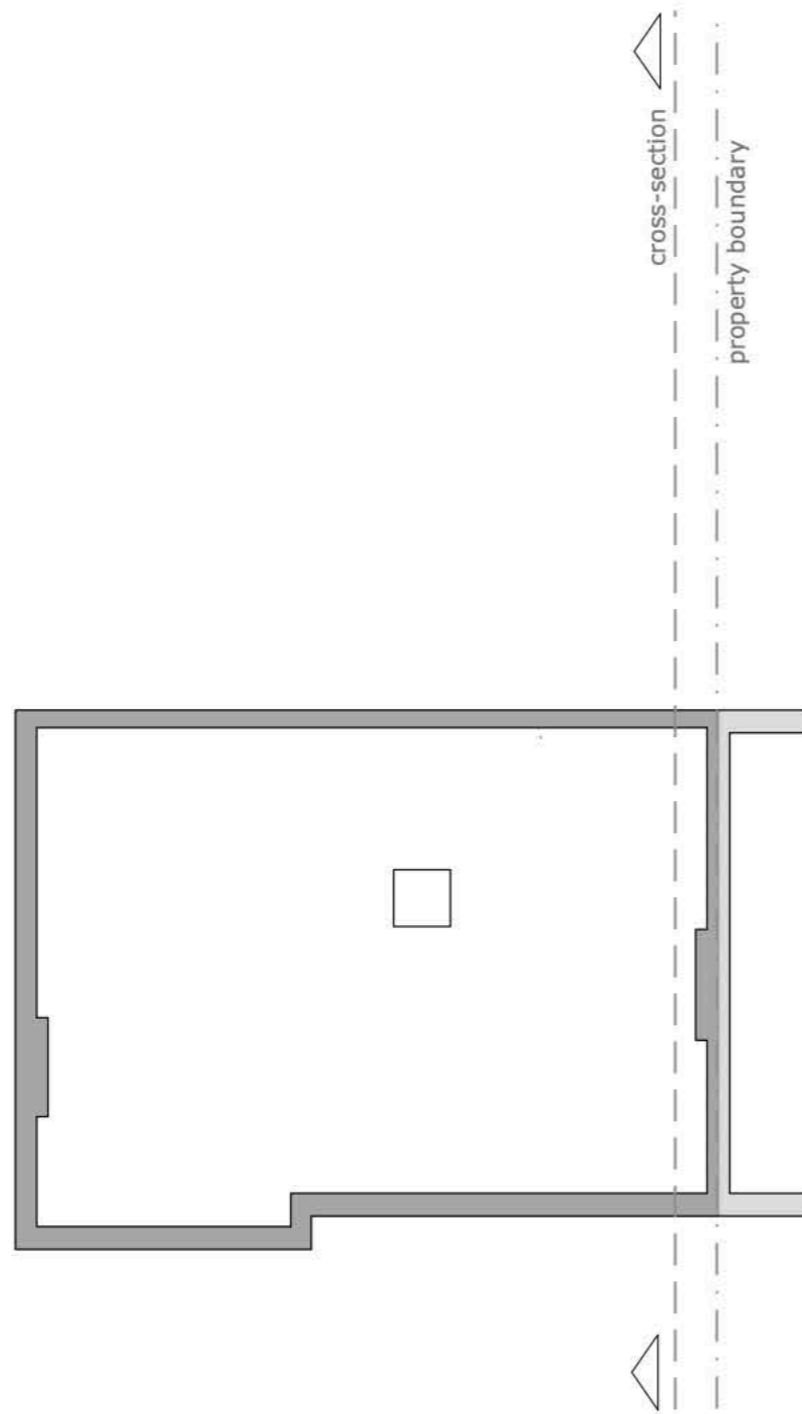
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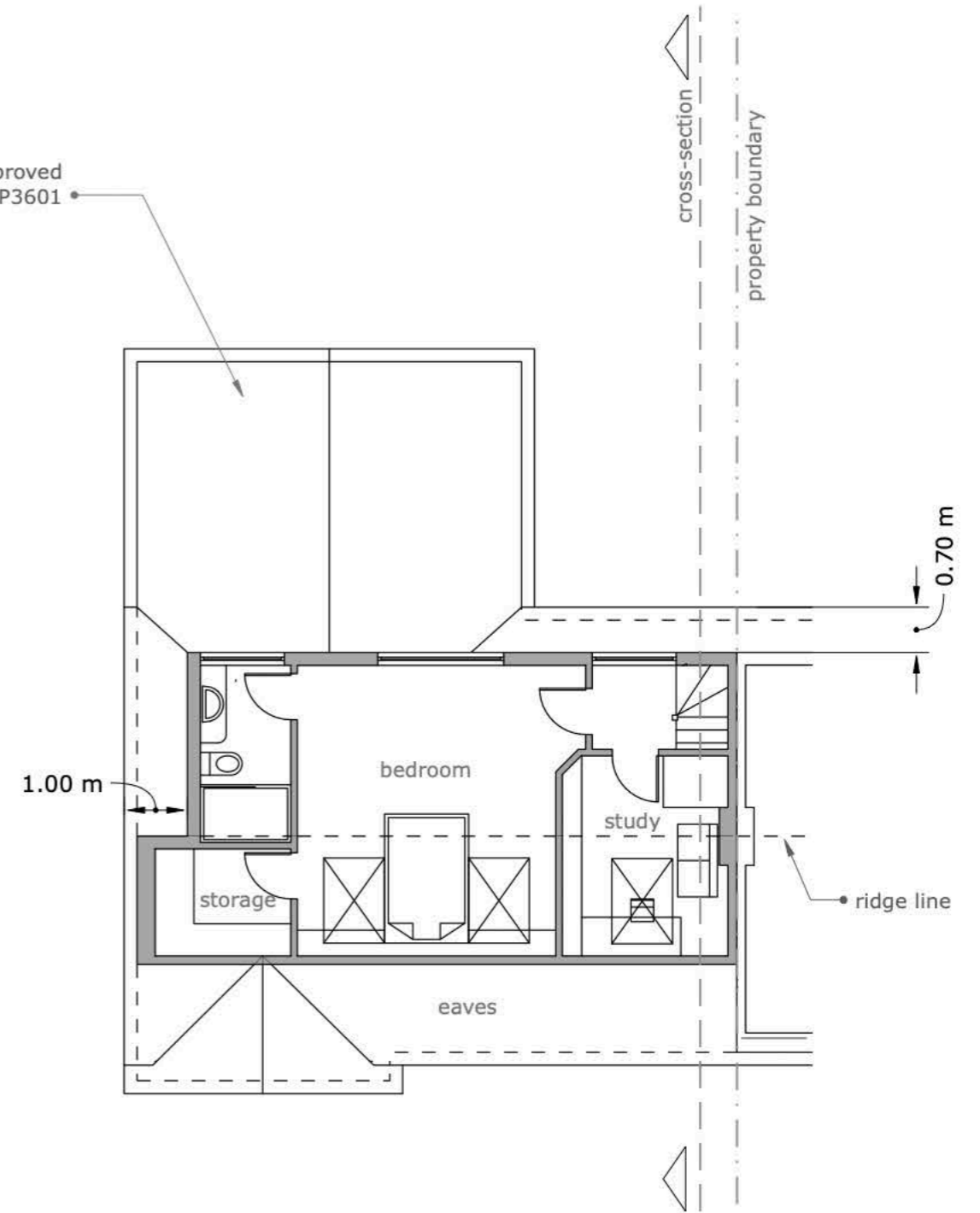
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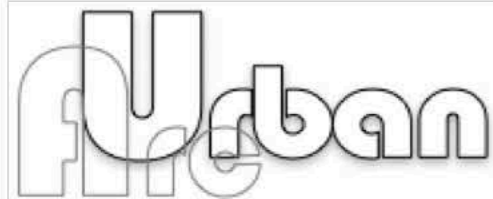


Existing Second Floor Plan

extension approved
19P3601



Proposed Second Floor Plan



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PROJECT TITLE
 House extension

