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Merton Council

Planning Applications Committee Agenda

Membership

Councillors:

Simon McGrath (Vice-Chair)
Edward Foley
Thomas Barlow
Sheri-Ann Bhim
Caroline Charles
Susie Hicks
Dan Johnston
Gill Manly
Aidan Mundy (Chair)
Martin Whelton

Co-opted members:

Substitute Members:

Michael Butcher
Kirsten Galea
Nick McLean
Stephen Mercer
Stuart Neaverson
Matthew Willis

Date: Thursday 14 July 2022

Time: 7.15 pm

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

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Planning Applications Committee Agenda

14 July 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 Land rear of 20 Pelham Road, Wimbledon, SW19 1SX 13 - 66
Application Number: 21/P3950
Ward: Abbey

Recommendation: GRANT planning permission subject to conditions and S106 Agreement
- 6 43 Woodside, Wimbledon, SW19 7AF 67 - 82
Application Number: 22/P0479
Ward: Hillside

Recommendation: GRANT Planning permission subject to conditions and S106 Agreement
- 7 9 Lancaster Road, Wimbledon Village, London, SW19 5DA 83 - 104
Application Number: 21/P3990
Ward: Village

Recommendation: GRANT Permission subject to conditions
- 8 Oriel House, 26 The Grange, Wimbledon, SW19 4PS 105 - 140
Application Number: 22/P0407
Ward: Village

Recommendation: GRANT Permission subject to conditions.
- 9 Hadley Road Community Allotment, Mitcham, CR4 1LG 141 - 164
Application Number: 21/P4421
Ward: Pollards Hill

Recommendation: GRANT Permission subject to relevant conditions.

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|----|--|--------------|
| 10 | TPO 5 Parkside Avenue, Wimbledon, SW19 5ES
Application Number: TPO No. 777
Ward: Village

Recommendation: That the Merton (No.777) Tree Preservation Order 2022 be confirmed without modification. | 165 -
170 |
| 11 | TPO 1 Weir Road, Wimbledon, SW19 8UG
Application Number: TPO No. 772
Ward: Wimbledon Park

Recommendation: That the Merton (No.772) Tree Preservation Order 2022 be confirmed but be modified by removing T1 (Elder) from the Order. | 171 -
176 |
| 12 | TPO 296 Coombe Lane, Raynes, Park, SW20 0RW
Application Number: TPO No. 773
Ward: Village

Recommendation: That the Merton (No.773) Tree Preservation Order 2022 be confirmed without modification. | 177 -
182 |
| 13 | Advertising Panel Outside 87 The Broadway, London, SW19 1QE
Application Number: 21/P1459
Ward: Wimbledon Town and Dundonald

Recommendation: GRANT Advertisement consent, subject to conditions | 183 -
204 |
| 14 | Planning Appeal Decisions
Officer Recommendation:
That Members note the contents of the report. | 205 -
208 |
| 15 | Planning Enforcement - Summary of Current Cases
Officer Recommendation:
That Members note the contents of the report. | 209 -
216 |

Note on declarations of interest

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

Agenda Item 3

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

PLANNING APPLICATIONS COMMITTEE

16 JUNE 2022

(7.15 pm - 11.00 pm)

PRESENT Councillors Councillor Aidan Mundy (in the Chair),
Councillor Edward Foley, Councillor Thomas Barlow,
Councillor Sheri-Ann Bhim, Councillor Caroline Charles,
Councillor Susie Hicks, Councillor Dan Johnston and
Councillor Gill Manly

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor Simon McGrath who is substituted by Councillor Matthew Willis.

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

A declaration of interest was made by Councillor Sheri-Ann Bhim in relation to West Barnes Ward application 21/P4063 and Wimbledon Park Ward application 21/P1780. Item 10 and 11 in that the company she works for had received professional services. Councillor Michael Butcher will stand in as a substitute for those items.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 28th April 2022 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 the following order; Items 10, 11,14,8,13,15,9,12,16,17,18 and 5.

5 ADVERTISING PANEL OUTSIDE 87 THE BROADWAY, WIMBLEDON, SW19 1QE (Agenda Item 5)

Deferred to next meeting

6 SANDHAM HOUSE, BOUNDARY BUSINESS COURT, 92 - 94 CHURCH ROAD, MITCHAM, CR4 3TD (Agenda Item 6)

Deferred to next meeting

- 7 SANDHAM HOUSE, BOUNDARY BUSINESS COURT, 92 - 94 CHURCH ROAD, MITCHAM, CR4 3TD (Agenda Item 7)

Deferred to next meeting

- 8 THE PAVILIONS (17-40 GREENVIEW DRIVE), RAYNES PARK, SW20 9DS (Agenda Item 8)

The Planning Officer presented the report and brought to members' attention that the application is a prior approval rather than a planning application and page 66 of the report sets out what the application can be assessed on.

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

- Objecting as a resident and speaking against supporting the application emailed supporting documents and report to a councillor
- The elevation does not fully reflect the impact to the environment
- Amenities facilities gardens enjoyed by the residents will be reduced in size in terms of the garden
- Parking space would close to accommodate the crane used in construction
- Construction would make fire risk more apparent
- Only one fire staircase available
- The safety of residents are at high risk
- The fire risk support statement states that the balcony poses a risk
- Developers did not consult with residence
- The load bearing wall inside and out
- The site is in risk of flooding as written in the environmental report
- It is not right to approve a one storey extension
- The poor record of the developer would put lives at risk

The Agent statement read out by The Democratic Service Manager as follows:

- Some of the members followed the approval of a similar two storey scheme last year which I was told is being implemented soon and work to start shortly
- Work delivery to be carried out by an experienced contractor in terms of airspace quality
- It was not clear whether the two-storey scheme would have been considered and this application had been submitted to the council as a fall back
- Officers confirmed that the scheme is fully compliant and fell within the remit
- The Applicant asked that the committee uphold the decision to approve the scheme

Councillor John Page commented and raised questions on the scheme and mentioned that the scheme is under the permitted development order of 2020

Were the tenants made aware or signed an undertaking about an outward wall when the flats were marketed. Any flats on the top floor described as penthouse is clearly not. Make conditions that there would be disruptions and the conditions construction noise limited. Access to green space would be lost. Indemnities should be in place as residents should not be out of pocket

Councillor John Oliver commented on lack of protection by the extension and if the application was approved, then conditions be put in places to ensure residents are not out of pocket

Councillor Sheri-Anne Bhim focussed on fire safety, It should be made clear there was a route to egress the building in an emergency.. Residents are concerned about the strength of the building. The lift would be disabled during the development and no consideration to the elderly and disabled residents. Councillor urged the committee to delay application until the Fire brigade carry out fire risk analysis

The Planning Officer responded to members comments and questions and made points including

- Planning permission does not give the right to restrict work. Some of the requests are not planning considerations; however, conditions can be included to restrict work hours during the day, weekends and bank holidays, not unusual times
- Loss of green space is inevitable in planning terms; this is not something planning can raise objections on
- Planning has no say overall
- Prior approval does not convey a legal way of putting restrictions on the development
- Fire safety is subject to building control and stringent controls
- Additional floors cannot be considered as prior approval

- The Planning Officer confirmed that swift boxes could be added on
- In terms of parking this is possible to remove parking, if this was volunteered by the applicant, then it could be considered.
- The points raised are not grounds for a refusal of the application
- Merton monitors air quality, but on the application, there is no grounds for it to be covered

Members commented on the application and agreed that more houses were needed. Members thanked the officers for the report

The Chair went to the vote and it was

RESOLVED:

That the Committee granted planning permission prior approval subject to conditions

- 9 9 LANCASTER ROAD, WIMBLEDON VILLAGE, LONDON, SW19 5DA
(Agenda Item 9)

Deferred to next meeting

- 10 LAND AT THE FORMER LESSA SPORTS GROUND, MEADOWVIEW
ROAD, RAYNES PARK, SW20 9EB (Agenda Item 10)

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The Planning Officer presented the report.

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

- The land should be used as open space and sports as previously agreed under the 2009 appeal decision (ref. 08/P1869); assurances was previously given that LESSA sports grounds would be approved and maintained for junior sports
- Residents who bought their homes with the proposed site use for sports had been misled
- Bellway developers had not consulted with residents, clubs, or schools for the land to be used for junior sports
- Bellway had fenced off the land and made it inaccessible for several years to extract profit and should not be permitted to do this
- Sporting groups had expressed interest in using the land and set out costed and viable proposals, fully supported by Sports England, but these had been refused by Bellway Homes
- Brownfield sites should be developed before greenfield sites are considered
- The application if granted should be referred to the Secretary of State as recommended by Sports England
- The prevention of loss of green space should be protected for the future generations of young people
- A proposal had been submitted by Surrey Cricket Club to use the space at a cost of Ten thousand pounds and annual maintenance would cost Four thousand pounds.

The Applicant spoke in response and made points including:

- The site had been unused for 22 years and it would be used for repurposing positive development

- The scheme would provide open spaces and recreational grounds for the public There would be provision of 41% affordable housing, that would benefit the borough and meet 12% of the housing target for Merton
- The housing would have accessibility and provide sustainable heating that would be low in carbon emissions as well as a percentage of wheelchair access for users
- The scheme would have an Infrastructure levy of 2.2 million and a Section 106 contribution of £1.2 million
- The Applicant and Council officers had agreed that the scheme would be used for mixed purposes and not solely for sports, providing housing and recreation such as two tennis courts and a play area
- The proposal would provide 44 affordable homes and met the urban plan with no risk of flooding
- The tennis club membership had increased, and the club had to close membership to adult players who wished to join the club, the current waiting list is 60 people; the scheme would provide more courts that could be used by members and the community who wished to pay and play and not pay an annual membership subscription fee.
- The Applicants asked The Committee to approve the application.

The Chair noted representations from Ward Councillors.

Councillor John Oliver gave a verbal presentation to the Committee on the Planning Framework which consisted of three levels:

National - Guidance from The Planning Policy Guidance was read out to the Committee to illustrate points The Local Plan is specific on use of open space
 Regional –. Open spaces should be protected and expanded.
 Local – The current plan has been adopted and states that new housing will occur on previously developed land.

Councillor Robert Page reminded the Committee why the application existed which is sports use and to note that the Cricket club who had submitted an application was found unviable by Bellway homes. Sport England noted that the criteria for sporting financial viability placed on clubs and consortiums was unreasonable.

Councillor Hina Bokhari expressed concerns at the developer's failure to keep promises of the land for sports use. There were issues with flood risks, roads in West Barnes, West Way and Green Way had experienced flooding. Residents spoken to were adamant that green spaces could not be lost.

The Planning Officer clarified to the Committee in relation to Councillor Bokhari's point on carbon emissions reduction, that the site was in green field so there were no carbon emissions currently, although the planning policy through building control, only required a certain amount of improvement when developing. Carbon reduction in the creation of new builds would be significantly less.

In response to Members question the Planning Officer advised that:

- In terms of land cost, this would be a proportion of the site coverage amounting to half of the site
- In relation to community access 500 hours requirement is not enforceable as the S106 was never implemented because Kings College did not proceed with the application, this relates to the previous application and is historic. This current application poses no time limit.
- In terms of capital viability, the capital funds are of a sufficient level for the bidder to deliver on their offer, are available

In response to Members further questions the Planning Officers advised that:

- S106 set out in the report shows there is no contribution from Bellway to a third-party use
- In relation to the electrical charging point capacities, planning cannot act ahead of the policy to provide a greater provision of car charging points
- There is no time limit in identifying delivering a sporting use of the plan pitch strategy, this would be a material consideration
- In terms of the cost implications on affordable housing, this is not a planning consideration
- Flooding to the south should be less, the applicant can be encouraged to do more and there is no policy to impose more than what has been proposed in the application
- The tennis court would be pay per play as part of green space and the space would provide a range of needs for the community
- In relation to the site used as sporting facilities two points were taken from Merton's playing pitch strategy, The Council consulted with Sports England and other governing sporting agencies and meetings are ongoing about it's delivering

Two recommendations are:

- G4 – That sites need ancillary unchanging pavilions
- G5 – That sites need pitch drainage

Merton's playing pitch study contains costings based on Sports England's provision

The Planning Officers wrote to the sporting organisations for costs in August 2021 and a further chase in December 2021 as a result of the number of representations on the application doubting the engagement of the sporting bodies.

The question on green space loss being set as precedence was not considered as a planning consideration and The Head of Development Management advised Members to consider the application on merit.

Members commented on the proposal noting the provision of positive housing and also expressing concerns that the appropriate use of the site should be for sports.

The Chair put to the vote and it was

RESOLVED:

That the Committee refused the planning permission for reasons: That the loss of open spaces and potential sporting facilities outweighs the benefits that the proposed scheme would bring.

11 RUFUS BUSINESS CENTRE, RAVENSBURY TERRACE, WIMBLEDON PARK, LONDON, SW18 4RL (Agenda Item 11)

The Development Control Team Leader (North) presented the report.

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

- The developers lack transparency and fail to maximise development in Merton
- Social segregation- social housing in one block and private residence in another would be discomfoting
- Affordable housing should be redistributed across the development
- The lack of height and mass
- The costings of the development were high and the developer did not take into account key features such as height and bulk and access link to Wellington Works, which affect residents
- Developers used costings from adjacent Hazelmere and not from Rufus site
- Development does not enable any vehicle access to Wellington Works via Rufus Estate
- Excessive height was not in keeping with local area. Maximum height should not be higher than other buildings
- The result of radiation investigation conducted has not been disclosed
- There will be a huge loss of light to existing homes
- Eight storey developments would look too much of an eyesore overlooking the park and the green space
- Consideration should be given to urban greening, reduce the height of the building and increase green spaces
- 400 people wrote against the proposal, whilst only one letter of support was received
- The application should not be granted, due to lack of urban greening consideration.

The Applicant spoke in response and made points including:

- Members to note that the same objections were not considered to be material considerations by the previous Committee Members and Planning Officers
- Questions raised by the previous Committee contributed to the application being deferred as these were complex matters
- The Applicant was present to answer questions, which may be complex
- The previous application was deferred due to affordable housing
- Costings are contained in the account
- The contamination was a historical caused by fluorim 232 previously used for gas mantles
- An accurate account of costs can only be achieved once remedial works are completed
- Financial viability assessments costs contain all estimated costs including construction and timelines; The Council will get this looked at for viability
- The Applicant is aware that Members wish to see all contamination cleaned up
- The outward costs of building will affect the amount of affordable houses a developer can achieve; the outcome is based on actual and not estimated costs
- A late - stage review will be brought in if a percentage of affordable housing is not reached, the development will provide an entire block A for affordable renting
- Until all contamination clean-up is achieved the developer cannot give a full quota of affordable housing; a late - stage review will be carried out by The Council's experts
- The developer is ready to build more affordable flats from surplus revenue and these flats will be in block B to encourage integration
- The Council has accepted the designs and the housing association want a separate door entrance for renters
- Everyone shares amenities and all door entries are the same; parking is nearer to the social housing area
- The developer is providing energy efficient homes in line with climate change and it would be cost effective for tenants
- The Applicant advised there would be provision of jobs and housing on clean land.

The Development Control Team Leader (North) responded and made points including:

- The applicant had carried out further bore hole investigation and the information is contained in the committee agenda
- The links to Welling Walk whilst examined at pre planning stage is not considered as a mandatory requirement for the developers
- There are 8 affordable housing in block B which is considered a positive and the housing association wrote about the benefits necessity for it
- Scale and massing in the Northeast corner of the recreational ground and the scale is accessible
- Homeownership is welcome and will come out in the S106 agreement

The Development Control Team Leader (North) responded to Members questions including

- In terms of the viability assessment there was some discrepancies challenges in cost and the report notes this; the council has applied their figures within the assessment
- The late and early-stage review captures the developer to submit to the council financial sales of flats after 75% of completion
- The legal agreement secures the affordable housing and not the housing association; it is also important to attract registered users and to have them on board
- The lack of three beds stems from the size of the site compared to the north side site which were able to deliver 3 bedrooms; the housing association confirmed the need for 3 bedrooms for social renting
- The site is in the flood risk zone
- In terms of the security fencing boundary treatment is being conditioned the officers can take this away and liaise with developers

The Development Control Team Leader (North) responded to further questions and advised that:

- In relation to the radio activation this is not a material planning consideration
- In terms of access for fire vehicle via the under cross to be made wide enough, it would not be necessary for the vehicle to go right up for access; building control would take this on board; a fire safety report submitted has been conditioned
- In terms of ownership of the access track, a management company would maintain the track
- Conditions have been built in to maintain the green wall and it is enforceable, residents can call the council to complain if not maintained
- In terms of mitigating linkage risk, the plans show the conditions and S106 could have more conditions built in if there were concerns on antisocial behaviour and cost
- If housing providers show no interest in taking on managing affordable housing, the unit would be turned into a financial contribution and evidence of why there was no uptake must be provided by the applicant
- In terms of the urban greening, there is a condition attached to the site they have to provide the turning point for refuse truck.
- In terms of access to the rear track fire and refuse vehicles can access in an emergency the road is privately own and cannot be fully relied on
- In terms of the petition request the application must be looked on its merit the access is not related to the site.

Members commented on the report noting the separate blocks for affordable housing, whilst this was not welcomed it was recognised that it was the social housing providers preference. The new possibility of providing more affordable housing was

noted. Members expressed concern on radiation and recognised that further tests would be going ahead.

The Chair moved to the vote and it was

RESOLVED: that the Committee Grant Permission subject to conditions and completion of a S.106 legal agreement.

12 HADLEY ROAD COMMUNITY ALLOTMENT, NEW BARNES AVENUE,
MITCHAM, SURREY, CR4 1LG (Agenda Item 12)

Deferred to next meeting

13 LAND REAR OF 20 PELHAM ROAD, WIMBLEDON, SW19 1SX (Agenda
Item 13)

Deferred to next meeting

14 2A TRINITY ROAD, WIMBLEDON, SW19 8RL (Agenda Item 14)

The Development Control Team Leader North Presented the report.

The Development Control Team Leader North in response Members questions advised that:

- Regarding condition 19 in the modification sheet the amendment can be made
- In terms of the gap between the building it has been designed to stagger away from the property and the gap between the garage is 6 meters and the width between the access way is 3 and a half meters away from the flats
- In terms of rainwater this could be beneficial the request can be taken away and officers liaise with the applicant if granted
- In terms of affordable units these are based on the western side of the building unit 4 and 8 in the report and only two can be provided as shown in the viability report
- There is dual aspect that affords good lighting.

The Chair moved to the vote and it was

RESOLVED

That the Committee grant planning permission subject to conditions and completion of a S.106 Agreement.

15 43 WOODSIDE, WIMBLEDON, SW19 7AF (Agenda Item 15)

Deferred to next meeting

- 16 OBJECTION TO THE MERTON (NO.777) TREE PRESERVATION ORDER
2022 AT 5 PARKSIDE AVENUE, WIMBLEDON, SW19 5ES (Agenda Item 16)

Deferred to next meeting

- 17 OBJECTION TO THE MERTON (NO.772) TREE PRESERVATION ORDER
2022 AT 1 WEIR ROAD, SW19 8UG (Agenda Item 17)

Deferred to next meeting

- 18 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda
Item 20)

The Committee noted the report.

- 19 OBJECTION TO THE MERTON (NO.773) TREE PRESERVATION ORDER
2022 AT 296 COOMBE LANE, RAYNES PARK, SW20 0RW (Agenda Item
18)

Deferred to next meeting

- 20 PLANNING APPEAL DECISIONS (Agenda Item 19)

The Committee noted the report.

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PLANNING APPLICATIONS COMMITTEE 14th July 2022

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	21/P3950	03/11/2021
Address/Site:	land rear of 20 Pelham Road, Wimbledon, SW19 1SX	
(Ward)	Abbey	
Proposal:	ERECTION OF DWELLINGHOUSE AT REAR OF 20 PELHAM ROAD, PARTIALLY SUBMERGED BELOW GROUND LEVEL WITH A GREEN ROOF	
Drawing Nos:	346-DWG-103 P1; 100 P1; 105 P2; 104 P3; 106 P1; 110 P1; 111 P1; 112 P1; 113 P1; 114 P1; 115 P1; 121 P1; Construction Management Plan; & Design & Access Statement.	
Contact Officer:	Brenda Louisy-Johnson (0208 545 3169)	

RECOMMENDATION

GRANT planning permission, subject to Conditions and S106 Agreement

CHECKLIST INFORMATION

- Heads of agreement: None
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: Yes
- Site notice: Yes
- Conservation Area: Yes
- Number of neighbours consulted: 19
- External consultations: None

1. INTRODUCTION

- 1.1 The proposal has been brought before the Planning Applications Committee due to the number and nature of representations received.

2.0 SITE AND SURROUNDINGS

- 2.1.1 The application site is a section of the rear communal garden of No.20. The application site measures 0.009 hectares or 90sqm.

- 2.1.2 20 Pelham Road comprises a 3 storey Victorian house converted into flats, with a front amenity area and a communal rear garden. Immediately to the east of No.20 is a footpath. The

surrounding area is predominantly residential. 20 Pelham Road is located within the Pelham Conservation Area.

2.1.3 The application site is within controlled parking zone S2 and has a PTAL of 4.

3.0 CURRENT PROPOSAL

3.1.1 Planning permission is sought for the erection of a dwellinghouse at rear of 20 Pelham Road, partially submerged below ground level with a green roof.

3.1.2 The proposed house would be two storeys (ground and basement) and have two bedrooms. The bedrooms and bathroom would be within the lower storey which would be submerged below ground level. The house would have a front garden and a two tier rear garden. The ground level tier would serve the living area and the lower tier would serve the bedrooms.

4.0 PLANNING HISTORY

4.1.1 98/P0261 - Conversion of vacant property from 12 bedsits to 4 x 2 bedroom and 2 x 1 bedroom flats involving the erection of part single, part 2, part 3 storey rear extension and change of former builder's yard to residential garden. Involves demolition of 2 storey rear extension – Grant Permission Subject to Conditions 10/09/1998.

4.1.2 98/P1058 - Installation of 2.4m high security gates across alleyways adjacent 60/62 Cecil Road, 2 Cecil Road / 14 Balfour Road and rear of 40 Cecil Road and increase in height of existing fencing to 2 metres where abutting the public highway and 2.4 metres within the alleyway at 16/20 Pelham Road, 40/42 Cecil Road, 2 Balfour Road, 14 Balfour Road and 35 Kingston Road – Grant Permission Subject to Conditions 04/12/1998.

4.1.3 99/P0498 - Erection of a part 2 storey, part 3 storey house with an off-street parking space at the front and retention of a pedestrian footpath at the side (adjoining 16 Pelham Road) - Refuse Permission 27/05/1998.

4.1.4 17/P4266 - Erection of single storey rear extension to create 1 x 1 bed self-contained flat – Refuse Permission 28/03/2018.

Reasons for refusal:

- 1) The proposed development, by virtue of its depth, width, height and form would result in a materially harmful impact on the amenities of the existing ground floor flat, Flat 1, by way of daylight and sunlight and would result in a materially harmful impact on the amenities of the first floor flats, Flats 3 and 4 and ground floor Flat 1, by way of loss of outlook, contrary to Policies DM D2 and DM D3 of the Sites and Policies Plan 2014.
- 2) The proposed development by virtue of its depth, width, height, form and appearance would fail to either preserve or enhance the character and appearance of the Pelham Road Conservation Area and would result in material harm to the character of the area, contrary to London Plan Policies 7.4, 7.6 and 7.8, Policy CS14 of the Core Planning Strategy 2011 and Policies DM D2, DM D3 and DM D4 of the Site and Policies Plan 2014.

5.0 CONSULTATIONS

5.1.1 The application has been advertised by site notice, press notice and letters sent to neighbouring occupiers. 19 neighbours have been consulted. 40 representations have been received raising objection to the proposal, and 11 comments on the proposal.

Comments:

- An opportunity to help the local Swift population through including artificial nest sites i.e. Swift bricks or boxes into the new construction.

Objections;

- Residents of 20 Pelham Road object due to the terms of the lease agreement signed upon purchase of their respective properties.
- Overlooking and loss of privacy.
- Noise pollution from ground source heat pump and due to the development being close to No.44 Cecil Road.
- Inconvenience and safety hazards during construction
- It is odd to have a house with no vehicle access and pedestrian access only through the footpath
- Construction works will damage the footpath
- South Wimbledon is already overcrowded.
- Additional street parking will exacerbate an already growing problem.
- Underground houses or super basements have no place in high density urban areas.
- Will affect the foundations of neighbouring properties and the water table.
- The house will extend under the pathway.
- Will set a precedent.
- Contrary to the character of the Conservation Area.
- Damage to period buildings from groundworks and construction.
- Local residents and the Council have spent time maintaining the footpath, this works will be undone.
- The Council should prioritise brownfield sites and not greenfield sites like this one.
- A basement floor with no natural light.
- What sanctions are there for lost trees?
- Sceptical that the considerable tree cover can be preserved.
- Green roofs look good on plans - how many thrive?
- There are enough dwellings on the site.
- Will the ground floor have an outlook?
- Where will the rubbish bins go?
- Construction methods and machinery in use for major building works are out of place in this small Conservation Area.
- The Conservation Area deserves protection from inappropriate development.
- Flood Risk.
- Method of construction with excessive piling and removal of a massive volume of London Clay would give the small development an indelible carbon footprint.
- The Applicant has not discussed party wall agreements with neighbours.
- Regular footfall especially kids school runs away from polluted main roads.
- Established wildlife and wildflowers, plenty of birds nesting in the tree and bees
- Construction work damage to an area with no clear funding from the council.
- Temporary closure of the alley way between Cecil and Pelham Road
- Building over back gardens will set a precedent.
- It's not safe to be blocking it with construction and material delivery lorries
- Noise dust rubble and mess from the works will negate all of the hard work the
- Neighbours of Cecil and Balfour road have put effort into 'greening' the footpath
- Hours have been spent clearing moss, pruning trees, weeding and planting bulbs/ flowers donated by Merton, these will be damaged/ destroyed if works traffic will be using this area
- Pollution from construction is unwanted
- There is already lots of new construction in the area and it is not necessary to extend older homes
- Danger of sewerage leaking into the local area.

- Excessive carbon footprint.
- Makes a mockery of a Conservation Area.
- Will change the nature of the Conservation Area.
- The impact of the development is not offset by the benefits of the development.
- The developers should make a contribution to the maintenance and restoration of the alleyway.
- The proposed house should not have rights to a parking permit.
- The construction will affect the structural integrity of surrounding properties.
- No trees or shrubbery in the alley should be removed.
- Where will refuse bins go?
- Overly dominant
- Visually intrusive
- Overbearing
- No benefits
- No information has been provided on how foul sewage and surface water will be disposed of.
- The house does not compliment the original buildings in the area.
- Shouldn't fire specialists comment on the development?

Consultee Comments:

Environmental Health Officer:

- No objection
- 3 conditions recommended relating to noise levels, a post confirmation noise survey and operation of mechanical equipment.

Conservation Officer:

- The impact on the Conservation Area will be limited.
- The loss of garden space would be detrimental to the overall garden space in the area.
- If the development is permitted a detailed landscaping scheme is required.

Greenspaces Officer:

- No public trees affected, but there is a Public footpath there, with low level shrubs.

Tree and Landscape Officer:

- No objection, subject to conditions.

Highways Officer:

- Recommend conditions and informatives: H9 INF9 and INF12. No deliveries in peak hours 07.00 – 09.00 and 16.00 – 19.00 A Public right of way (No 37) goes down the access way that is proposed to be used for construction traffic and highways must be contacted to confirm if this can be used for construction deliveries and materials, and if permission is given than a full before and after survey is required together with the appropriate highways licence. In addition this access serves the rear of a number of properties. Highways must be contacted to ensure all relevant highways licences are in place prior to any works starting Highways must be contacted regarding any temporary parking restrictions required.

Flood Risk Officer:

- No objection, subject to conditions.

Structural Engineer:

I have reviewed the submitted desktop study and the drawings. It demonstrates that the proposed development can be built safely without adversely affecting the surrounding natural and built environment. However, due to the close proximity of the excavation works/temporary works in relation to the highway, we would require additional information to be submitted as part of the below conditions.

- a) Ground Movement Analysis (Vertical and Horizontal) including any heave or settlement analysis, and Damage Category Assessment with detailed calculations.
- b) Detailed Construction Method Statement produced by the respective Contractors responsible for the installation of piles, excavation and construction of the permanent retaining wall. This shall be reviewed and agreed by the Structural Engineer designing the basement.
- c) Design calculations of the temporary works supporting the highway and adjoining properties to facilitate excavation.
- d) Detail design calculations of the permanent retaining wall retaining the highway has to be submitted. The calculations shall be carried out in accordance with Eurocodes. We recommend assuming full hydrostatic pressure to ground level and using a highway surcharge of 10 KN/m² for the design of the retaining wall supporting the highway.
- e) Temporary works drawings and sections of the basement retaining walls.
- f) Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from start to completion of the project works. The report should include the proposed locations of the horizontal and vertical movement monitoring, frequency of monitoring, trigger levels, and the actions required for different trigger alarms.

Wimbledon Society:

- Location of ground source heat pump is not specified.
- Insufficient information has been provided in relation to materials particularly glass for windows etc.
- No provision for storage of refuse
- In order to discourage vans delivering the new property by using the public footpath the installation of a bollard on the footpath to prevent vehicle traffic should be made a condition of planning approval.

6.0 POLICY CONTEXT

6.1.1 National Planning Policy Framework 2021:

Chapter 1 Achieving sustainable development

Chapter 5 Delivering a sufficient supply of homes

Chapter 8 Promoting healthy and safe communities

Chapter 9 Promoting sustainable transport

Chapter 11 Making effective use of land
Chapter 12 Achieving well-designed places
Chapter 14 Meeting the challenge of climate change, flooding and coastal change
Chapter 15 Conserving and enhancing the natural environment
Chapter 16 Conserving and enhancing the historic environment

6.1.2 London Plan (2021) Policies:

D1 London's form, character and capacity for growth
D2 Infrastructure requirements for sustainable densities
D3 Optimising site capacity through the design-led approach
D4 Delivering good design
D5 Inclusive design
D6 Housing quality and standards
D7 Accessible housing
D11 Safety, security and resilience to emergency
D12 Fire safety
D14 Noise
H1 Increasing housing supply
H2 Small sites
H3 Meanwhile use as housing
G6 Biodiversity and access to nature
SI 1 Improving air quality
SI 2 Minimising greenhouse gas emissions
SI 5 Water infrastructure
SI 8 Waste capacity and net waste self-sufficiency
SI 12 Flood risk management
SI 13 Sustainable drainage
T2 Healthy Streets
T5 Cycling
T6 Car parking
T6.1 Residential parking
T7 Deliveries, servicing and construction

6.1.3 Merton Local Development Framework Core Strategy (2011) Policies (Core Strategy)

CS8 Housing Choice
CS9 Housing Provision
CS11 Infrastructure
CS13 Open Space, Nature Conservation, Leisure and Culture
CS14 Design
CS15 Climate Change
CS16 Flood Risk Management
CS17 Waste Management
CS18 Active Transport
CS19 Public Transport
CS20 Parking, Servicing and Delivery

6.1.4 Merton Sites and Policies Plan (2014) Policies (SPP):

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

DM EP1 Opportunities for decentralised energy networks
DM EP2 Reducing and mitigating noise
DM EP3 Allowable solutions
DM EP4 Pollutants
DM F1 Support for flood risk management
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards

6.1.5 **Supplementary planning considerations:**

DCLG Technical Housing Standards - Nationally Described Space Standard 2015
Mayor's Housing SPG 2016
Mayor's Sustainable Design and Construction SPG 2014
Waste and Recycling Storage Requirements – A Guidance for Architects
Merton's Small Sites Toolkit SPD 2021
Merton Character Study 2021

7.0 **PLANNING CONSIDERATIONS**

- Principle of development
- Standard of Accommodation
- Design
 - Massing, Scale, Height
 - Appearance, Siting, Layout
 - Basement Compliance with Policy DM D2
 - Impact on the Conservation Area
 - Cycle Storage
 - Bin Storage
 - Landscaping
- Neighbour Impact
- Trees / Biodiversity
- Flood Risk / Drainage
- Car Parking and Cycle Parking
- Sustainability

7.1 **Principle of development**

7.1.1 The Mayor has carried out a London-wide Strategic Housing Market Assessment (SHMA) and Strategic Housing Land Availability Assessment (SHLAA). The SHMA has identified need for 66,000 additional homes per year. To deliver this, London Plan Policy H1 (Increasing Housing Supply) sets the ten-year targets for net housing completions that each local planning authority should plan for. Merton's annual housing target is 918. For London to accommodate the growth it needs to make the most efficient use of land by optimising site capacity. This means ensuring the development's form is the most appropriate for the site and land uses meet identified needs.

- 7.1.2 The NPPF, London Plan Policy H1 and the Council's Core Strategy Policies CS8 and CS9 all seek to optimise the potential of suitable sites for housing delivery to increase sustainable housing provision and access to a mixture of dwelling types for the local community, providing that those proposals are well designed and provide an acceptable standard of accommodation.
- 7.1.3 The London Plan Policy H2 requires that boroughs should pro-actively support well Designed new homes on small sites (below 0.25 hectares in size) through both planning decisions and plan-making to significantly increase the contribution of small sites to meeting London's housing needs.
- 7.1.4 It is considered that the proposed small site (0.012ha) windfall development would contribute to meeting London housing need in accordance with the NPPF, the relevant Policies of the London Plan, the Council's Core Strategy and the Sites and Policies Plan, as such the principle of development is acceptable.

7.2 Design/visual amenity

- 7.2.1 SPP Policies DM D2 and DM D3 require well-designed proposals that will respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings. Development should 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. Local Development Framework Policy CS14 supports these SPP Policies.

7.2.2 Massing, Scale, Height

The massing, scale and height of the proposed house been designed to respond to the backland context of the site and is considered to be acceptable. The proposed house would be located 13.5m from the donor house and 7m from the nearest neighbouring boundary to the rear, 44 Cecil Road, however, the proposed house would be single storey above ground level and would rise to the height of the shared rear boundary fence with 44 Cecil Road, the shared side boundary fence with 22 Pelham Road and the shared boundary fence with the footpath. The proposed house has been deliberately designed to be low lying above ground level so that its mass, scale and height does not appear overbearing to its nearest neighbouring properties.

7.2.3 Appearance, Siting, Layout

The appearance, siting and layout of the proposed house has been discreetly designed so that it does not stand out within the local area. The low-lying house has been neatly tucked away at the end of the rear garden of No.22. Its low-lying height above ground level and its green roof means that its modern appearance almost appears hidden with the Conservation Area of Victorian housing from ground level and from views from above from surrounding properties. Due to the house being the same height as boundary fences its height is concealed from views at ground level and its green roof and soft landscaped gardens means that it would blend into the context of the verdant rear gardens barely noticeable from views from above. The proposed material for the external walls which is timber cladding, similar to the shared boundary fences also means that the proposed house would have minimal visual impact. The house would have a small amenity area in front and a two-tier garden at the rear, serving the living area and bedrooms. The two-tier garden measures 26.7sqm. While this is smaller than the standard of 50sqm, given that this is a small site and space is a constraint the garden area provided is acceptable.

7.2.4 Basement Compliance with Policy DM

Policy DM D2 (Design Considerations in all Developments) part B) requires new basements to meet a long list of criteria. The proposal meets these criteria in full. Part C) of this policy requires the Applicant to submit an assessment of basement and subterranean scheme impacts on drainage, flooding from all sources, groundwater conditions and structural stability where appropriate. The Council will only permit developments that do not cause harm to the built and natural environment and local amenity and do not result in flooding or ground instability. The council will require that the Design and Access statement accompanying planning applications involving basement developments demonstrate that the development proposal meets the carbon reduction requirements of the London Plan. The Applicant has submitted a Desktop Study Report which assesses the impact of the basement on the matters mentioned above and a Design and Access Statement that demonstrates that the development meets the carbon reduction requirements of the London Plan. The Council's Flood Risk officer and structural Engineer have both reviewed the application and have raised no objection, subject to conditions.

It is considered that the proposal is compliant with Policy DM D2 with respect to basements.

7.2.5 Impact on the Conservation Area

- 7.2.6 Core Strategy policy C514 and SPP Policy DMD2 require well designed proposals that will respect the appearance, materials, scale, bulk, proportions and character of the original building and their surroundings. Policy DM D4 seeks to ensure that development within Conservation Areas either preserves or enhances the character and appearance of the Conservation Area. Policy CS14 of the adopted Core Strategy states that all development needs to be designed to respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. This will be achieved in various ways including by promoting high quality design and providing functional spaces and buildings.
- 7.2.7 According to Paragraph 195 of the NPPF, Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 7.2.8 Sites and policies plan policy DM D4 requires that: b) All development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate how the proposal conserves and where appropriate enhances the significance of the asset in terms of its individual architectural or historic interest and its setting. The Pelham Road Conservation Area Character Assessment identifies the frontage of properties as having the greatest impact on the Conservation Area and in terms of preservation and enhancement, the document states: "Preservation and Enhancement As with the houses in Pelham Road, the frontages of Nos. 153 to 163 have retained their original features, and it is crucial to this part of Merton Road as well as to the Conservation Area that these buildings be preserved in their present form and their character not further eroded by inappropriate alterations or extensions. Planting in the front gardens to Nos. 153 to 159 would help to soften the harsh character of the paved areas, planting along the side of the back garden to No. 153 would help to screen the view of the rear extensions from Pelham Road, and pruning and landscaping of those to Nos. 161 and 163 appears advisable. Further parking in the back gardens should be resisted".

7.2.9 The frontage of buildings within the Conservation Area is the key element of built form which contributes to the quality and character of the Conservation Area. The proposal would not affect the appearance of the frontage of the site, due to the backland position of the site.

The Character Assessment also outlines "A significant streetscape feature is the pedestrian access way between Nos. 16 and 20, which leads southwards into Cecil Road. This route is attractively paved and landscaped, with brick paving and semi-mature trees. An electricity sub-station which formed the focus from Pelham Road has been removed and the remaining plinth could form the focal point of some more interesting feature. Unfortunately, the low railings bordering some of the areas of planting have fallen into disrepair and the walkway tends to attract household refuse. The future treatment of this part of the Conservation Area therefore requires careful consideration".

7.2.10 The proposal would be single storey above ground level and set away from the east and west side boundaries. Owing to its height and the set back, officers do not consider it would be visually prominent to users of the public footpath adjacent. The proposal will have minimal visual impact on the Conservation Area and would remain largely concealed with careful design from views at ground level and above. Officers acknowledge that the development would involve excavation of the site to allow for the basement provision, however, it is the end result of the development which must be considered in terms of its visual impact. The use of timber cladding to elevations would be similar material to existing fence panels and would be of similar height.

7.2.11 Officers note the previously refused application under 17/P4266. This previous application sought to extend the existing building at single storey level to create a new flat. This would have resulted in a circa 9.0 m deep extension to the existing building, where it was considered to be harmful to the Conservation Area. Officers consider the current proposal to be distinctly different to that of the previous refused application as it would be a detached dwelling, distinctly separated from the host building. The Conservation Area significance lies in the unique Victorian buildings which front the road. Although the proposal would segregate the site from the host building, it would still retain sufficient outdoor space for the host building flats. The plot division is not considered to cause harm to the Conservation Area. Conditions can be imposed to ensure that samples of external materials (including boundary treatment) are provided and approved prior to commencement of works. The Conservation Officer is also of the view that the proposal would have limited impact on the Conservation Area, but does acknowledge it would be detrimental to the overall garden space in the area.

7.2.12 Overall, the proposal is considered to preserve the character and appearance of the Conservation Area.

7.2.13 Refuse bins

Space for refuse bins has been allocated within the upper tier of the rear garden

7.2.14 Landscaping

The submitted floor plans show what appear to be soft landscaped rear and front gardens and the Design and Access Statement mentions that the proposed house would have a green roof. However, no landscaping plan / strategy has been submitted with the application. Therefore, a condition requiring a landscape plan / strategy to be submitted and approved before development commences shall be imposed on the grant of planning permission.

7.3 Standard of Accommodation

7.3.1 Internal

Policy D6 of the London Plan 2021 requires housing developments to be of the highest quality design and provide adequately sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners, and should provide at least the gross internal floor area and built-in storage area set out in Table 3.1.

A two bedroom 4 person 2 storey house is required to have a gross internal floor area of 79sqm. The proposed house has a GiA of 81.6sqm which is compliant. Also both bedrooms exceed the standard of 11.5sqm for a double bedroom. All habitable rooms would have sufficient natural light and ventilations and an acceptable outlook.

7.3.2 External

The minimum required private external amenity space for a dwelling is 50sqm. The total combined rear garden space as mentioned above is 26.1 which is acceptable despite being less than the standard for the reasons given above.

7.4 Neighbour Impact

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

7.4.2 There would be no adverse impacts to neighbouring amenity. Due to the low-lying nature of the house, in particular, that it would not rise above shared boundary fences with neighbouring properties, there would be no overbearing impact and loss of outlook or overlooking and loss of privacy to flats within the donor dwelling 20 Pelham Road or the property to the rear 44 Cecil Road.

7.4.3 However, the proposed ground source heat pump to serve the dwelling has the potential to create noise disturbance, but any noise would be mitigated by the conditions recommended by the Council's Environmental Health Officer which will be imposed on the grant of planning permission. As such it is considered that the proposal would comply with the above policy with respect to impact on neighbouring amenity.

7.5 Trees / Biodiversity

7.5.1 Planning Policy DM O2 (Nature conservation, trees, hedges and landscape features) of Merton's Sites and Policies Plan seeks to protect and enhance biodiversity.

7.5.2 There are no trees within or neighbouring the site protected by Tree Preservation Orders, however, all trees within Conservation Areas are protected. There are several trees within and near the application site. Three trees are proposed to be removed; one category U tree (lowest value) which is dead and two category C trees which have little amenity value to the Conservation Area. The retained trees will be protected during construction of the development in accordance with the measures recommended in the Arboricultural Report. Therefore, the development will pose no threat to trees to be retained and sympathetic to the character of the Conservation Area.