PROJECT ADDRESS
 29 Richmond Road

DRAWING TITLE
 Second Floor Plans

0 1 2 m

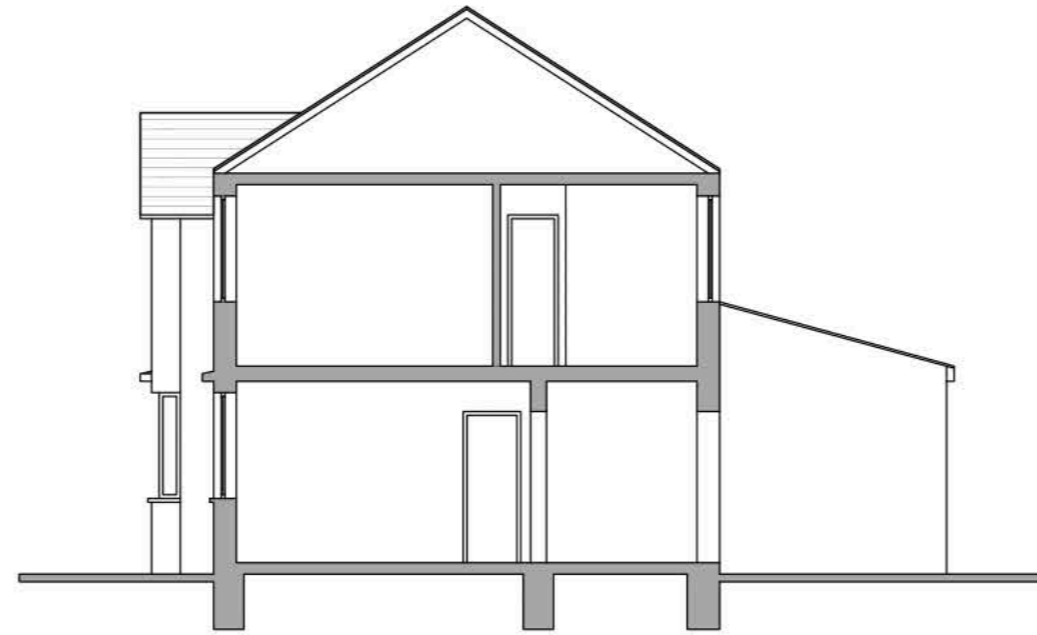
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DATE
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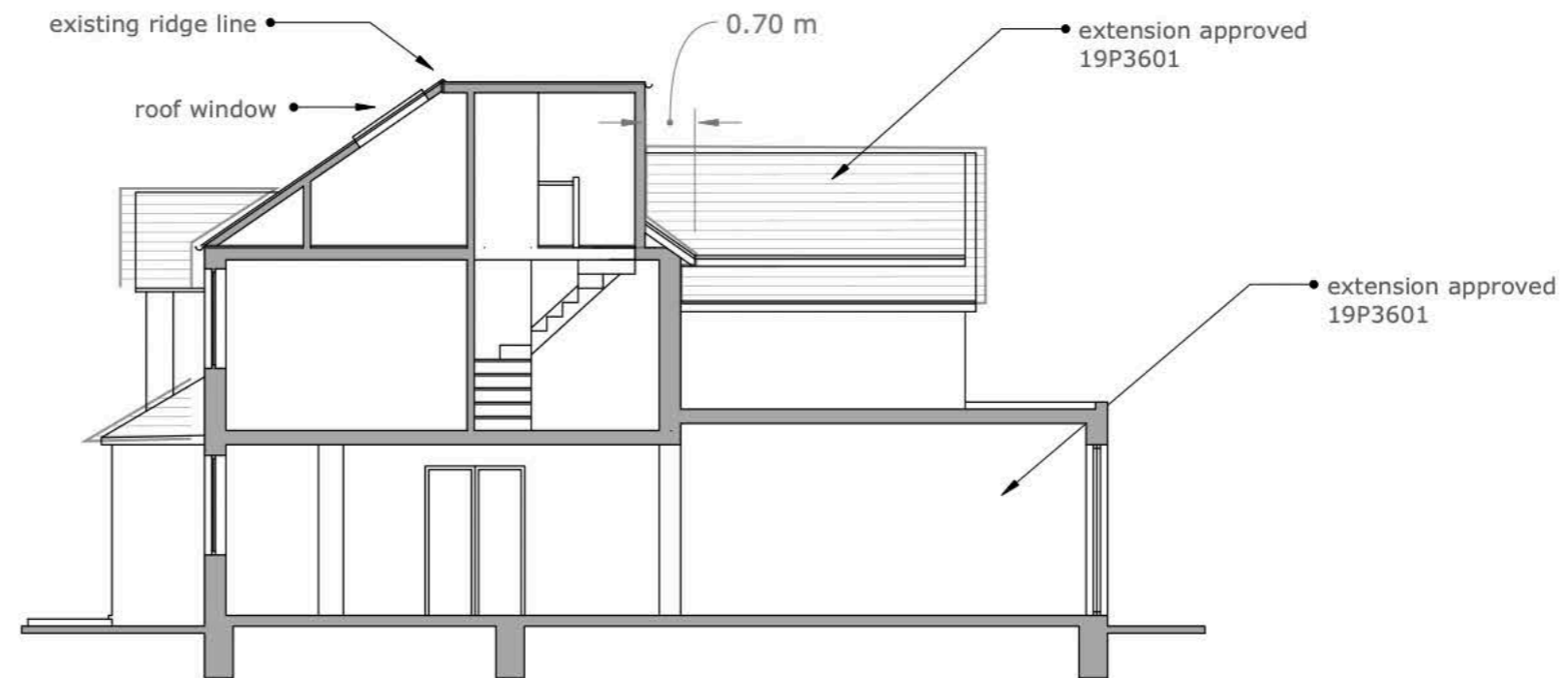
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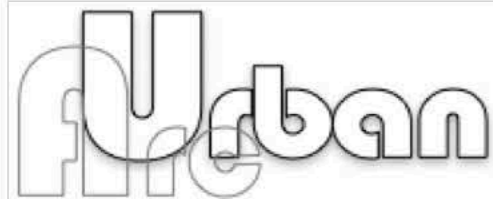
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Existing Section



Proposed Section



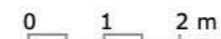
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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

DRAWING TITLE
Sections



SCALE
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DATE
July 2020

DRAWING NUMBER
06

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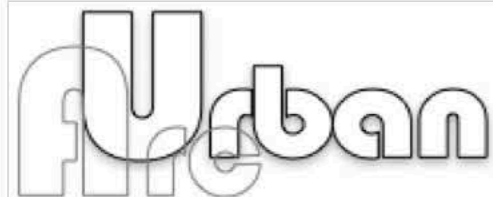
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Existing Front Elevation



Proposed Front Elevation



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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

DRAWING TITLE
Back Elevations

0 1 2 m

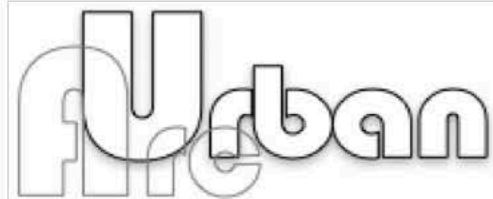
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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

DRAWING TITLE
Back Elevations
0 1 2 m
SCALE
1:100 @ A3

DATE
July 2020

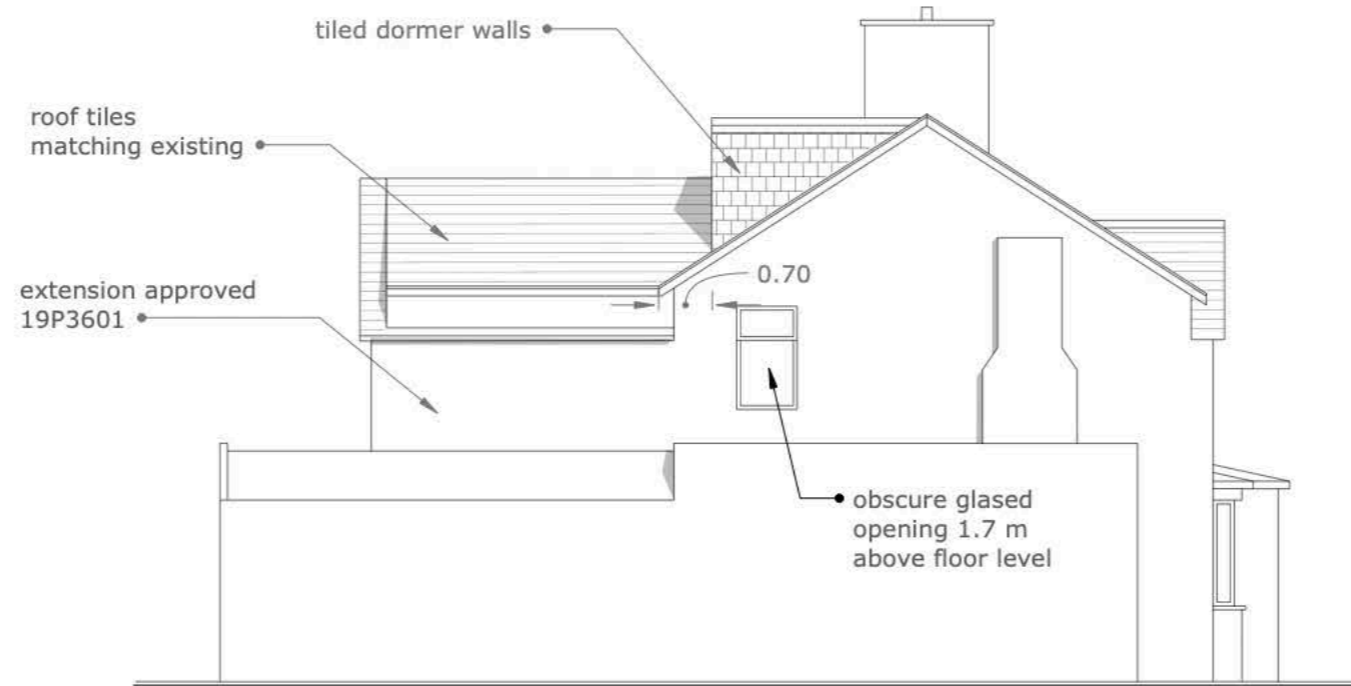
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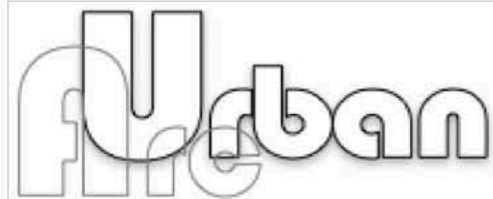
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Existing Side Elevation



Proposed Front Elevation



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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

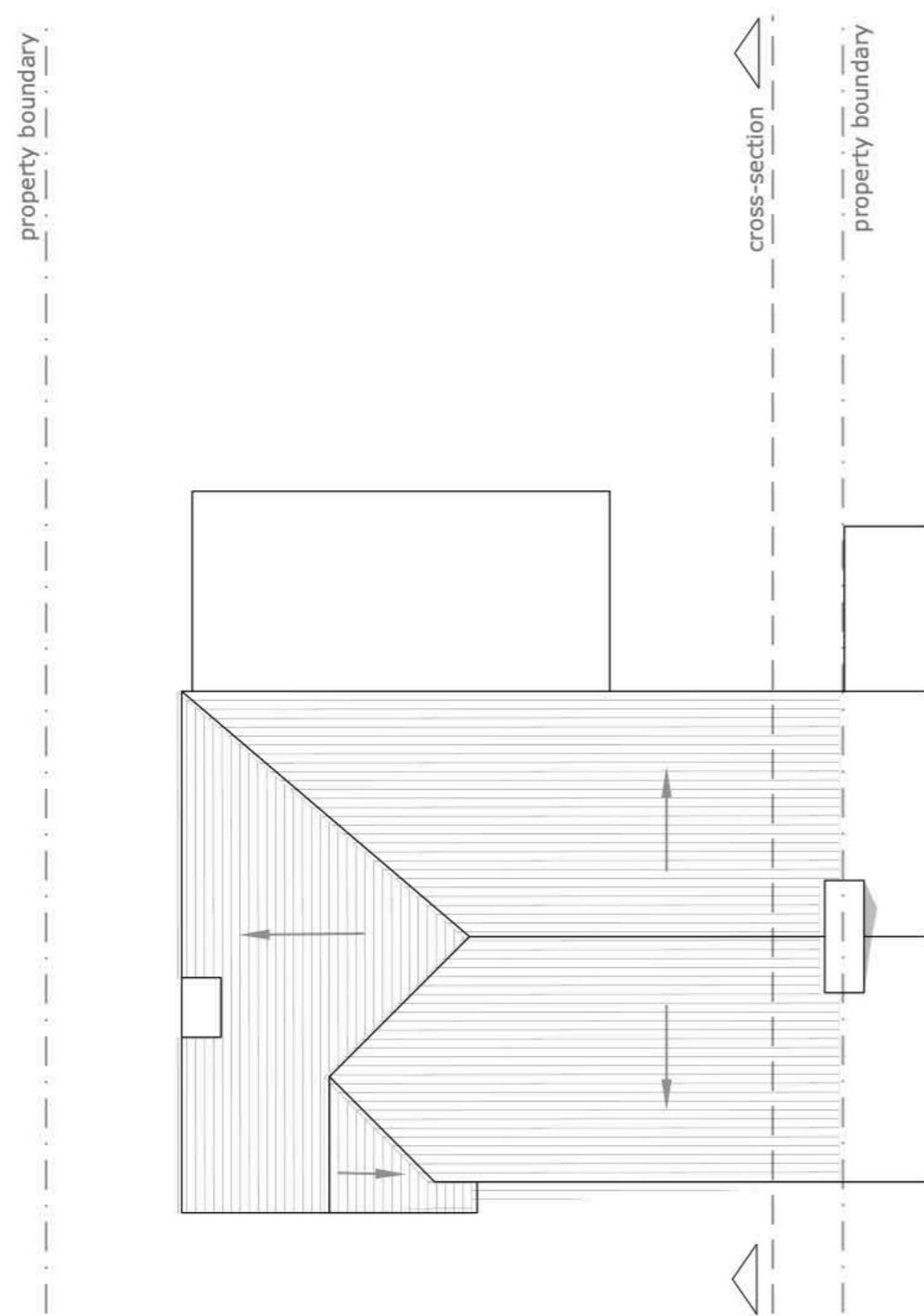
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Elevations
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DATE
July 2020

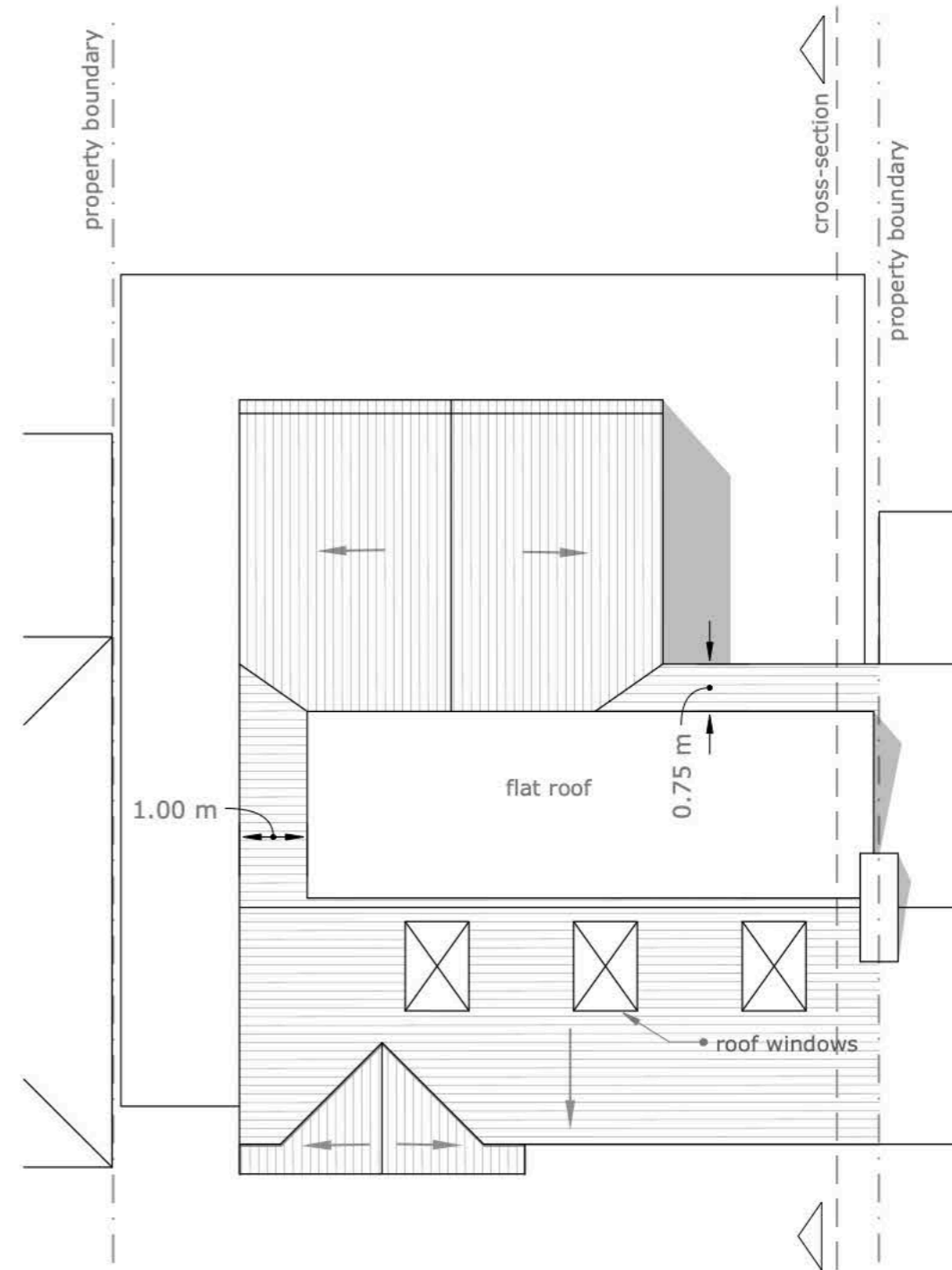
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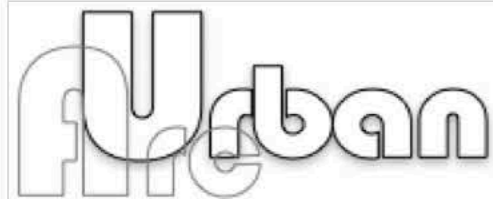
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Existing Roof Plan



Proposed Roof Plan



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PROJECT TITLE
 House extension

PROJECT ADDRESS
 29 Richmond Road

DRAWING TITLE
 Roof Plans

0 1 2 m

SCALE
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DATE
 July 2020

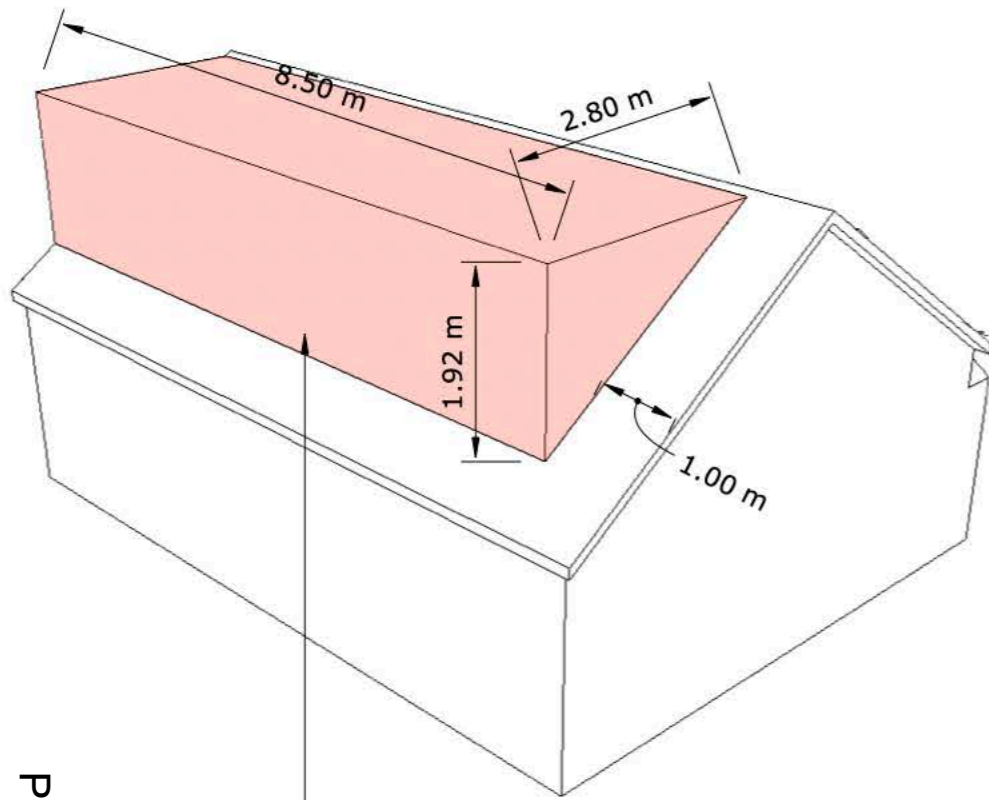
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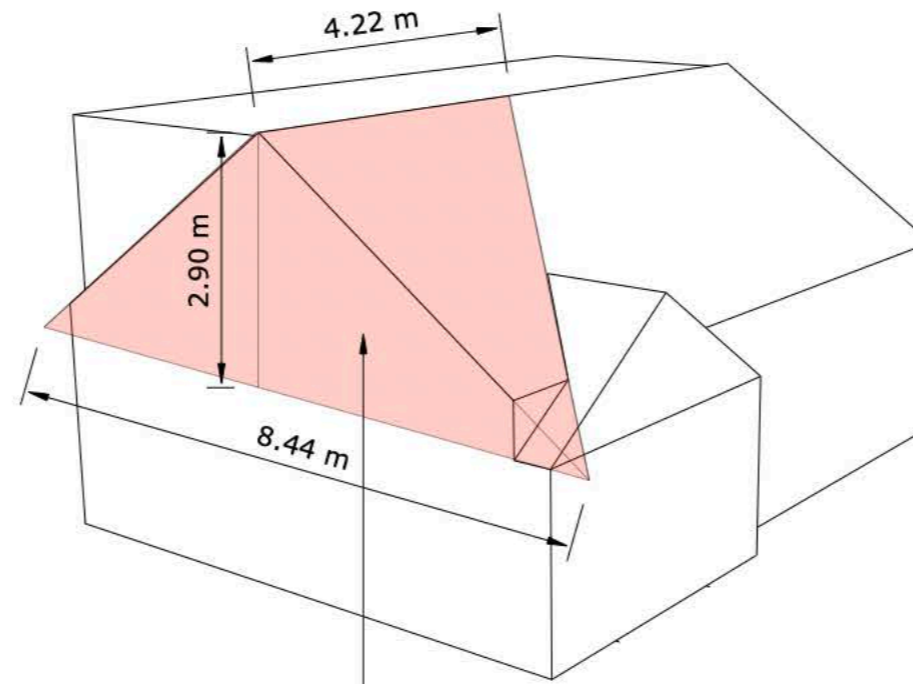