7.5.3 The green roof is welcomed not only because it helps make the proposed development minimal visual impact in the Conservation Area, assists with surface water drainage and thermal benefits, but also because it would create a net increase in biodiversity.

7.5.4 It is considered that with respect to trees and biodiversity the proposal would comply with the above policy.

7.6 Flood Risk / Drainage

7.6.1 London Plan policies SI 12 (Flood risk management) and SI 13 (Sustainable drainage), Core Planning Strategy policy CS16 and SPP policies DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.

7.6.2 The Applicant has submitted a drainage plan/strategy. The Council's Flood Risk officer has reviewed the proposal and has raised no objection, subject to pre-commencement conditions seeking final details of the drainage measures.

7.7 Car Parking and Cycle Parking

7.7.1 Policy T5 (Cycling) of the London Plan states that development Plans and development proposals should help remove barriers to cycling and create a healthy environment in which people choose to cycle.

7.7.2 The minimum cycle parking standard for a 2 bedroom, 2 person dwelling is 2 cycle spaces. Two cycle spaces have been provided in the upper tier of the rear garden.

7.7.3 Policy T6 (Car Parking) states that car parking should be restricted in line with levels of existing and future public transport accessibility and connectivity. Policy CS.20 of the Core Planning Strategy states that the Council will support permit free developments in areas within Controlled Parking Zones (CPZ's) benefiting from good access to public transport (PTAL 4-6). Given the PTAL of 4, and to accord with Policy, the applicant would need to enter into a S106 Agreement to ensure the future residents can not gain a parking permit. This is in order to reduce the impact of on-street parking pressures in the local area, in line with policy.

7.8 Sustainability

7.8.1 All new developments comprising the creation of new dwellings should demonstrate how the development will comply with Merton's Core Planning Strategy (2011) Policy CS15 Climate Change (parts a-d) and the policies outlined in Chapter 9 (Sustainable infrastructure) of the new London Plan. The development will need to achieve internal water usage rates not in excess of 105 litres per person per day and to demonstrate a 19% reduction in CO2 levels over and above the 2013 Building regulations.

7.8.2 The submitted Design and Access Statement states that the proposed house has been designed in accordance with Passivhaus Standards, with the aim of achieving excellent performance in terms of air tightness, thermal efficiency and heat recovery. This will reduce the amount of heating required and it will be provided using a ground source heat pump. The building will exceed the current requirements in Part L of the Building Regulations. The building will use glazing of high thermal efficiency and will be detailed to reduce cold bridging. The intention is to build the house mainly off-site, using cross-laminated timber, this will contribute to the performance of the building and reduce thermal bridging through increased accuracy in construction. This matter can be addressed by way of pre-occupation condition to ensure the relevant targets are met with the detail to be provided as part of the condition discharge.

7.8.3 Therefore, subject to imposition of the condition, the proposal would comply with the policies within Chapter 9 of the new London Plan and Policy CS15 of the Core Planning Strategy 2011.

8.0 Other Matters

- 8.1.1 This section of the report addresses the objections that have not been addressed elsewhere in the report.
- 8.1.2 The developer is liable for any damage to the footpath and this is a matter for the Highway Authority if damage occurs.
- 8.1.3 The development will not set a precedent as every application is dealt with on its own merits.
- 8.1.4 It is the responsibility of the developer to work with Building Control and to enter into Party Wall agreements with neighbouring properties to ensure that there is no damage to buildings and provide protection for neighbours if there is. Whether or not Party Wall agreements have been drawn up is not a matter for the Council, neighbours would need to seek the advice of a solicitor or a Citizens advice bureau.
- 8.1.5 The location of the ground source heat pump and refuse bins has been shown on revised plans.

9.0 CONCLUSION

The proposal is acceptable in principle and with respect to all other key planning considerations. As such planning permission is recommended subject to conditions.

RECOMMENDATION

Grant permission, subject to conditions and S106 Agreement.

- 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: 346-DWG-103 P1; 100 P1; 106 P1; 110 P1; 111 P1; 112 P1; 113 P1; 114 P1; 115 P1; 121 P1; 105 P3; 121 P2; 122 P1; 123 P1; 124 P1 104 P4; 101 P1; 102 P1; 104 P1; 105 P1; 106 P2; 103 P1 122 P1; 123 P1; Construction Management Plan; Desktop Study Report; Arboricultural Report; & Design & Access Statement.

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

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

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 4 No development shall take place until details of the proposed finished floor levels of the development, together with existing and proposed site levels, have been submitted to and approved in writing by the Local Planning Authority and no development shall be carried out except in strict accordance with the approved levels and details.

Reason: To safeguard the visual amenities of the area and to comply with the following Development Plan policies for Merton: policy D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 5 No development shall take place until full details of a landscaping and planting scheme has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies G7 and D8 of the London Plan 2021, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, DM F2 and DM O2 of Merton's Sites and Policies Plan 2014.

- 6 Noise levels (expressed as the equivalent continuous sound level) LAeq (15 minutes), from the ground / air source heat pump shall not exceed LA90-10dB at the boundary with any residential property not associated with the development.

Reason: To protect the amenities of the occupiers in the local vicinity. To comply with Policy D14 of the London Plan 2021 and Policy DM D2 of the Merton Site and Policies Plan 2014.

- 7 A post confirmation noises survey shall be undertaken following completion of the development to ensure the specified levels are achieved, if not achieved additional mitigation shall be installed to the levels are achieved before use.

Reason: To protect the amenities of the occupiers in the local vicinity. To comply with Policy D14 of the London Plan 2021 and Policy DM D2 of the Merton Site and Policies Plan 2014.

- 8 No mechanical equipment such as generator / pumping equipment shall be operated outside the construction method statement submitted with the application dated September 2021 (Rev A).

Reason: To protect the amenities of the occupiers in the local vicinity. To comply with Policy D14 of the London Plan 2021 and Policy DM D2 of the Merton Site and Policies Plan 2014.

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

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

- 10 The details and measures for the protection of the existing trees as specified in the hereby approved document 'Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement' reference 'P78' and dated '1st September 2021' shall be fully complied with. The

methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.

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

- 11 Prior to the commencement of the development, a detailed surface water and foul drainage plan shall be submitted to and approved in writing by the local planning authority.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

- 12 Site Supervision (Trees) - The details of the approved 'Tree Survey, Arboricultural Impact Assessment and Arboricultural Method Statement' shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than monthly the status of all tree works and tree protection measures throughout the course of the demolition and site works. A final Certificate of Completion shall be submitted to the Local Planning Authority at the conclusion of all site works. The works shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

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

- 13 Prior to commencement of development, the applicant shall submit to the local planning authority a Basement Construction Method Statement which shall include the following:
- a) Ground Movement Analysis (Vertical and Horizontal) including any heave or settlement analysis, and Damage Category Assessment with detailed calculations.
 - b) Detailed Construction Method Statement produced by the respective Contractors responsible for the installation of piles, excavation and construction of the permanent retaining wall. This shall be reviewed and agreed by the Structural Engineer designing the basement.
 - c) Design calculations of the temporary works supporting the highway and adjoining properties to facilitate excavation.
 - d) Detail design calculations of the permanent retaining wall retaining the highway has to be submitted. The calculations shall be carried out in accordance with Eurocodes. We recommend assuming full hydrostatic pressure to ground level and using a highway surcharge of 10 KN/m² for the design of the retaining wall supporting the highway.
 - e) Temporary works drawings and sections of the basement retaining walls.
 - f) Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from start to completion of the project works. The report should include the proposed

locations of the horizontal and vertical movement monitoring, frequency of monitoring, trigger levels, and the actions required for different trigger alarms.

The development shall be carried out in accordance with the agreed measures.

Reason: To reduce the risk of impact on the public highway (footpath) and adjacent properties, in accordance with Merton's policies CS16, DM D2 and DMF2 and the London Plan policy SI 13

- 14 No development shall take place until details of all boundary walls or fences are submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter.

Reason: To ensure a satisfactory and safe development in accordance with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 15 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/demolition.
- demonstration to show compliance with BS5228
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To protect the amenities of the occupiers in the adjoining residential premises and future occupants.

- 16 Prior to the commencement of development, the detailed design and specification for the green roofs shall be submitted to and approved in writing by the Local Planning Authority. The design shall be carried out as approved, retained and maintained by the applicant in perpetuity thereafter.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

- 17 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: policies D14 and T7 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

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

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 19 Sustainability - Pre-Commencement (New build residential)

20 INFORMATIVE

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

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

21 INFORMATIVE

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

22 INFORMATIVE

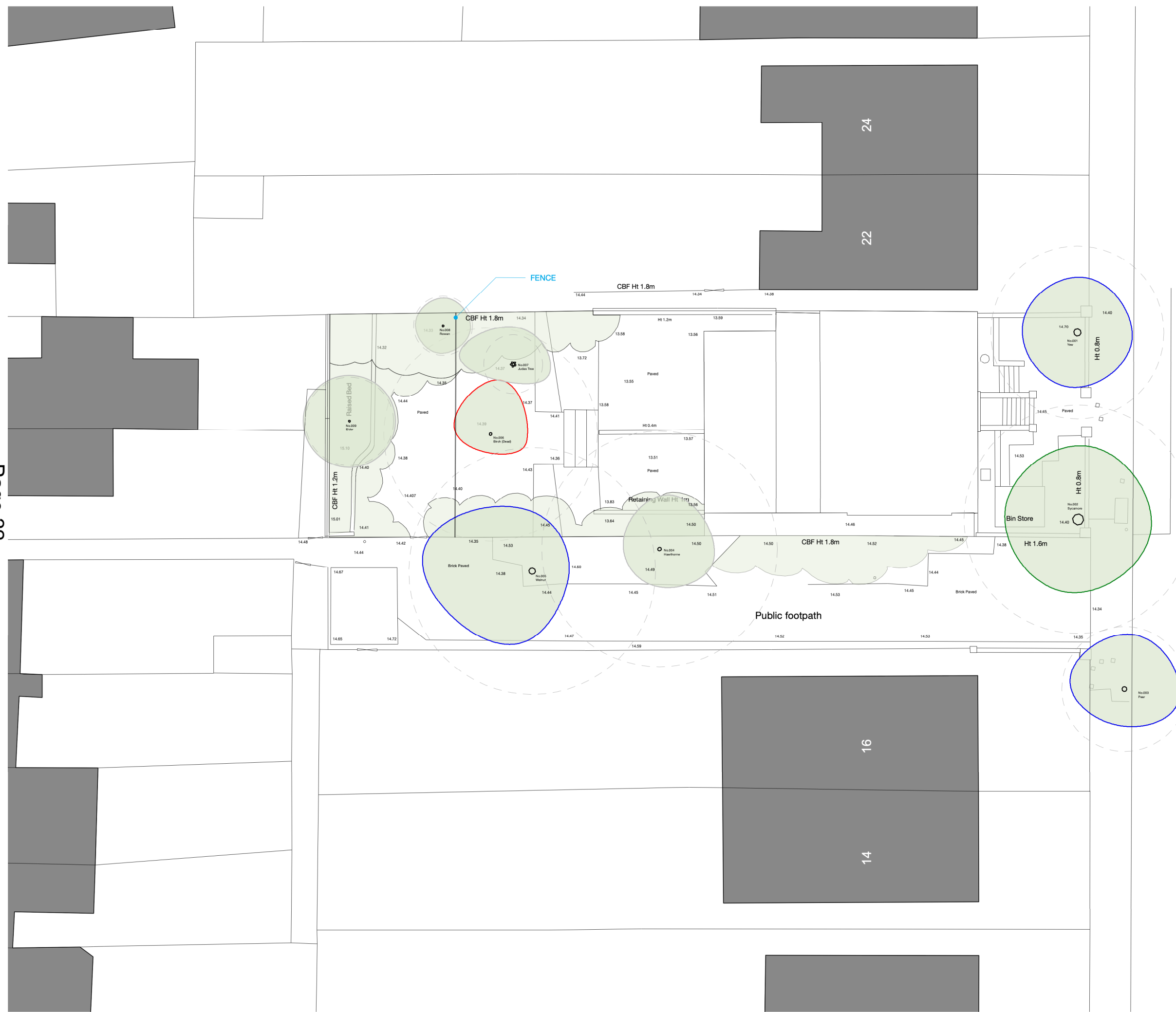
Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.

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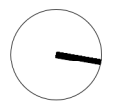
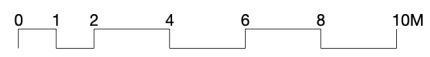
REVISION NUMBER	DATE	BY	NOTES
P1	28/10/2021	RH	Issued for Planning

Page 32



KEY - BS5837 CATEGORISATION

- CATEGORY A
- CATEGORY B
- CATEGORY C
- CATEGORY U
- ROOT PROTECTION AREA



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CLIENT
 Palmhurst Residential LLP

PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Existing Site Plan

SCALE
 1:200

DATE CREATED FILE REFERENCE

DRAWING NUMBER	REVISION
346-DWG-001	P1

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KEY:

2 Bedroom Flat

1 Bedroom Flat



Page 33



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SHEET TITLE
 Existing Ground Plan

SCALE
 1:100

DATE CREATED **FILE REFERENCE**

DRAWING NUMBER	REVISION
346-DWG-002	P1

16

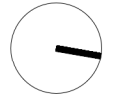
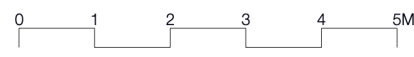
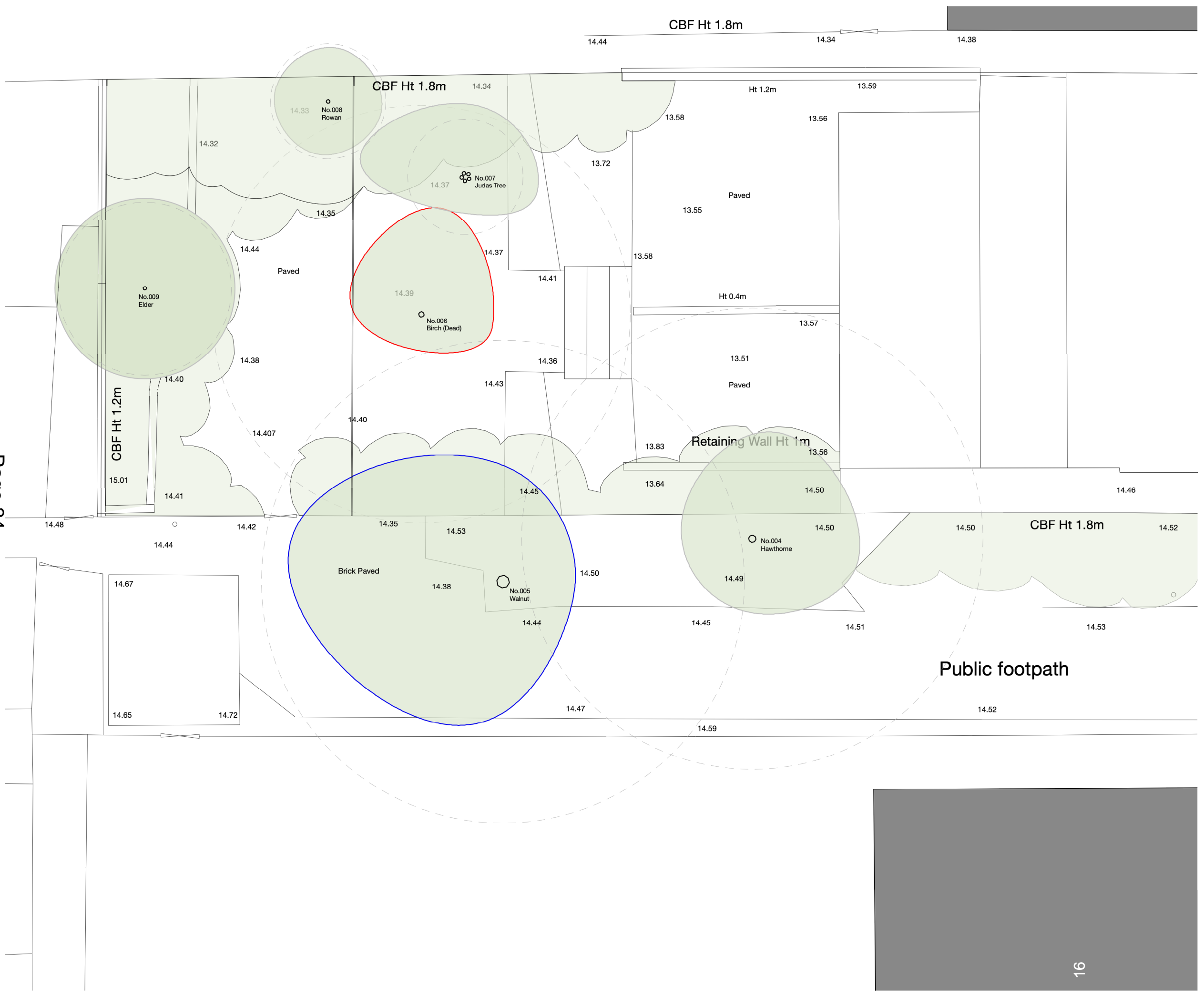
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Page 34



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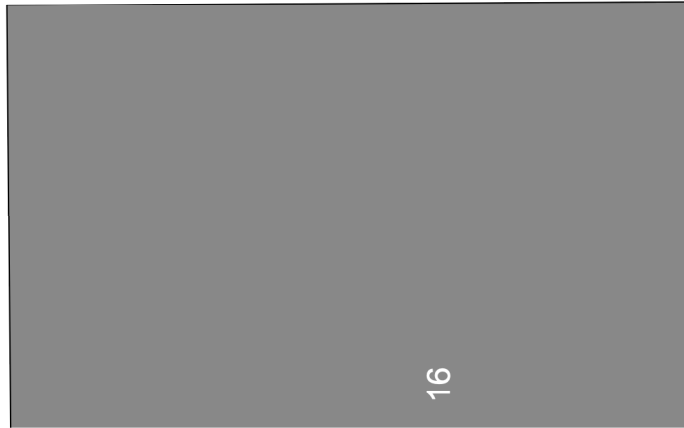
PROJECT
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SHEET TITLE
 Existing Roof Plan

SCALE
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DATE CREATED **FILE REFERENCE**

DRAWING NUMBER	REVISION
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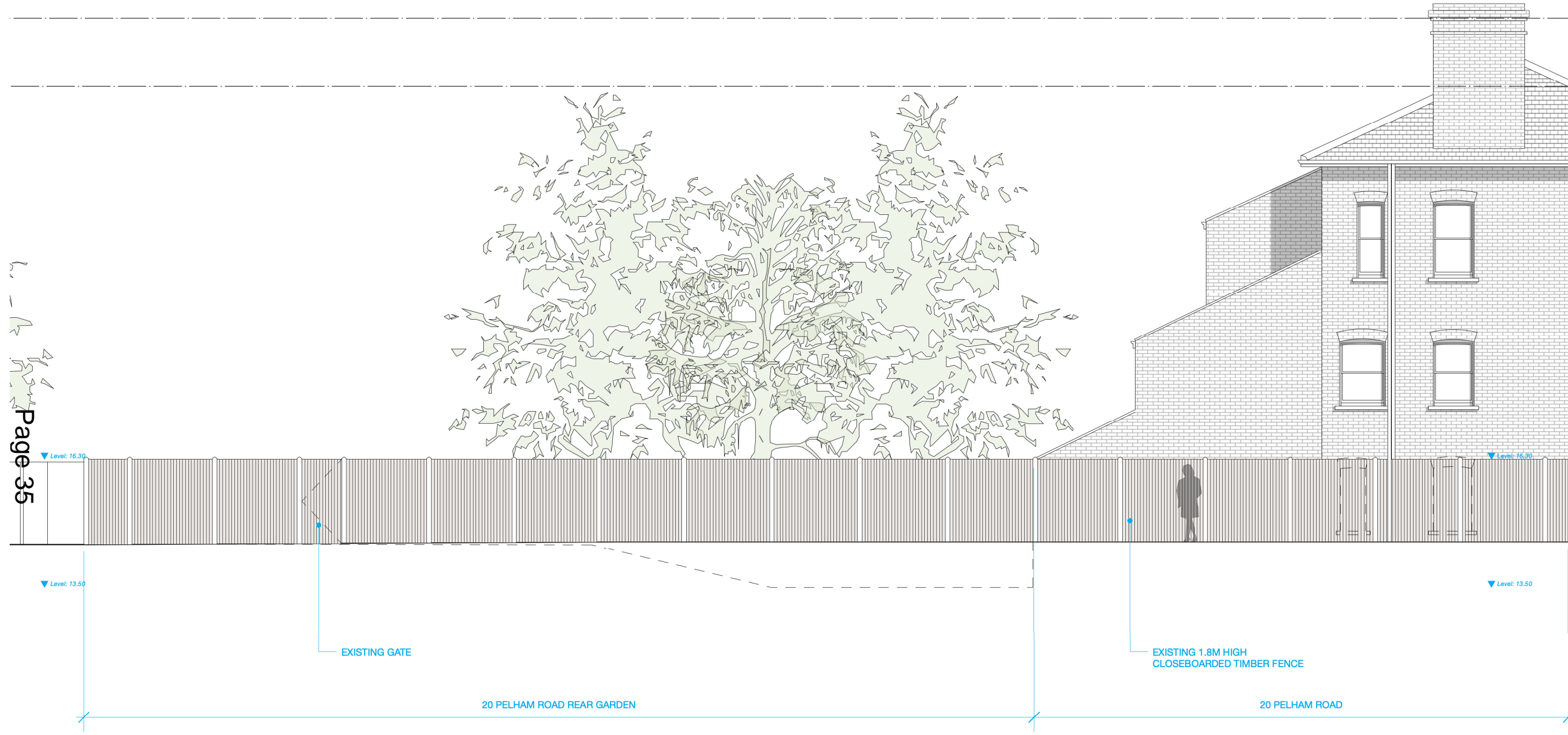


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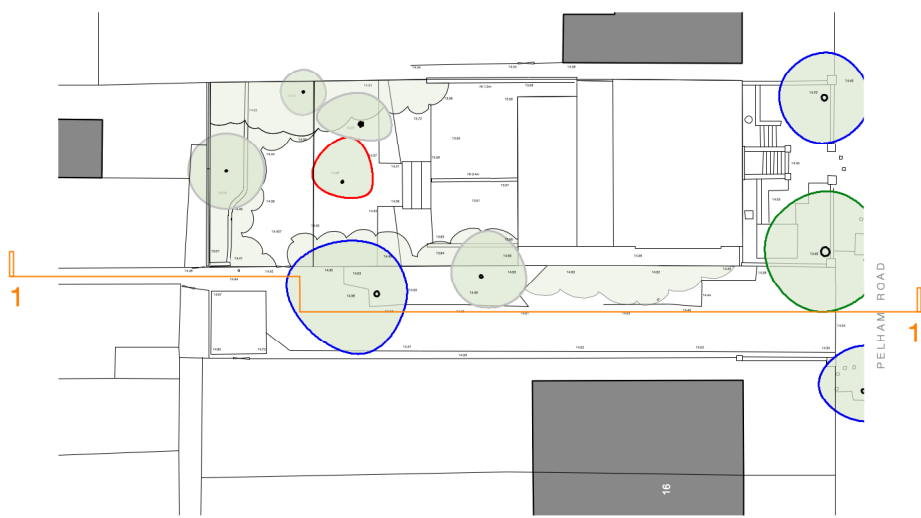
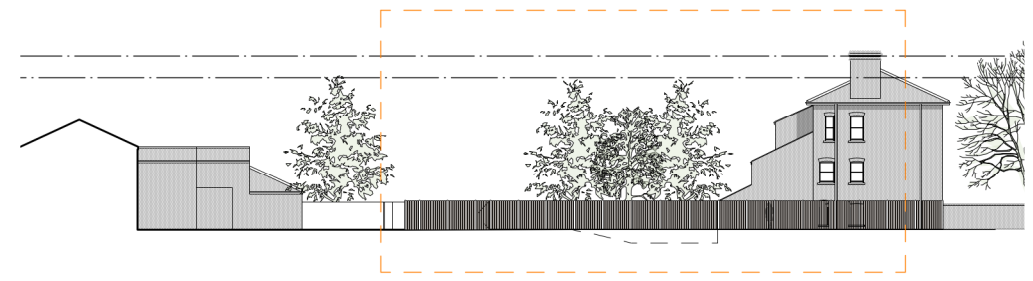
Page 35



View onto side fence of existing property from pedestrian pathway.



View to pedestrian pathway and side of existing property from Pelham Rd.



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PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Existing Elevation 1 (Front)

SCALE
 1:100

DATE CREATED FILE REFERENCE

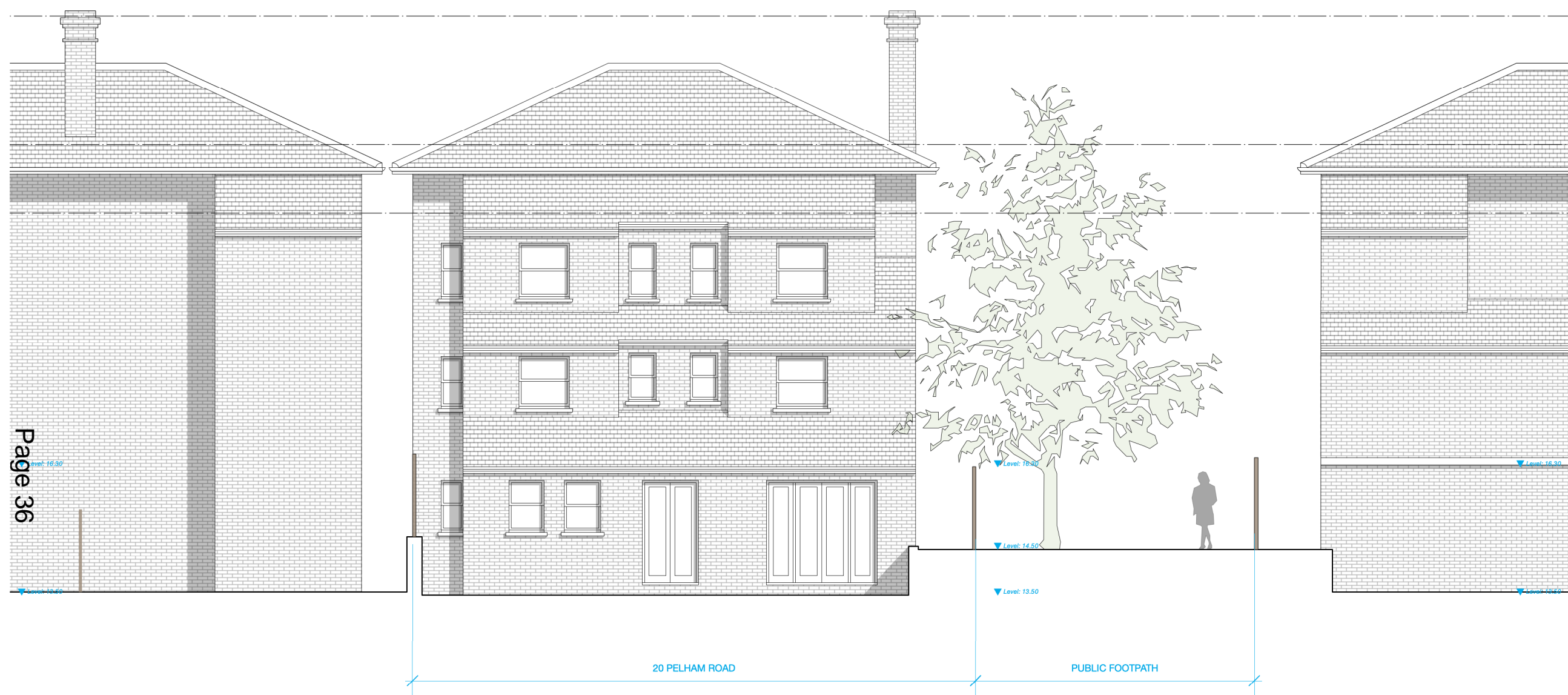
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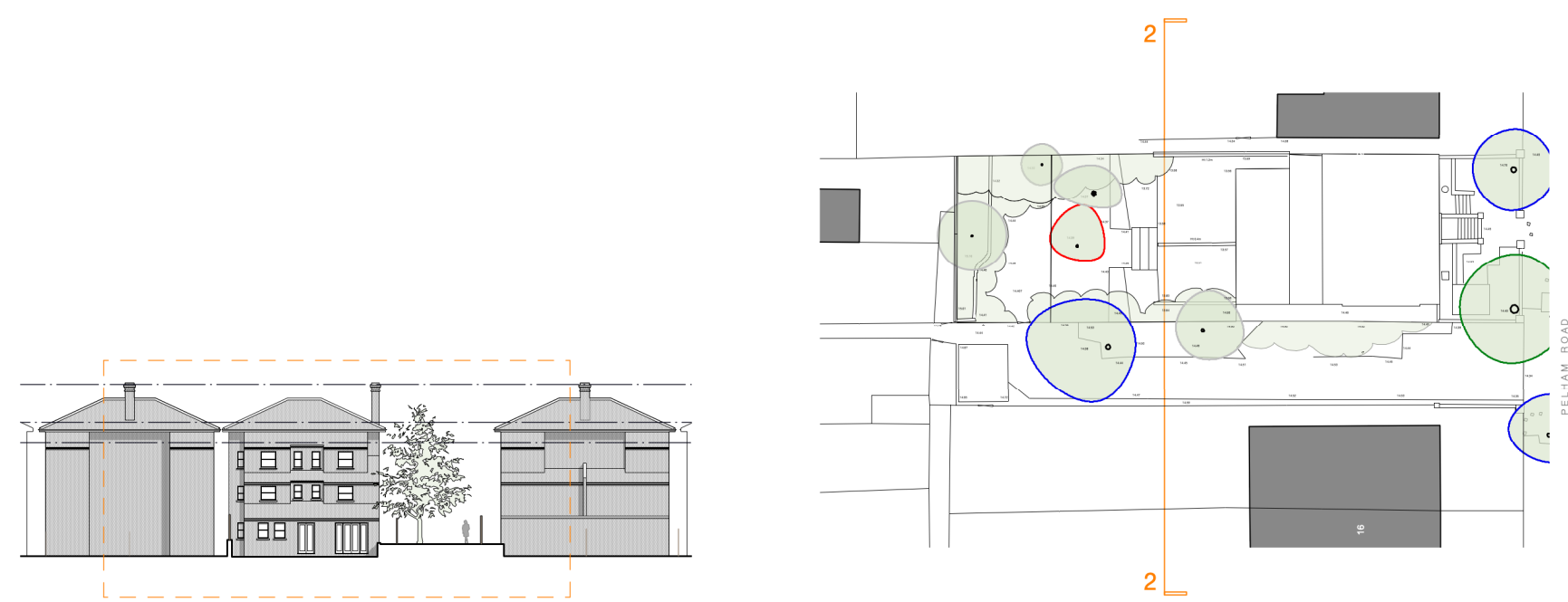
Notes:
Existing building materials:
- Yellow stock brick organised in a flemish bond



Page 36



View onto existing back elevation from rear garden.



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SHEET TITLE
Existing Elevation 2 (Side)

SCALE
1:100

DATE CREATED _____ **FILE REFERENCE** _____

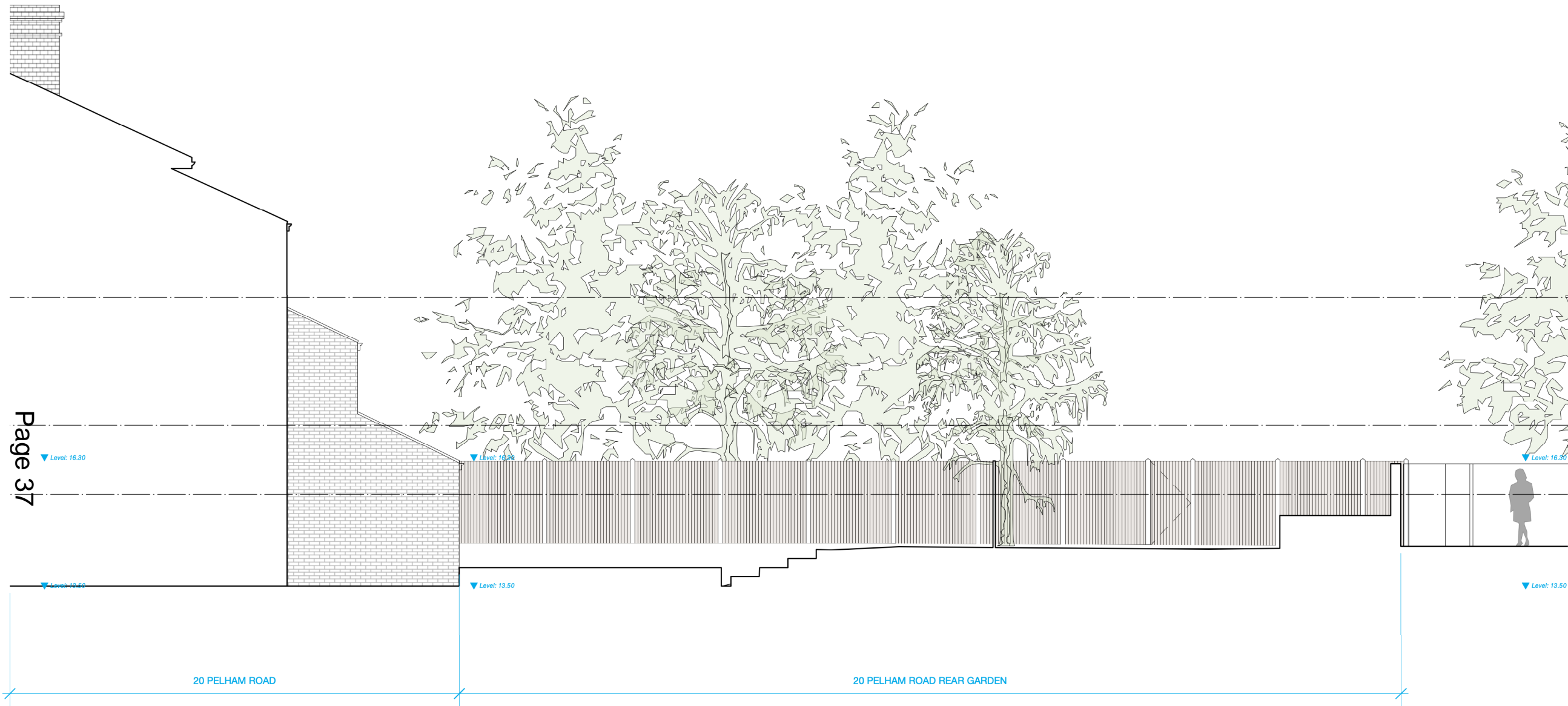
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346-DWG-022	P1

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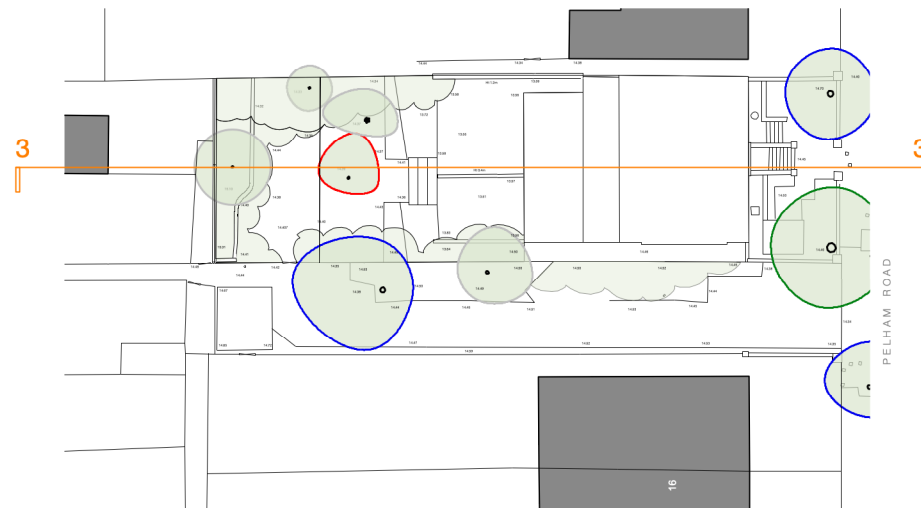
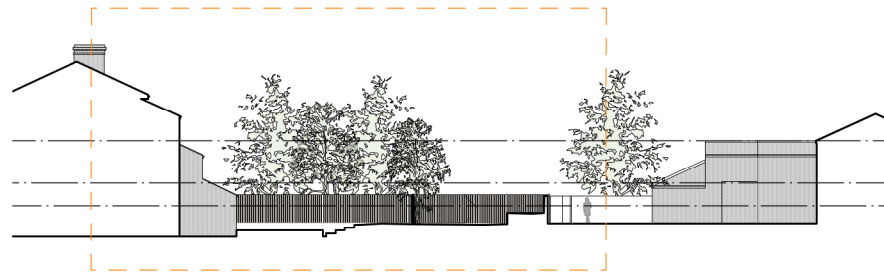
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Page 37



View onto existing rear garden.



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SHEET TITLE
 Existing Elevation 3 (Back)

SCALE
 1:100

DATE CREATED FILE REFERENCE

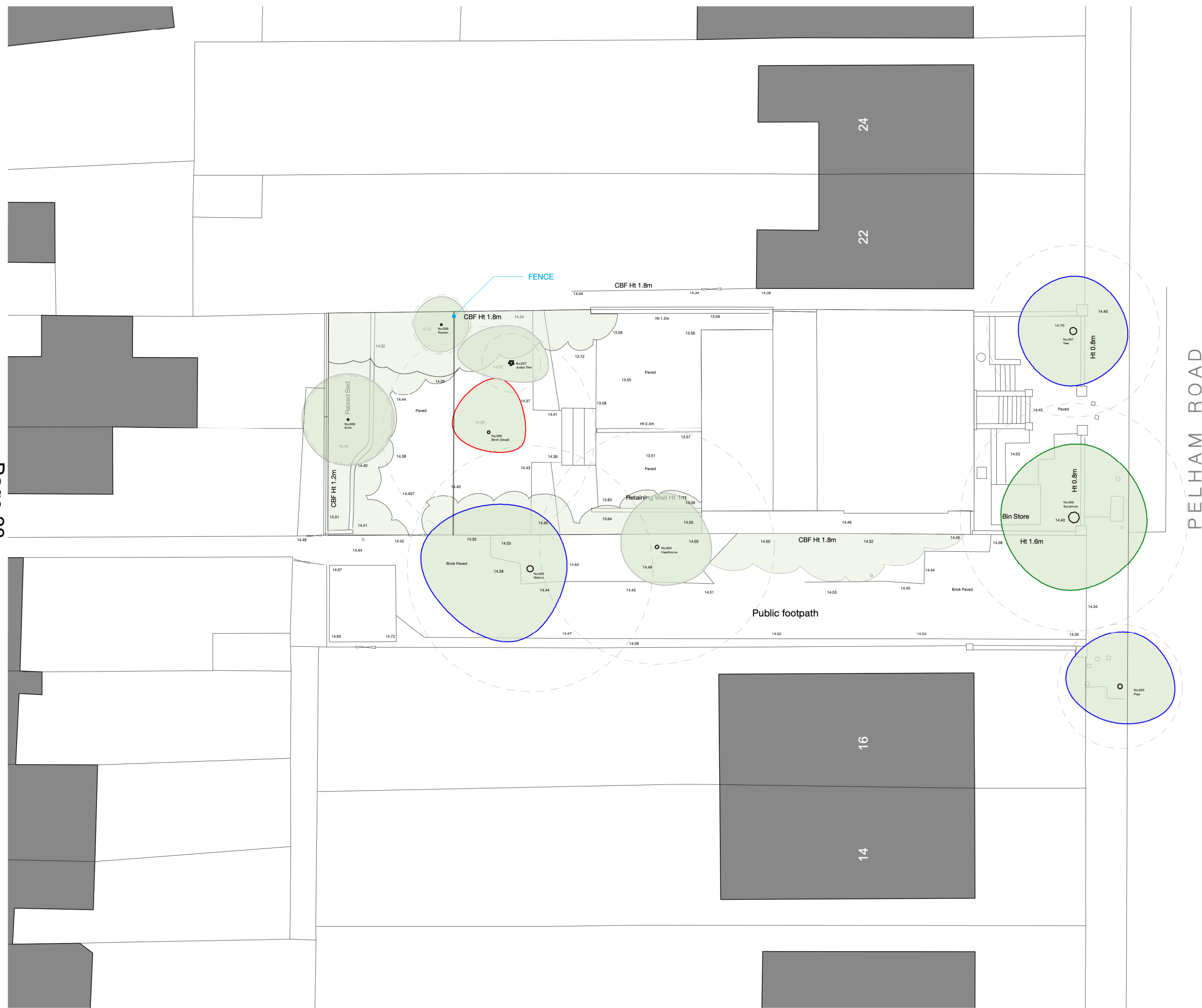
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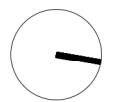
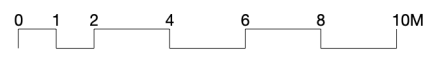
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P1	28/10/2021	RH	Issued for Planning

Page 38



KEY - BS5837 CATEGORISATION

- CATEGORY A
- CATEGORY B
- CATEGORY C
- CATEGORY U
- - - ROOT PROTECTION AREA



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PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Existing Site Plan

SCALE
 1:200

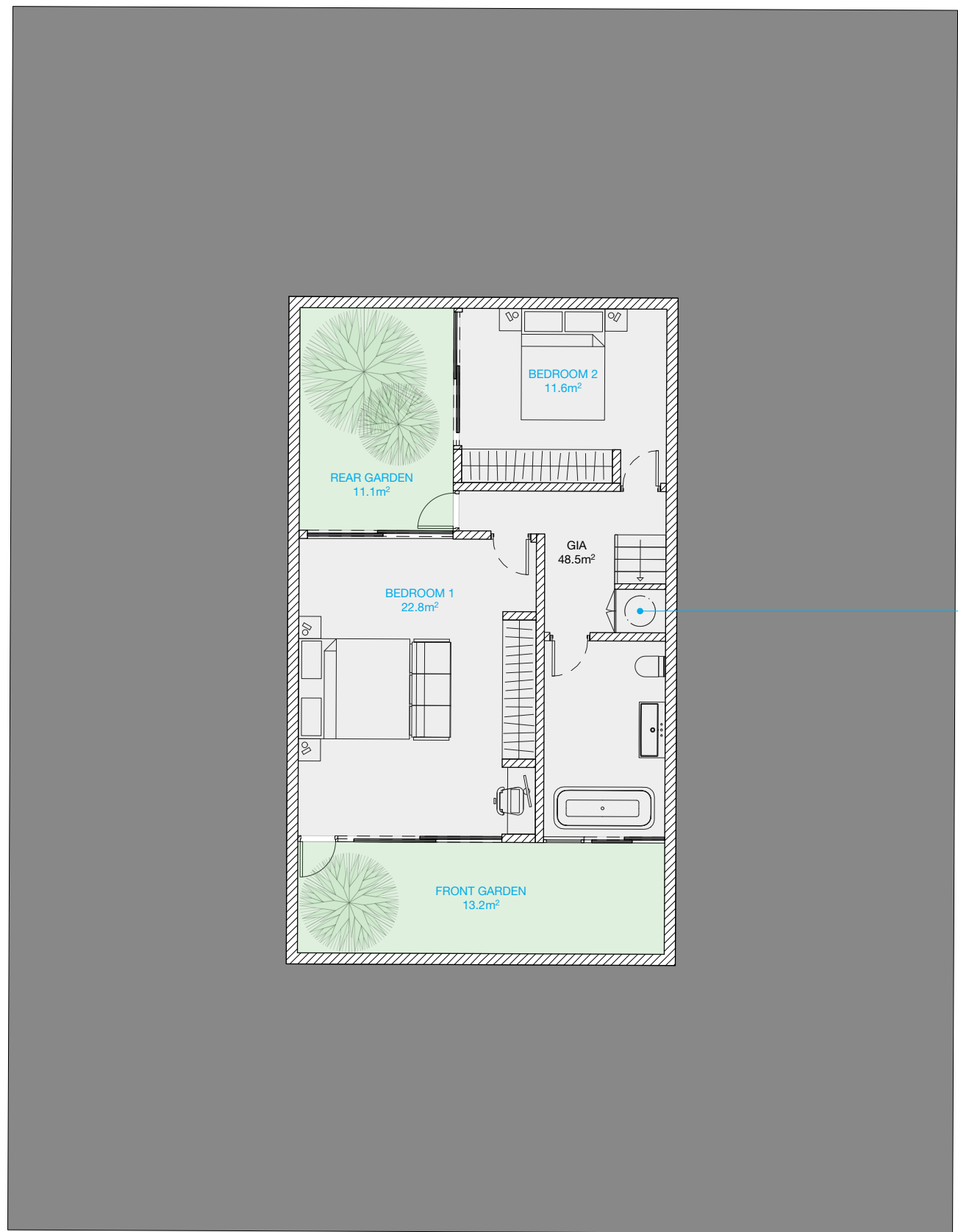
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P3	31/03/2022	RH	Areas added



HOT WATER CYLINDER
150 LITRES



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SHEET TITLE
Proposed Basement Plan

SCALE
1:100

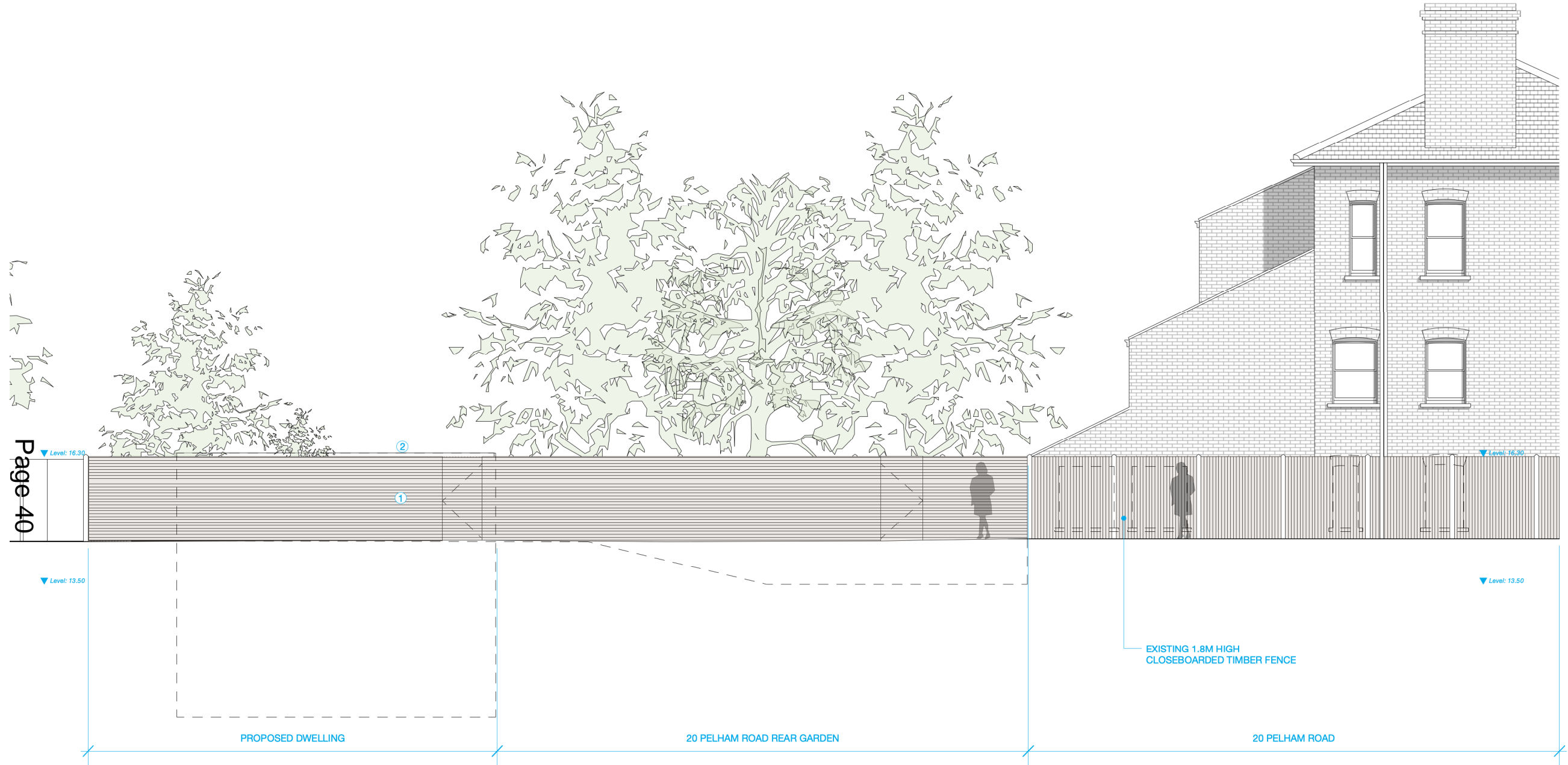
DATE CREATED **FILE REFERENCE**

DRAWING NUMBER	REVISION
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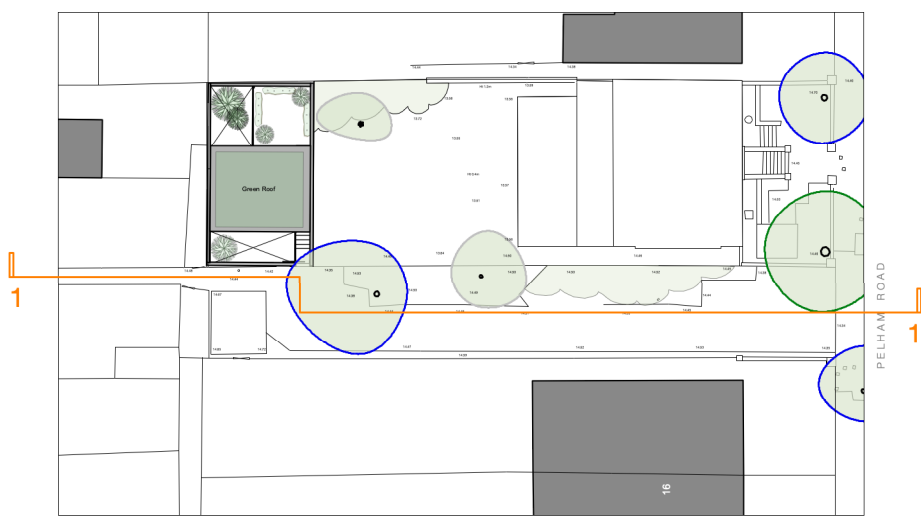
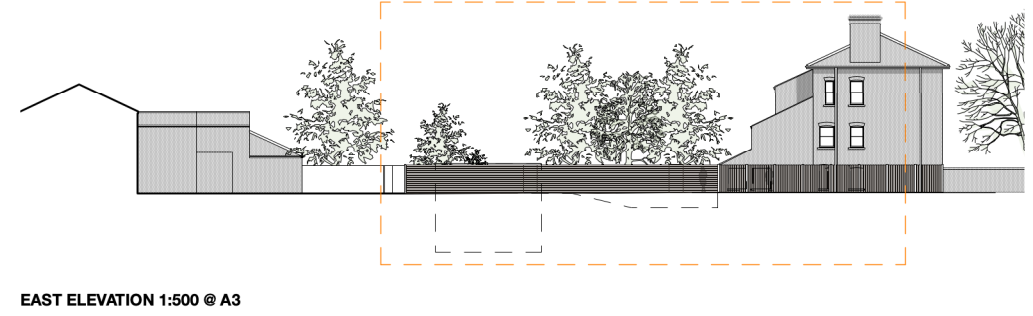
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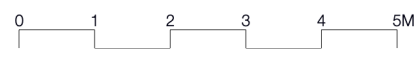
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P2	20/04/2022	RH	Issued for Planning



Page 40



KEY
 ① TIMBER CLADDING TO MATCH EXISTING
 ② GREEN ROOF



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PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Proposed East Elevation

SCALE
 1:100 @ A3

DATE CREATED APR 22 **FILE REFERENCE**

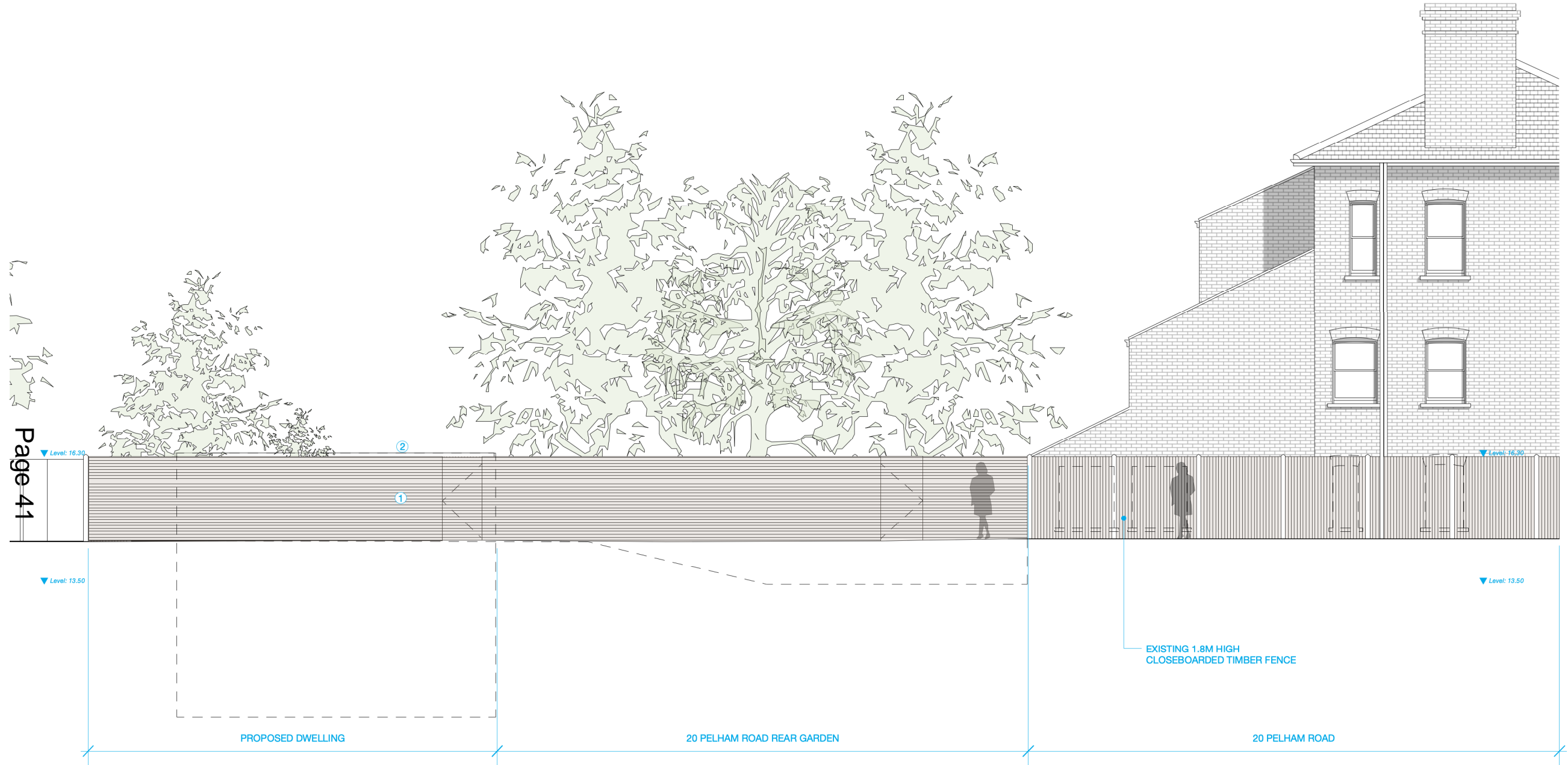
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346-DWG-121	P2

EAST ELEVATION 1:500 @ A3

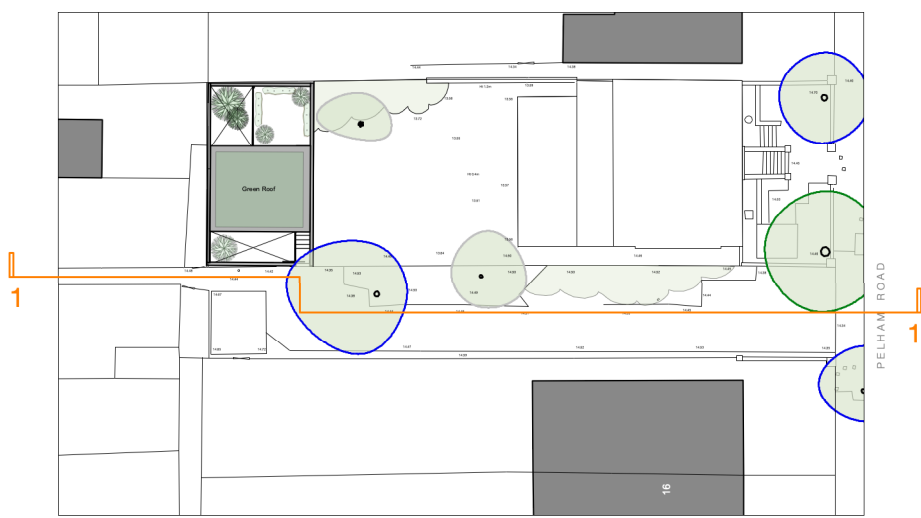
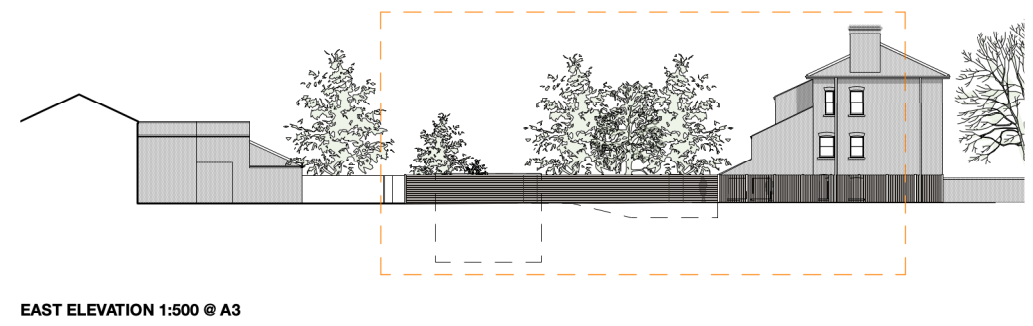
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KEY
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PROJECT
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SHEET TITLE
 Proposed East Elevation

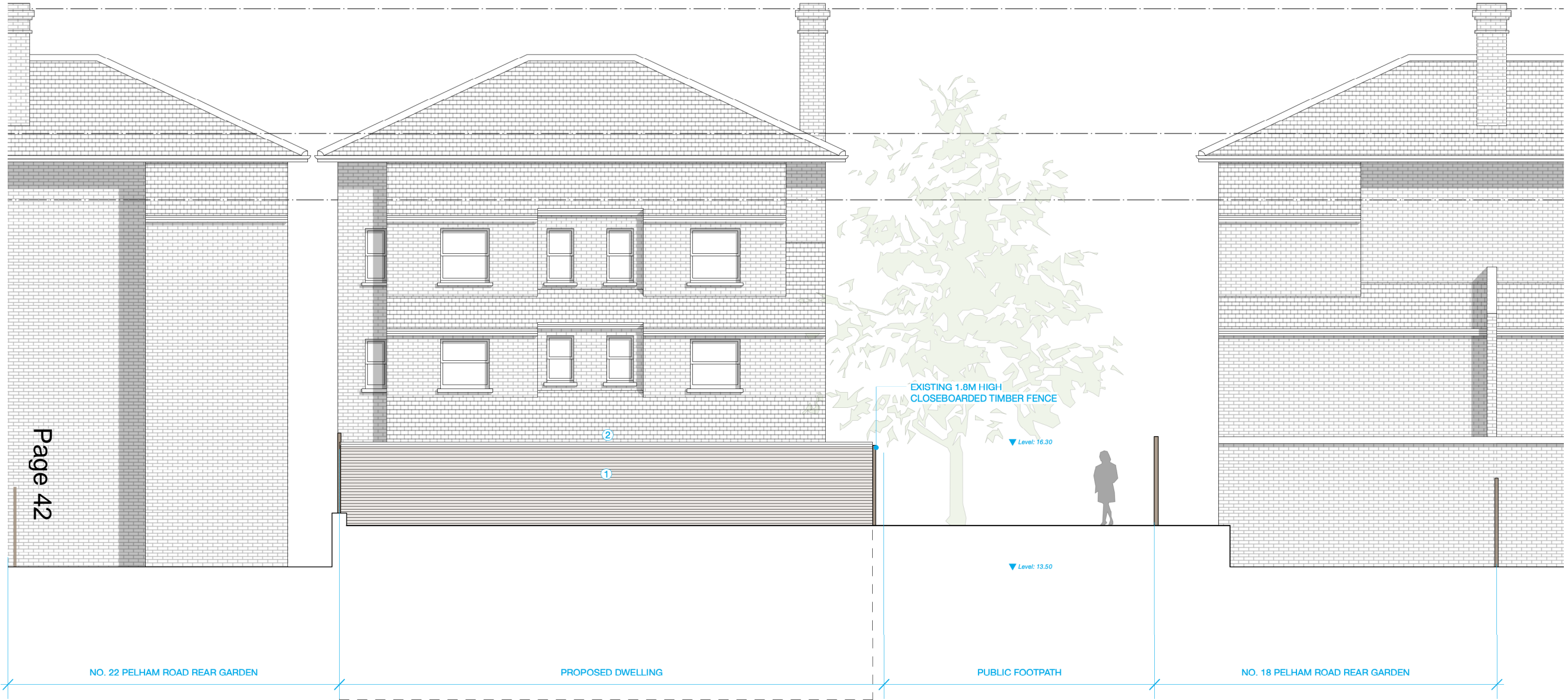
SCALE
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DATE CREATED APR 22 **FILE REFERENCE**

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P1	20/04/2022	RH	Issued for Planning



Page 42

- KEY**
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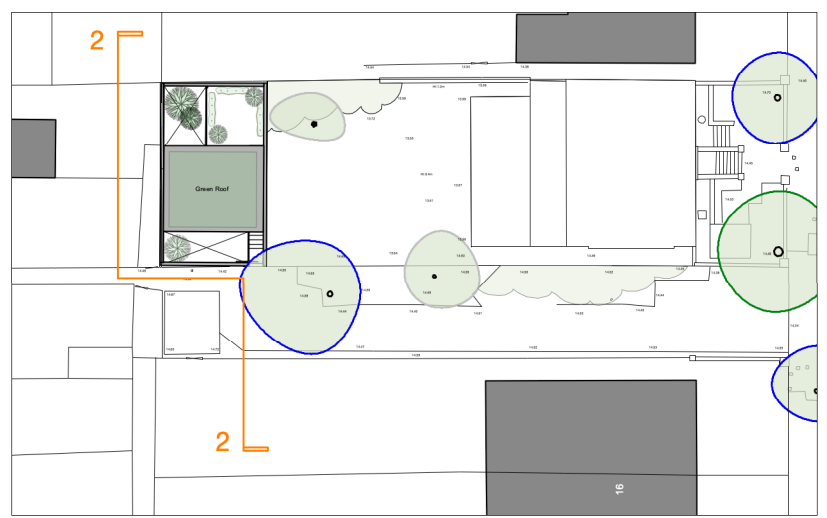
EXISTING 1.8M HIGH CLOSEBOARDED TIMBER FENCE

Level: 16.30

Level: 13.50



SOUTH ELEVATION 1:500 @ A3



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PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Proposed South Elevation

SCALE
 1:100 @ A3

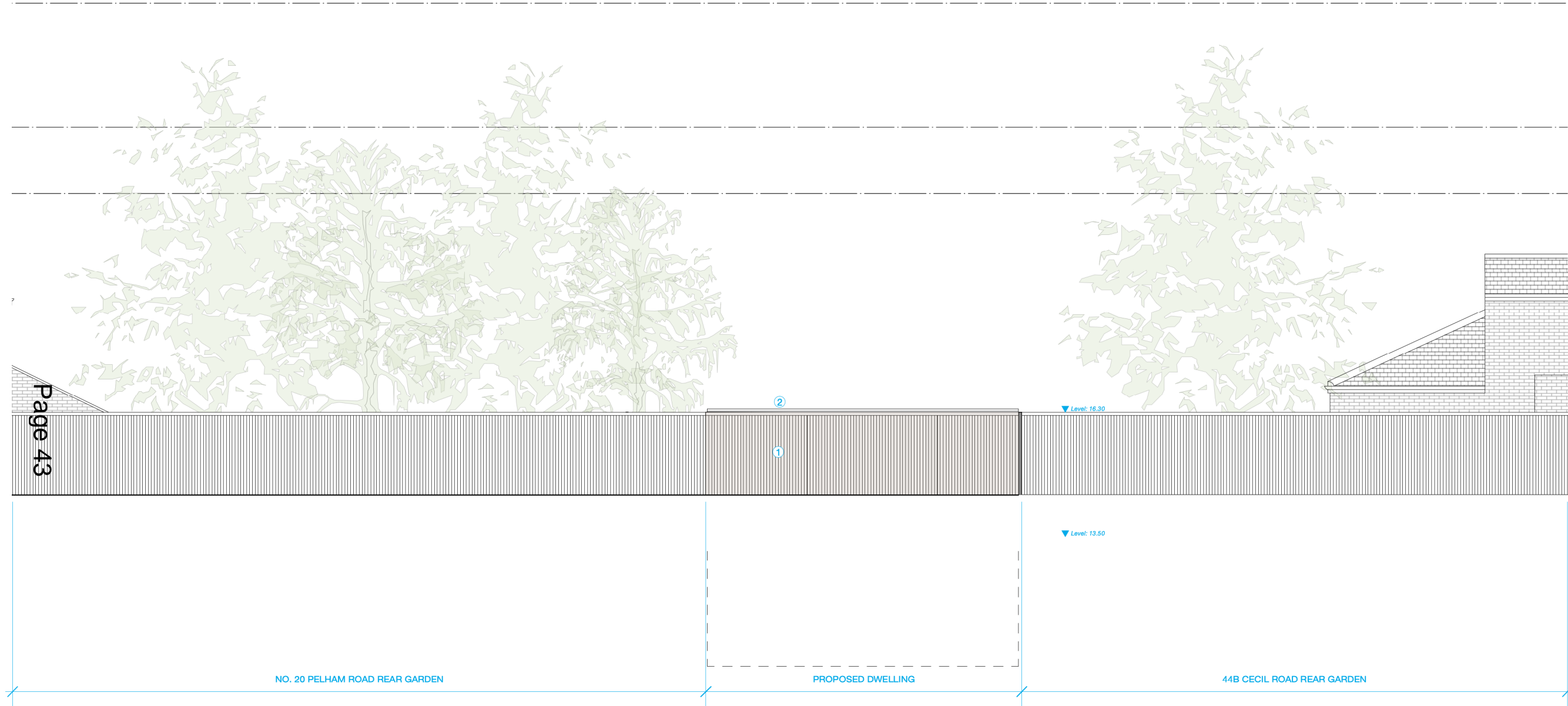
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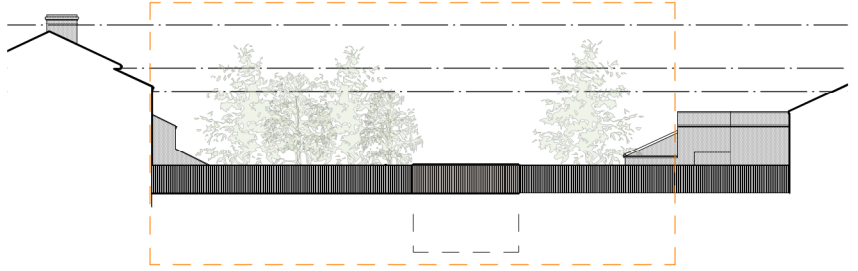
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Page 43



WEST ELEVATION 1:500 @ A3



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SHEET TITLE
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SCALE
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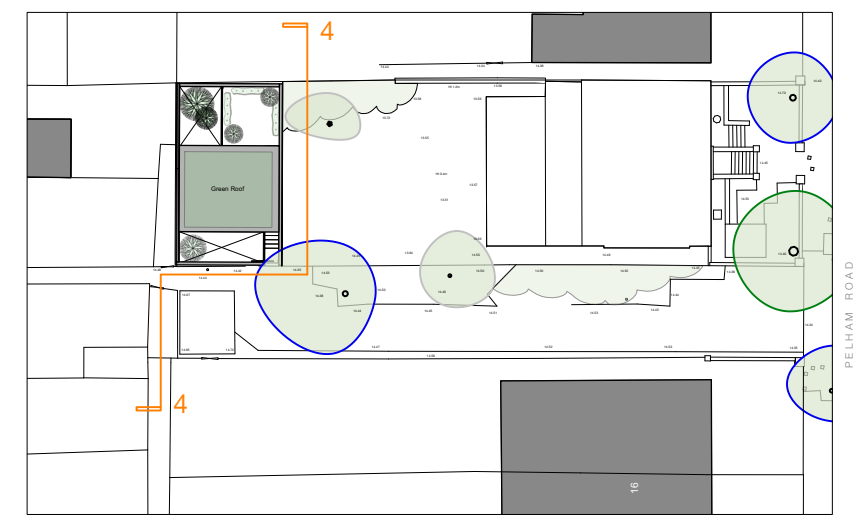


Page 44

- KEY**
- ① TIMBER CLADDING TO MATCH EXISTING
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NORTH ELEVATION 1:500 @ A3



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PROJECT
20 Pelham Rd, London SW19 1SX

SHEET TITLE
Proposed North Elevation

SCALE
1:100 @ A3

DATE CREATED
APR 22

FILE REFERENCE

DRAWING NUMBER	REVISION
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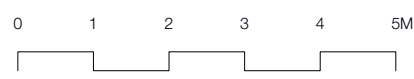
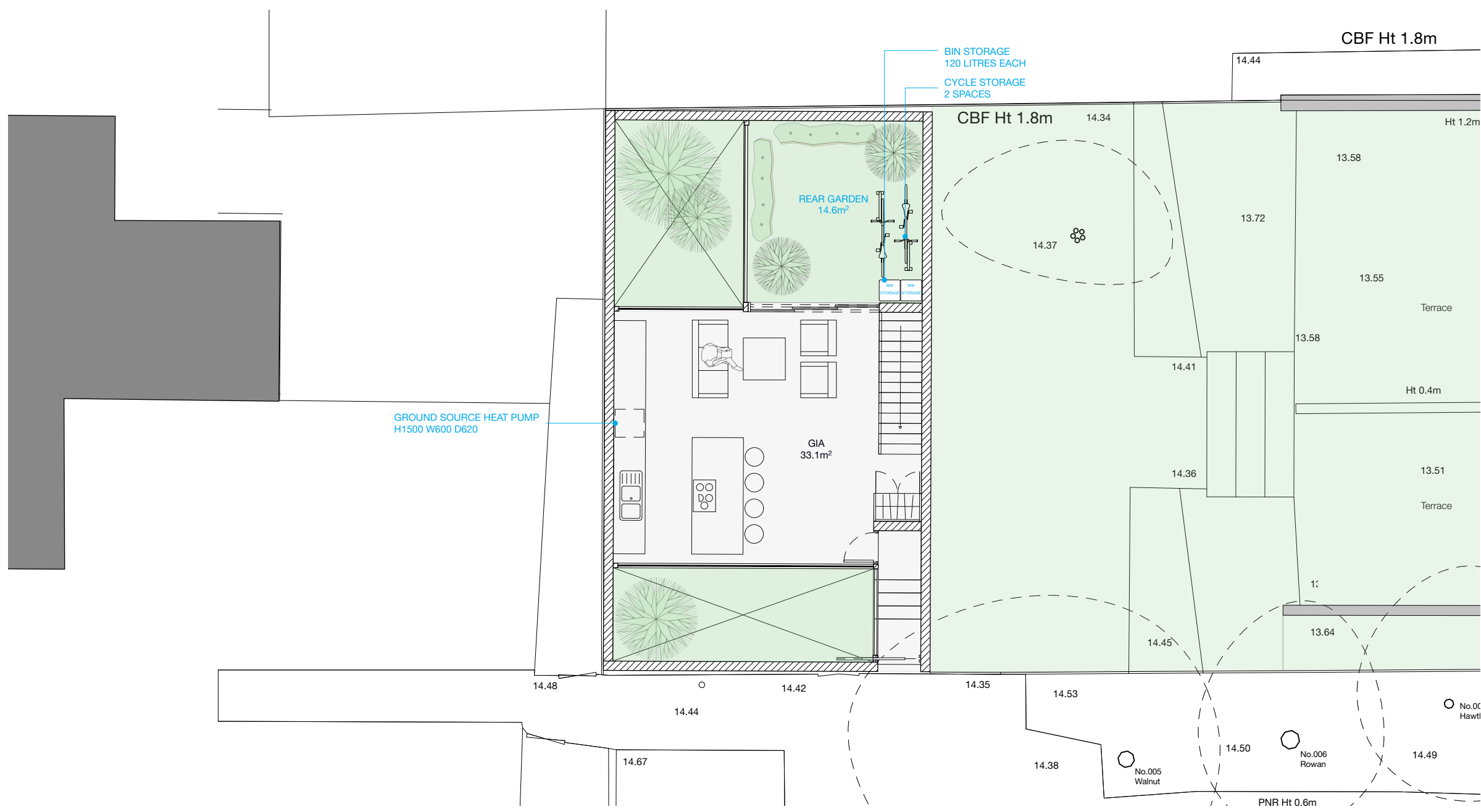
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P4	31/03/2022	RH	Areas added

Page 45



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 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Proposed Lower Ground Plan

SCALE
 1:100

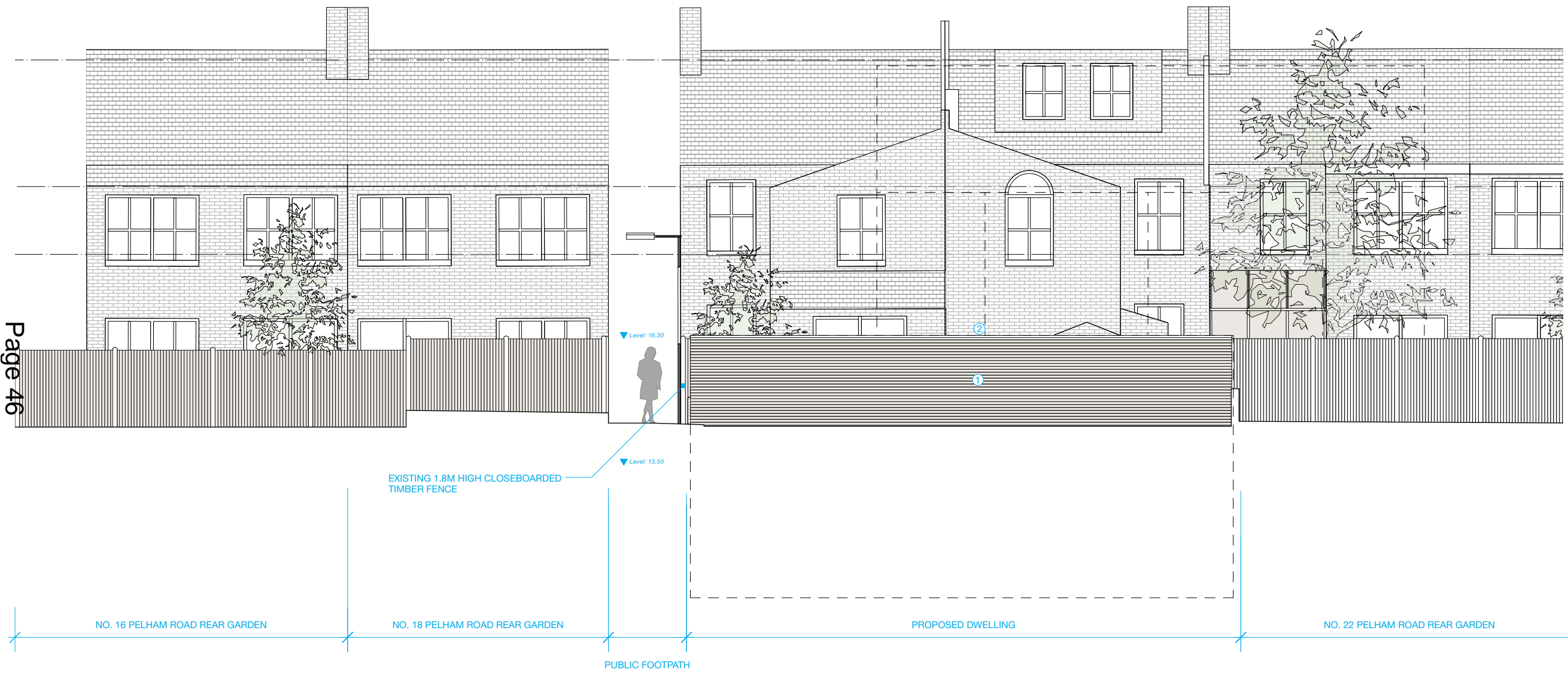
DATE CREATED FILE REFERENCE

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346-DWG-104	P4

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Page 46



- KEY**
- ① TIMBER CLADDING TO MATCH EXISTING
 - ② GREEN ROOF



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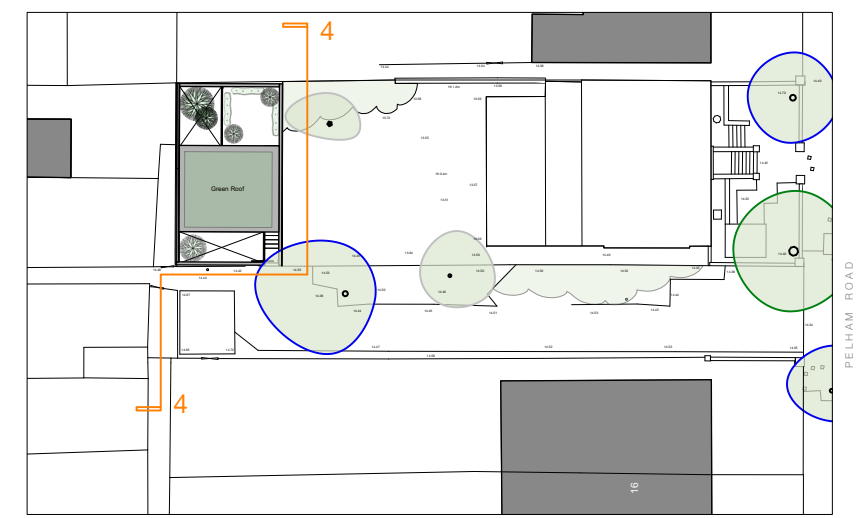
PROJECT
20 Pelham Rd, London SW19 1SX

SHEET TITLE
Proposed North Elevation

SCALE
1:100 @ A3

DATE CREATED APR 22 **FILE REFERENCE**

DRAWING NUMBER	REVISION
346-DWG-124	P1






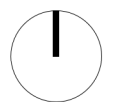
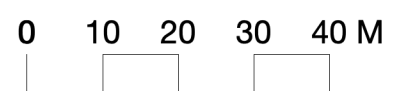
NORTH ELEVATION 1:500 @ A3

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KEY
 VARIOUS OUTBUILDINGS
 PROPOSAL
 SITE BOUNDARY



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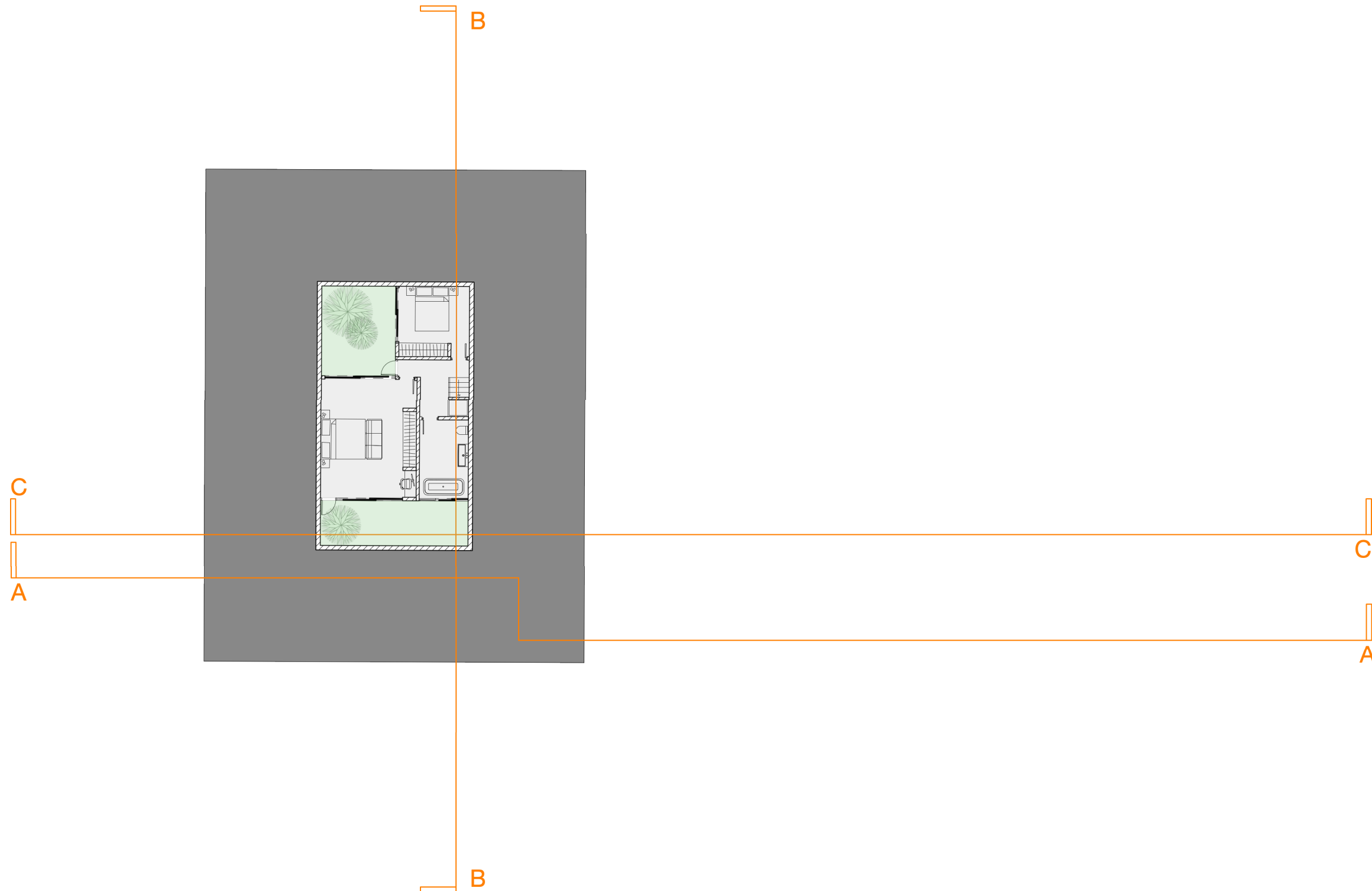
PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Outbuildings Drawing

SCALE
 1:1000

DATE CREATED _____ **FILE REFERENCE** _____

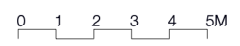
DRAWING NUMBER	REVISION
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PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Proposed Basement Plan

SCALE
 1:200

DATE CREATED _____ **FILE REFERENCE** _____

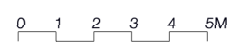
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Page 49



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PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Proposed Lower Ground Plan