View from the garden



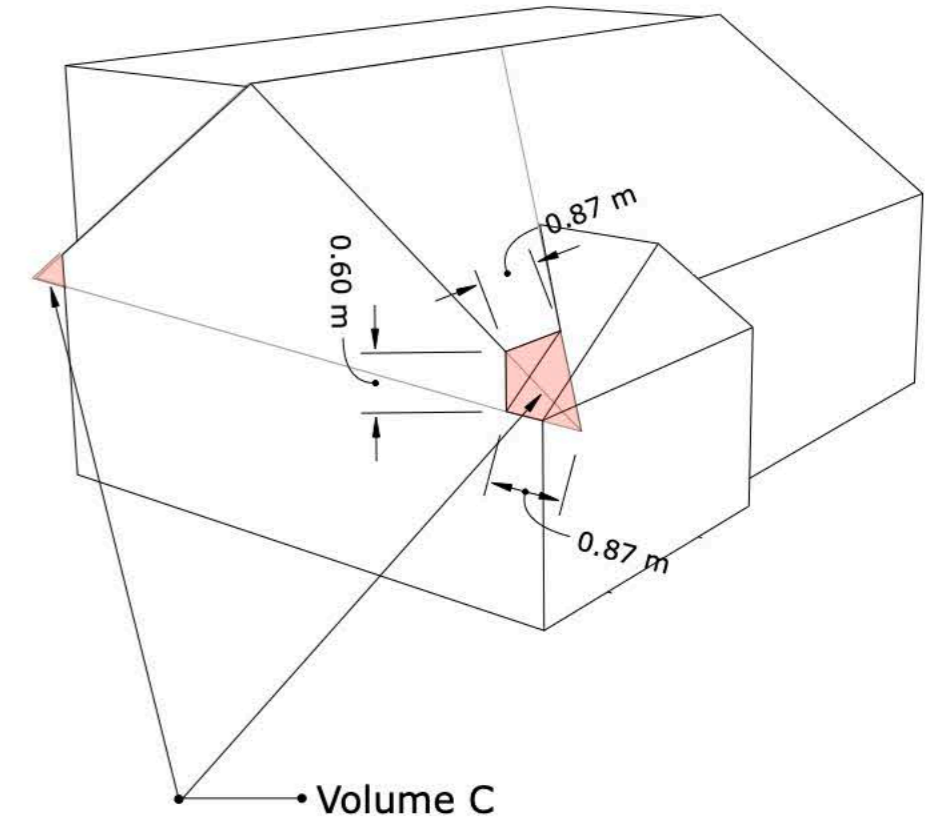
• Volume A
(dormer)

$$\text{Volume A} = ((2.80 \times 1.92) / 2) \times 8.50 = 22.85 \text{ m}^3$$



• Volume B
(hip to gable)

$$\text{Volume B} = ((8.44 \times 2.90) / 2) \times 4.22 / 3 = 17.21 \text{ m}^3$$



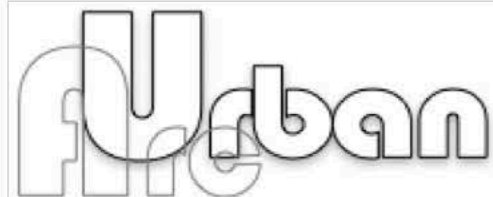
• Volume C

$$\text{Volume C} = ((0.87 \times 0.60) / 2) \times 0.87 / 3 = 0.11 \text{ m}^3$$

$$\text{Total Volume} = \text{Volume A} + \text{Volume B} - (\text{Volume C}) \times 2$$

$$\text{Total Volume} = 22.85 + 17.21 - (0.11 \times 2) = \text{morning } 39.84 \text{ m}^3$$

Volumetric calculations



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PROJECT TITLE
House extension

PROJECT ADDRESS
29 Richmond Road

DRAWING TITLE
Volumetric calculations

SCALE
not to scale

DATE
July 2020

DRAWING NUMBER
12

DRAWN BY
KS

REVISION
01

PLANNING APPLICATIONS COMMITTEE

20 JANUARY 2022

APPLICATION NO.

DATE VALID

21/P3562

01/10/2021

Site Address:

201A South Park Road, Wimbledon, SW19 8RY

Ward:

Trinity

Proposal:

ERECTION OF A SINGLE STOREY REAR EXTENSION.

Drawing Nos.

225 P1 110 (Rev P1); 225 P1 111 (Rev P1); 225 P1 112 (Rev P1); 225 P1115 (Rev P1); 225 P1 116 (Rev P1).

Contact Officer:

Calum McCulloch (02082745232)

RECOMMENDATION

GRANT Planning permission subject to conditions

CHECKLIST INFORMATION

Is a screening opinion required	No
Is an Environmental Statement required	No
Press notice	Yes
Site notice	No
Design Review Panel consulted	No
Number of neighbours consulted	7
External consultations	0
Internal consultations	0
Controlled Parking Zone	Yes - 3F

1. INTRODUCTION

- 1.1 This planning application has been brought before the planning committee due to the nature and number of objections received. The application has also been called in by Councillor Hayley Ormrod.

2. SITE AND SURROUNDINGS

- 2.1 The site comprises two storey dwelling located on South Park Road, Wimbledon.
- 2.2 The site is not in a Conservation Area and is not a Listed Building.
- 2.3 The site has been converted from two flats to a single dwelling under planning permission 21/P0743.

3. CURRENT PROPOSAL

- 3.1 The applicant proposes to enlarge the existing single storey rear extension at the rear of the property.
- 3.2 The dimensions of the total extension would be;
- Depth:**
- 3.3 10m from the rear elevation of the original dwelling
- Eaves:**
- 3.4 On the western side elevation adjacent to the boundary with 199, the eaves are 2.6m for the first 6.3m and 3.1m height for the remaining 3.7m depth.
- 3.5 On the eastern side elevation the eaves would be 3.1m height
- Ridge height:**
- 3.6 The extension has a flat roof measuring 3.1m.
- Width:**
- 3.7 8m width for the first 6.3m depth and 6.81m width for the remaining 3.7m depth.
- 3.8 There would be a gap of 0.92 to the boundary with no. 203 South Park Road.
- 3.9 The extension would be set back from the boundary with no. 199 from the boundary by 1.2m at the extensions southern extent.

4. PLANNING HISTORY

- 4.1 89/P1018 - CONVERSION OF DWELLINGHOUSE INTO 1 X 2 BEDROOM FLATS 3 X 1 BEDROOM FLATS AND 1 STUDIO FLAT INVOLVING ERECTION OF A PART TWO STOREY PART SINGLE STOREY REAR EXTENSION TOGETHER WITH FRONT AND REAR DORMER WINDOW EXTENSIONS AT ROOF LEVEL AND THE PROVISION OF 4 OFF STREET PARKING SPACES – REFUSE PERMISSION-12/10/1989

- 4.2 93/P0353 - CONVERSION OF DWELLING HOUSE INTO TWO X TWO BEDROOM SELF CONTAINED FLATS, INVOLVING THE ERECTION OF A SINGLE STOREY REAR EXTENSION AND REPLACEMENT DORMER WINDOW IN THE REAR ROOF SLOPE AT 2ND FLOOR LEVEL – GRANT PERMISSION SUBJECT TO CONDITIONS - 16/09/1993
- 4.3 11/P2239 - ERECTION OF A SINGLE STOREY REAR EXTENSION - Refuse Permission - 11/10/2011
- 4.4 Appeal APP/T5720/A/11/2164071 in respect of 11/P2239 – Appeal Dismissed. The Inspector concluded the proposed single storey rear extension would cause significant harm to the living conditions of No 199 in respect of outlook and loss of sunlight.
- 4.5 11/P3395 - ERECTION OF A SINGLE STOREY REAR EXTENSION - Grant Permission subject to Conditions - 20/01/2012
- 4.6 17/P0193 - ERECTION OF AN ENLARGED REPLACEMENT REAR DORMER ROOF EXTENSION - Grant Permission subject to Conditions - 22/02/2017
- 4.7 21/P0743 - CONVERSION OF TWO FLATS BACK INTO A SINGLE DWELLINGHOUSE AND ASSOCIATED ALTERATIONS TO FRONT ELEVATION - Grant Permission subject to Conditions – 20/04/2021
- 4.8 21/P0834 - ERECTION OF A SINGLE STOREY WRAP-AROUND EXTENSION - Refuse Permission - 21/04/2021. Reason for refusal: The proposed development would be contrary to Merton Sites and Policies Plan Policy DMD2 in respect of neighbouring amenity. The proposed extension by virtue of its combined height and depth would result in an unreasonable increased sense of enclosure, harm to outlook and would be overbearing when viewed from the rear windows and outdoor amenity space of no. 199 South Park Road.
- 4.9 21/P2751 - ERECTION OF A SINGLE STOREY REAR EXTENSION - Grant Permission subject to Conditions - 15/09/2021

5. CONSULTATION

- 5.1 A standard 21-day consultation period was administered with letters sent to neighbouring properties for comment. A total of 6 objections were received from neighbouring properties. The key points of objection raised include:
- Overdevelopment of the site out of keeping with the Victorian nature of surrounding buildings
 - Eyesore when viewed from no. 55 Wycliffe Road and Haydon's Road Recreation Ground
 - Flat roofs are unattractive and would be overly dominant and out of keeping.
 - The cumulative impact of this application with the previously approved scheme should be considered as a whole. When viewed together the resulting building will be in conflict with the surrounding area and detrimental to the properties in close proximity including no. 197 South Park Road
 - Principle Concerns raised by no. 199

- This application is plainly part of a strategy by the Applicant to secure piecemeal planning permission for development which in scale and form is neither an improvement to, nor materially different from, refused application 21/P083.
- This proposal, when taken together with the approved scheme (21/P2751), returns the proposed extension to 9.98m in length and to a height of 3.1m. This is the same height and depth which was considered by Officers to **“cause an increased sense of enclosure and harmful impact on outlook”** when appreciated from my property. The removal of the 1.2m wide sloped section, which is the only moderation from the refused scheme, does not mitigate this previously identified harm.
- The harm is actually further increased by the cumulative effect of revising the approved scheme by adding on the further blocked extension. This is because:
 - The cumulative development has a worse design than the refused scheme. The approved slope, roof and scheme rise higher and closer than the refused scheme, allowing less light and reducing the sense of space to my main ground floor living areas. This will now be combined with the additional length of the extension which now has an odd design configuration with an unattractive cut-in which results in a more adverse visual impact when viewed from all my main living space both at ground and upper floors. The current scheme is therefore more detrimental to my outlook.
 - The 3D Model output demonstrates that adding the further extension to the approved scheme arrangement has at least, the same adverse impact as Officers previously acknowledged on the sense of enclosure and light from my property, than the refused scheme.
 - In approving 21/P2751, the Officers recognised that the dismissed appeal (21/P2239) formed a material consideration and as part of its approval placed importance on limiting the boundary and roof ridge height, imposing conditions as to maximum heights. When considering the previous appeal conclusions, the current scheme must be considered unacceptable.
 - All measured points have been removed from the proposed drawings. This is unacceptable as it is important to understand what heights are proposed for the full length of the roof (and the boundary wall) as there are differing ground levels between it, my property and No 203 and different rises and falls along the gardens of all. This means, when pushing out the extension, that it is important for the Officer to be able to assess the impact of the height and depth on the Applicant’s neighbours. Without a datum point, the maximum height at a particular point is not known so its impact cannot be accurately assessed.
 - The drawings themselves are ambiguous, inconsistent, incorrect in places, lacking in detail as to the roof, slope and wall set up and do not show a clear comparison of the existing situation, the

approved scheme and this application to enable anyone to see the true impact of both proposals. Again, that ambiguity is compounded when applying to both the approved scheme and this application.

- The changes from the refused scheme mean the Sunlight Daylight report should be remodelled (including with measurement heights)
 - The combination of the approved scheme with the marginally set-back extension results in a poorer quality design with more visible and contrived massing
 - No.201 has been extended 4 times previously and if this enlarged scheme was to be approved, the Model demonstrates that its scale and mass would be out of keeping with itself and its surroundings and would be over-dominant. Approved scheme 21/2751 has already pushed the envelope to its limit and any further extension would be harmful to residential and visual amenity
- Principle concerns raised by no. 203
 - Lack of information on parking facility. The current owner is parking in a non-allocated space on their land (which is only 4m in length) and the car is overhanging onto the public pathway
 - Scale of proposed extension. The ground floor extension area of 85 sqm is proposed which is totally out of keeping with the surrounding area in terms of scale and mass and the new structure is taller and longer than surrounding extensions giving it a bulky appearance and highly visible.
 - Concerns regarding height measurements - The height of the current extension is actually 3.22m to the ridge of the roof, this clearly shows that the extension being applied for will actually be 3.52m in total height (adding 30cm to the existing height).
 - Over-extending the ground floor creates a shape that is out of proportion to the original house.
 - The proposal would conflict with the character and appearance of the surrounding area and street scene.
 - The proposal would result in overlooking, loss of privacy and reduced amenity. Concern is raised in respect of the west facing side windows of no. 203.
 - Concerns regarding the impact on the impact of a mature Hawthorn tree on the fence line and in the garden of no. 203 South Park Road

6. POLICY CONTEXT

London Plan 2021

- D4 Delivering good design
- G7 Trees and woodlands

Merton Core Strategy 2011

- Policy CS 13 Open space, nature conservation, leisure and culture
- Policy CS 14 Design

Merton Sites and Policies Plan 2014

- DM D2 Design considerations in all developments
- DM D3 Alterations and extensions to existing buildings
- DMO2 Nature Conservation, Trees, hedges and landscape features

7. PLANNING CONSIDERATIONS

7.1 The planning considerations for the proposed development relate to the following:

- Design, Character and appearance
- Neighbour Amenity
- Trees
- Transport and parking

Design, Character and appearance

7.2 London Plan policies D1, D4 and HC1, Core Strategy policy CS14 and SPP Policies DMD2, DMD3 and DMD4 require proposals to conserve and enhance heritage assets, as well as respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings, including Conservation Areas.

7.3 The proposal would involve enlarging the existing extension so that it would now extend 0.8m beyond the eastern side elevation, have height of 3.1m and maximum depth of 10m from the rear of the original dwelling. Approval has previously been granted for a less deep extension under planning permission 21/P2751. Whilst the extension is a large addition, the proposal would not result in material harm the character and appearance of the host dwelling or the surrounding area due to a number of reasons. Firstly, the site benefits from a long garden. The residual garden space would measure over 30m therefore a suitable amount of openness and garden space would be maintained at the rear. Secondly, there are instances of other flat roof extensions in the surrounding area extending to the south, notably at no. 203 next door and 193 South Park Road. Finally, although the proposed enlargement would have some impact on character in terms of increased bulk at the rear, there would be no significant impact on the more sensitive street scene. The part of the extension extending of the side wall would be the only visible element when viewed from South Park Gardens, but this is set back and therefore would not result in harm to the street scene.

7.4 Overall, officers consider the extension would not unduly detract from the character and appearance of the host dwelling or surrounding area and would be in accordance with the policies above.

Neighbour Amenity

- 7.5 Sites and Policies Plan Policy DM D2 seeks to ensure that the potential impact of new development has regard for neighbour amenity.
- 7.6 The residents of particular consideration when assessing neighbouring amenity are the adjoining neighbours, nos. 199 and 203 South Park Road. The impact of these two properties is considered in turn.

Impact on no. 199 South Park Road

- 7.7 The proposal would result in a 2.6m high wall for the first 6.3m projecting beyond the south facing elevation at the bottom of the side return. The extension would be set in from the boundary by 1.2m with a 3.1m flat roof for the remainder of its depth.
- 7.8 At the bottom of the side return area is a south facing set of French doors serving habitable living quarters. There is also an east facing kitchen window on the side elevation on the outrigger of no. 199.
- 7.9 Officers acknowledge that there some increased sense of enclosure and loss of light to no. 199 in respect the French doors and side facing kitchen window referred to above. There would be some increased sense of enclosure and loss light in respect of the rearmost south facing kitchen doors. There would be some reduced view of the sky and sunlight, particularly from the east facing kitchen window. However, it is common for side facing windows for dwellings like these to be subject to a degree of enclosure and it is considered there would be satisfactory levels of daylight in respect of these windows. This view is supported by the applicant's daylight and sunlight assessment output sheet shows levels of daylight would comply with BRE guidelines in respect of the three tests i.e. Vertical Sky Component, Daylight Distribution and Annual Probable Sunlight Hours.
- 7.10 Officers note that APP/T5720/A/11/2164071 in respect of 11/P2239 was dismissed on grounds of harm to neighbouring amenity in relation to an extension extending to a depth of 6.2m and height of 2.9m along the boundary. The inspector considered that the height of the wall coupled with the depth of the proposed extension would result in an overbearing and oppressive form of development when viewed from the side window and rear doors of No 199. The inspector noted that there would also be an undue negative impact on sunlight in respect of the east facing window of no. 199.
- 7.11 Officers note the proposed development is different from the appeal scheme. Notably, the proposed development under this application would have a lower eaves height on the boundary with no. 199 than that dismissed at appeal measuring 2.6m albeit with a greater overall ridge height of 3.1m. Further, whilst the appeal forms a material consideration, officers are minded to make an up to date assessment based on the plans put forward and with an up to date assessment as well as Daylight/Sunlight Report.
- 7.12 Overall, taking into account the daylight/sunlight results and the relevant heights and set-backs of the extension, officers consider the massing of the proposal would not be unduly oppressive or have such an impact that would

constitute material harm to no. 199.

Impact on no. 203 South Park Road

- 7.13 The proposal would result in a wall 3.1m high and 14.7m deep (inclusive of enlargement down the side alley) close to the boundary of 203. This would result in some increased sense of enclosure and loss of daylight and sunlight in respect of the side and rear facing windows of no. 203. However, Officers consider there would be no harmful impact on no. 203 given the gap of 4m between the side elevation of no. 203's outrigger and the side proposed extension thereby maintaining satisfactory levels of openness and light. The applicant has provided the daylight sunlight results measuring the impact on 203 which shows levels of daylight would comply with BRE guidelines. This is based on form of the proposal proposed under planning application 21/P0834 which is the same scale and form in relation to no. 203 as that proposed under this application.
- 7.14 Officers acknowledge there would be some inter-visibility between the windows of adjoining occupiers due to the introduction of side facing windows. However, officers do not consider this relationship harmful. There is some existing interaction between the adjoining neighbours no. 203 and no. 199 due to the modest height of the boundary fence whereby occupants of no. 203 are in view of the alleyway of no. 199. Ground floor side facing windows are considered acceptable in planning terms as dictated by permitted development rights which allow them in similar circumstances to the application site. Impacts on overlooking are normally mitigated by suitable boundary treatment. In this instance, it is noted that inter-visibility could be reduced by increasing the height of the boundary to 2m (as allowed under permitted development).
- 7.15 For the reasons noted above, the proposed rear extension is considered compliant with SPP Policy DMD2 in respect of neighbouring amenity. There would be no material harm to either no. 199 or 203 South Park Road.

Trees

- 7.16 London Plan Policy G7, Merton Core Strategy Policy CS1 and Sites and Policies Plan Policy DMO2 require development proposals to conserve important trees.
- It has been brought to Officer's attention that the proposed extension would be in close proximity to a Hawthorn Tree located within the curtilage of no. 203 South Park Road. Whilst no tree information has been submitted with the application, officers do not consider that the tree in question is of particular wider visual merit in the public domain and therefore officers do not consider that In the absence of this information a refusal could be justified on any potential impact to this tree

Transport and parking

- 7.17 Concerns have been raised in respect of the car parking space at the front of the property. This does not relate to the application put forward and does not form a material planning consideration in this assessment.

8. CONCLUSION

- 8.1 The proposed development is acceptable in respect of character and appearance, neighbour amenity and trees. Therefore the proposed development complies with the principles of the planning policies referred to above and it recommended permission is granted.