SCALE
 1:200

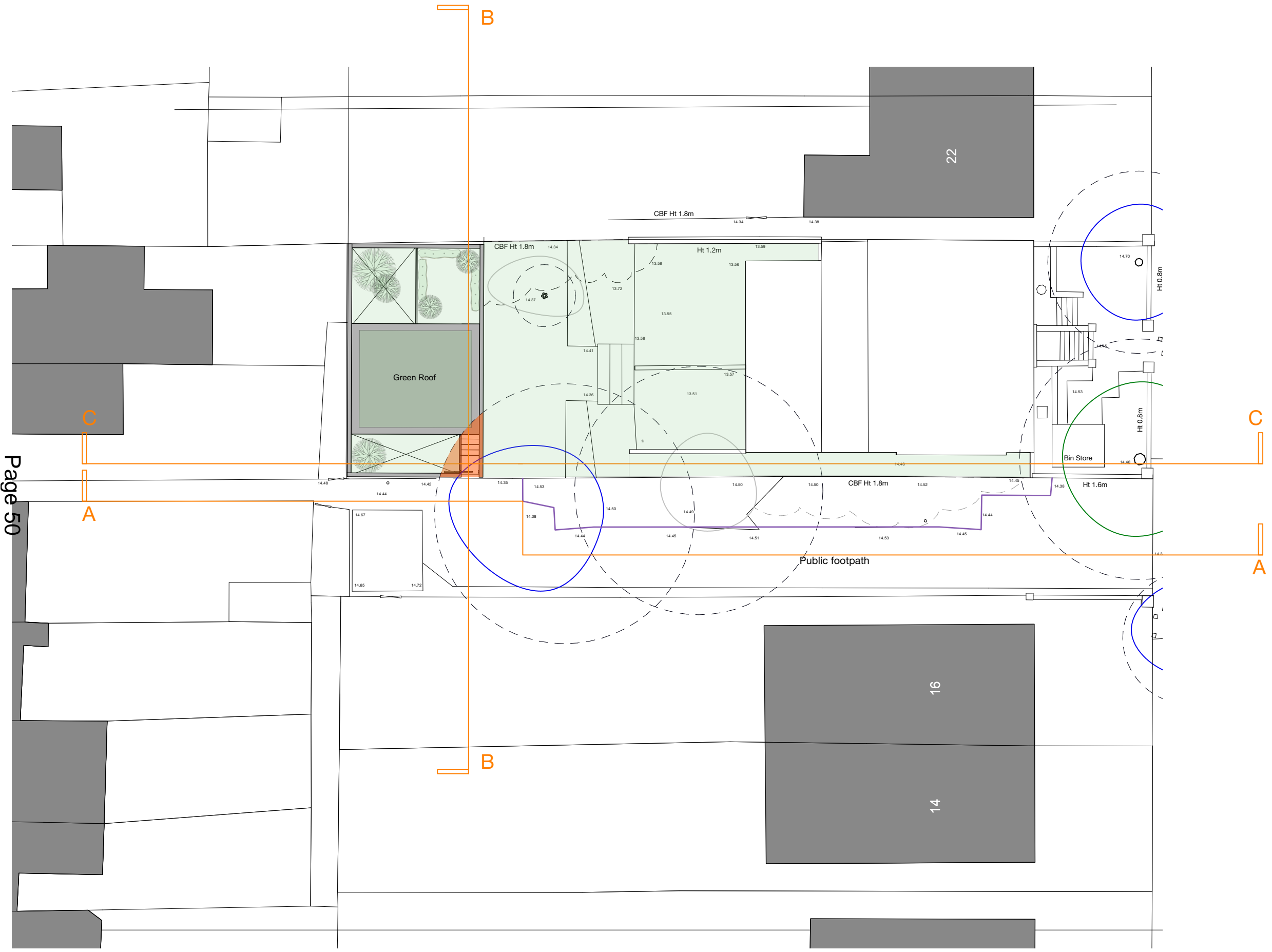
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DRAWING NUMBER	REVISION
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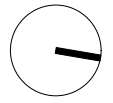
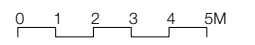
REVISION NUMBER	DATE	BY	NOTES
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Page 50

KEY - BS5837 CATEGORISATION

- CATEGORY A
- CATEGORY B
- CATEGORY C
- CATEGORY U
- ROOT PROTECTION AREA
- PROTECTIVE FENCING
- RPA OVERLAP AREA = 4.56m²



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PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Proposed Site Plan

SCALE
 1:200

DATE CREATED **FILE REFERENCE**

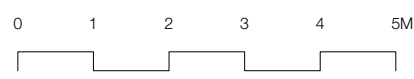
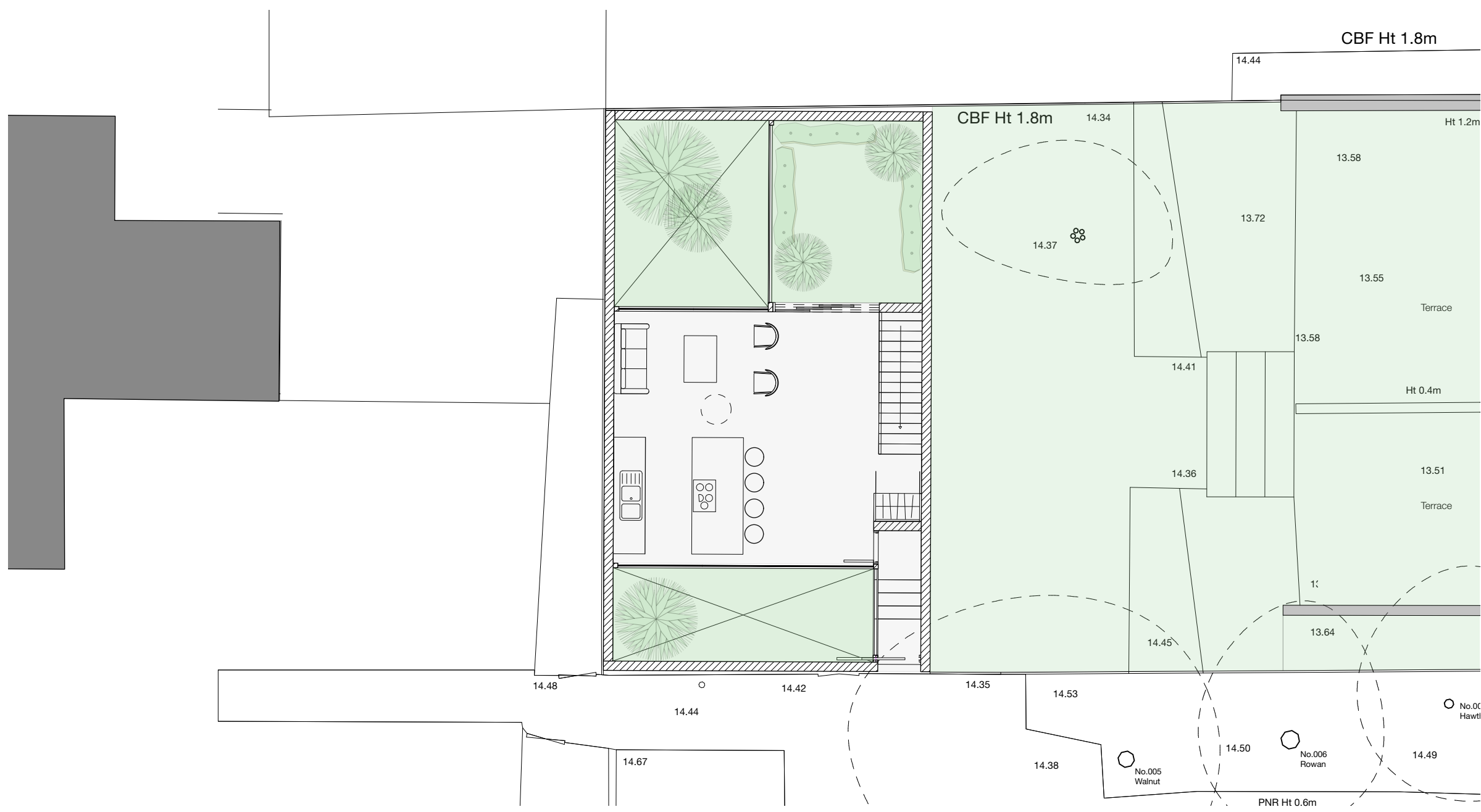
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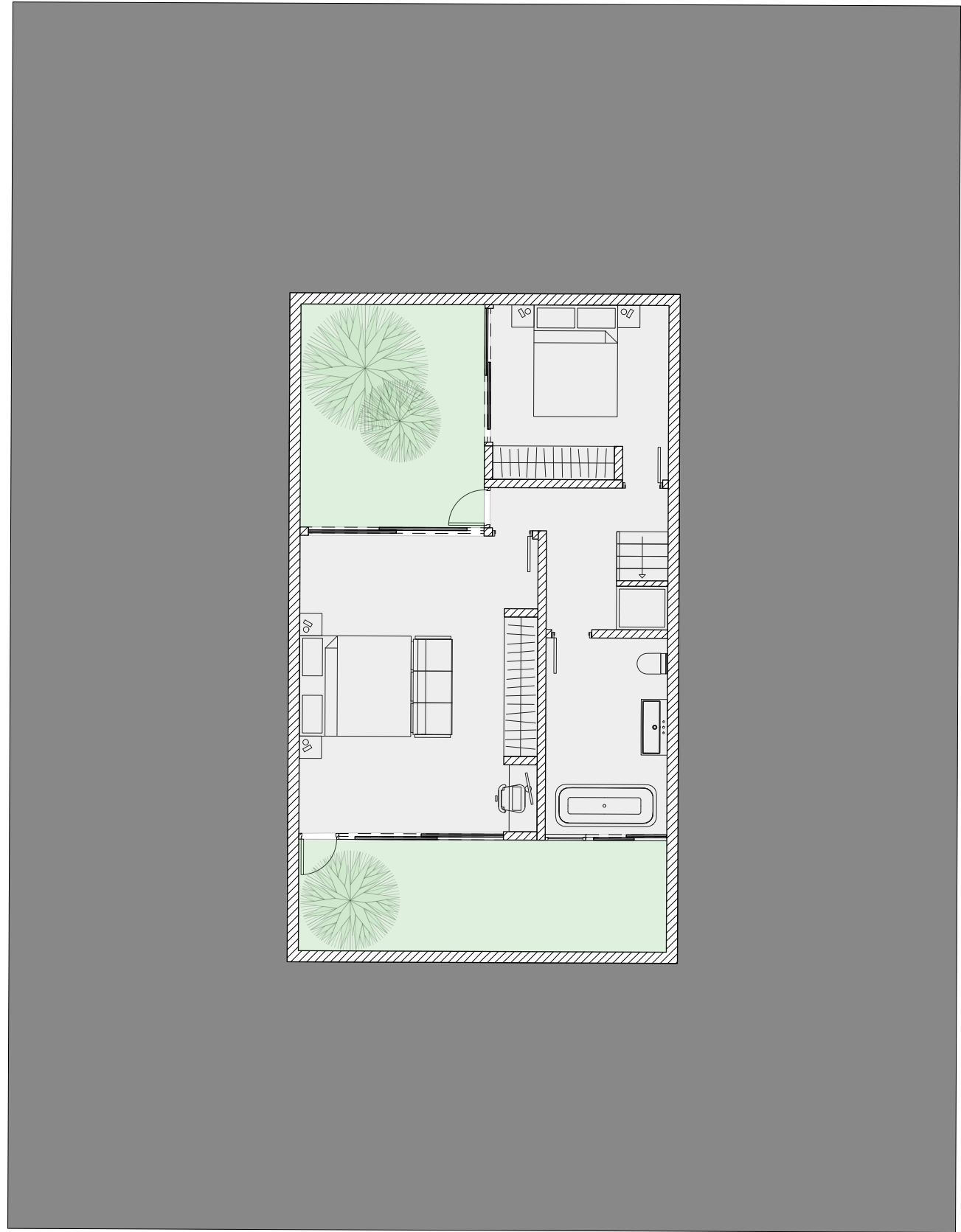
PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Proposed Lower Ground Plan

SCALE
 1:100

DATE CREATED FILE REFERENCE

DRAWING NUMBER	REVISION
346-DWG-104	P1

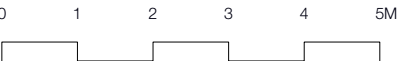


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PROJECT
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SHEET TITLE
 Proposed Basement Plan

SCALE
 1:100

DATE CREATED **FILE REFERENCE**

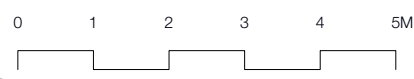
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PROJECT
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SHEET TITLE
Proposed Roof Plan

SCALE
1:100

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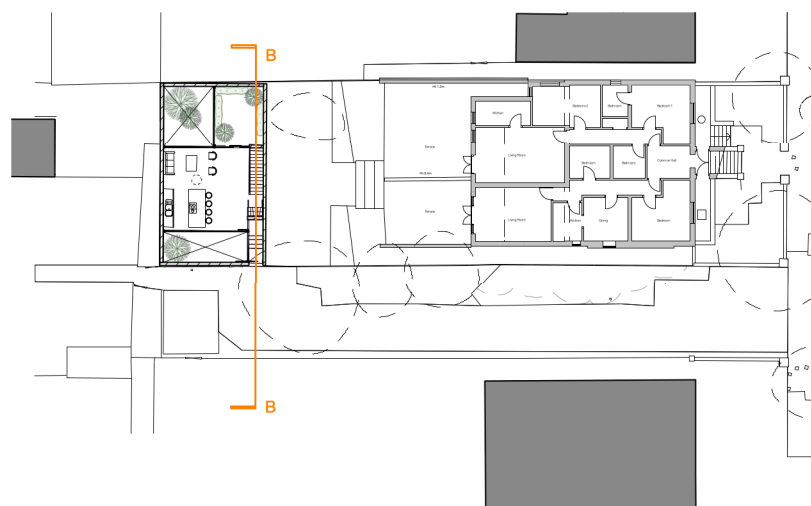
PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Proposed Section B-B

SCALE
 1:200

DATE CREATED FILE REFERENCE

DRAWING NUMBER	REVISION
346-DWG-110	P1

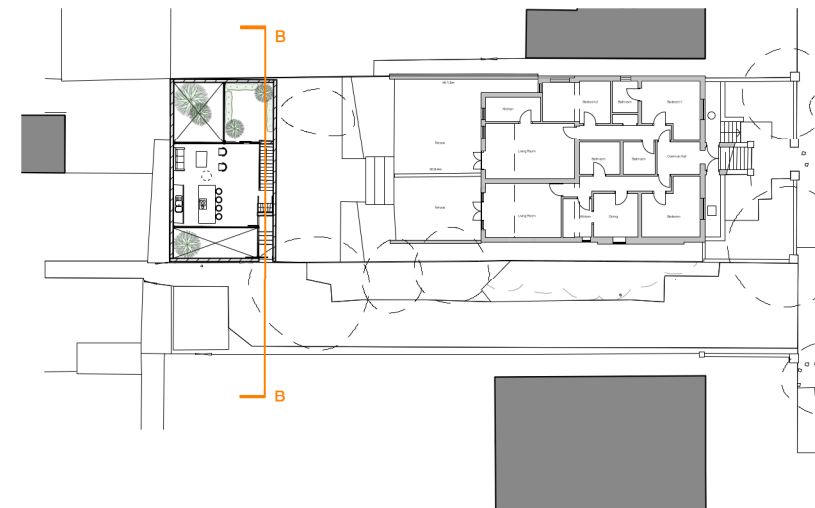


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SHEET TITLE
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SCALE
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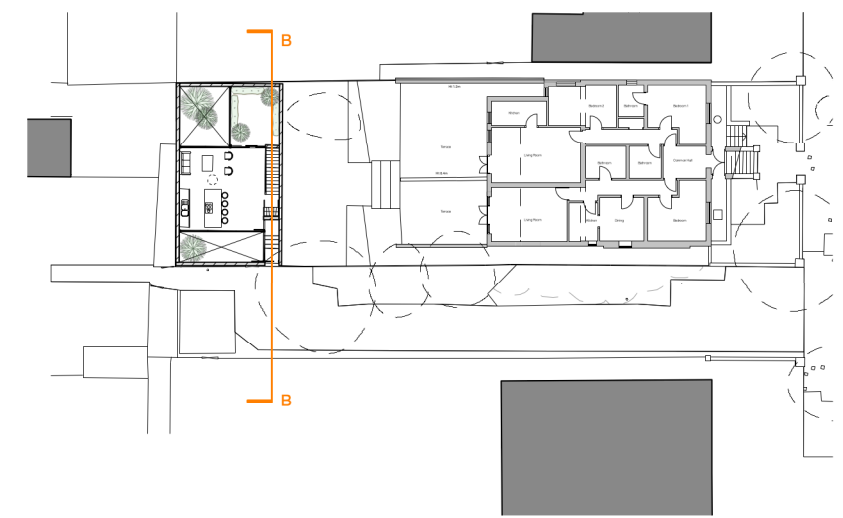
PROJECT
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SHEET TITLE
Proposed Section B-B

SCALE
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DATE CREATED FILE REFERENCE

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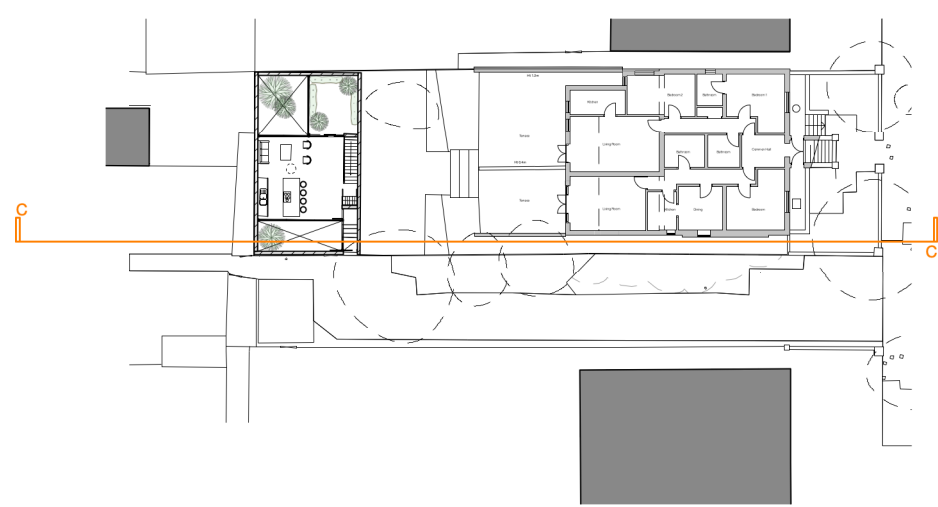
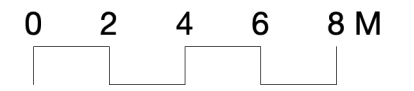
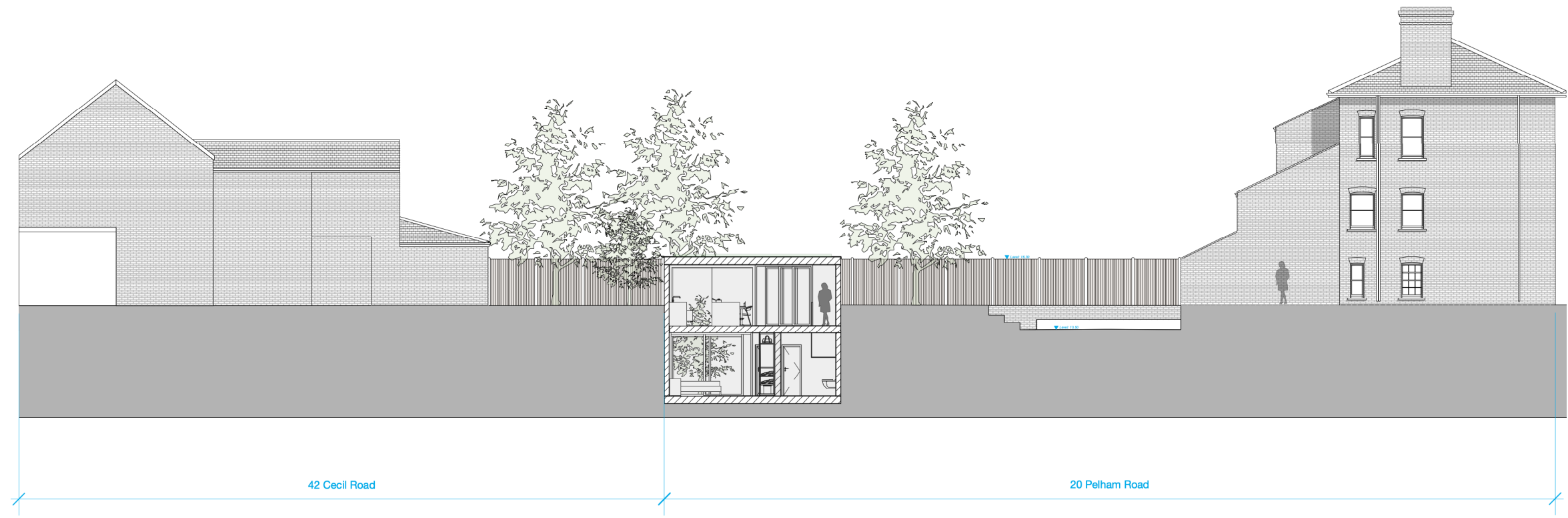


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SHEET TITLE
 Proposed Section C-C

SCALE
 1:200

DATE CREATED FILE REFERENCE

DRAWING NUMBER	REVISION
346-DWG-113	P1

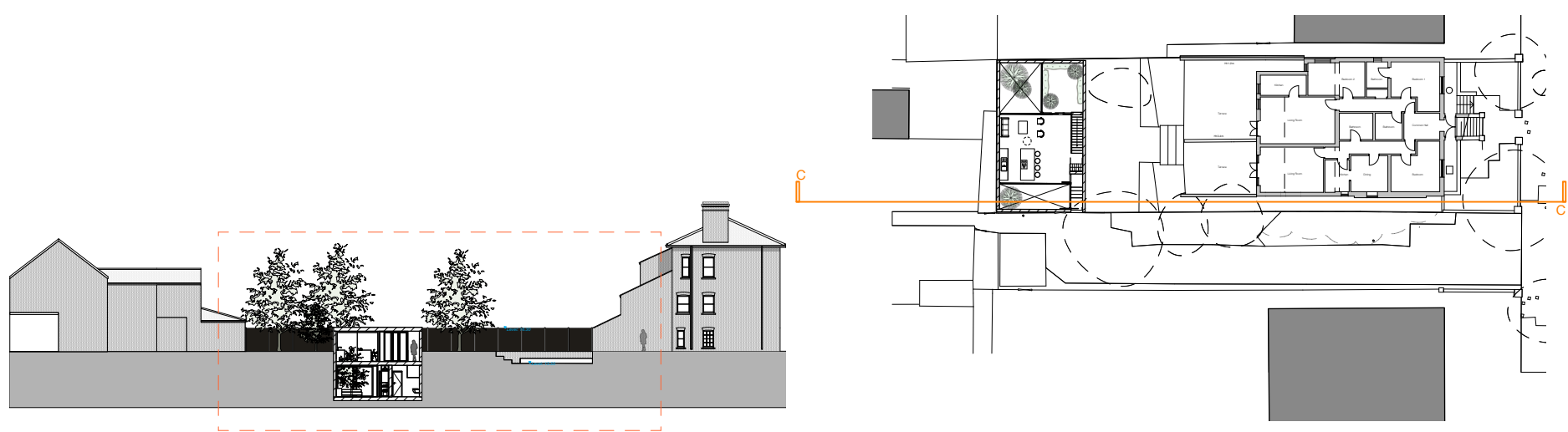
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SHEET TITLE
 Proposed Section C-C

SCALE
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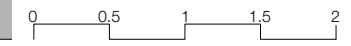
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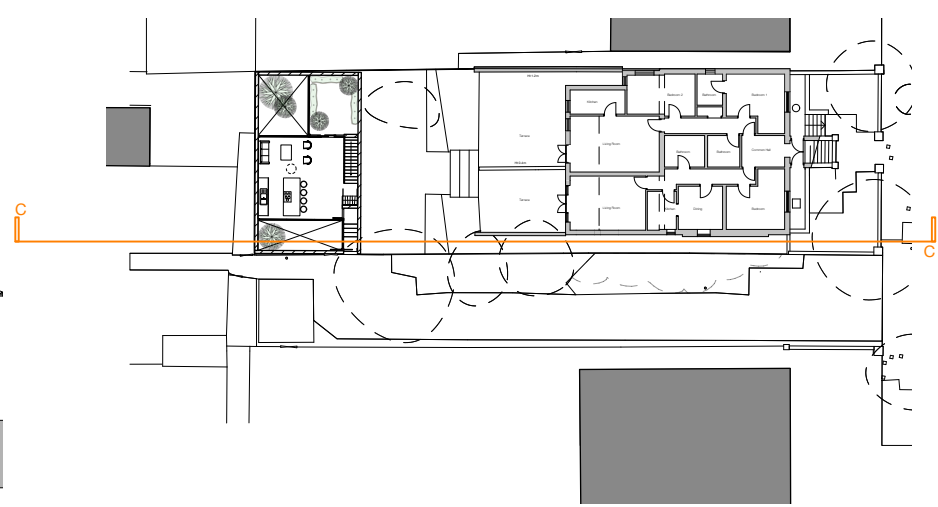
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SHEET TITLE
 Proposed Section C-C

SCALE
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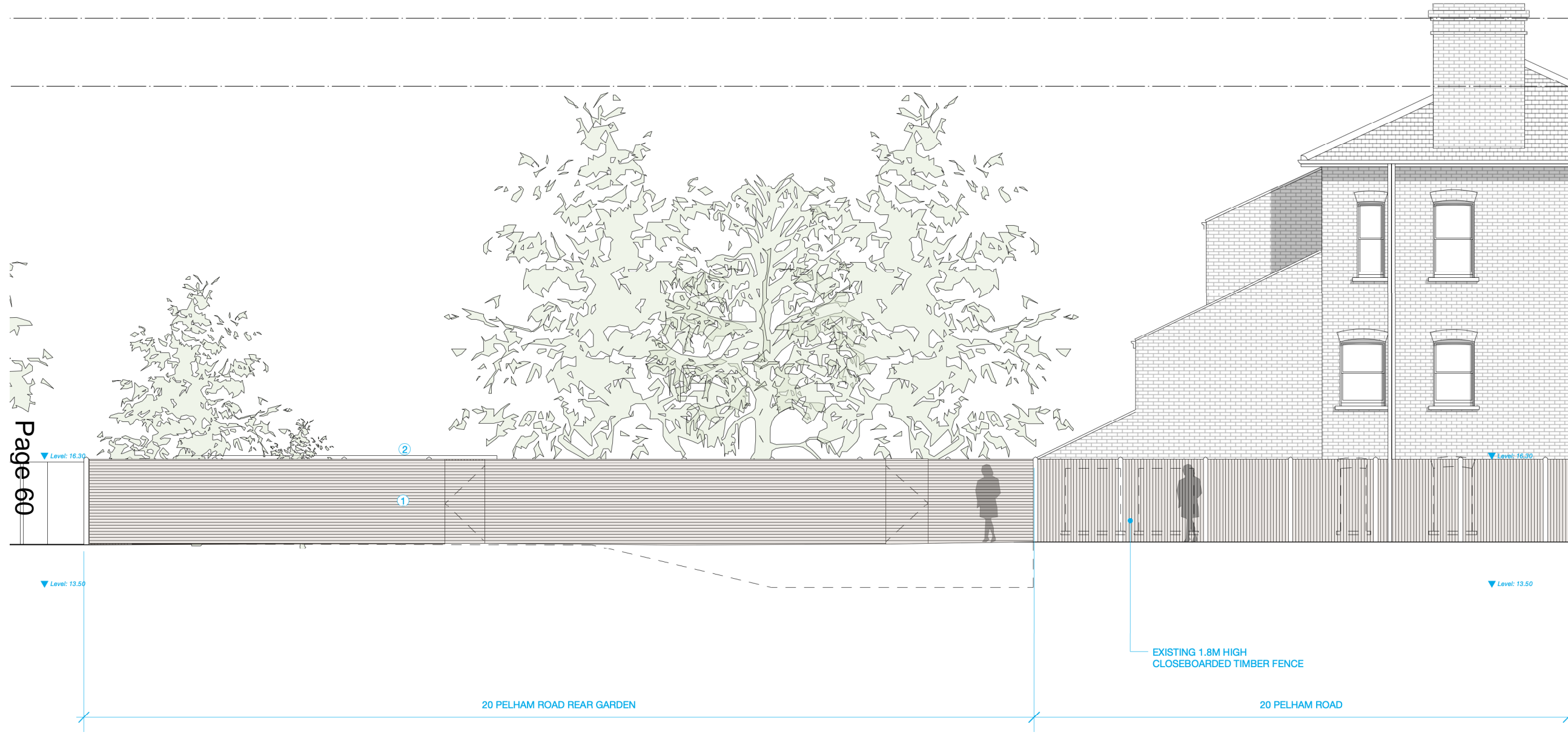
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KEY
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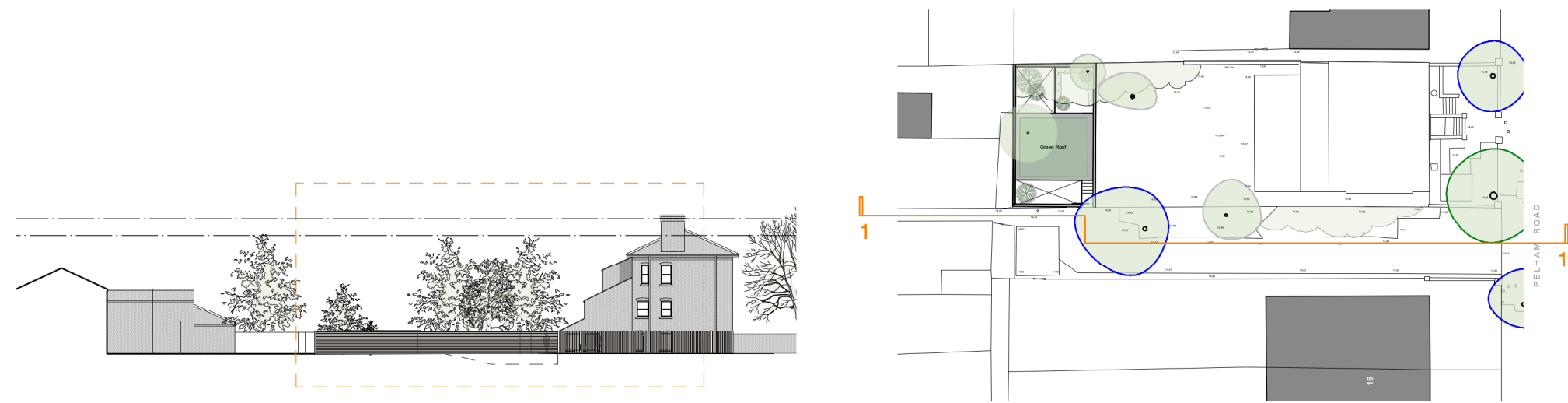
PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Proposed Elevation 1

SCALE
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DATE CREATED FILE REFERENCE

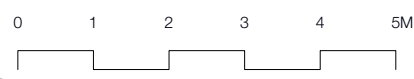
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P2	31/03/2022	RH	Area added



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PROJECT
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SHEET TITLE
 Proposed Roof Plan

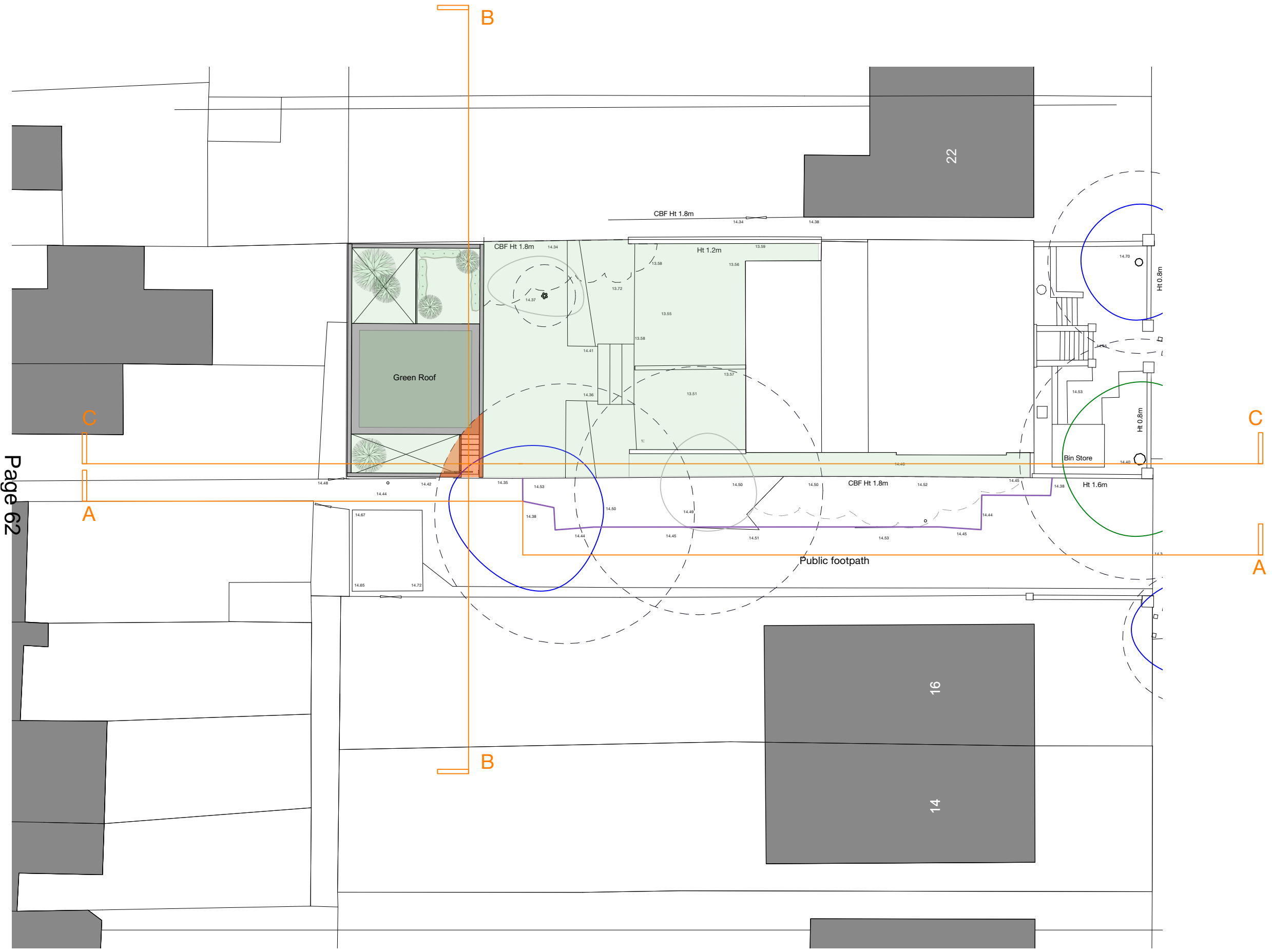
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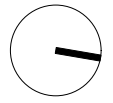
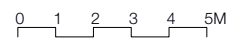
REVISION NUMBER	DATE	BY	NOTES
P1	28/10/2021	RH	Issued for Planning



Page 62

KEY - BS5837 CATEGORISATION

- CATEGORY A
- CATEGORY B
- CATEGORY C
- CATEGORY U
- - - ROOT PROTECTION AREA
- PROTECTIVE FENCING
- RPA OVERLAP AREA = 4.56m²



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PROJECT
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SHEET TITLE
 Proposed Site Plan

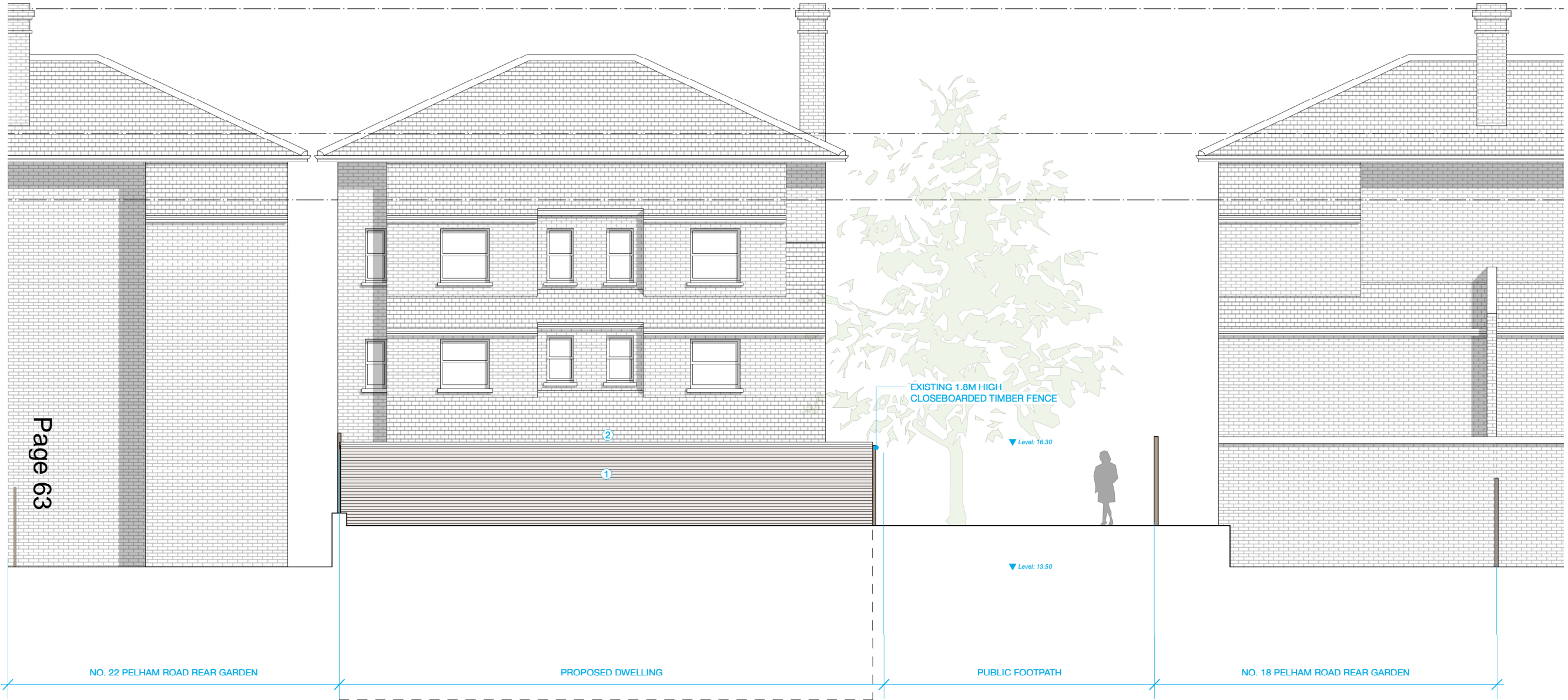
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DATE CREATED **FILE REFERENCE**

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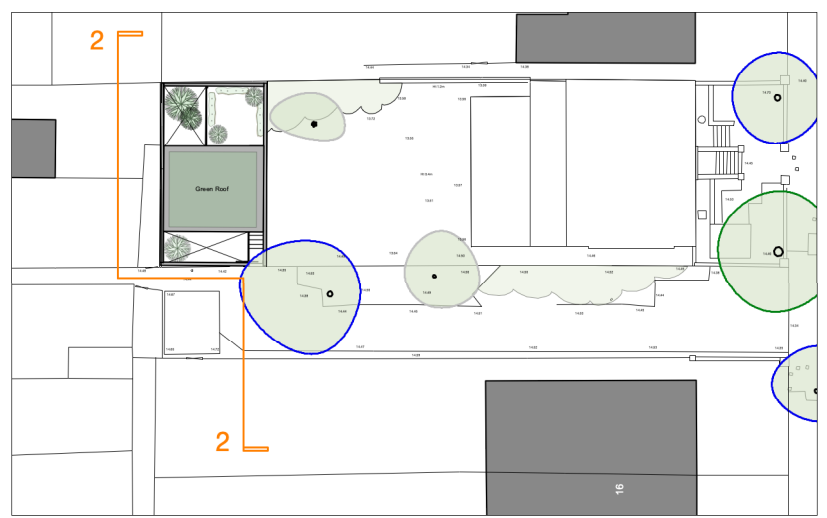


Page 63

- KEY**
- ① TIMBER CLADDING TO MATCH EXISTING
 - ② GREEN ROOF



SOUTH ELEVATION 1:500 @ A3



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PROJECT
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SHEET TITLE
 Proposed South Elevation

SCALE
 1:100 @ A3

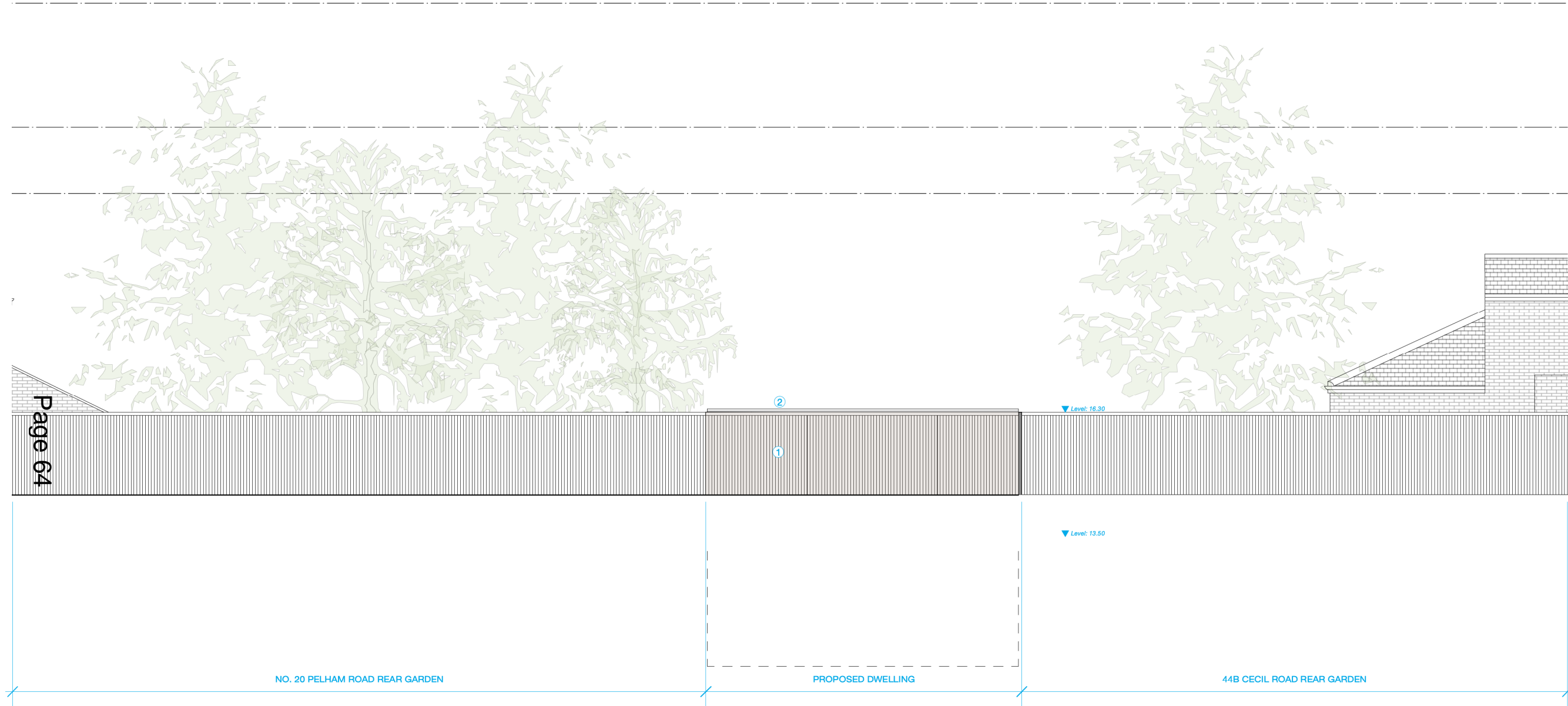
DATE CREATED APR 22 **FILE REFERENCE**

DRAWING NUMBER	REVISION
346-DWG-122	P1

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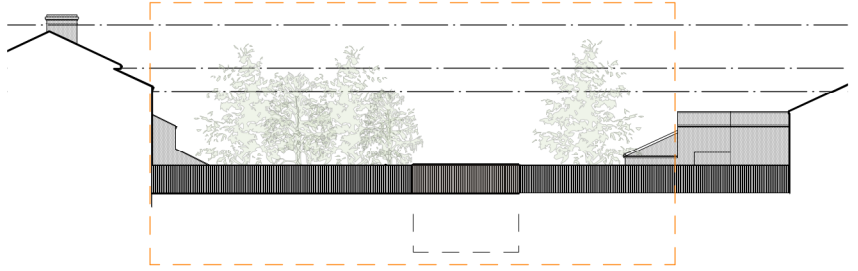
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REVISION NUMBER	DATE	BY	NOTES
P1	20/04/2022	RH	Issued for Planning



- KEY**
- ① TIMBER CLADDING TO MATCH EXISTING
 - ② GREEN ROOF

Page 64



WEST ELEVATION 1:500 @ A3



MILTIADOU COOK MITZMAN architects llp

020 7722 8525 office@mcma.design www.mcma.design
Unit 1 Primrose Mews Sharpleshall Street London NW1 8YW

CLIENT
Palmhurst Residential LLP

PROJECT
20 Pelham Rd, London SW19 1SX

SHEET TITLE
Proposed West Elevation

SCALE
1:100 @ A3

DATE CREATED APR 22 **FILE REFERENCE**

DRAWING NUMBER	REVISION
346-DWG-123	P1

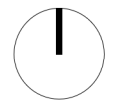
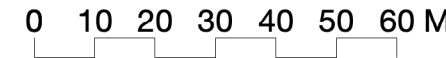


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 London NW1 8YW

CLIENT
 Palmhurst Residential LLP

PROJECT
 20 Pelham Rd, London SW19 1SX

SHEET TITLE
 Site Location Plan

SCALE
 1:1250

DATE CREATED **FILE REFERENCE**

DRAWING NUMBER	REVISION
346-DWG-000	P1

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PLANNING APPLICATIONS COMMITTEE

14th July 2022

Item No:

UPRN

APPLICATION NO.

DATE VALID

22/P0479

14/03/2022

Address/Site:

43 Woodside, Wimbledon, SW19 7AF

(Ward)

Hillside

Proposal:

Change of use from dwellinghouse (Use Class C3) to House of Multiple Occupation (HMO) (Sui Generis Use Class) for 8 x occupants, alongside the erection of a new garage in the rear garden.

Drawing Nos:

S-01, S-04, S-05 & S-06

Contact Officer:

David Gardener (0208 545 3115)

RECOMMENDATION

GRANT Planning Permission Subject to Conditions and S106 Agreement

CHECKLIST INFORMATION

- Heads of agreement: Permit free
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 17
- External consultations: None

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a detached eight bedroom dwelling arranged over three floors (ground, first floor and roofspace accommodation). The site is

located on the south side of Woodside, at the junction with Worcester Road, Wimbledon. The site is not located in a conservation area.

- 2.2 The site currently provides one off-street car parking space in the rear garden, which is accessed from Worcester Road.
- 2.3 The surrounding area is predominantly residential, comprising a mixture of purpose built blocks of flats and houses. Willington Preparatory School is located approx. 20m from the site along Worcester Road.
- 2.4 The site has excellent public transport accessibility (PTAL 6a) and is also located in a controlled parking zone (zone W2).

3. CURRENT PROPOSAL

- 3.1 The application is for change of use of existing dwelling (Use Class C3) to House of Multiple Occupation (HMO) (Sui Generis Use Class) for 8 occupants. The HMO would comprise 8 single bedrooms at ground floor, first floor and roof level. No extensions are proposed.
- 3.2 A garage is proposed in the rear garden, where the existing off-street car parking space is currently located. The garage would feature a flat roof, which is 2.4m in height, and comprises brick external materials. Bicycle storage for 8 bicycles would be located in the rear garden.

4. PLANNING HISTORY

- 4.1 No planning history.

5. POLICY CONTEXT

- 5.1 Adopted Merton Sites and Policies Plan and Policies Maps (July 2014): DM D1 (Urban design and the public realm), DM D2 (Design considerations in all developments), DM D3 (Alterations and extensions to existing buildings), DM EP2 (Reducing and mitigating noise), DM H2 (Housing Mix), DM H5 (Student housing, other housing with share facilities and bedsits), DM O2 (Nature Conservation, Trees, hedges and landscape features), DM T1 (Support for sustainable transport and active travel), DM T2 (Transport impacts of development), DM T3 (Car parking and servicing standards)
- 5.2 Adopted Core Strategy (July 2011): CS.8 (Housing Choice), CS.9 (Housing Provision), CS.14 (Design), CS.15 (Climate Change), CS.18 (Active Transport), CS.19 (Public Transport), CS.20 (Parking, Servicing and Delivery)
- 5.3 The relevant policies in the London Plan (March 2021) are: D1 (London's form, character and capacity for growth), D3 (Optimising site capacity through the design-led approach), D4 (Delivering good design), D5 (Inclusive design), D6 (Housing quality and standards), H1 (Increasing housing supply), H9 (Ensuring the best use of stock), T4 (Assessing and

mitigating transport impacts), T5 (Cycling), T6.1 (Residential parking), T7 (Deliveries, servicing and construction)

- 5.4 Mayor of London Housing Supplementary Planning Guidance (March 2016)
- 5.5 Department for Communities and Local Government 'Technical housing standards – nationally described space standard'
- 5.6 National Planning Policy Framework 2021
- 5.7 Other Documents: London Borough of Merton Houses in Multiple Occupation (HMO) Requirements (Revised July 2021)

6. CONSULTATION

6.1 The application was originally publicised by means of a site and press notice and individual letters to occupiers of neighbouring properties. In response, 10 letters of objection were received including an objection letter from the Wimbledon East Hillside Residents' Association (WEHRA). The letters of objection were on the following grounds:

- Noise and antisocial behaviour/House has been unlawfully used as an HMO, which has resulted in complaints to the Council
- Loss of family dwelling/Out of character with surrounding area/
- Proposed number of occupants is excessive and overdevelopment
- Inadequate kitchen, dining and bathroom facilities
- Inadequate refuse facilities
- Inadequate size garden
- Inappropriate location of proposed side entrance/security concerns and potential increase in crime
- Increased parking pressure
- Poor precedent
- Located opposite a primary school
- Occupiers of HMO's are generally transient and don't involve themselves in local community

6.2 Wimbledon East Hillside Residents' Association (WEHRA)

A Large HMO would change the nature of the housing in the area, that is mainly privately owned or rented family houses, create a poor precedent, increase noise, and result in the loss of a family home. The proposed HMO will also accommodate short term occupiers, likely to be less involved in the community. The proposed HMO would also offer inadequate kitchen, bathroom and refuse facilities and private amenity space. Proposed new side entrance is a security concern and could result in increased crime. Increased parking pressure due to large number of occupants.

7. PLANNING CONSIDERATIONS

7.1 The planning considerations for the proposal relate to the principle of development impact of the proposed works on the character and appearance

of the host building and surrounding area, and the impact upon neighbour amenity, highways and parking issues, refuse and cycle storage.

7.1 Principle of Development

7.2 Policy CS 8 states that the Council will seek the provision of a mix of housing types, sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units, provision for those unable to compete financially in the housing market sector and for those with special needs. Property managed and regulated Houses in Multiple Occupation can offer good quality affordable accommodation to people who cannot afford to buy their own homes and are not eligible for social housing.

7.3 Policy DM H5 of the Site and Policies (July 2014) aims to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. The policy states that Houses in Multiple Occupation Housing will be supported provided that the following criteria are met:

- i. The proposal will not involve the loss of permanent housing;

The current lawful use of the existing application property is as a single dwelling and the current application involves the use of existing rooms. A house in multiple occupation is a form of permanent housing where occupants have their own bedrooms, have access to shared facilities and take care of their own everyday needs. Paragraph 2.59 in the Supporting text to the policy also states that short stay accommodation is intended for occupancy of less than 90 days. The proposal is therefore, considered acceptable in regards to this criteria.

- ii. The proposal will not compromise the capacity to meet the supply of land for additional self-contained homes;

The current application involves the use of existing building and will therefore not compromise any capacity to meet the supply of land for additional self-contained homes.

- iii. The proposal meets an identified local need;

The Merton Strategic Housing Market Assessment was commissioned by the Council to guide the Council's future housing policies including the adopted Sites and Policies Plan.

The report of the Housing Market Assessment findings advises that "Much of the growth of extra households in both the low and high estimates is expected to be single persons. For the low estimates there is projected to be a rise of 6,900 in number of non-pensioner single person households and 1,900 single pensioners in the period 2006-2026. The high estimates show there are projected to be rises of 7,900

non-pensioner single person households and 2,600 single pensioners". The assessment further advises that "The implication of this situation for younger person single households is that they create demand for the private rented sector and this in turn drives its growth. Given that the income of many single people is below the threshold for market housing there would be a considerable demand for intermediate affordable housing". The Housing Market Assessment found that much of the growth of extra households is expected to be single persons. The proposal is therefore considered to meet an identified local need.

- iv. The proposal will not result in an overconcentration of similar uses detrimental to residential character and amenity;

The application site is in an area of predominantly family housing and the submitted proposal for the house in multiple occupation will increase the range of residential accommodation that is available locally. Please note that the Housing Strategy Statistical Appendix (HSSA) 2007 for Merton estimated that only 0.55% of Merton's population live in communal residences whereas the London average was 1.8%, which means there is a significantly lower concentration of this type of accommodation in Merton compared to the rest of London. It is therefore considered that the proposal will not result in an overconcentration of similar uses and will not be detrimental to residential character. The impact of amenity is considered later will this assessed further later in this report.

- v. The proposal complies with all relevant standards;

The proposal complies with relevant standards including those set out in the London Borough of Merton Houses in Multiple Occupation (HMO) Requirements (Revised July 2021)

- vi. The proposal is fully integrated into the residential surroundings;

The current application does involve the erection of a rear garage; however, the garage is suitably designed to respect the visual amenities of the area. It is therefore considered that the proposal is fully integrated into the residential surroundings.

- 7.4 The Mayor of London Supplementary Planning Guidance (2016) on housing advises that "Outside London they are sometimes associated with concentrations of particular types of occupier e.g. students, leading to concerns about the social mix of some localities. In London, the occupier profile tends to be more broadly based and HMOs play a particularly important role in supporting labour market flexibility (especially for new entrants), and in reducing pressure on publicly provided affordable housing. However, as elsewhere in the country, their quality can give rise to concern".

7.3 **Visual amenity**

- 7.4 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings, whilst using appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting.
- 7.5 It is considered that the proposal is acceptable in terms of its visual appearance with the proposed garage being the only external works. The proposed garage would front Worcester Road and is located where the existing car port is adjacent to the existing garage at the rear of No.38 Alwyne Road. The garage is sympathetically designed, featuring a flat roof and brick walls. The proposal does not involve any external alterations to the main house.
- 7.6 Residential Amenity**
- 7.7 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.
- 7.8 It is considered that the proposed development will have a limited impact on neighbour amenity. The proposed garage would be located adjacent to the garage of No.38 Alwyne Road, which is located to the rear of the site, and approx. 6.3m from the side boundary with No. 44 Woodside.
- 7.9 With regards to the potential for noise and disturbance, it is considered that there would not be an excessive number of occupants with the HMO providing accommodation for a similar number of occupants as existing with only one occupant per bedroom. From Merton's Planning records there also appears to be few other HMOs of 6 or more unrelated occupants (Sui Generis Use Class) located in the near vicinity, which means there would not be an overconcentration of this type of accommodation in the locality (Please note that planning permission is only required for HMOs of more than 6 unrelated occupants and HMOs of between 3 – 6 occupants (C4 Use Class) do not require planning permission, which means there are no planning records on C4 Use Class accommodation).
- 7.10 Overall, it is considered that the proposal would not have a detrimental impact on the levels of amenity currently enjoyed by occupiers of surrounding properties and would accord with policies DM D2 and DM D3 Adopted Merton Sites and Policies Plan and Policies Maps (July 2014):
- 7.11 Standard of Accommodation**
- 7.12 It is considered that the proposal would provide a satisfactory standard of accommodation. The proposed bedrooms, which will be between 11 and

19.3sqm, and dining/kitchen area which will be 25.5sqm are an acceptable size, whilst all the rooms would receive adequate levels of daylight/sunlight and outlook. A large communal bathroom would be provided at first floor level, WC at ground floor level, whilst 3 bedrooms would feature an en-suite. A communal garden is also provided at the rear. It should be noted that the proposal would comply with the London Borough of Merton Houses in Multiple Occupation (HMO) Requirements (Revised July 2021).

7.13 Parking and Traffic

- 7.14 The application site has very good level of accessibility to public transport with a PTAL rating of 6a with the site located a short distance from a number of bus routes and Wimbledon Railway Station. The application site is also located in a Controlled Parking Zone (Zone W2) and as such is located in an area of the borough subject to high parking stress.
- 7.15 The proposal would provide one off street car parking space at the rear of the site, which is considered acceptable given this space already exists. Given the proposal would likely accommodate a higher number of adult occupiers there will likely be an increase in on-street car parking demand. It is therefore considered that the proposed
- 7.16 London Plan Policy T5 requires 1 long stay space per 1 bedroom (1 person) dwelling, which means a total of 8 spaces should be provided. It is considered that the proposal would comply with this policy with 8 secure covered cycle spaces provided at the rear of the property.
- 7.17 Overall, it is considered that the proposal would comply with relevant planning policy relating to traffic and parking.

8. ENVIRONMENTAL IMPACT ASSESSMENT

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

9. LOCAL FINANCIAL CONSIDERATIONS

- 9.1 The proposal would result in a net gain in gross floor space and as such will be liable to pay a Community Infrastructure Levy (CIL).

10. SECTION 106 LEGAL AGREEMENT

10.1 Permit Free

- 10.2 The development is to be 'Permit Free' in line with policy CS.20 of the Core Planning Strategy, which seek to reduce reliance on private motor vehicles in locations with good access to public transport facilities.

- 10.3 Further information in respect of the above, including details of supplementary research carried out in justification of the S106 requirements, can be viewed here:

<http://www.merton.gov.uk/environment/planning/s106-agreements.htm>

11. CONCLUSION

- 11.1 It is considered that the proposed HMO would offer good quality affordable accommodation to people who cannot afford to buy their own homes and are not eligible for social housing. The proposal would also have an acceptable impact on visual and residential amenity and traffic and parking. Overall, it is considered that the proposal would comply with all relevant planning policies and as such planning permission should be granted.

RECOMMENDATION

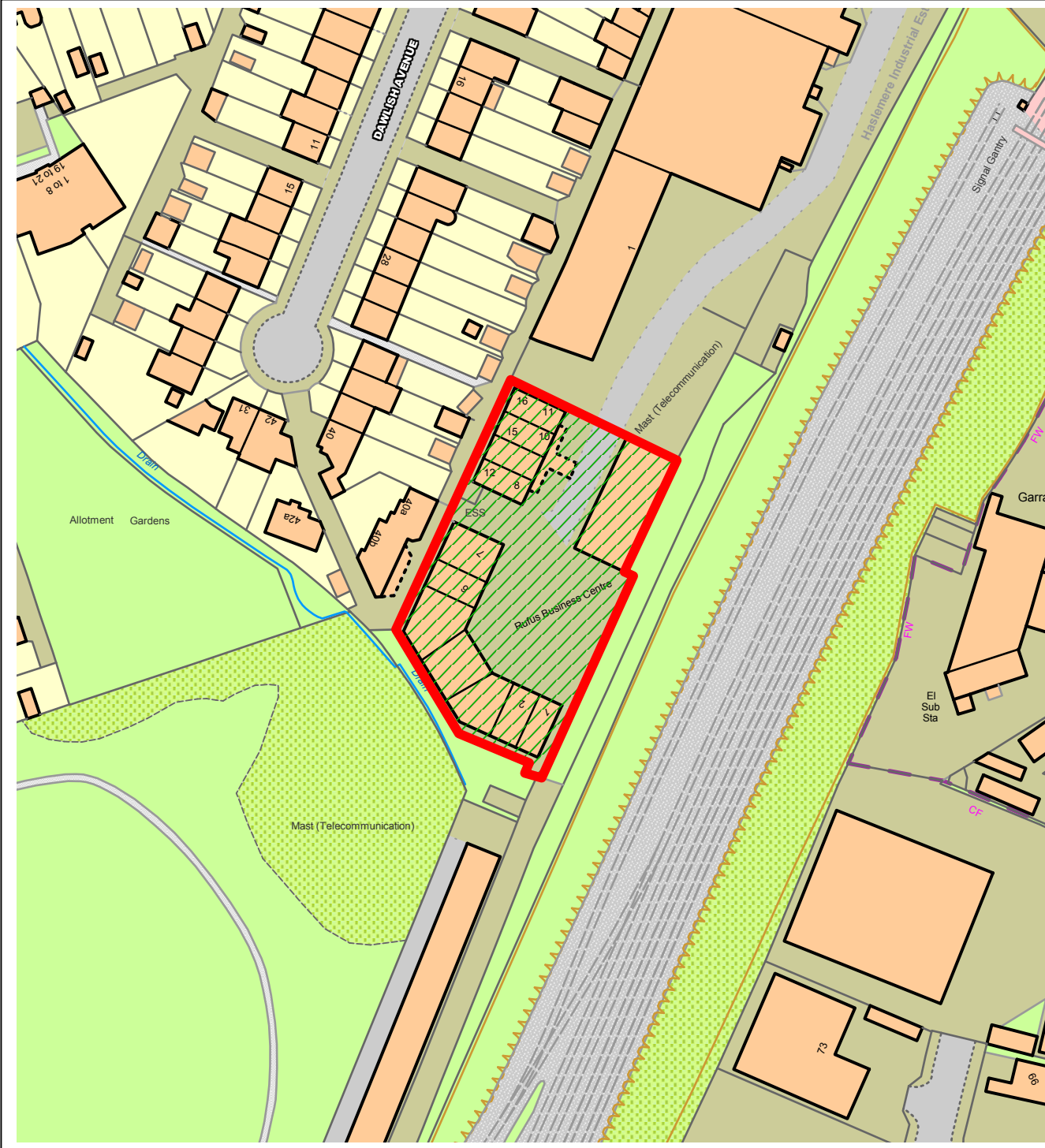
GRANT PLANNING PERMISSION subject to the completion of a S106 agreement covering the following heads of terms:

- 1) Permit free
- 2) Paying the Council's legal and professional costs in drafting, completing and monitoring the legal agreement.

And subject to the following conditions:

1. A.1 (Commencement of Development)
2. A.7 (Approved plans)
3. B.3 (External materials as specified)
4. C.6 (Refuse & Recycling (Details to be submitted))
5. C.10 (Construction Times)
6. H.7 (Cycle parking to be implemented)

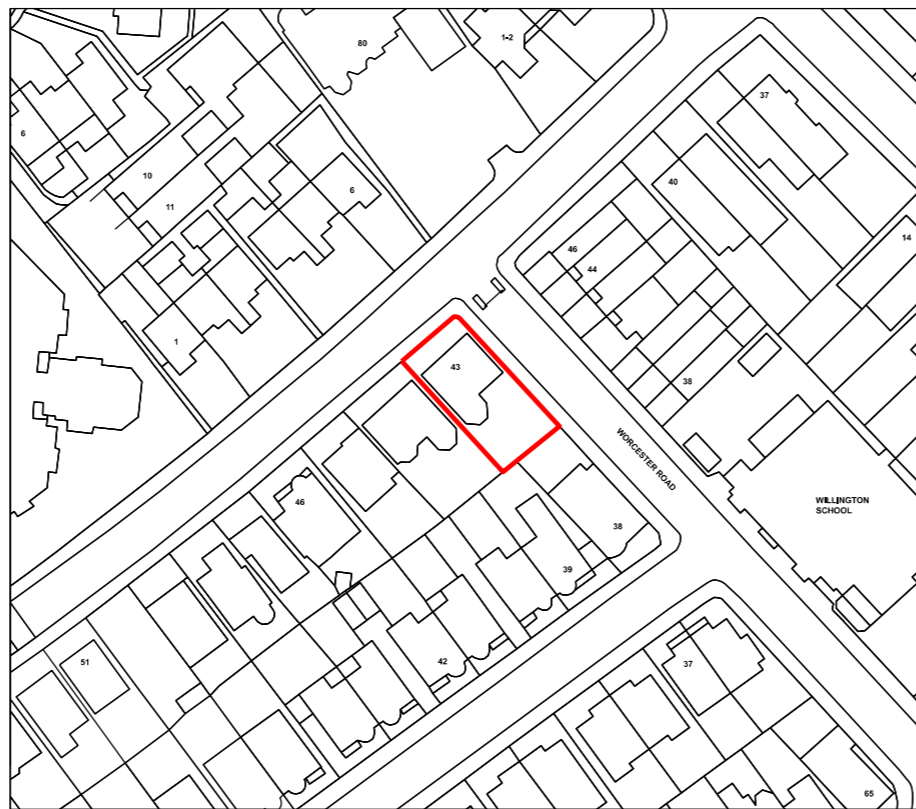
NORTHGATE SE GIS Print Template



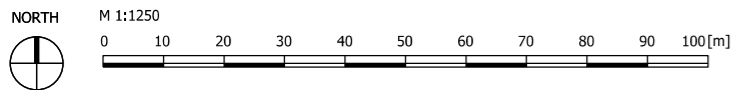
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 Title: 43 Woodside Date of Purchase: 26-01-2022
 Map Produced for: WindsorPatania Architects 1 Years subscription from 26-01-2022 for 1 workstation.



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 Liverpool: 0151 665 0997

Client:
HARINDER KOONER
 81 Watermans Quay

Project Address:
HMO Conversion
 43 Woodside, London SW19 7AF

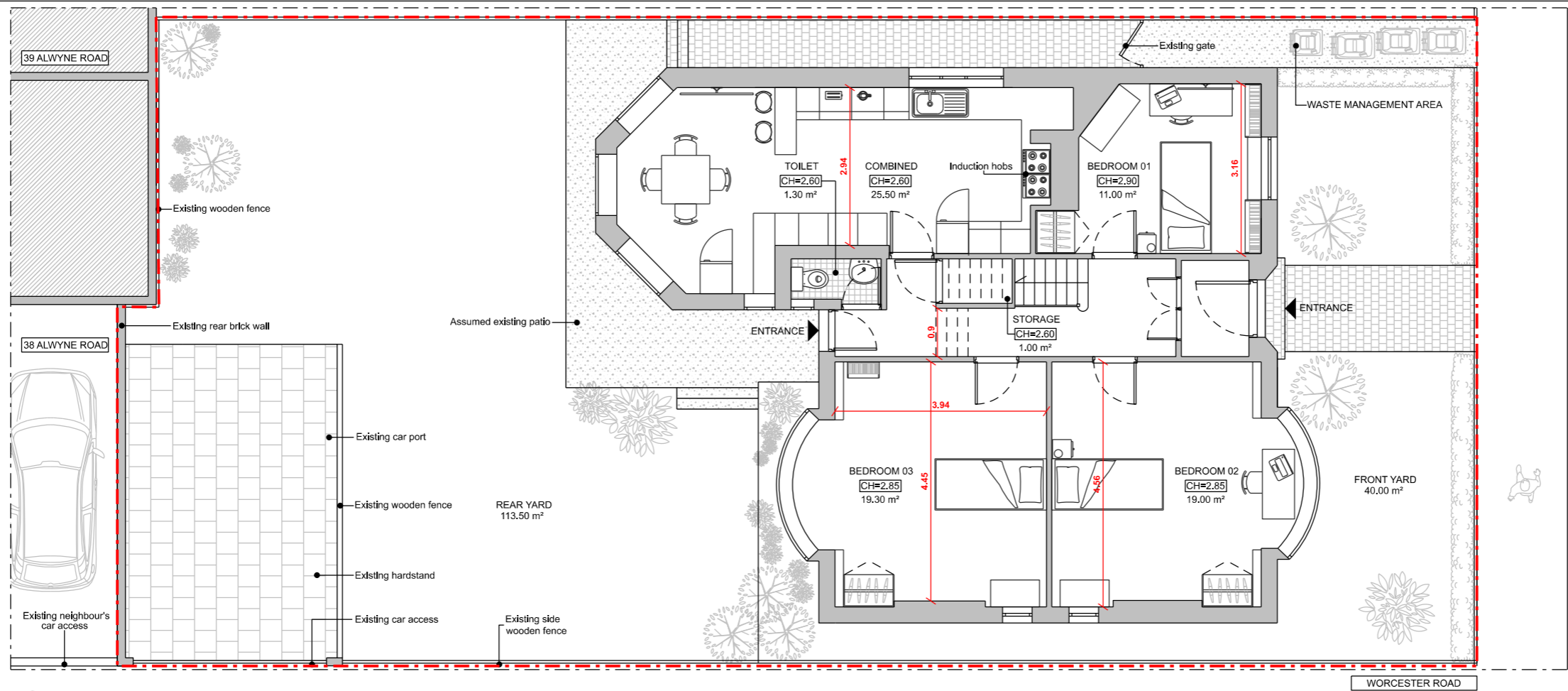
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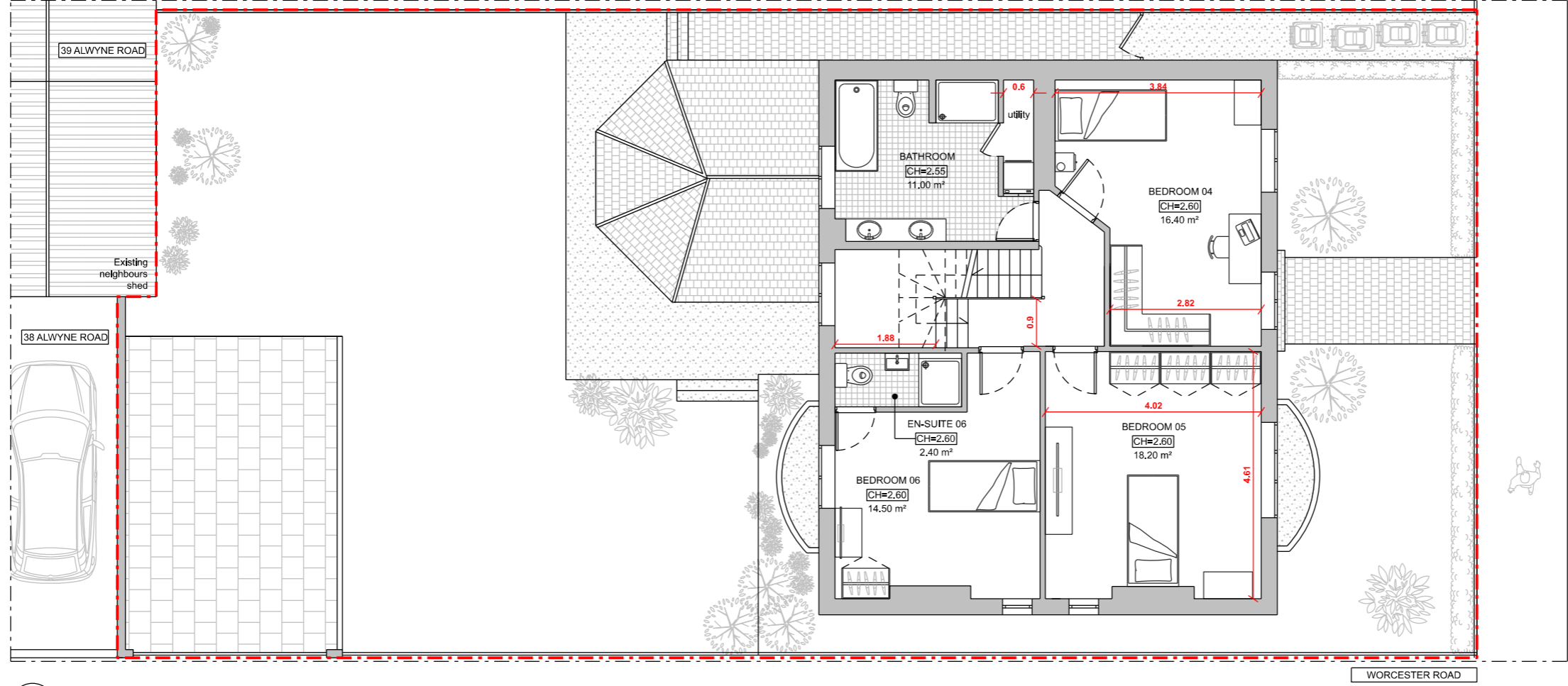
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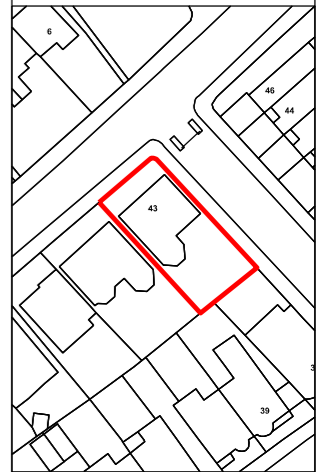
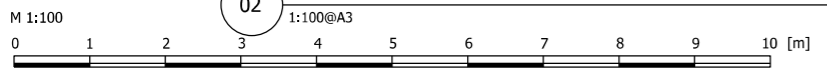
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01 EXISTING GROUND FLOOR PLAN
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02 EXISTING FIRST FLOOR PLAN
1:100@A3



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Liverpool: 0151 665 0997
info@windsorpatania.com

Client: HARINDER KOONER
81 Watermans Quay

Project Address: HMO Conversion
43 Woodside, London SW19 7AF

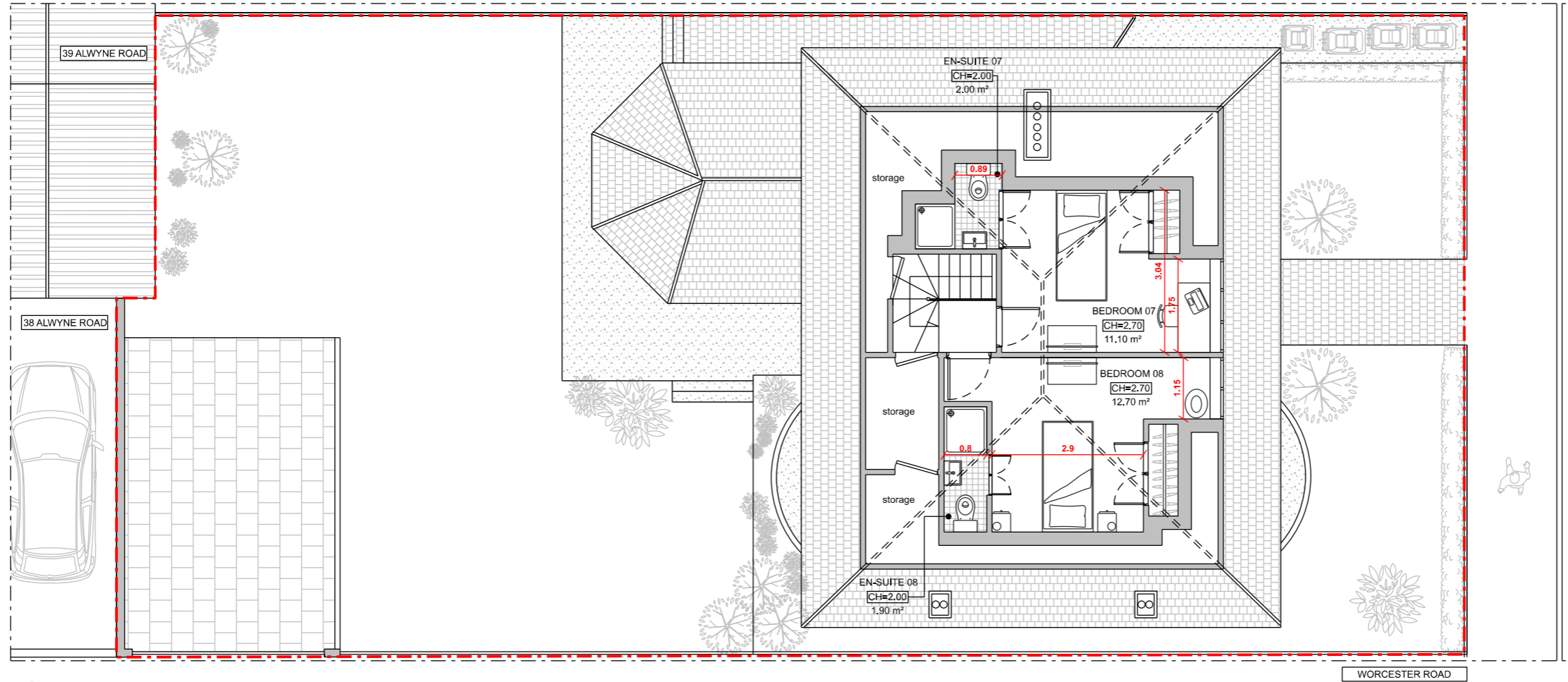
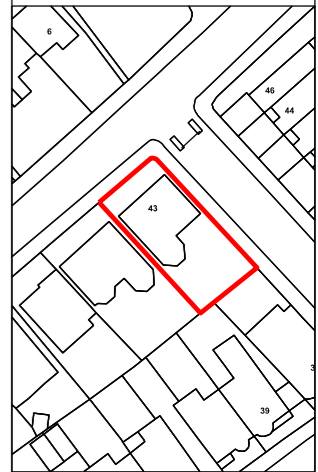
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date: MARCH 2022
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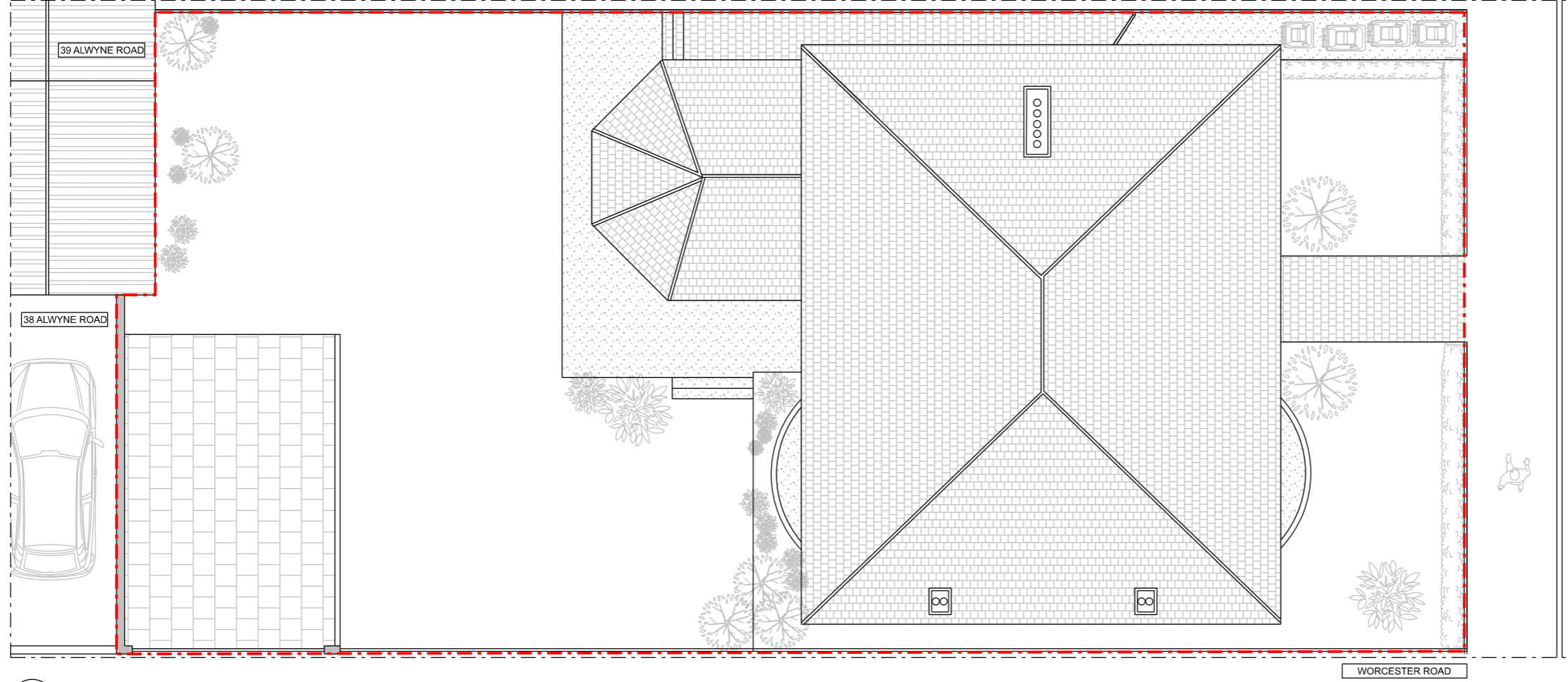
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S-02	2 OF 06	-

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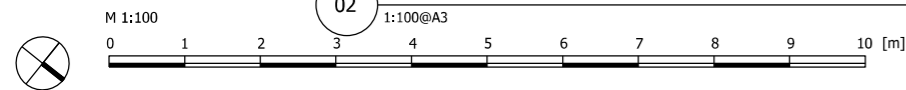
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01 EXISTING LOFT PLAN
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02 EXISTING ROOF PLAN
1:100@A3



Architect contact details info@windsorpatania.com		London: 020 3011 2997 Cambridge: 01223 776 997 Liverpool: 0151 665 0997	
Client HARINDER KOONER 81 Watermans Quay			
Project Address 43 Woodside, London SW19 7AF			
Drawing title EXISTING FLOOR PLANS			
date MARCH 2022	scale 1:100@A3	drawing number S-03	sheet no. rev 3 OF 06 -

Accommodation Schedule

8no. Bedrooms
8no. Occupants
3no. En-Suites
1no. Shared bathroom
1no. Shared toilet