9. RECOMMENDATION

- 9.1 Grant planning permission subject to conditions:

Conditions

1. **A1 Commencement** of development (full application)
2. **A7 Approved Plans:** The development hereby permitted shall be carried out in accordance with the following approved plans:

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

3. **B3 External Materials as specified:** The facing materials to be used for the development hereby permitted shall be those specified in the document entitled 'Details of Materials' (dated November 2021) written by Andrew Harper Architects 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 D4 and HC1 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. **D11 Construction Times:** No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

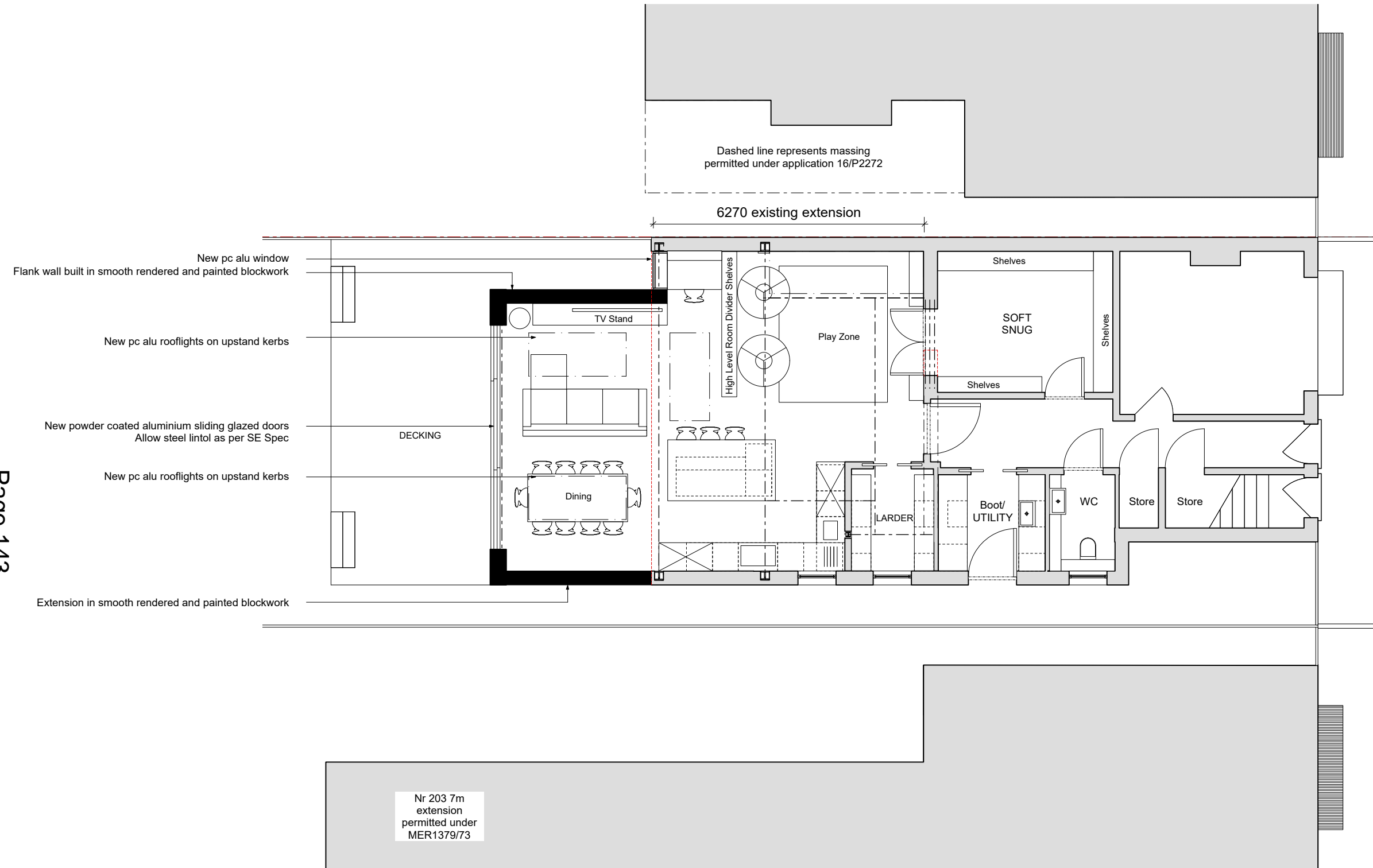
Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy D14 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Polices Plan 2014.

5. **No Use of Flat Roof:** Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policies D3 and D4 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.

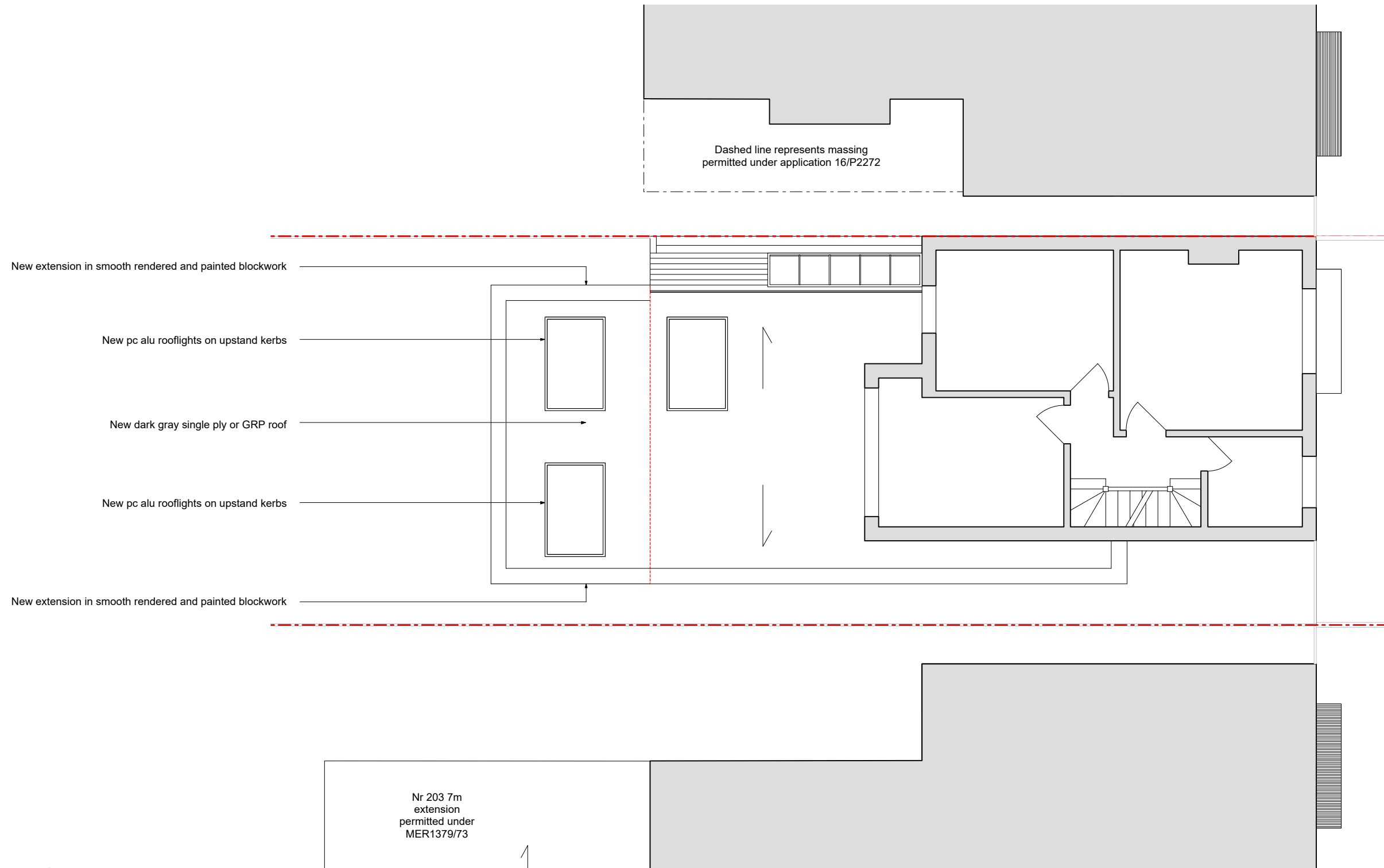
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1 Proposed GF Plan
1:100




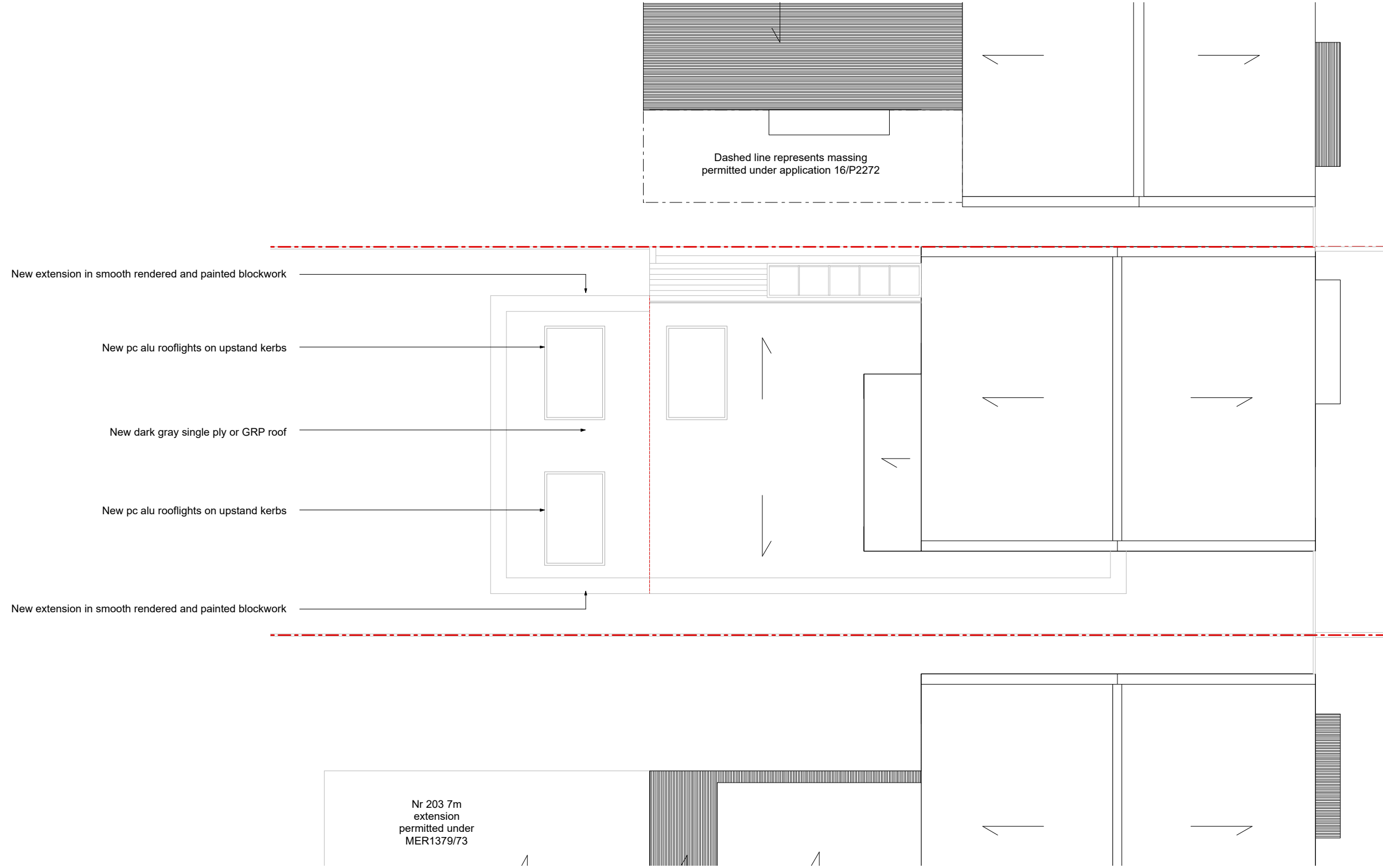
Notes	Client	Haxhi and Sally Gurra	Status	PLANNING	Drawing	Proposed Ground Floor Plan		 <p>Architecture, Design & Build Consultancy 66B Cromwell Road, London, SW196NA t. +44 (0)20 8404 0726 e. design@formgb.co.uk www.formgb.co.uk</p>
	Project	201 South Park Road London, SW19 8RY	Rev. Description	P1 Issued for Planning	Date	30.09.2021	Revision	
					Drawing No.	225 P1 110	Scale	1:100 @ A3
							Date	30.09.2021