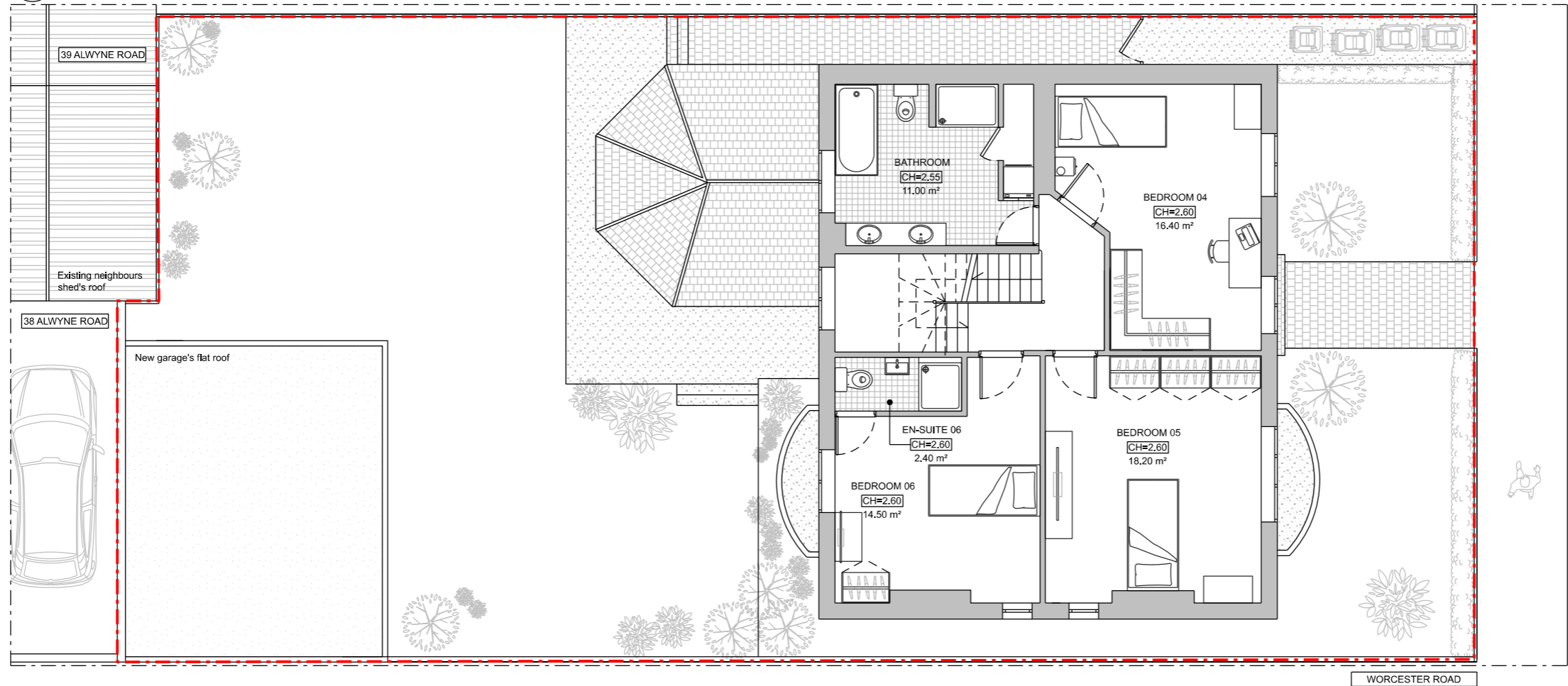
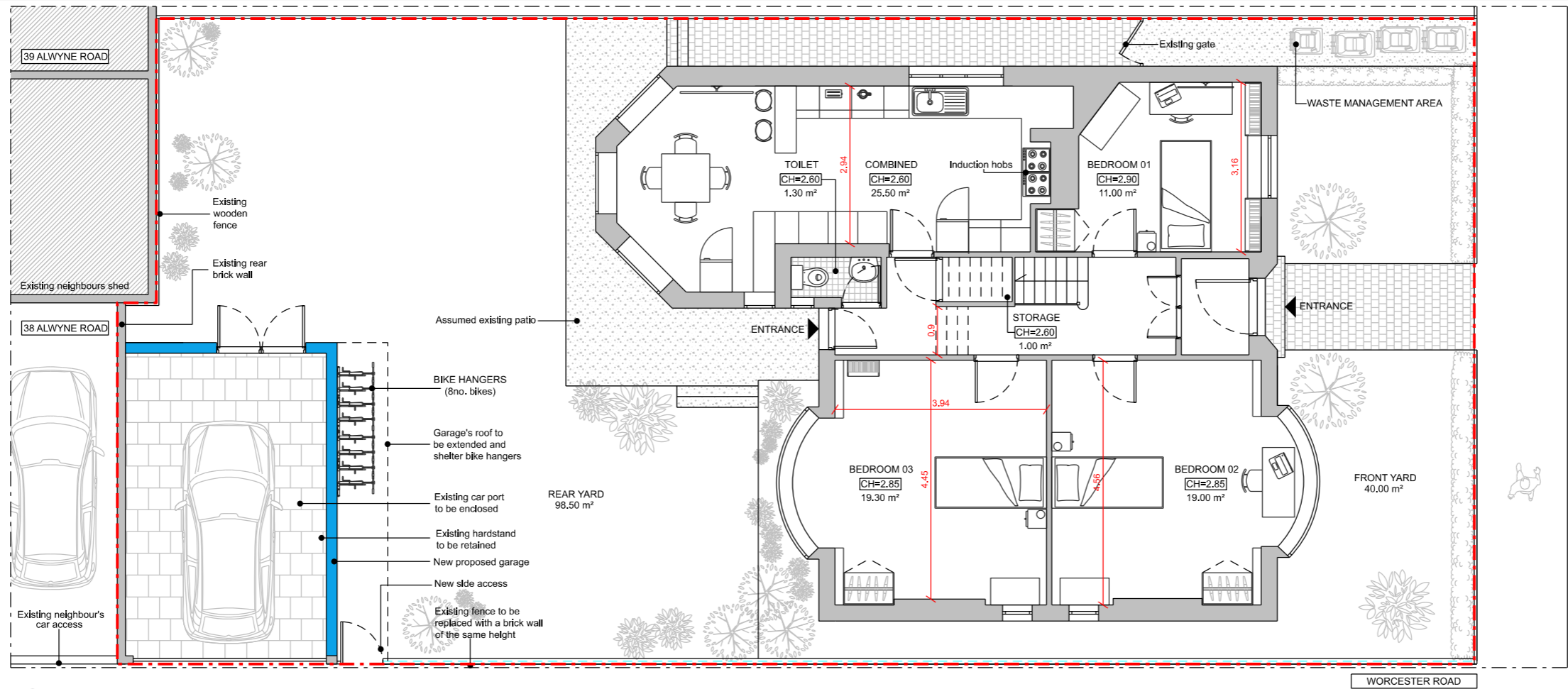
Rooms	Size (m ²)	Standard (m ²)
Combined area*	25.50 m ²	24 m ²
Bedroom 01	11 m ²	6.51 m ²
Bedroom 02	19 m ²	6.51 m ²
Bedroom 03	19.30 m ²	6.51 m ²
Bedroom 04	16.40 m ²	6.51 m ²
Bedroom 05	18.20 m ²	6.51 m ²
Bedroom 06	14.50 m ²	6.51 m ²
Bedroom 07	11.10 m ²	6.51 m ²
Bedroom 08	12.70 m ²	6.51 m ²

*Kitchen-Dining-Living

HMO Standards

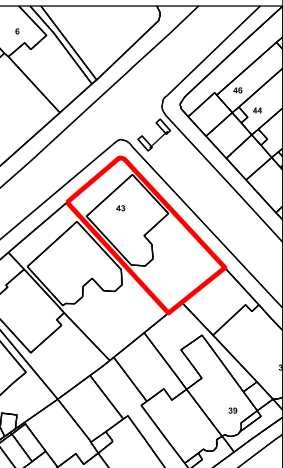
Single bedroom (without kitchen facilities)

min 6.51 m ²
Combined Area
min 3 m ² per person



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- All suggested demolition works to be reviewed by a Structural Engineer and to be assessed on site prior to demolition.
- All areas are approximate and are to be used for indicative purposes only. Areas don't take into account possible variations related to the Impact of Site Conditions, Structure, Drainage and M&E.
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- Contractors to be responsible for the design and supply of all temporary works (i.e. bracing, propping, shoring, tying, etc.) and the security, stability, and safety of the building works.

--- Boundary line - indicative only



--- Boundary line - indicative only
New build
Existing

Architect contact details: London: 020 3011 2997
info@windsorpatania.com Cambridge: 01223 776 997
Liverpool: 0151 665 0997

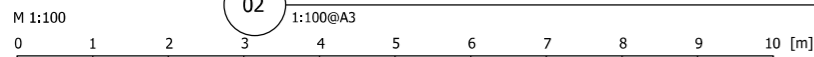
Client: HARINDER KOONER
81 Watermans Quay

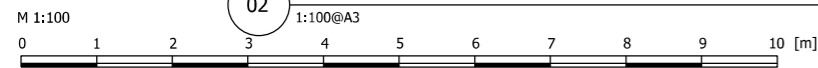
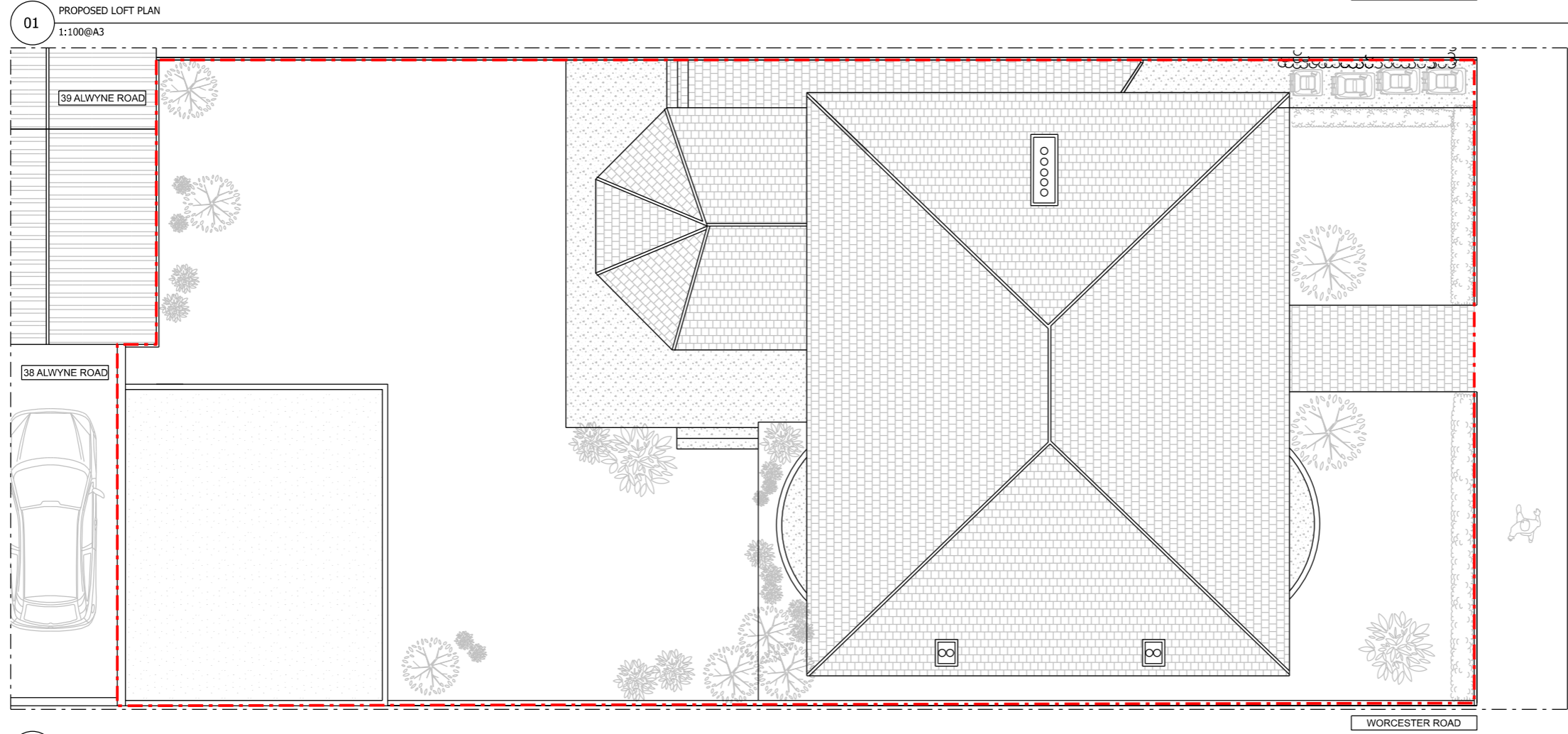
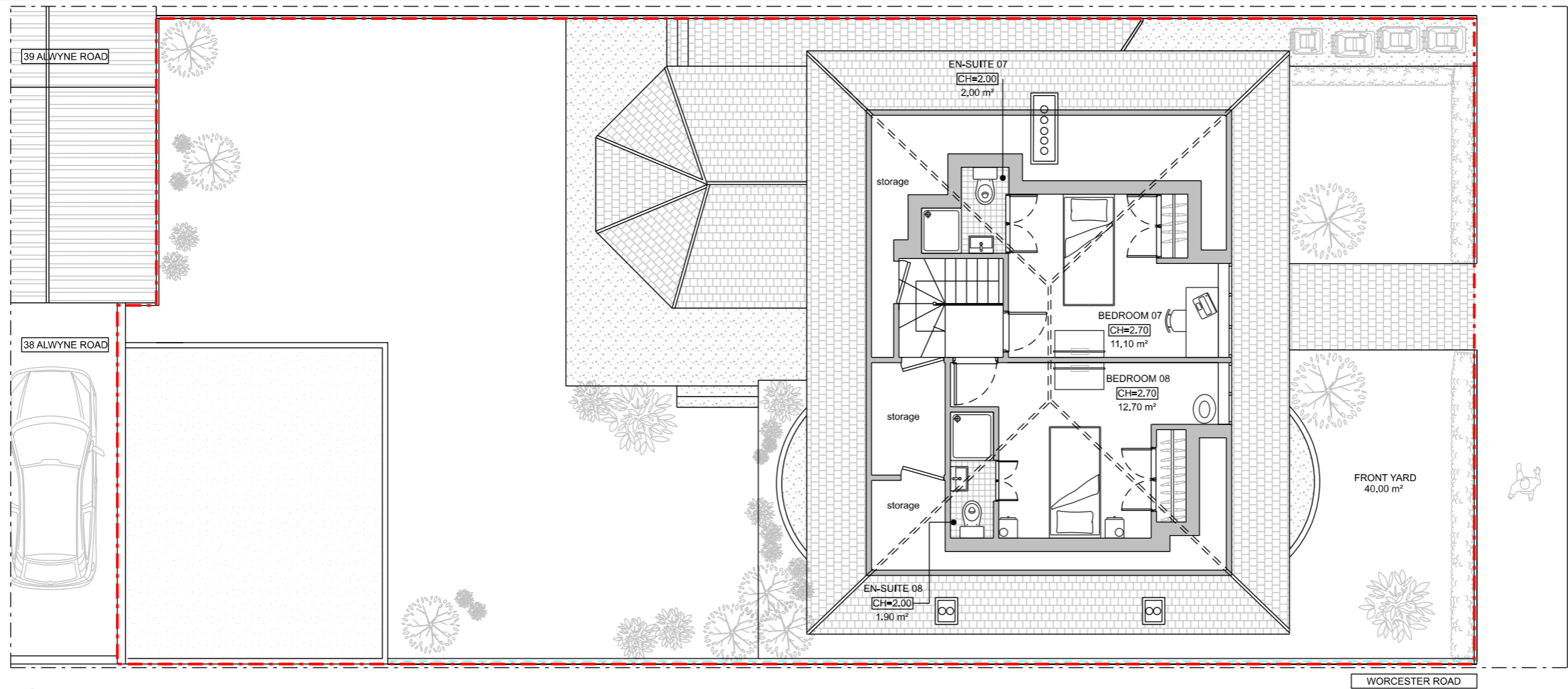
HMO Conversion
Project Address: 43 Woodside, London SW19 7AF

Drawing title: PROPOSED FLOOR PLANS

date: MARCH 2022 scale: 1:100@A3

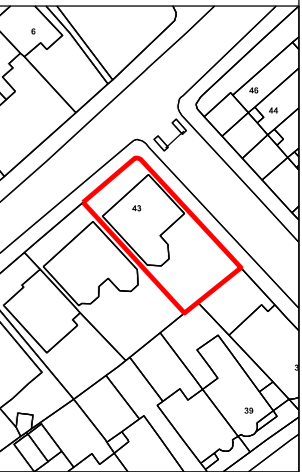
drawing number: S-04 sheet no.: 4 OF 06 rev: -





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- Read in conjunction with all relevant drawings and documentation produced by other consultants.
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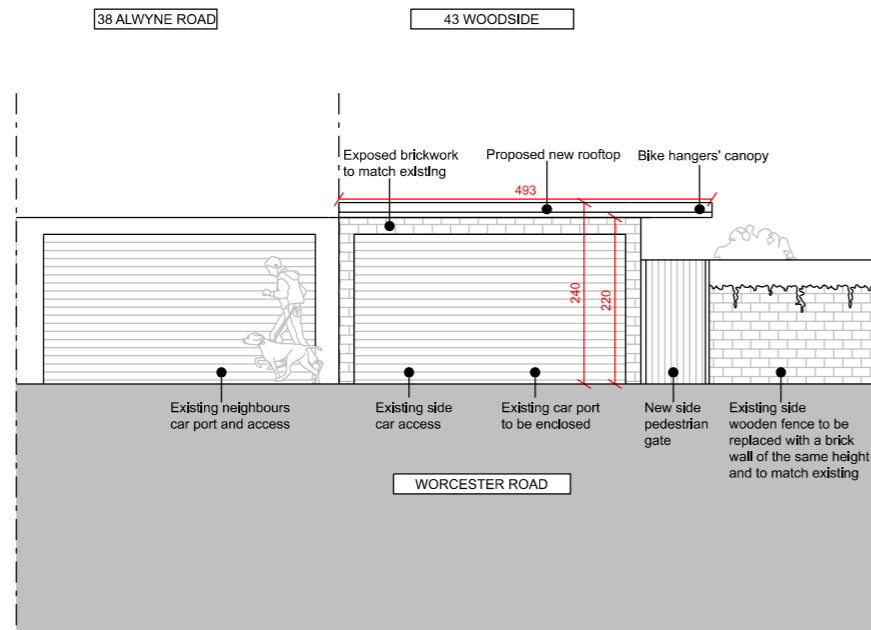
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Project Address: 43 Woodside, London SW19 7AF

Drawing title: PROPOSED FLOOR PLANS

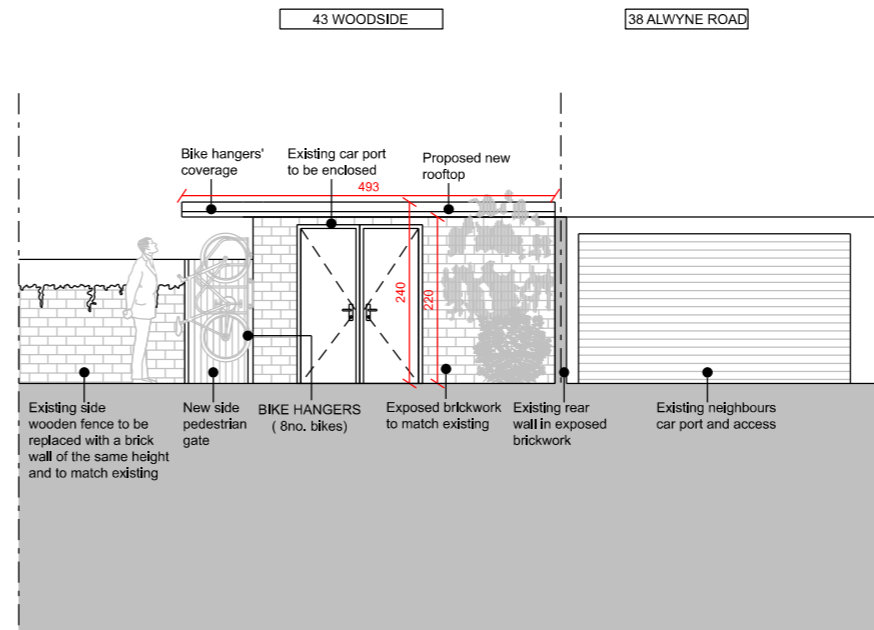
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drawing number: S-05	sheet no.: 5 OF 06
	rev: -

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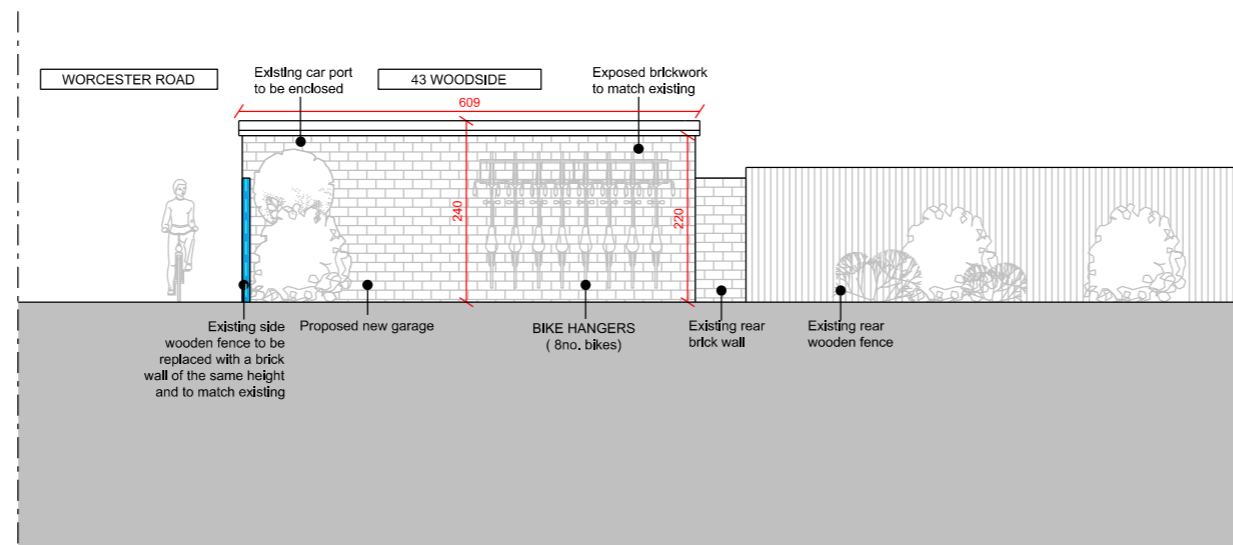
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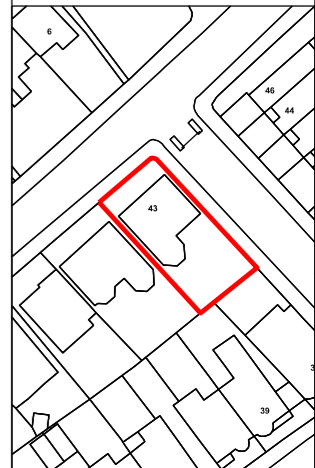
01 PROPOSED GARAGE - FRONT ELEVATION
1:100@A3



02 PROPOSED GARAGE - REAR ELEVATION
1:100@A3



03 PROPOSED GARAGE - SIDE ELEVATION
1:100@A3



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London: 020 3011 2997
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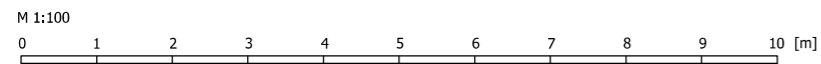
Client: HARINDER KOONER
81 Watermans Quay

Project Address: HMO Conversion
43 Woodside, London SW19 7AF

Drawing title: PROPOSED GARAGE ELEVATIONS

date: MARCH 2022
scale: 1:100@A3

drawing number	sheet no.	rev
S-06	6 OF 06	-



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PLANNING APPLICATIONS COMMITTEE
14th July 2022

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	21/P3990	
Address/Site	9 Lancaster Road, Wimbledon Village, London, SW19 5DA	
(Ward)	Village	
Proposal:	ALTERATIONS TO EXISTING GROUND FLOOR REAR EXTENSION, ERECTION OF A FIRST FLOOR REAR EXTENSION AND ALTERATIONS TO PITCHED ROOF.	
Drawing Nos:	Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012) 9 Lancaster Road, Wimbledon SW19 5DA (Date: 21st April 2022 Ref: TH 3336), LP 02 Revision C1, LP 04 Revision B, LP 02 Revision C1, LP 06 Revision C, LP 08 Revision C, LP 05 Revision C, LP 09 Revision C, LP 07 Revision C, LP 10 Revision B, Site Location plan Amended 15.12.21.	
Contact Officer:	Charlotte Gilhooly (0208 545 4028)	

RECOMMENDATION

Grant Permission subject to conditions.

CHECKLIST INFORMATION

- Heads of Agreement: n/a
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 7
- External consultations: No
- Conservation area: Yes
- Listed building: No
- Tree protection orders: Adjoining
- Controlled Parking Zone: Yes

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a two storey, semi detached dwelling which is located on the north west side of Lancaster Road in Wimbledon Village. The site is not listed but is located within a Conservation Area and Archaeological Area Tier II. There are trees on site and a Tree which is subject to a Tree Preservation Order in adjoining property at 9a Lancaster Road. There are no further constraints.

3. **PROPOSAL**

This application seeks planning permission to demolish the existing single storey rear extension and erect a part 1, part 2 storey rear extension. The proposal would be made up of the following dimensions:

- Single storey rear extension: 12.04m wide, 2.8-3m high, and 2.58 -3.28m deep.
- Two storey rear extension: 7.82m wide, 2m deep with an eaves height of 4.98m and a maximum roof height of 7.7m. (Crown roof 2m deep.)
- Dormer: 4.39m wide, 1.04m high and 2m deep.
- Bike/garden storage: 11.87m wide, 0.68m deep and 2.18m high.
- Proposed boundary treatment (front elevation): 1.13m high, 13.87m wide. To be constructed from brick and timber above. To include a vehicular and pedestrian timber gate.

Materials include:

- Walls: Red and blue brick to match existing
- Roof: Proposed clay pantile and asphalt flat roof
- Windows: Powder coated metal Crittal style windows
- Doors: Powder coated aluminium doors.

Amended plans: Plans have been amended during the application process in response to comments made from the Conservation Officer and Tree Officer and representations received. Amendments include:

- Plans now show the correct address. A 21 day reconsult then took place.
- Landscaping in the rear garden is no longer proposed.
- Bike storage has been moved away from the historic side shared boundary wall at the rear.
- An Arboricultural Report has been submitted during the application process.

4. **PLANNING HISTORY**

- 03/P1543: RETROSPECTIVE APPLICATION TO RETAIN A ROOF EXTENSION INCLUDING RETENTION OF BEAM END CAPPINGS TO FRONT AND SIDE ELEVATIONS. GRANT PERMISSION SUBJECT TO CONDITIONS 28-08-2003.
- 05/P1088: ERECTION OF A REAR DORMER ROOF EXTENSION. GRANT PERMISSION SUBJECT TO CONDITIONS 21-07-2005.

5. **POLICY CONSIDERATIONS**

5.1 **POLICY CONTEXT**

- 5.2 National Planning Policy Framework (2011)

- 8. Promoting healthy and safe communities
- 11. Making effective use of land
- 12. Achieving well-designed places
- 15. Conserving and enhancing the Historic Environment.

5.3 London Plan (2021)

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D8 Public Realm
- G1 Green infrastructure
- HC1 Heritage Conservation and Growth

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

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

5.5 Merton Sites and Policies Plan – 2014 (SPP)

- DM D2 Design considerations in all developments
- DM D3 Alterations and extensions to existing buildings
- DM D4 Managing Heritage Assets
- DM O2 Nature conservation, Trees, hedges and landscape features

6. CONSULTATION

6.1 Press Notice, Standard 21-day site notice procedure and individual letters to 7 neighbouring occupiers. 6 representations have been received from 5 individuals and 1 from Clarion Housing (16 June) raising objection on the following grounds:

6.2 EXTERNAL

Construction

- The road will become an unacceptable builder's yard for the best part of a year. Concern about the impact construction will have on this small cul de sac. Where will waste be stored and where will construction vehicles be parked?
- Concern over the impact of the little green as a result of construction works. This is where children play.
- How will clear access be maintained during construction works?

Character and Appearance

- No 9 has already been extended. The current proposal will result in even less garden space.
- The proposal will lead to the loss of green space, which is a part of the character of Wimbledon Village.
- Concern over impact to potential loss of wildlife.
- Concern over the impact to construction works affecting the historic wall which is part of my property at 7 Rushmere Place.
- The proposal will not result in an increase in accommodation to justify loss of green space.

Neighbouring amenity

- Concern over impact on loss of daylight/sunlight to adjoining property 9a Lancaster Road.
- No daylight/sunlight report has been submitted.

- Concern over the potential impact of services such as a boiler which is shown on the party wall of the proposed ground floor plan and other flues discharging onto my property. Would I be expected to allow access from my property to service the boiler for example?
- There is no separation distance at the side boundary between the proposed extension and my extension.
- Concern about the impact to the Sycamore tree (TPO) in the neighbouring garden of 9a Lancaster Road which is also located on a boundary.
- Concern over air pollution as a result of the outdoor kitchen.

Other

- Proposed plans and supporting documents show an incorrect address.
- The existing extension and my extension (9a) at the rear are not equal in depth. No 9s is already deeper than mine.
- Please note that both plans represent the neighbouring extension at 9A as being on a par with the current extension at No 9. In fact, no 9 projects at least a metre further into the garden.
- Is the drawing LPO6 showing the sliding gates for right of way drive on display?
- The site is not Lancaster Place as can be seen on maps.
- The applicant is asking for consent upon previous consent granted and executed for further extensions to the host building and that within the context of the heritage asset of the Conservation Area. No Heritage Statement appears to have been submitted by the applicant in accordance with policy to justify what would become a dangerous precedent. I would be grateful if this can be looked into by the committee.

Clarion Housing

The proposed works are extensive, including extensive demolition to the rear of the property, and may result in severe disruption and nuisance to the neighbouring properties. Several of these are in Clarion's ownership.

The applicant states that the works will last from February to November 2022 (9 months), which is a considerable period of time even if the works complete on programme. Due to the limited access to the property, this will cause distress and serious disruption to the neighbouring homes in the cul-de-sac. The constructors will need to use the small cul-de-sac and shared green space for parking, site materials and access, and the applicant has proposed no strategy for managing this. We are concerned about the lack of delivery plan provided in the planning documents.

Further, the shared green space in the cul-de-sac is under Clarion's ownership since 2020, and we have received no permission note for use of this space, which may well be damaged as a result of this activity. It is an unacceptable loss of a valuable community green space.

We object to the application as it currently stands, and ask the council to consider the impact on the neighbouring properties.

6.3 Planning Officers response:

- A condition is recommended below to ensure that prior to commencement, details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process are submitted to and approved in writing by the Local

Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

- Plans were amended during the application process and a 21 day reconsult was carried out in order to clarify to neighbouring properties the correct site address.
- It is acknowledged a Heritage Statement should have been submitted and is a validation requirement. However having consulted the Council's Conservation Officer and looked at Historic Maps from 1865, Planning Officers are now satisfied heritage assets such as the historic wall, the character of the conservation area and the neighbouring tree have not been harmed as a result of the proposed amended plans and Arboricultural Report being submitted during the application process.

6.4 INTERNAL

Conservation Officer:

I see they have finally amended their application to put the bike shed attached to the house and not against the historic wall. Well done. Now I'm happy.

Tree Officer:

The amendment is fine. The arb. document only specifies one site visit but does say if more visits are required the arb. report can be either be amended, or a condition be attached. I would suggest attaching the following conditions:

- Tree Protection: The details and measures for the protection of the existing trees as specified in the hereby approved document 'Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS 5837:2012)' reference 'TH 3336' and dated '21 April 2022' shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.
- F8

Highways

INF9 INF12

H9

7. **PLANNING CONSIDERATIONS**

The planning considerations for the proposed extensions to this building relate to the impact on the character and appearance of the host building along with the surrounding Conservation Area, the impact upon neighbour amenity and trees.

7.1 Design and impact upon the character and appearance of the area

- 7.2 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London-wide planning policy advice in relation to design is found in the London Plan (2021), in Policy D1-D5. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.

7.3 Policy DM D2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports these SPP Policies.

7.4 Part 2 storey rear extension:

The proposed part 2 storey rear extension is considered to be of a scale, form and appearance which is considered an acceptable addition to the character of the site and surrounding conservation area. The part 2 rear extension would extend by 2m at 1st floor level and would be set in at the side boundary on the west side. The roof would also be pitched with a hipped roof to match the existing roof (including pitch). Materials such as roof tiles and brick would match existing. As such this element of the scheme is considered acceptable.

7.5 Part 1 rear extension:

The proposed single storey rear extension would extend across the full width of the site but is considered of minimal height and depth. The rear extension has a variable height of 2.77m – 3.22m and a variable depth of 2.50-3.28m. As such this element of the scheme is not considered too bulky for the site and would not appear incongruous.

7.6 Dormer

It is noted the existing house has 2 dormers at the rear. The proposed dormer is of a similar scale to existing and would be set down, set in and set back. As such it would not be visible from the streetscene and would remain subservient to the roof.

7.7 Proposed bike store:

The proposed bike storage has now been set away from the historic wall as recommended by the Conservation Officer and would not be visible from neighbours' gardens.

7.8 Boundary treatment:

The proposed boundary treatment at the front of the site is minimal in height and would not appear overbearing or out of keeping. In addition the proposed materials are considered sympathetic to the site and conservation area. As such this element of the proposal is considered acceptable.

Overall the proposals are considered acceptable additions to the character of the site and would not cause any harm to the surrounding Conservation Area.

7.9 Impact on neighbouring amenity

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

The following neighbouring properties have the potential to be impacted by the proposal: 9a Lancaster Place, 5 and 7 Rushmere Place and 14 and 16 Marryat Road.

7.11 9a Lancaster Road

At the 2 storey level the proposal would be pitched with a hipped roof. This element of the proposal would have a separation distance at the west side boundary of approximately 4m. The proposed dormer would also be set away

from the shared boundary. The proposed single storey rear extension would be reduced in height and depth on both east and west sides and would have a height of 2.77m on the west side boundary but would extend by an additional 1.1m beyond this neighbour's existing rear wall. As such the proposals are considered to have mitigated against any potential impact on daylight/sunlight, overshadowing and are not considered to result in a loss of privacy, be overbearing or visually intrusive. The impact on amenity to this neighbouring property is therefore considered acceptable.

7.12 5 Rushmere Place

There is a reasonable separation distance of approximately 12m between the rear wall of the proposal at the single storey level and the rear wall of this neighbouring property. As such the proposals are not considered to be overbearing, visually intrusive or result in loss of privacy or a loss of daylight/sunlight.

7.13 7 Rushmere Place

At the second floor level the proposal would extend by 2m into the rear of the site. At the single storey level the proposal would extend by a further 1m beyond the existing rear extension. There is a separation distance at the side boundary of approximately 1.6m between the existing side elevation and the shared boundary fence. In addition there is a reasonable separation distance of approximately 5m between the side elevation and the side elevation of this neighbouring property. As such the proposals are not considered to be overbearing, visually intrusive or result in a loss of daylight/sunlight for this neighbouring property.

7.14 14 and 16 Marryat Road

There is a separation distance of approximately 12m from the rear wall of the proposal at ground floor level and the rear shared boundary fence between these neighbouring properties. As such the proposals are not considered to be overbearing, visually intrusive or result in a loss of daylight/sunlight for this neighbouring property.

Overall the proposals are considered acceptable in terms of neighbouring amenity.

7.14 Impact on Trees

7.15 It is noted there is a protected tree (TPO) in the neighbouring garden of 9a Lancaster Road and concerns have been raised in the representations received above about the potential impact. The Council's Tree Officer has also raised concerns. In response, the applicant removed landscaping proposals and submitted an Arboricultural Report during the application process. The Council's Tree Officer is now satisfied that proposal can be supported and has recommended conditions to ensure tree protection. Subject to conditions below, this element of the scheme is now considered acceptable.

8. Conclusion

The scale, form, design, positioning and materials of the proposals are not considered to have an undue detrimental impact to the character of the host building, the Conservation area, neighbouring amenity or trees. Therefore, the proposal is considered to comply with the principles of policies DM D2, DM D3 and DM D4 of the Adopted SPP 2014, CS 14 of the LBM Core Strategy 2011 and D3, D4, D8 and HC1 of the London Plan 2021.

9. **RECOMMENDATION**

Grant planning permission subject to conditions.

1. A1 Commencement of development (full application): The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. A7 Approved Plans: The development hereby permitted shall be carried out in accordance with the following approved plans: [Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS:5837 2012) 9 Lancaster Road, Wimbledon SW19 5DA (Date: 21st April 2022 Ref: TH 3336), LP 02 Revision c, LP 04 Revision B, LP 02 Revision C1, LP 06 Revision C, LP 08 Revision C, LP 05 Revision C, LP 09 Revision C, LP 07 Revision C, LP 10 Revision B, Site Location plan Amended 15.12.21.]

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

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

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. C02 No Permitted Development (Windows and Doors): Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, door or other opening other than those expressly authorised by this permission shall be constructed in the side elevations without planning permission first being obtained from the Local Planning Authority.

Reason: To safeguard the amenities and privacy of the occupiers of nearby properties and to comply with the following Development Plan policies for Merton: policy 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. C08 No Use of Flat Roof: Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

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.

6. 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: policies D14 and T7 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

7. F05 Tree Protection: The details and measures for the protection of the existing trees as specified in the hereby approved document 'Arboricultural Impact Assessment Method Statement & Tree Protection Plan (to BS 5837:2012)' reference 'TH 3336' and dated '21 April 2022' shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.

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

8. F08 Site Supervision (Trees): The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to supervise, monitor and report to the LPA not less than monthly the status of all tree works and tree protection measures throughout the course of the construction period. At the conclusion of the construction period the arboricultural expert shall submit to the LPA a satisfactory completion statement to demonstrate compliance with the approved protection measures.

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

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

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 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.

Informatives

1. The applicant should be aware that the site may provide a useful habitat for swifts. Swifts are currently in decline in the UK and in order to encourage and improve the conservation of swifts the applicant is advised to consider the installation of a swift nesting box/bricks on the site.

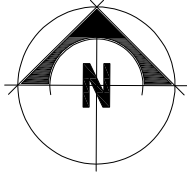
2. INFORMATIVE 9: You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.

3. INFORMATIVE 12: Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.

NORTHGATE SE GIS Print Template



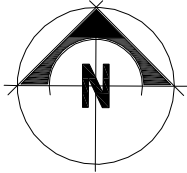
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SITE LOCATION PLAN
AREA 2HA
SCALE: 1:1250 @A4
9 LANCASTER ROAD
WIMBLEDON VILLAGE
LONDON SW19 5DP



STREETWISE LICENCE NO:100047474

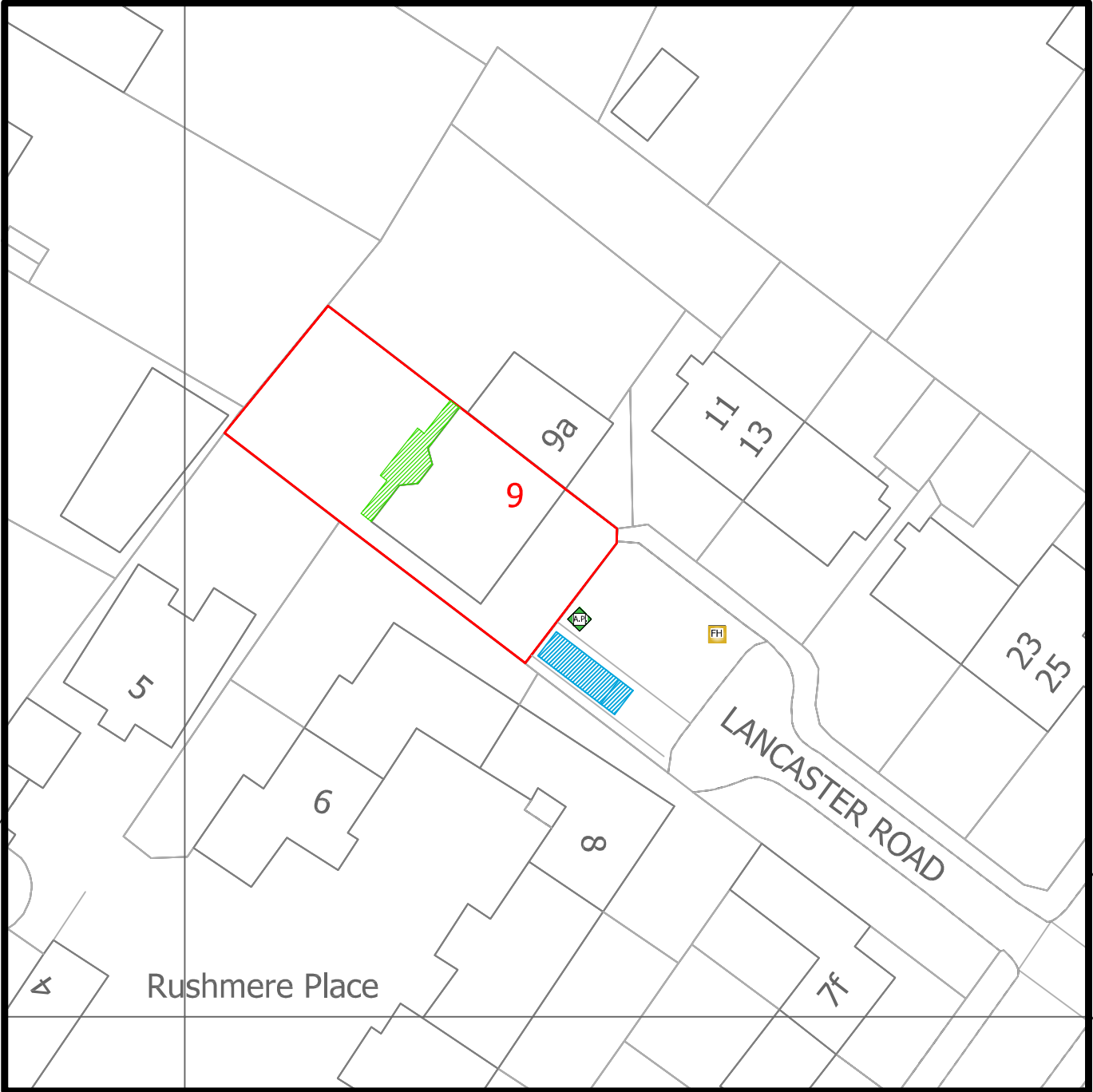


SITE LOCATION PLAN
AREA 2HA
SCALE: 1:1250 @A4
9 LANCASTER ROAD
WIMBLEDON VILLAGE
LONDON SW19 5DA



STREETWISE LICENCE NO:100047474

9 LANCASTER ROAD
WIMBLEDON VILLAGE LONDON
SW19 5DA
BLOCK PLAN



SCALE 1:500 @A4

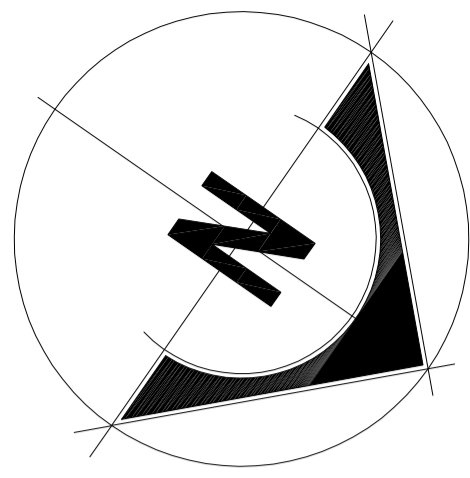
RED LINE TO DENOTE SITE BOUNDARY

GREEN HATCH TO DENOTE EXTENSION

BLUE HATCH TO DENOTE PROPOSED FIRE ENGINE

 FIRE HYDRANT LOCATION

 ASSEMBLY POINT



EXISTING PVC WINDOWS REPLACED WITH POWDER COATED METAL CRITTAL STYLE WINDOWS

FREE STANDING LINEAR SHED STANDING AGAINST HOUSE WALL WITHIN THE LENGTH OF SIDE PASSAGE. PASSAGE TO REMAIN OPEN AIR EXISTING WALL NOT TO BE FIXED TO

PROPOSED REAR GROUND FLOOR EXTENSION IN BRICKS TO MATCH EXISTING

EXISTING REAR GARDEN LANDSCAPE MOSTLY RETAINED APART FROM CURVED STEPS

ROOT PROTECTION AREA

SHRUBS AND FLOWERBEDS

EXISTING SHED RETAINED

ROOT PROTECTION AREA

SHRUBS AND FLOWERBEDS

PROPOSED POWDER COATED ALUMINIUM SLIDING DOORS

DASHED LINE SHOWING GARDEN LEVELS

ROOT PROTECTION AREA

PROPOSED GROUND FLOOR AND PLOT PLAN

PROPOSED SLIDING TIMBER VEHICULAR GATE

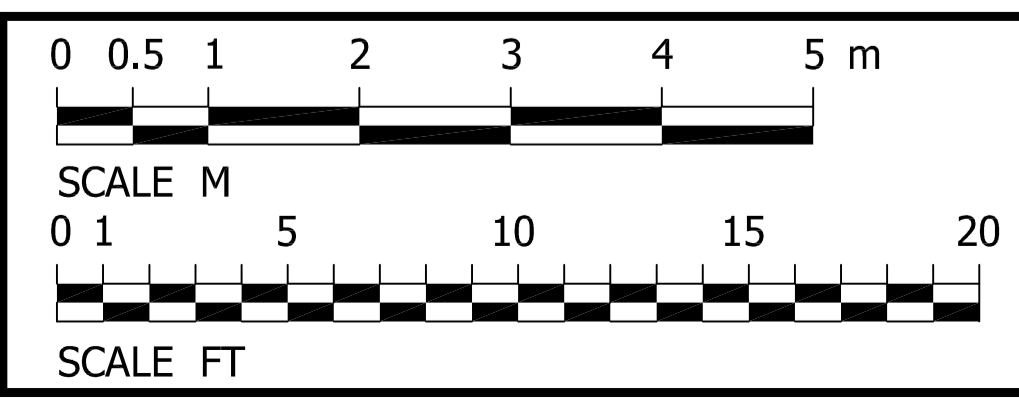
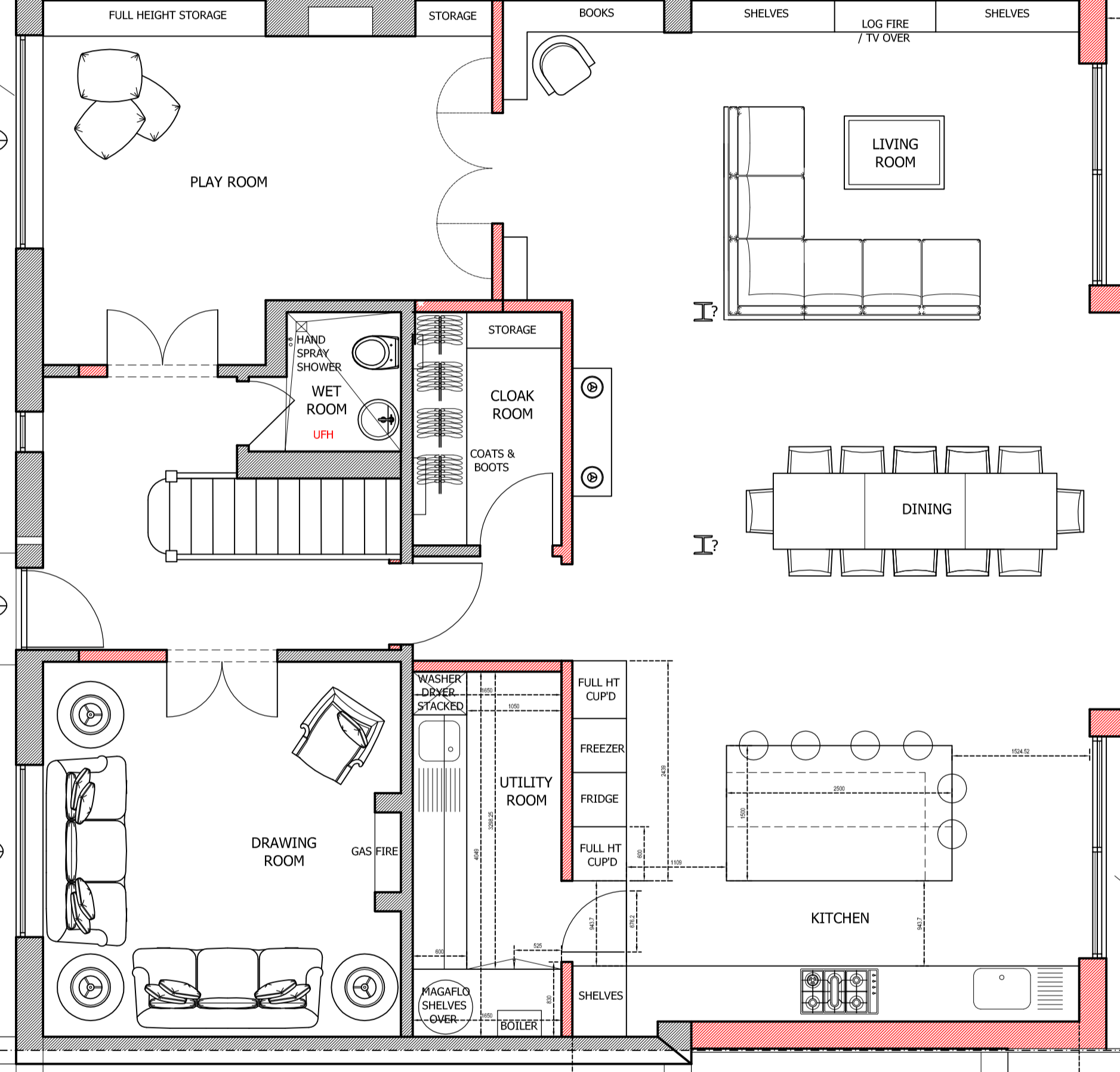
EXISTING PAVED FRONT DRIVE

#9

#9A

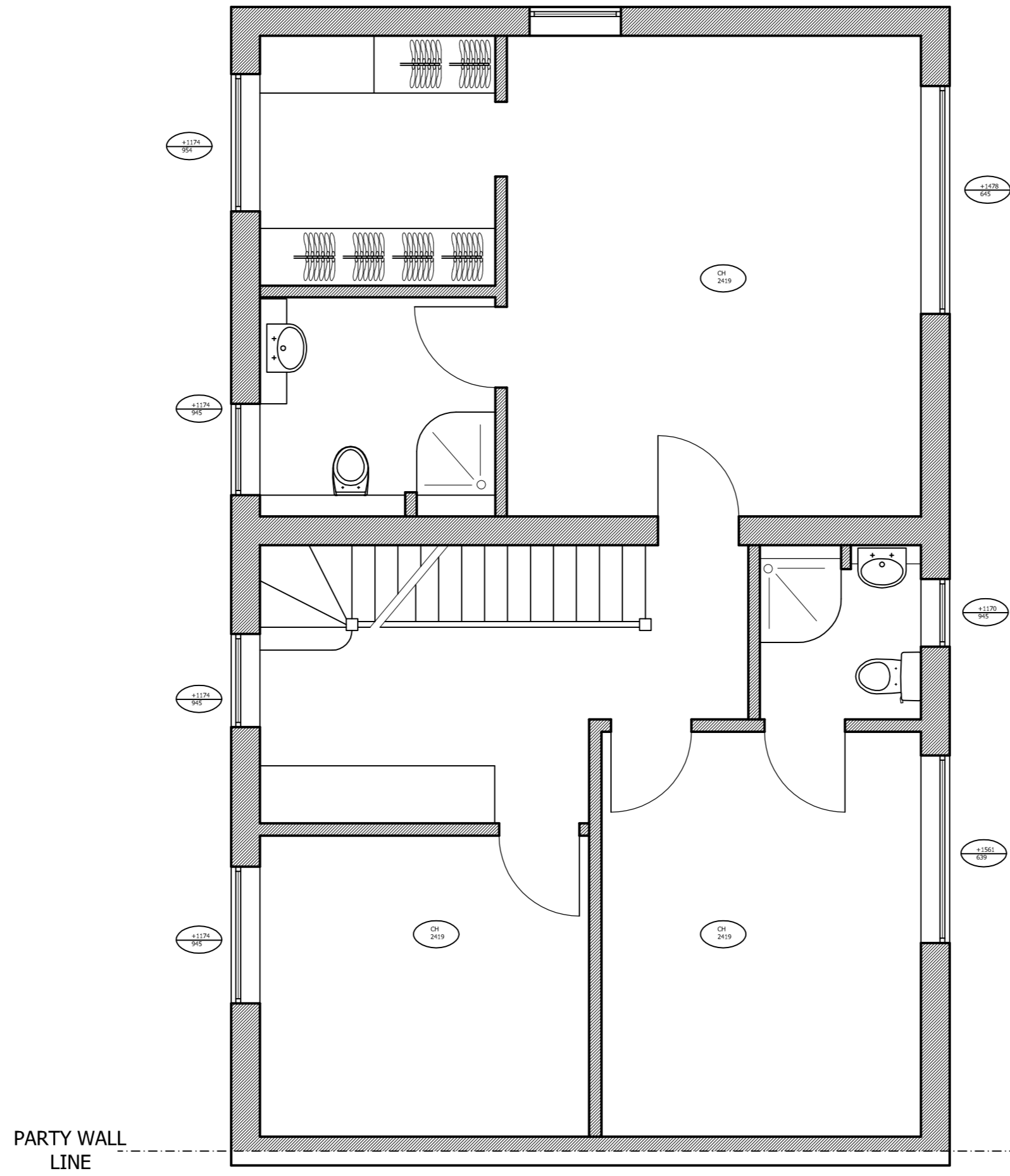
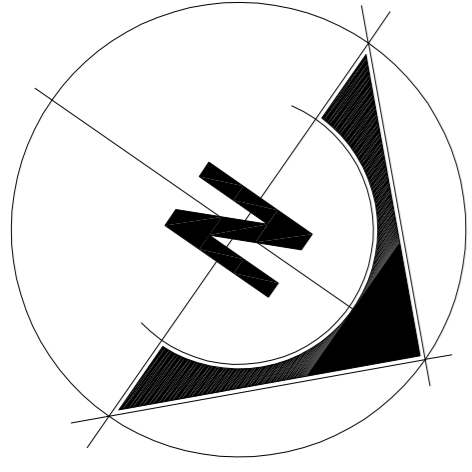
PARTY WALL LINE

OPEN AIR SIDE ALLEY 950MM WIDE
LINEARE SHED STORAGE FOR EASY ACCESS
BIKE STORE LAWN MOWER ETC BIKE STORE BIKE STORE



EXISTING WALLS
PROPOSED WALLS

SCALE	DATE	DRAWING NO	PROJECT
1:50 @ A1 1:100 @ A3	27TH APR 2022	LP 02 C1	9 LANCASTER ROAD WIMBLEDON VILLAGE LONDON SW19 5DA PROPOSED GROUND FLOOR PLAN AND PLOT
REVISION			
REV C1 PROPOSED CURVED STEPS TO EXISTING LAWN LEVEL			

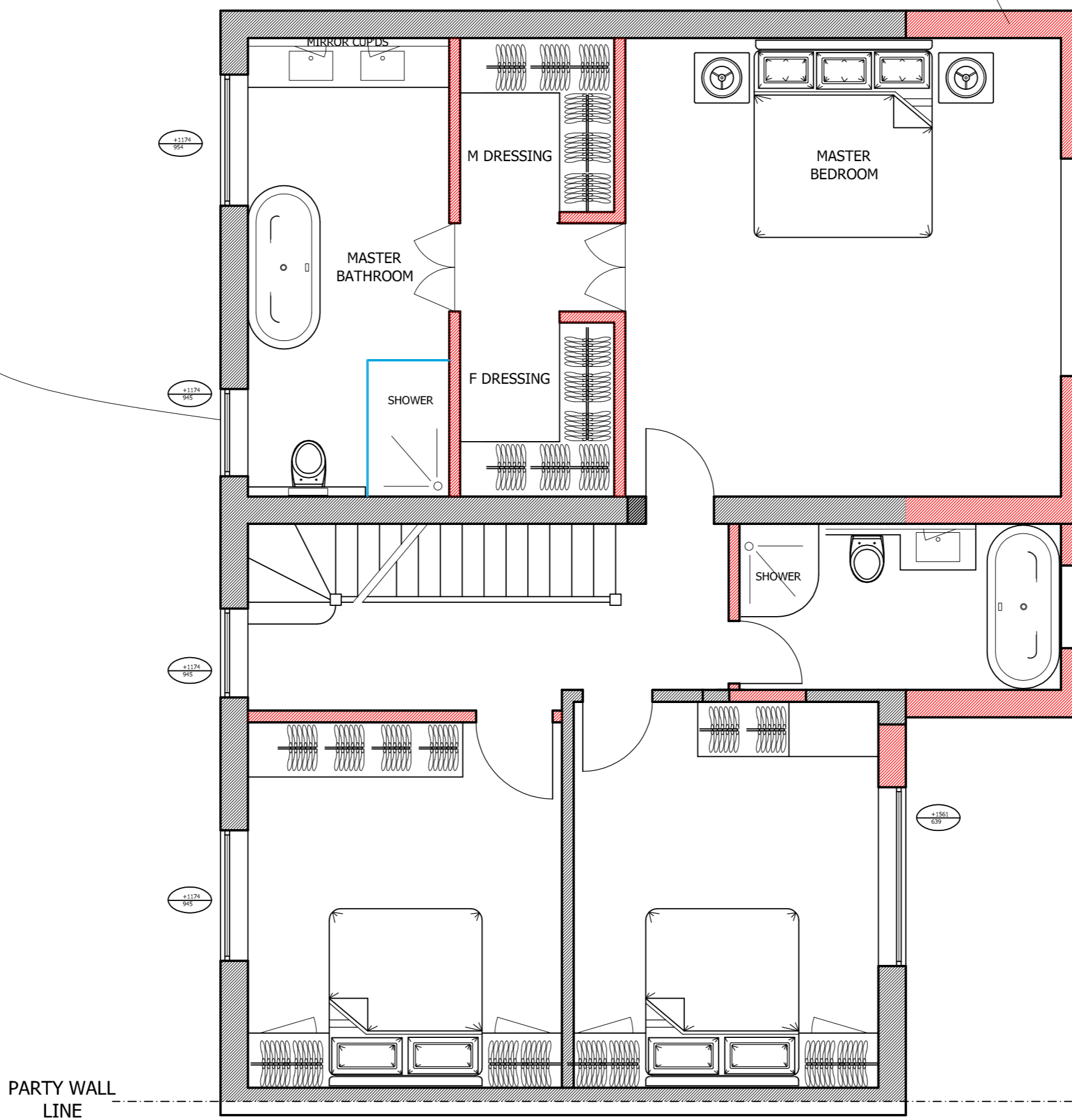


EXISTING FIRST FLOOR PLAN

PROPOSED REAR FIRST FLOOR EXTENSION
IN BRICKS TO MATCH EXISTING

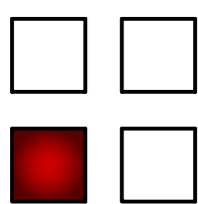
EXISTING PVC WINDOWS REPLACED
WITH POWDER COATED METAL
CRITTAL STYLE WINDOWS

EXISTING PVC WINDOWS REPLACED
WITH POWDER COATED METAL
CRITTAL STYLE WINDOWS

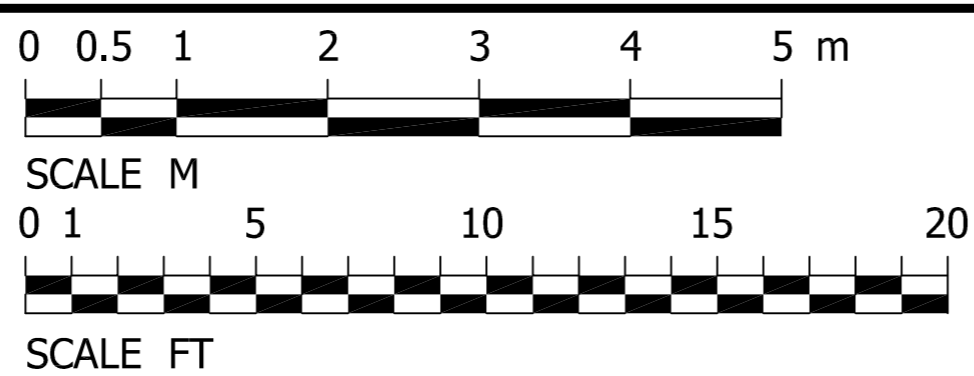


PROPOSED FIRST FLOOR PLAN

■ EXISTING WALLS
■ PROPOSED WALLS

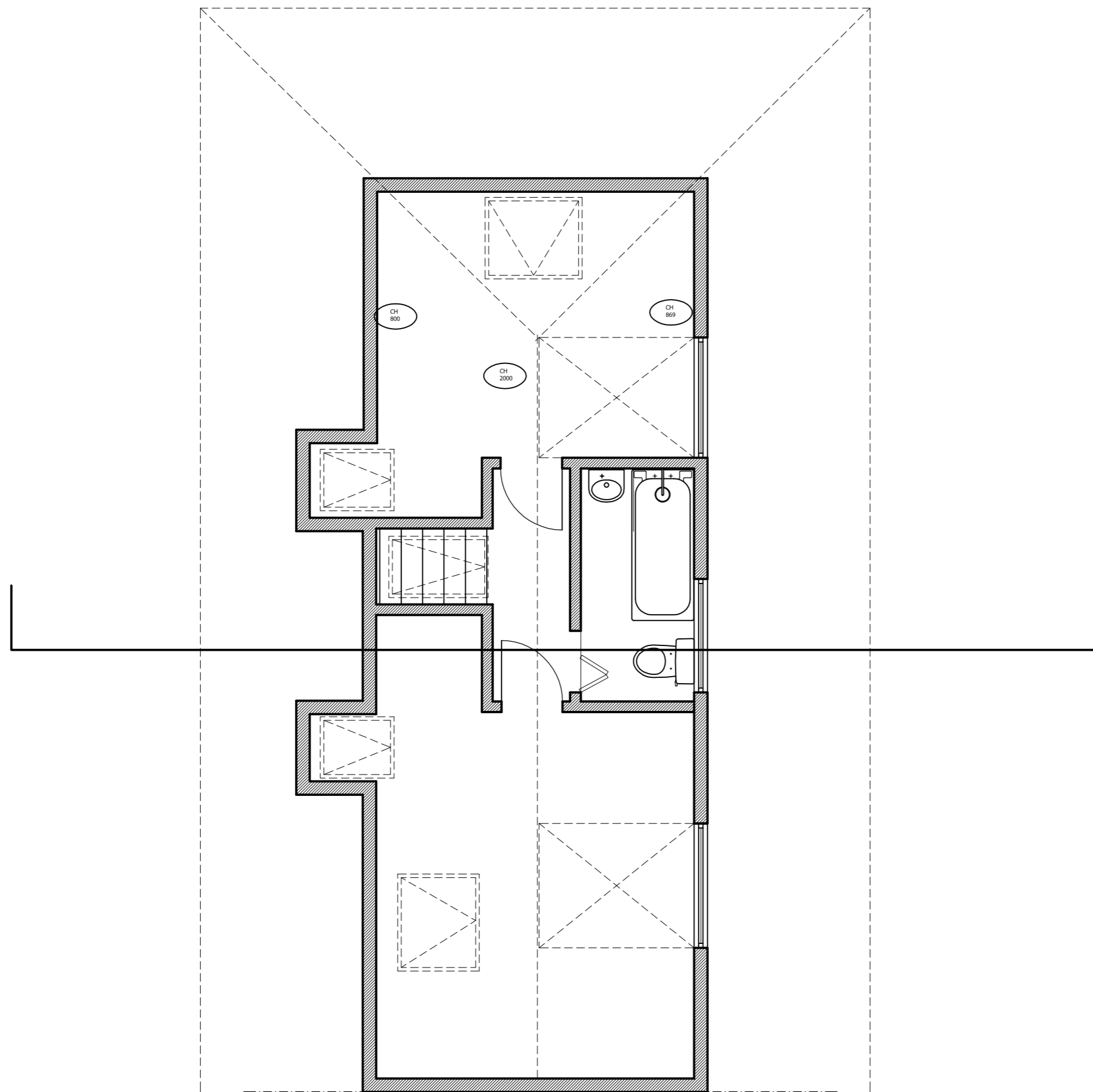
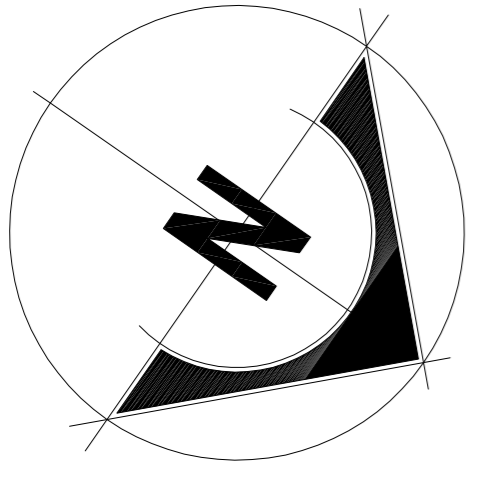


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60 HIGH STREET WIMBLEDON VILLAGE SW19 5EE
TEL: 0208 879 4217 MOB: 07 545 343 661
bbj10@hotmail.com



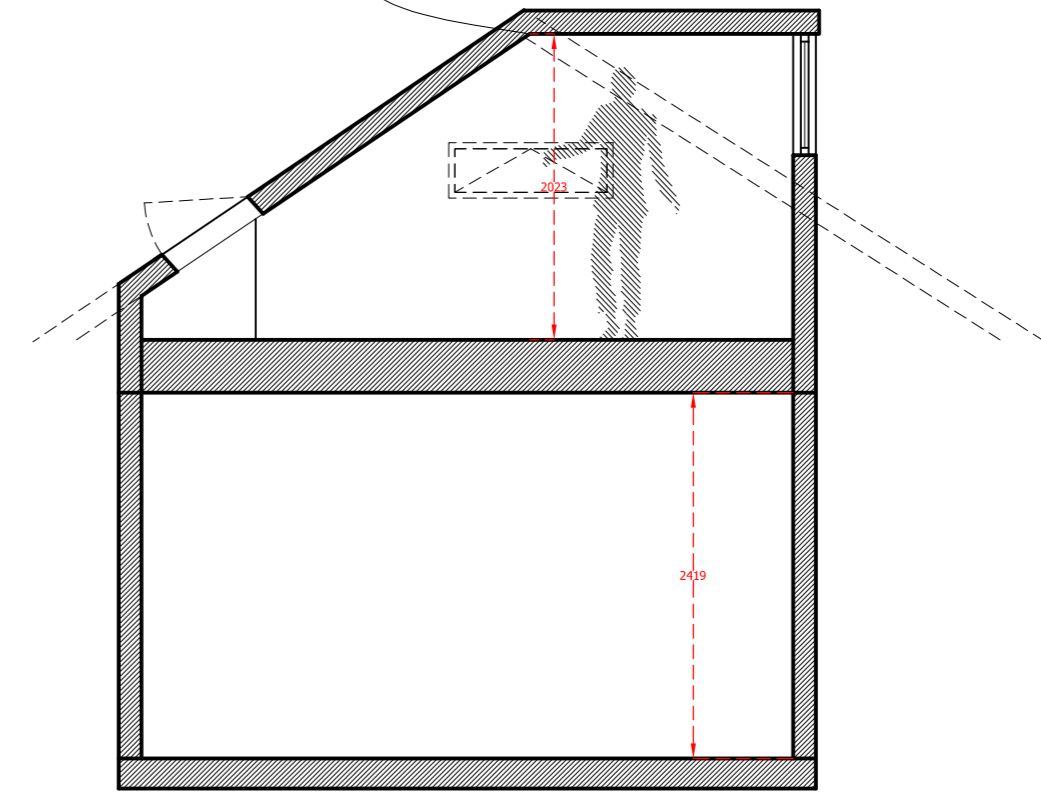
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REVISION			

EXISTING & PROPOSED
1ST FLOOR

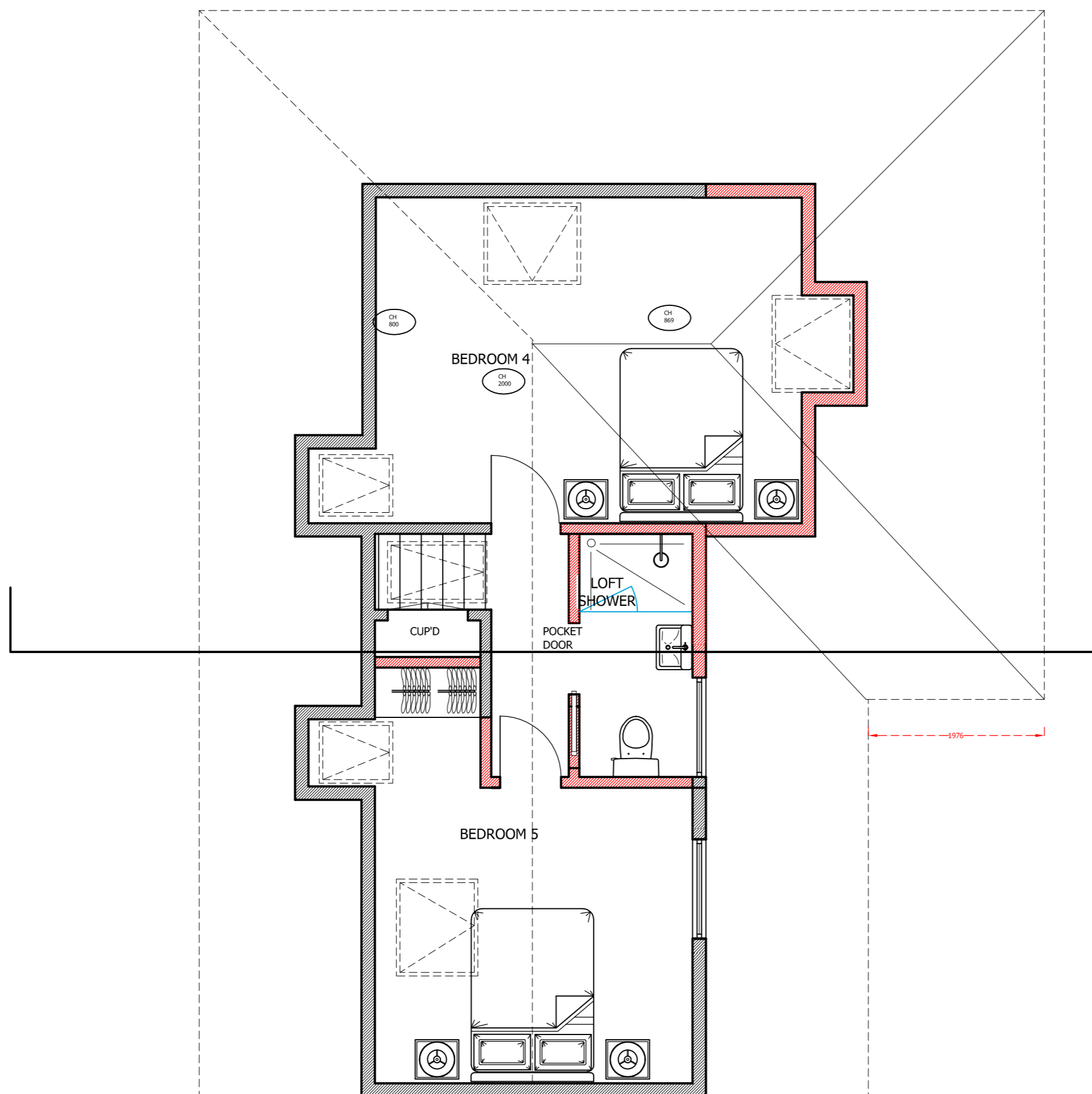


EXISTING LOFT FLOOR PLAN

EXISTING CEILING HEIGHT
2023MM AT APEX

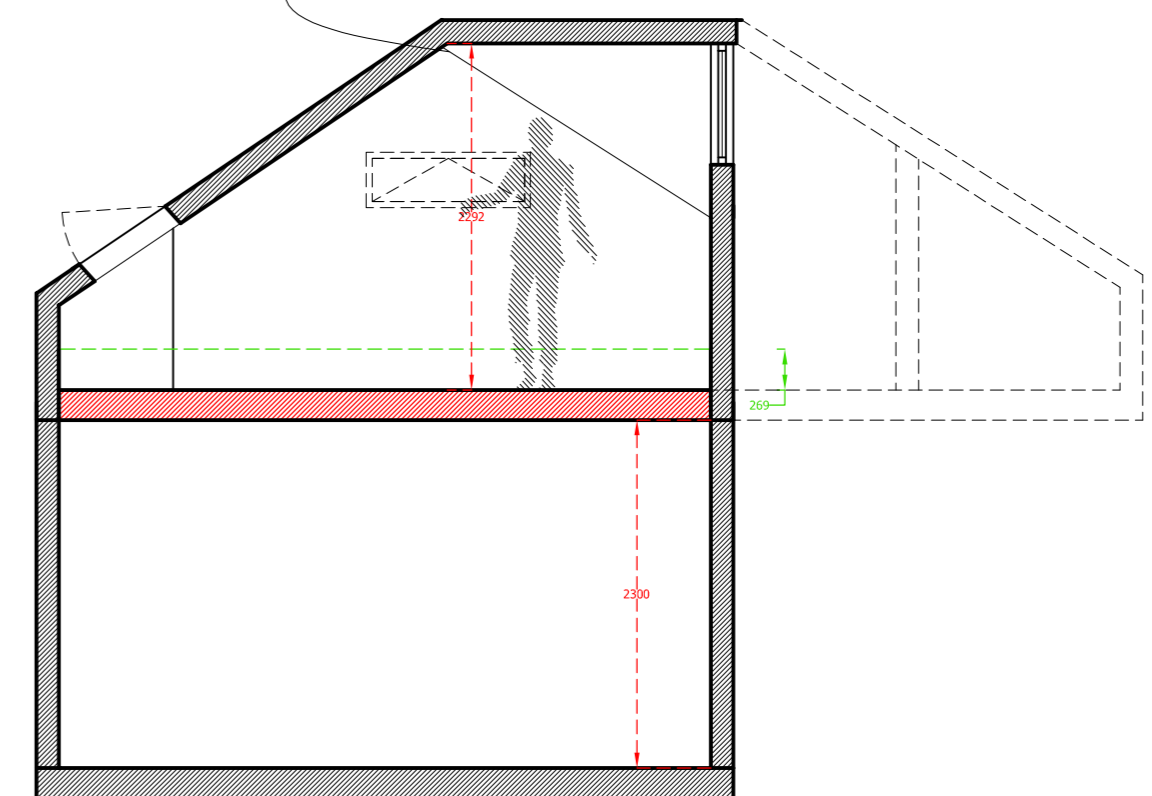


EXISTING LOFT SECTION



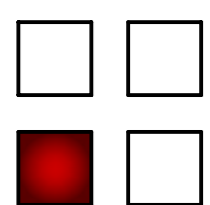
PROPOSED LOFT FLOOR PLAN

INTERNAL FLOOR LOWERED TO ACHIEVE
BETTER HEAD HEIGHT

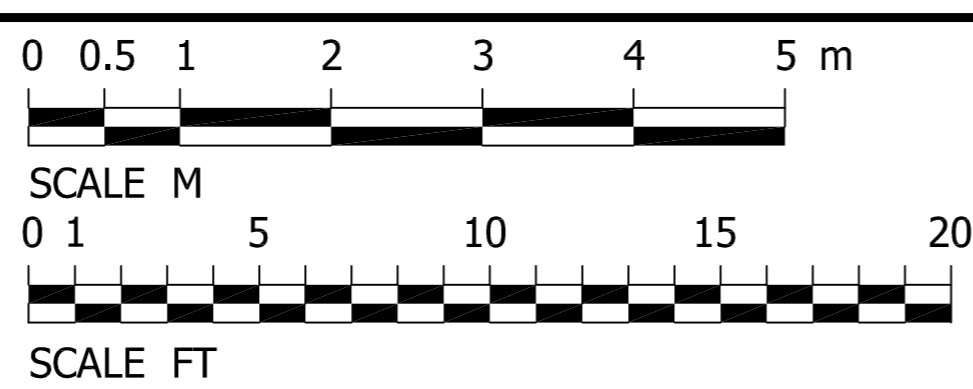


PROPOSED LOFT SECTION

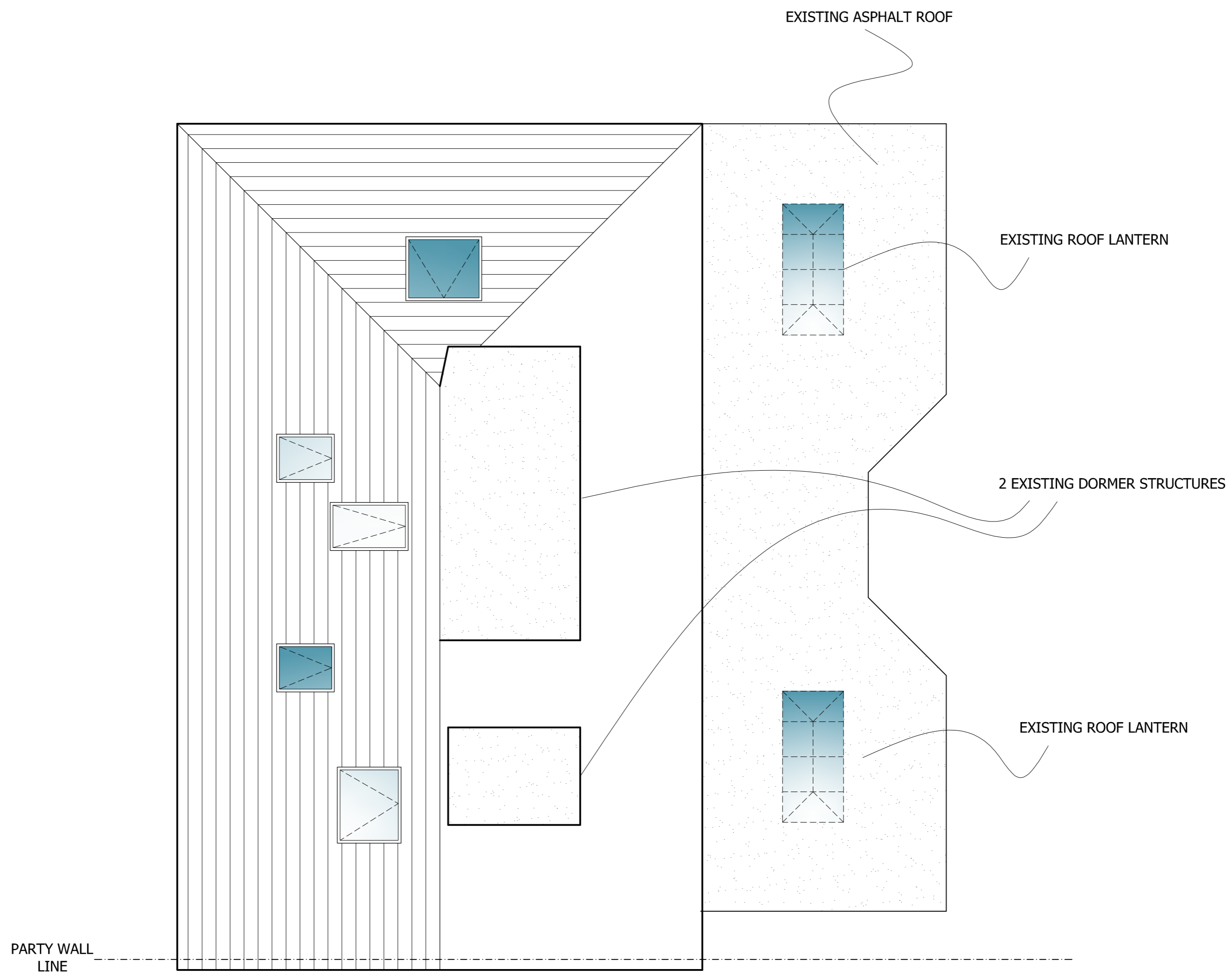
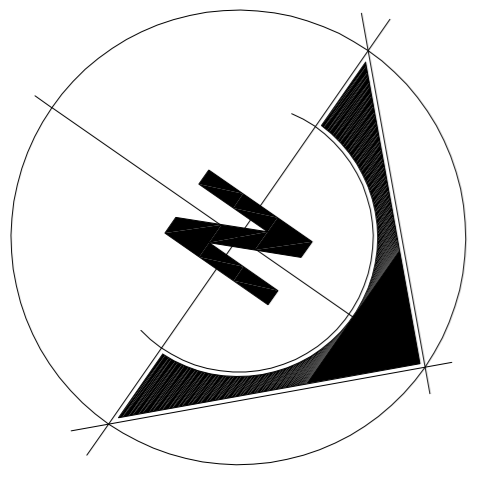
EXISTING WALLS
 PROPOSED WALLS



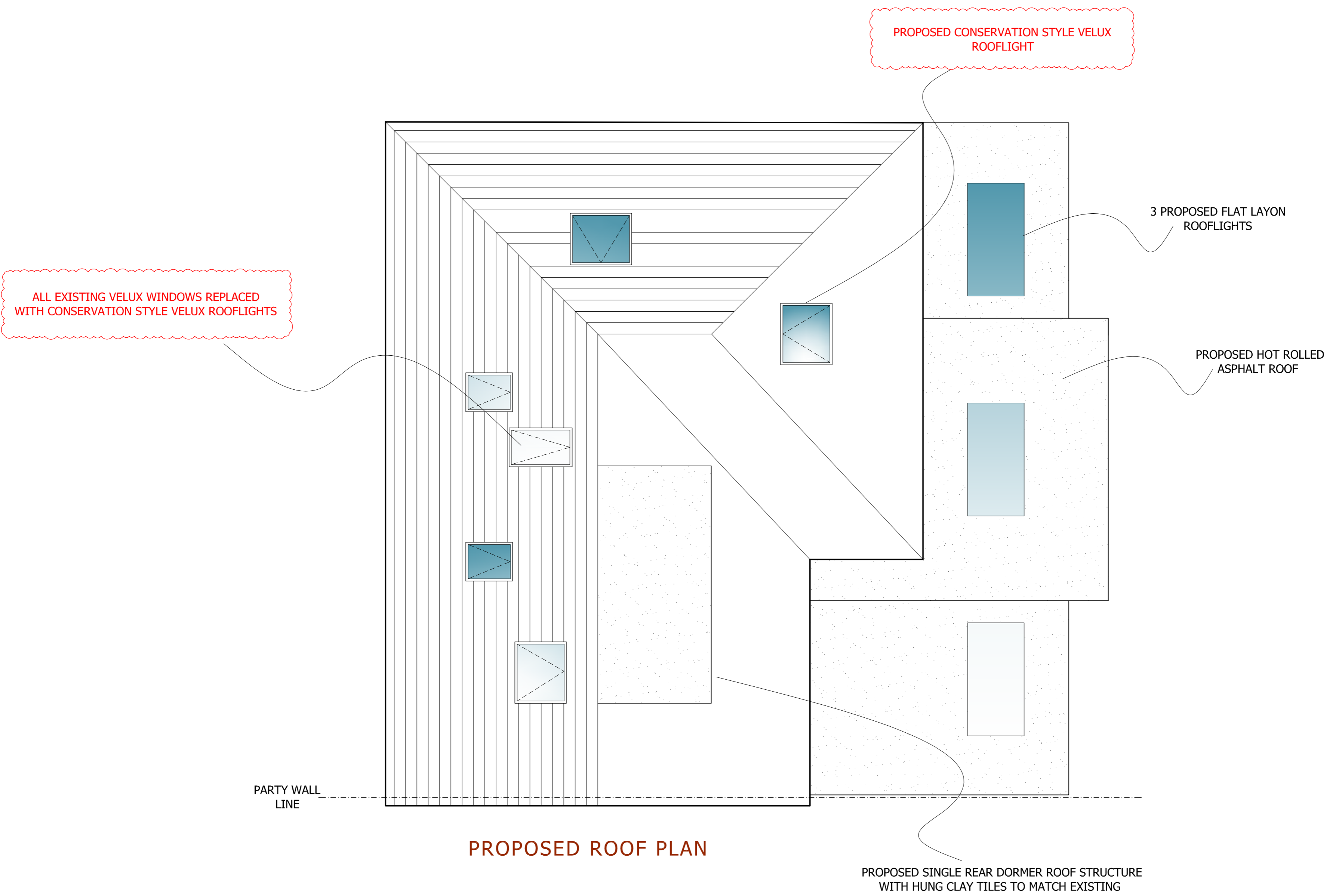
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TEL: 0208 879 4217 MOB: 07 545 343 661
bojtd@hotmail.com



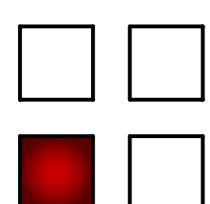
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REVISION			
	EXISTING & PROPOSED LOFT PLANS & SECTIONS		