1 Proposed GF Plan
1:100




Notes	Client	Haxhi and Sally Gurra	Status	PLANNING		Drawing	Proposed First Floor Plan	
	Project	201 South Park Road London, SW19 8RY	Rev.	Description	Date	Drawing No.	Scale	 Architecture, Design & Build Consultancy 66B Cromwell Road, London, SW19 8NA t. +44 (0)20 8404 0726 e. design@formgb.co.uk www.formgb.co.uk
			P1	Issued for Planning	30.09.2021	225 P1 111	1:100 @ A3	
						Revision	Date	
						P1	30.09.2021	



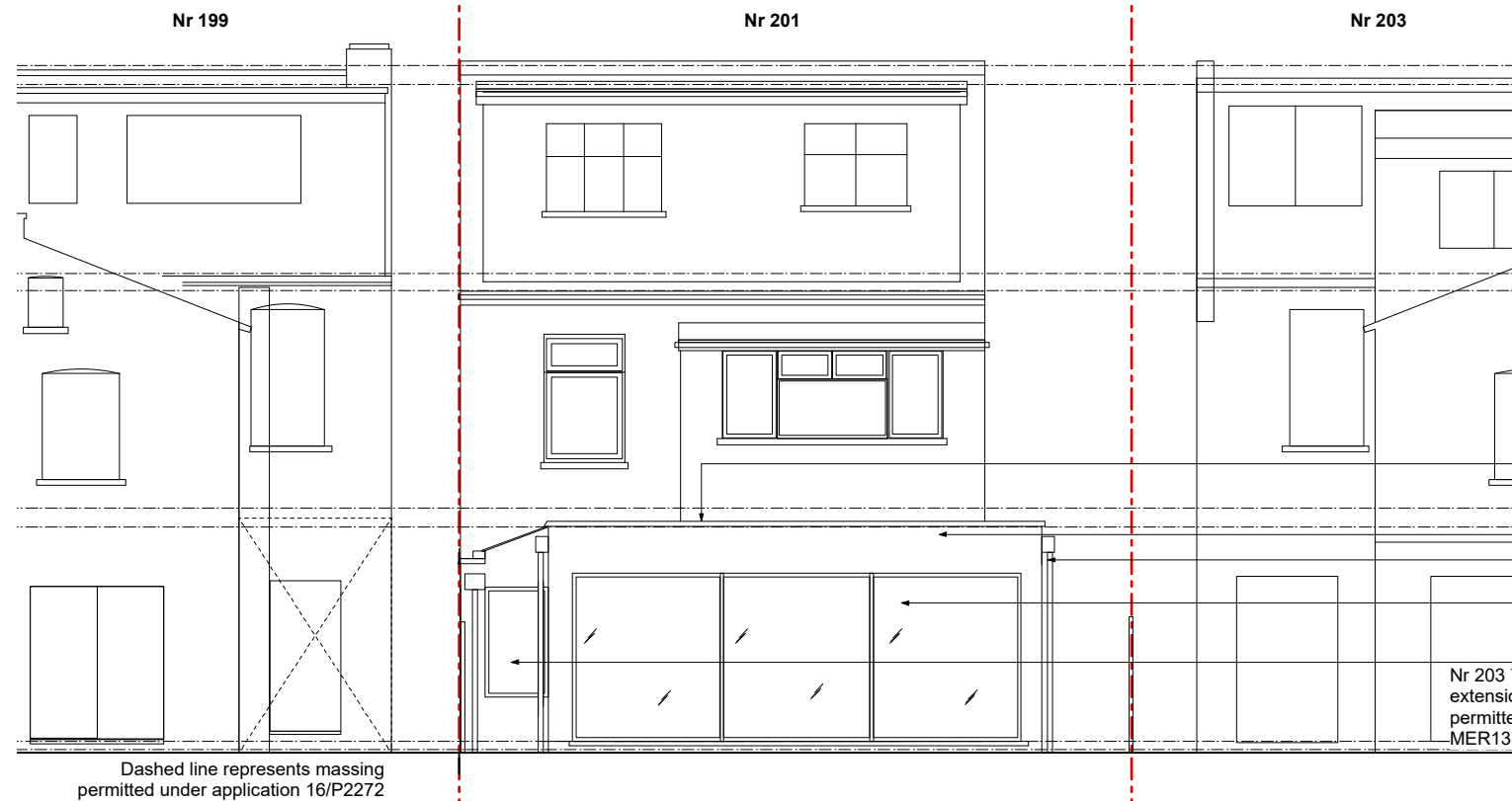
1 Proposed Roof Plan
1:100



Notes	Client	Haxhi and Sally Gurra	Status	PLANNING	Drawing	Proposed Roof Plan		
	Project	201 South Park Road London, SW19 8RY	Rev. Description	P1 Issued for Planning	Date	30.09.2021	Revision	P1
					Drawing No.	225 P1 112	Scale	1:100 @ A3
					Date	30.09.2021	Date	30.09.2021
					 Architecture, Design & Build Consultancy 66B Cromwell Road, London, SW196NA t. +44 (0)20 8404 0726 e. design@formgb.co.uk www.formgb.co.uk			




1 Proposed Front Elevation
1:100

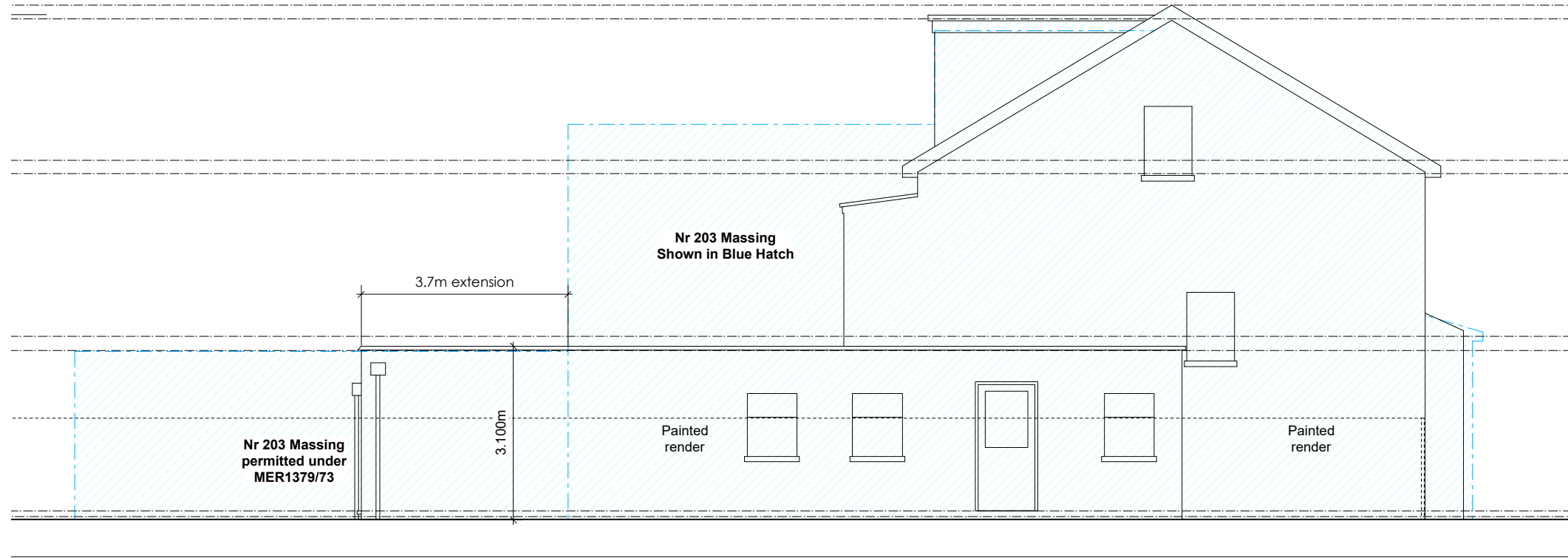


2 Proposed Rear Elevation
1:100

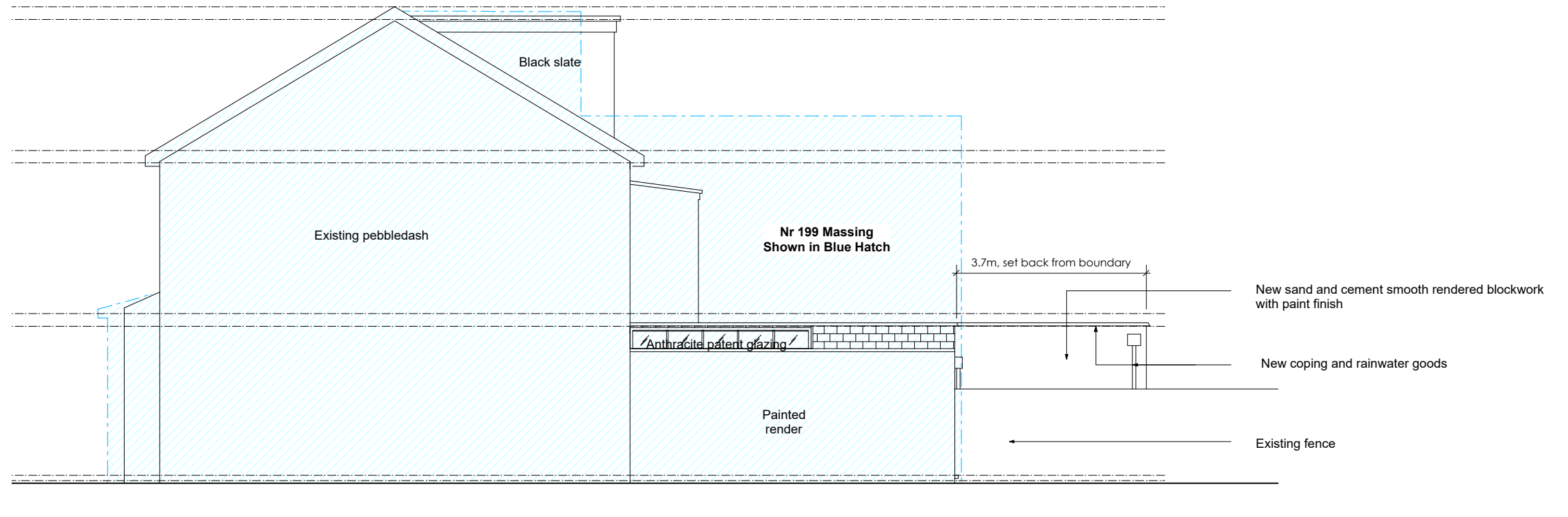
- New single ply or dark gray warm GRP roof with pc aluminium flashings to edges
 - New extension in painted rendered blockwork, height to match existing
 - New pc aluminium rainwater goods
 - New pc aluminium sliding doors, minimal framing
 - New pc aluminium window, minimal framing
- Nr 203 7m extension permitted under MER1379/73

Dashed line represents massing permitted under application 16/P2272

Notes	Client	Haxhi and Sally Gurra	Status	PLANNING		Drawing	PROPOSED FRONT AND REAR ELEVATIONS		 <p>Architecture, Design & Build Consultancy 66B Cromwell Road, London, SW196NA t. +44 (0)20 8404 0726 e. design@formgb.co.uk www.formgb.co.uk</p>
	Project	201 South Park Road London, SW19 8RY	Rev. Description	Date	Revision	Date	Scale	Date	
			P1 Issued for Planning	30.09.2021	P1	30.09.2021	225 P1 115	1:100 @ A3	



1 Proposed Side Elevation (E)
1:100



2 Proposed Side Elevation (W)
1:100

Notes	Client	Haxhi and Sally Gurra	Status	PLANNING	Drawing	PROPOSED SIDE ELEVATIONS
	Project	201 South Park Road London, SW19 8RY	Rev. Description	P1 Issued for Planning	Date	30.09.2021
					Drawing No.	225 P1 116
					Revision	P1
					Scale	1:100 @ A3
					Date	30.09.2021

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Committee: Planning Applications

Date: 20th January 2022

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

Recommendation:

That Members note the contents of the report.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

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

[LINK TO COMMITTEE PAGE](#)

DETAILS

Application Number **19/P2387**

Appeal number: APP/T5720/W/20/21/3272193

Site: 16 - 20 Morden Road, South Wimbledon SW19 3BN

Development: DEMOLITION OF EXISTING BANK (CLASS A2) AND ERECTION OF A NEW RESIDENTIAL BLOCK (CLASS C3), COMPRISING 26 x SELF-CONTAINED FLATS WITH ASSOCIATED PARKING AND LANDSCAPING

LPA Decision: REFUSE (Committee)

Appeal Decision: **DISMISSED**

Date of Appeal Decision: 20th December 2021

[click LINK TO DECISION NOTICE](#)

DETAILS

Application Number	20/P3749
Appeal number:	APP/T5720/H/21/3270284
Site:	Ground & Fourth Floor, 120 The Broadway, Wimbledon
Development:	ADVERTISEMENT CONSENT FOR THE INSTALLATION OF 1 x INTERNALLY ILLUMINATED LED LOGO SIGN AT FOURTH FLOOR LEVEL
Recommendation:	SPLIT DECISION (Delegated)
Appeal Decision:	DISMISSED
Date of Appeal Decision:	7 th January 2022

[click LINK TO DECISION NOTICE](#)

Alternative options

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

1 CONSULTATION UNDERTAKEN OR PROPOSED

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

2 TIMETABLE

2.1. N/A

3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

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

4 LEGAL AND STATUTORY IMPLICATIONS

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

5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

5.1. None for the purposes of this report.

6 CRIME AND DISORDER IMPLICATIONS

6.1. None for the purposes of this report.

7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

7.1. See 6.1 above.

8 BACKGROUND PAPERS

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

Committee: Planning Applications Committee

Date: 20th January 2022

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:

That Members note the contents of the report.

1. Purpose of report and executive summary

This report details a summary of casework being dealt with by the Planning Enforcement Team and contains figures of the number of different types of cases being progressed, with brief summaries of all new enforcement notices and the progress of all enforcement appeals.

Current Enforcement Cases:	590	¹ (581)	New Appeals:	(0)	(0)
New Complaints	35	(38)	Instructions to Legal	1	(0)
Cases Closed	26		Existing Appeals	2	(2)
No Breach:	21		<hr/>		
Breach Ceased:	5		TREE ISSUES		
NFA ² (see below):	0		Tree Applications Received	46	(52)
Total	26		% Determined within time limits:	40 %	
New Enforcement Notices Issued			High Hedges Complaint	1	(0)
Breach of Condition Notice:	0		New Tree Preservation Orders (TPO)	0	(2)
New Enforcement Notice issued	0	(0)	Tree Replacement Notice	0	
S.215: ³	0		Tree/High Hedge Appeal	0	(0)
Others (PCN, TSN)	1	(1)			
Total	1	(1)			
Prosecutions: (instructed)	0	(0)			

Note (**figures are for the period from (from 1st December 2021 to 11th January 2022)**). The figure for current enforcement cases was taken directly from M3 crystal report.

¹ Totals in brackets are previous month's figures

² confirmed breach but not expedient to take further action.

³ S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

It should be noted that due to the pandemic the Planning Inspectorate have over a years backlog of planning enforcement appeals to determine.

2.0 New Enforcement Actions

Parkside House, 52/54 High Street, Wimbledon, London SW19 5AY. Commercial Unit on Land to the rear. A Temporary Stop Notice was issued on 31st December 2021 relating to works being undertaken creating an unauthorised rear ground floor extension. The Notice came into immediate effect, the Notice will cease to have an effect after 27th January 2022.

TRUSTFORD, 67 – 71 PLOUGH LANE, TOOTING, SW19 0BW. On the 14th 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.

All of the trees have now been replaced with new trees, as requested.

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 was refused. The applicant appealed the decision to the Planning Inspectorate. The appeal was dismissed on 14th June 2021. An enforcement notice was issued on 13th September 2021 to remove the fence. The Notice took effect on 15th October 2021 with a one calendar month period of time for compliance. This Notice has now been fully complied with.

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 10th May 2021. This notice requires compliance at the end of July 2021 requiring the Land to be tidied up / cleared. The Council have now taken Direct Action and cleared the land.

The Land is again being fly tipped a further s215 Notice is to be issued, to include enclosing the Land and clearing the untidy / overgrown Land.

193 London Road, CR4 2JD. This is concerning a s215 notice served on untidy land. The Land is actively being cleared.

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.

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 4th October 2019, the Notice came into effect on 10th November 2019 with a compliance period of 3 months, unless an appeal was made before 10th 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 10th February 2020. Further action is under consideration. A new planning application for a reduced structure has now been recommended for approval. However inaccurate drawings were provided and not corrected, as such there is now a recommendation to refuse this application.

The former laundry site, 1 Caxton Road, Wimbledon SW19 8SJ. Planning Permission was granted for 9 flats, with 609 square metres of (Class B1) office units. 22 flats have been created. A Planning Enforcement Notice was issued on 11th

October 2018 requiring either the demolition of the development or building to the approved scheme.

The Notice took effect on 18th November 2018 with a compliance period of 12 calendar months. An appeal was made but subsequently withdrawn the following day. The owner decided to comply with the approved permission and is in the process of returning some the residential units back to their authorised office use. Bath and shower units have been removed; the office units are currently being advertised for let. The garage flat is no longer being used for residential and is in the process of being returned to a garage. Planning Application 19/P1527 for Discharge of Conditions has been submitted and is currently being considered. Revised scheme re-submitted and 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.

Some Recent Enforcement Actions

7 Streatham Road, Mitcham, CR4 2AD

The Council served two enforcement notices on 6th 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 8th 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 14th January 2020, and adjourned until 4th 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 21st 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 2nd October 2020. This date has been re-scheduled to 27th November 2020. This was again re-scheduled to 4th January 2021. Outcome not known at the time of compiling this report.

A trial date has now been set for 28th and 29th 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 was deferred until 7th October 2021 at Wimbledon Magistrates Court.

The two planning appeals were dismissed by Decision letters dated 5th October 2021.

Sentencing was again deferred until 16th December 2021 at Wimbledon Magistrates Court. The result of the sentencing hearing was:

1. Fine for the outbuilding EN: £6,000, reduced by 10% so £5,400
2. Fine for the dormer EN: £12,000, reduced by 10% so £10,800
3. Surcharge: £181
4. Costs: £14,580
5. Total being £30,961. To be paid over a period of three years in monthly instalments.

Direct action is now under consideration with respect to both Notices.

183A Streatham Road CR4 2AG. An Enforcement Notice was issued on 1st 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 4th 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 18th 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 16th July 2020. The appeal was allowed and the Enforcement Notice quashed. As a result of the appeal decision the case will now be closed.

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 17th 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. The original case officer left Merton Council so the case has been re-allocated to a new officer to make sure that the steps required in the enforcement notice are complied with.

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 20th October 2020.

By Decision Letter dated 4th November 2020 the appeal was dismissed and the Enforcement Notice was upheld. The compliance date was 4th December 2020. The owner claims the requirements of the Notice have been met and an inspection is to be carried out. Further investigations have revealed that the Notice has not been fully complied with and further action is under active consideration.

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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