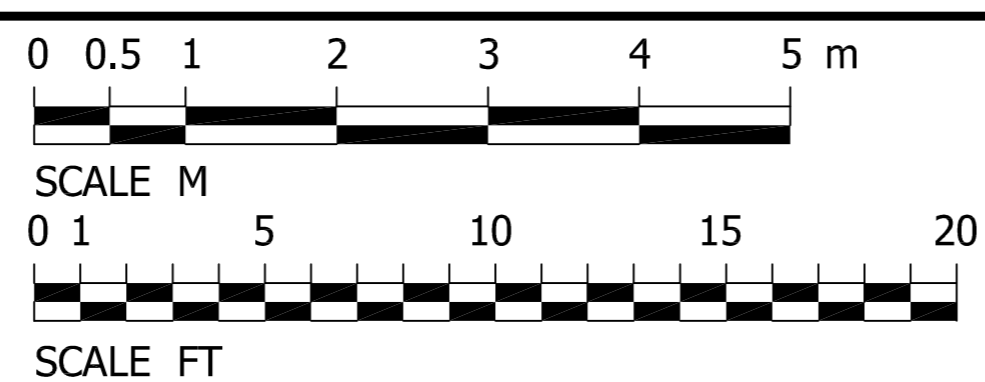
EXISTING ROOF PLAN



PROPOSED ROOF PLAN



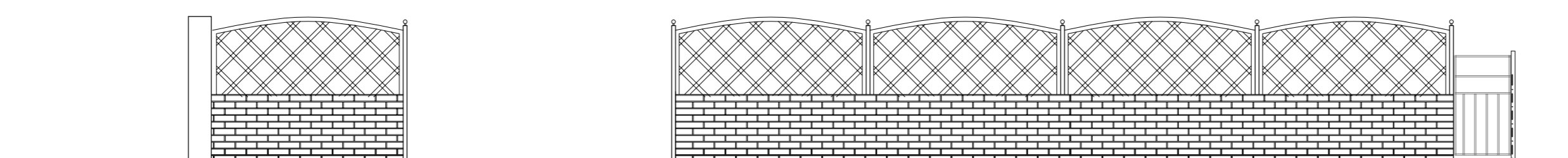
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bbj10@hotmail.com



SCALE	DATE	DRAWING NO	PROJECT
1:50 @ A1 1:100 @ A3	12TH APR 2022	LP 05 C	9 LANCASTER ROAD WIMBLEDON VILLAGE LONDON SW19 5DA
REVISION			
REV C EXISTING VELUX ROOFLIGHTS REPLACED WITH CONSERVATION STYLE VELUX ROOFLIGHTS	EXISTING & PROPOSED ROOF PLANS		



EXISTING FRONT ELEVATION



EXISTING BOUNDARY WALL AND TRELLIS



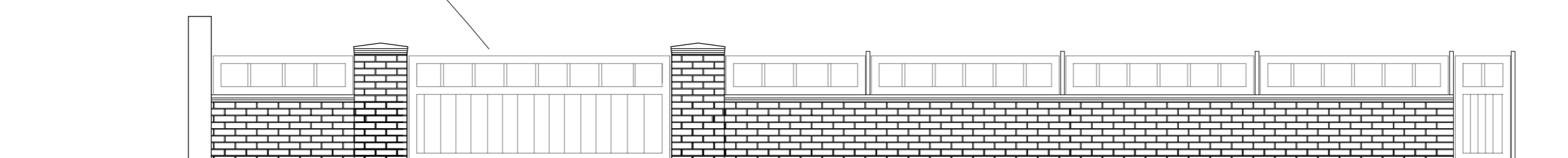
ALL EXISTING VELUX WINDOWS REPLACED WITH CONSERVATION STYLE VELUX ROOFLIGHTS

EXISTING PVC WINDOWS REPLACED WITH POWDER COATED METAL CRITTALL STYLE WINDOWS

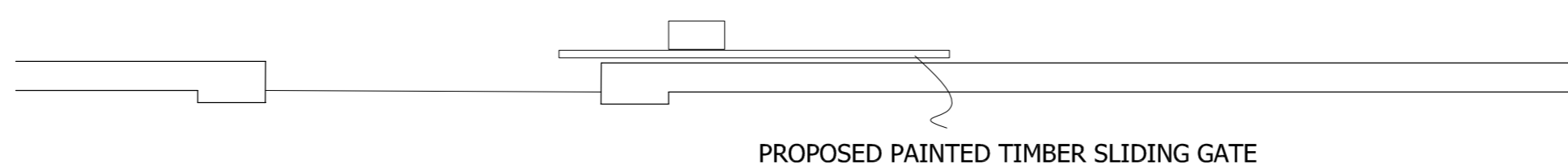
LEAN TO LINEAR SHED THE WHOLE LENGTH OF SIDE PASSAGE. SIDE PASSAGE TO REMAIN OPEN AIR

PROPOSED FRONT ELEVATION

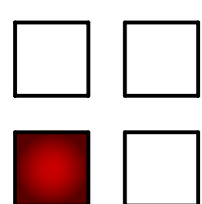
PROPOSED PAINTED TIMBER SLIDING GATE



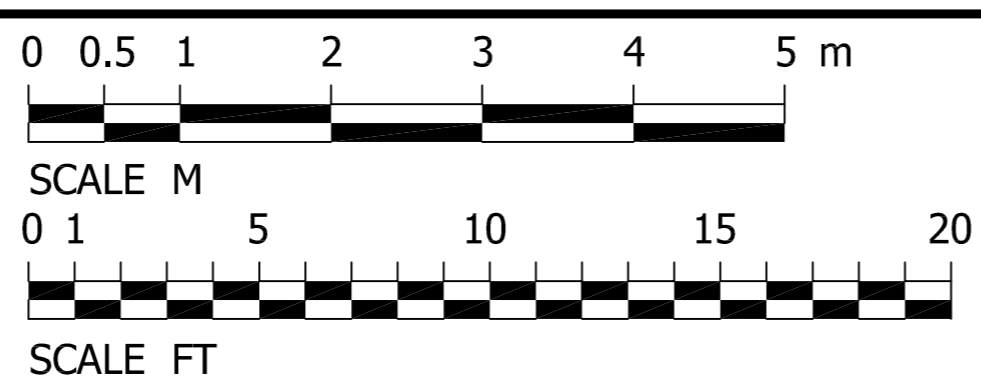
PROPOSED BOUNDARY WALL AND TRELLIS



PROPOSED PAINTED TIMBER SLIDING GATE



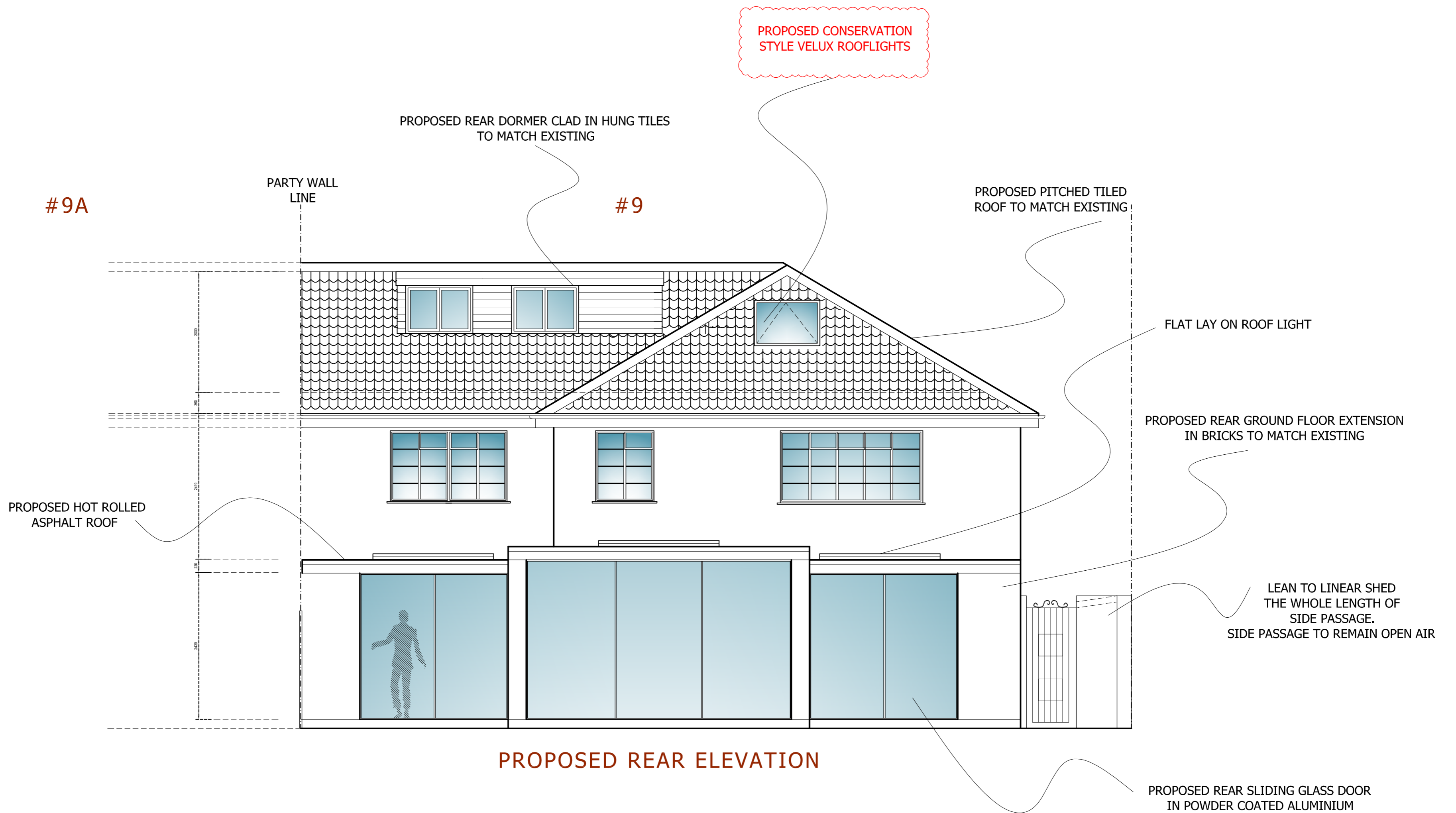
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60 HIGH STREET WIMBLEDON VILLAGE SW19 5EE
TEL: 0208 879 4217 MOB: 07 545 343 661
bb1tb@hotmail.com



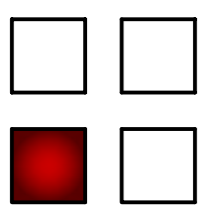
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REVISION			EXISTING & PROPOSED FRONT ELEVATION
REV C EXISTING VELUX ROOFLIGHTS REPLACED WITH CONSERVATION STYLE VELUX ROOFLIGHTS			



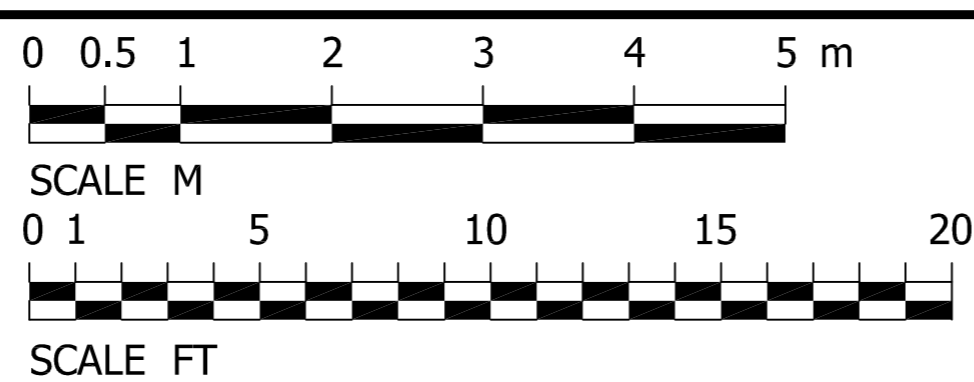
EXISTING REAR ELEVATION



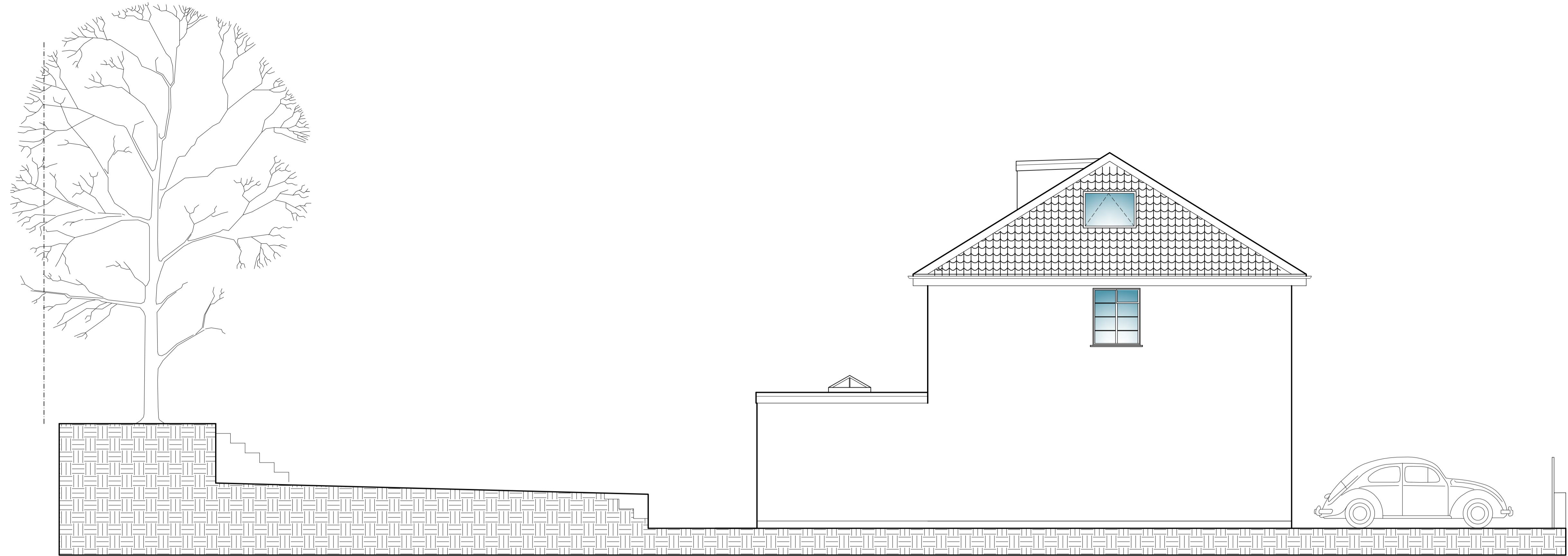
PROPOSED REAR ELEVATION



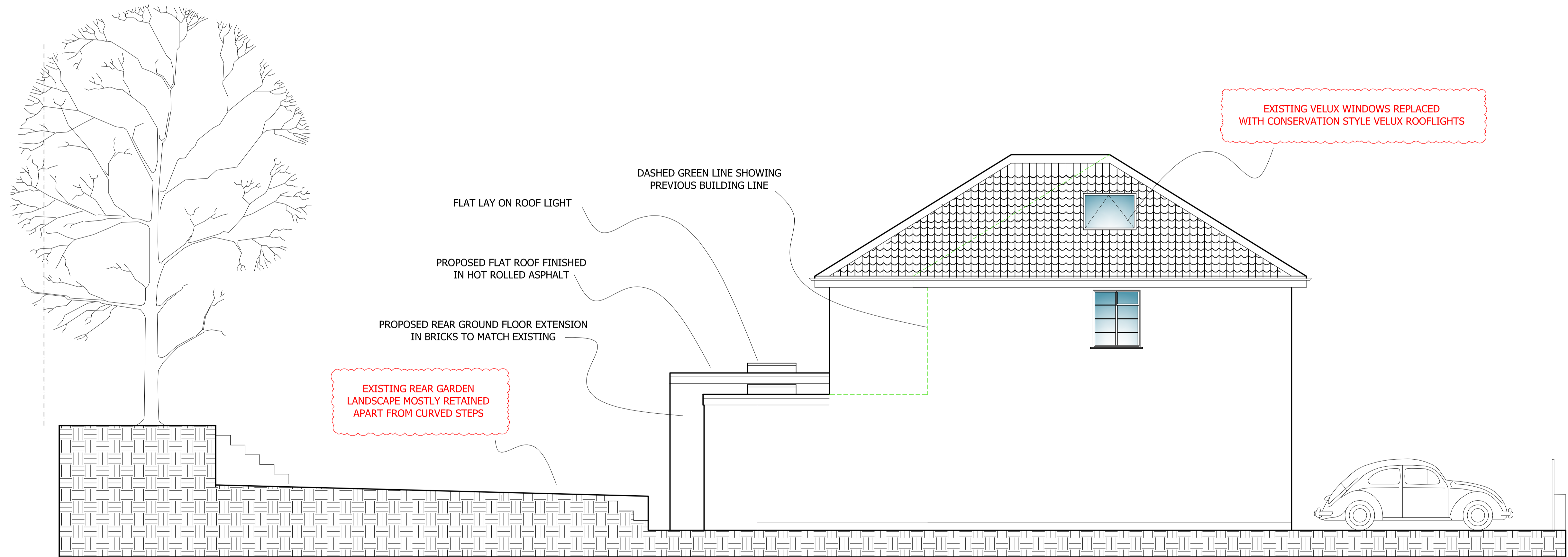
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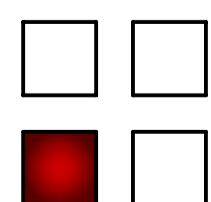
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REVISION			EXISTING & PROPOSED REAR ELEVATION
REV C EXISTING VELUX ROOFLIGHTS REPLACED WITH CONSERVATION STYLE VELUX ROOFLIGHTS			



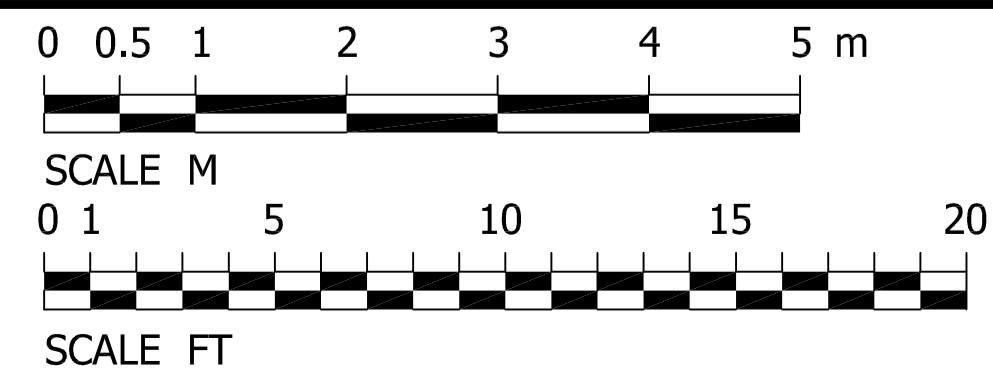
EXISTING SIDE ELEVATION



PROPOSED SIDE ELEVATION

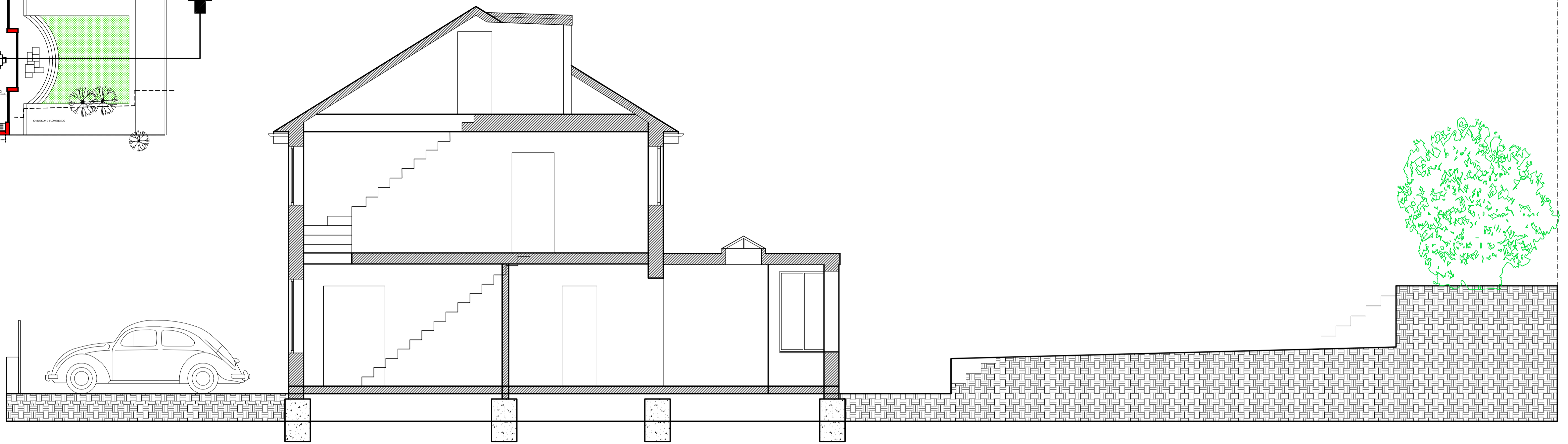
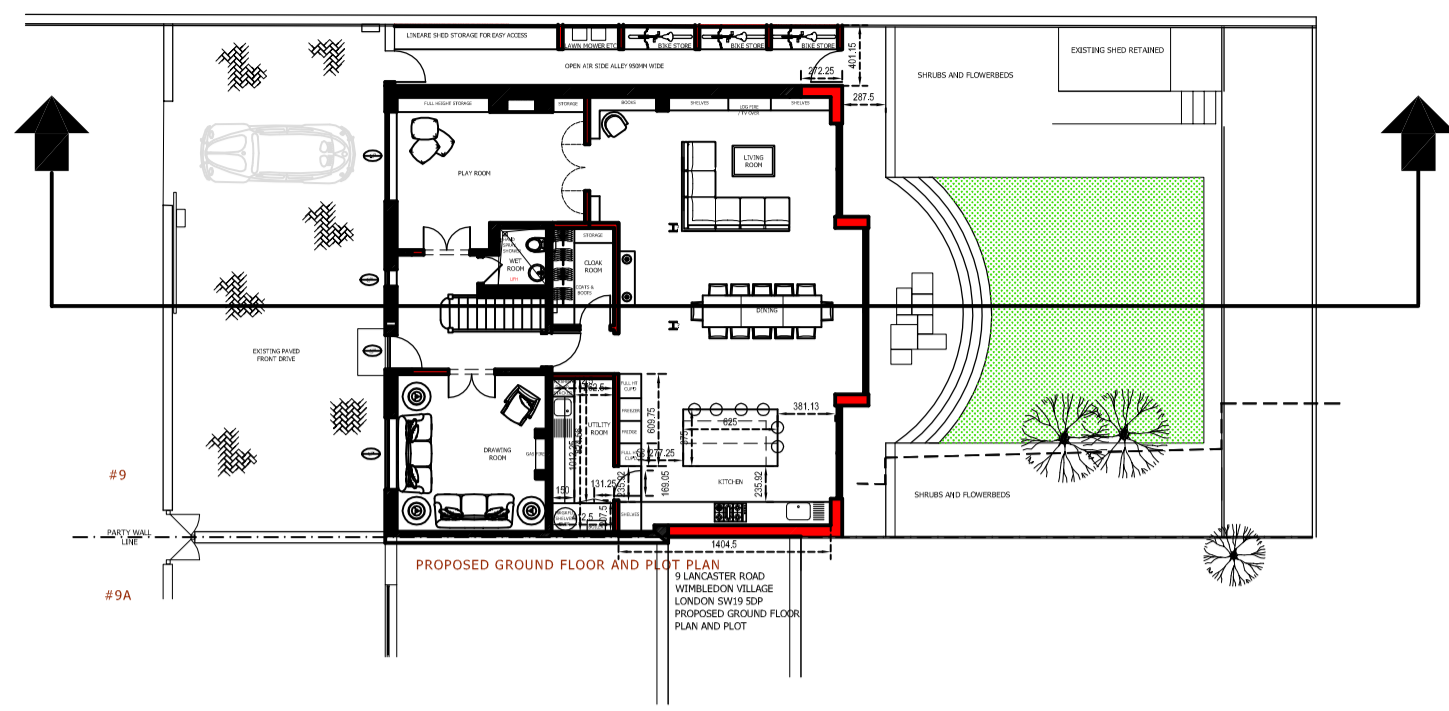


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 bbj5b@hotmail.com

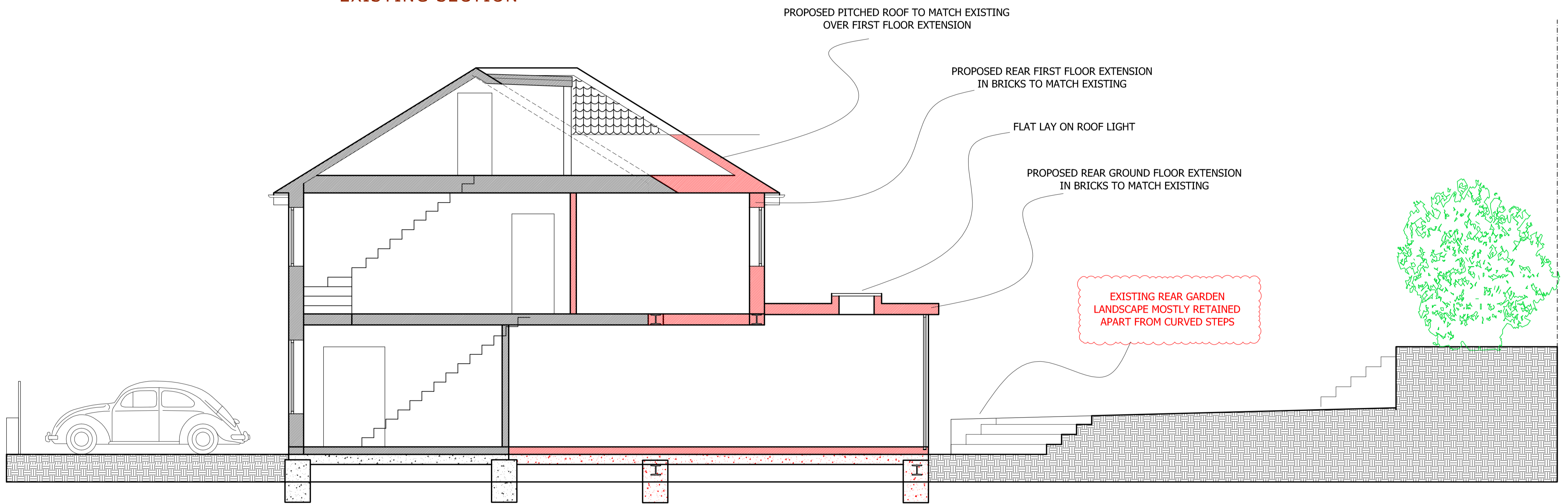


EXISTING WALLS
 PROPOSED WALLS

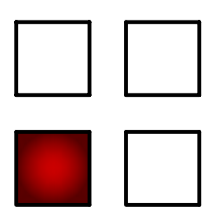
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REVISION			EXISTING & PROPOSED SIDE ELEVATION
REV C EXISTING GARDEN LEVELS RETAINED			



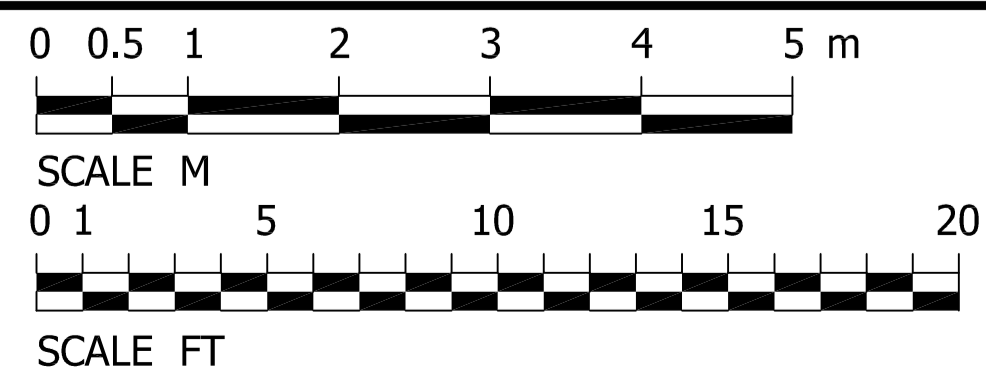
EXISTING SECTION



PROPOSED SECTION



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SCALE	DATE	DRAWING NO	PROJECT
1:50 @ A1 1:100 @ A3	12TH APR 2022	LP 09 C	9 LANCASTER ROAD WIMBLEDON VILLAGE LONDON SW19 5DA
REVISION			EXISTING & PROPOSED SECTION
REV C EXISTING GARDEN LEVELS RETAINED			

PLANNING APPLICATIONS COMMITTEE
14th July 2022

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	22/P0407	
Address/Site	Oriel House, 26 The Grange, Wimbledon, SW19 4PS	
(Ward)	Village	
Proposal:	APPLICATION FOR THE PROVISION OF A BASEMENT AND RE-MODELLING OF REAR EXTENSION.	
Drawing Nos:	P11 Revision C, P12 Revision B, P01 Revision C, P06, Basement Impact Assessment (Ref: 19.462 Dated 04.02.22, EX_0 OS, EX003, P04, P05, P14 Revision C, P10 Revision C, P13 Revision B, P07, P08, P09, P03 Revision C, Tree Survey, Arboricultural Impact Assessment Report, Arboricultural Method Statement and Tree Protection Plan (Dated: January 2022)	
Contact Officer:	Charlotte Gilhooly (0208 545 4028)	

RECOMMENDATION

Grant Permission subject to conditions.

CHECKLIST INFORMATION

- Heads of Agreement: n/a
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 23
- External consultations: No
- Conservation area: Yes
- Listed building: No
- Locally listed: Yes
- Tree protection orders: No
- Controlled Parking Zone: Yes

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

2.1 The application site consists of a large two storey detached dwelling which is located on the south west side of The Grange in Wimbledon Village. The building is locally listed and located within a Conservation Area and Archaeological Priority Area Tier II. The site is opposite 1 and 2 The Grange which are Grade II statutorily listed buildings. There are also mature street trees in front of the site . There are no further constraints.

2.2 *Historic Background*

The West Wimbledon Conservation Area Character Assessment describes this property as:

'A detached locally listed two-storey house of yellow and red brick originally named Oriel Lodge because of its prominent oriel window. It was probably built in 1889, but since the Norman-Smiths were unable to trace any details of its construction, they conclude that it was erected without permission [p.27]. When the Murray Estate, to the west, was broken up in 1905, the rear garden to No.26 was extended, but in 1958 it was sold off and now accommodates No.70 Murray Road [Norman-Smith pp.27-8].'

3. **PROPOSAL**

This application seeks planning permission to enlarge the existing basement, and remodel the proposed single storey rear extension. The proposals would be made up of the following dimensions:

- Basement: Would cover an area of 253.87sqm and would be 14-16.33m wide, 16.9m long and 4.63m deep.
- L shaped single storey rear and side extension: 16.37m wide, 7.07m deep (west side), 18m deep on (east side), with an eaves height of 3.37m and a maximum roof height of 4.27m.
- Boundary treatment: 1.68m-1.9m high and 27.5m wide

Materials include:

- Roof: slate tiles
- Walls: Brick

Amended Plans: Plans have been amended during the application process in response to comments made from Planning and Conservation Officers. The car port, lightwells and annexe accommodation at basement level have now been removed from the proposals during the application process.

4. PLANNING HISTORY

- 02/P2100: ERECTION OF A SINGLE-STOREY GARAGE AND UTILITY BUILDING (INVOLVES DEMOLITION OF EXISTING GARAGE AND OUTBUILDING) AND ALTERATIONS TO FRONT BOUNDARY WALL WITH NEW GATES. GRANT PERMISSION SUBJECT TO CONDITIONS, 20-12-2002.

- 02/P2101: CONSERVATION AREA CONSENT FOR DEMOLITION OF THE EXISTING GARAGE AND OUTBUILDING AND A FRONT BOUNDARY FENCE. GRANT CONSERVATION AREA CONSENT* 20-12-2002.
- 20/P0015: REMOVAL OF IRON SPIKE AND TIMBER TRELLISING FROM FLANK AND REAR BOUNDARY WALLS AND REPLACEMENT WITH BRICK TO MATCH EXISTING. GRANT PERMISSION SUBJECT TO CONDITIONS 11-02-2020.
- 20/P0627: EXTENSION TO THE REAR AT GROUND AND FIRST FLOOR TOGETHER WITH PROVISION OF A SINGLE STOREY ORANGERY ATTACHED TO SOUTHERN ELEVATION. GRANT PERMISSION SUBJECT TO CONDITIONS 16-06-2020.
- 20/P2667: BASEMENT, SINGLE STOREY REAR EXTENSION AND ALTERATION TO FRONT BOUNDARY WALL. REFUSE PERMISSION 26/10/2020. APPEAL DISMISSED.
- 21/P3258: PRE-APPLICATION ADVICE FOR THE PROVISION OF BASEMENT WITH CAR LIFT AND RE-MODELLING OF REAR EXTENSION. Pre-Application Advice Given. 10/12/2021.

There have also been various tree work applications.

5. **POLICY CONSIDERATIONS**

5.1 **POLICY CONTEXT**

5.2 National Planning Policy Framework (2021)

- 8. Promoting healthy and safe communities
- 11. Making effective use of land
- 12. Achieving well-designed places
- 15. Conserving and enhancing the Historic Environment.

5.3 London Plan (2021)

- D3 Optimising site capacity through the design-led approach
- D4 Delivering good design
- D8 Public Realm
- G1 Green infrastructure
- G7 Trees and Woodlands
- HC1 Heritage Conservation and Growth
- SI 4 Managing heat risk
- SI 5 Water infrastructure
- SI 2 Minimising greenhouse gas emissions
- SI 12 Flood risk management
- SI 13 Sustainable drainage

5.4 Merton Sites and Policies Plan July 2014 policies:

- DM D2 Design considerations in all developments
- DM D3 Alterations and extensions to existing buildings
- DM D4 Managing Heritage assets
- DM F2 SuDS, wastewater and water
- DM O2 Nature conservation, Trees, hedges and landscape features

Merton Core Strategy 2011 policy:

- CS 14 Design

- CS 16 Flood Risk Management

6. CONSULTATION

6.1 Press Notice, Standard 21-day site notice procedure and individual letters were sent to adjoining neighbours. Representations have been received from 18 individuals including Cllr Barlow raising objection on the following grounds:

6.2 EXTERNAL

Cllr Barlow 26.03.22

- I share the concerns of the residents below. Supported representations include: Basement should be restricted to perimeter of house as it currently stands, proposals involves poor living accommodation below ground, lightwells at the front have a detrimental impact on streetscene, not enough detail on depth of proposed car storage and concern over its impact on neighbouring amenity (noise), dewatering pumps should be moved well away from 25 The Grange due to potential noise
- It's hard to see why this should be approved given the previous refusal and the impact of this development.

6.3 OTHER EXTERNAL COMMENTS

Character and appearance

- Its hard to see why this proposal should be approved given the previous refusal. The Grange was built around 1891 and its our opinion the proposed basement should be reduce to the perimeter of the house.
- The proposed lightwells will have a detrimental impact to the streetscene, the surrounding Conservation Area and will alter the front facade of this locally listed building.
- There is no information about the proposed car storage or its depth. No information about potential noise impacts from this.
- The proposals will be harmful to the character of the house and will result in overdevelopment.

Accommodation

- It seems sad to have living accommodation in the basement given the large size of the house.
- Residential accommodation is very poor, with no outlook and sub-standard natural light, is this really necessary, surely another use would be preferable.

Construction/noise

- We ask that dewatering pumps are sited well away from our house (25 The Grange). The basement at 24 The Grange was a very bad experience.
- Residents of The Grange have endured a very long and noisy re-build at No 24 The Grange which after two and a half years has just finished this week and understandably are upset to be facing another large project that includes another large basement or basements. Many of them will be sending letters of objection before the closing date of 30th March 2022.
- The size of the basement under the main house is still much too large. It should be reduced to an area well within the footprint of the building to prevent any damage and cracking to the structure during excavation.

- Concern about the potential structural damage as a consequence of the proposed basement.
- Concern about the potential disruption caused by the proposed basement.
- Concern about potential flood risk as a result of so much earth displacement.
- The proposed car lift will create unnecessary noise.
- The proposed basement will result in unnecessary noise and dust as a result of construction.
- We trust the excavation will not go along the route of the unhealthy, noisy operation they employed at No. 24 The Grange our neighbours and ourselves experienced this hoovering out experience which was mind blowing for many months.
- I strongly object to the plans to build a basement at 26 The Grange. The noise and disruption and effect on the mental health of neighbours is unacceptable – we had to endure over a year of incessant noise at 24 The Grange and it was seriously damaging to mental health.
- I wish to object to this planning application on the grounds that the proposed basement is too large. I am concerned that whilst individually each application you may consider for a new basement has a supportive hydrologist report, the cumulative effect of such developments on the scale of this one will divert or block known underground streams in this area causing either saturation or desiccation of the ground over a much wider area. In turn this would adversely affect structures some way removed from this particular property.

Neighbouring amenity

- All windows on the north west elevations should be properly obscured glazed and conditioned accordingly.
- I don't believe a car storage is necessary - the garden is large, there is a huge hard standing area for 5-6 cars beside the house to the south. In addition the car storage area is far to close the house next door no 25. No mention of noise assessment, type of lift, flood prevention, health and safety in the application.
- The proposed car lift will have a harmful impact on the character of the Conservation Area.
- There used to be a beautiful garden at this property which no longer exists. The current application will impact on peoples peaceful enjoyment of their properties and will be harmful to wildlife.
- I hope the planning committee will support the residents in rejecting this scheme. I have lived here for over 70 years.
- The current proposal will be harmful to traffic in this road for the foreseeable future.
- The proposed car storage is too close to the flank wall of 25 The Grange.
- The subterranean car pit alien to the London Borough of Merton, does need to be conditioned on the noise level from the equipment and usage confined to between 9.00 and 18.00 and in view of the depth in virgin ground should require a ground investigation by English Heritage as to any likely historic findings.

Other

- I cannot see the proposed plans on the Council's website

6.4 INTERNAL

6.5 Conservation Officer:

- Concern over the size of the basement, large lightwells at the front of the site and loss of landscaping.
- Suggestion for car storage to be set further forward so that more garden can be preserved.
- Suggestion for lightwells at the front to be relocated to rear.
- As it all stands I would like you to refuse it.

Additional Conservation Officer comments following review of amended plans:

I have been looking at and discussing proposals for this local listed property with the architect over some time. Although I am always concerned when basements have a bigger footprint than the existing house and particularly when they come in front of the house front building line. I fear for the safety of the existing structure. Putting that aside the current amended proposal shows front elevations which will not have changes that will impact on the streetscene, and therefore there will not make a negative impact on the conservation area. I notice that they have removed the car storage element and have now just provided a parking area within the front garden. This is an improvement and lessens the impact. They have also removed the lightwells at the front of the property which is also an improvement and acceptable. Therefore I now find this proposal acceptable.

6.6 Street Trees Officer:

I am still updating our tree survey records from last few years, but reading the Arb report of Jan 2022, by Advance, noted are, RPA's defined.

- T1 Lime (private tree no TPO No27)
- T2 London plane 272206 street tree (FO No26)
- T3 London plane 272204 street tree (FO No26)

On replacement of drive surface, appears tarmac, surface of original entrance should be broken and excavated by hand with care until significant roots are defined. Replacement surface installed should be of a porous loadbearing material suitable for expected traffic, with porous non-fines back fill. Noted – sheet load bearing ground cover of entrance to site in the proposals, to be in place for Construction traffic pre- commencement of works.

6.7 Tree Officer

No objection, subject to conditions:

- Tree Protection: The details and measures for the protection of the existing trees as specified in the hereby approved document 'BS5837:2012 Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan' dated 'January 2022' shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.

- Site Supervision (Trees) – The details of the approved “BS5837:2012 Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan’ shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than monthly the status of all tree works and tree protection measures throughout the course of the demolition and site works. A final Certificate of Completion shall be submitted to the Local Planning Authority at the conclusion of all site works. The works shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

6.8 Environmental Health (contaminated land)

With regards contaminated-land we recommend three conditions, the first two, subject to prior agreement:

- 1) No development shall occur until a preliminary risk-assessment is submitted to the approval of the LPA. Then an investigation conducted to consider the potential for contaminated-land and shall be submitted to and approved in writing by the local planning authority. Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton’s sites and policies plan 2014.
- 2) No development shall occur until a remediation method statement, described to make the site suitable for, intended use by removing unacceptable risks to sensitive receptors, and shall be submitted to and approved in writing by the local planning authority. Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton’s sites and policies plan 2014.
- 3) Prior to first occupation, the remediation shall be completed and a verification report, produced on completion of the remediation, shall be submitted to and approved in writing by the local planning authority. Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton’s sites and policies plan 2014.

6.9 Environmental Health Officer

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

- 1) No development shall take place until a Construction Environmental 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

- measures to control the emission of noise and vibration during construction. (including the methodology for the basement excavation and any 24 hour generator/pumping)
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction works

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

6.10 Highways

Highways comments are

INF 8, INF 9, INF 12
H1, H2, H3, H5, H9

6.11 Flood Risk

Good to see the basement within the curtail of the house. No objections on flood risk grounds, I just recommend the following conditions:

- 1) Condition: Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure, waterproofing and drainage.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

- 2) Condition: Prior to the commencement of the development, a detailed surface water and foul drainage plans shall be submitted to and approved in writing by the local planning authority.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

6.12 Structural Engineer

I have reviewed the BIA and the drawings. The depth of the basement (3.93m) is greater than the distance of the basement wall from the highway boundary (3.73m) as per your email dated 8th of June. The BIA demonstrates that the proposed development can be built safely without adversely affecting the surrounding natural and built environment. However, due to the close proximity of the excavation works/temporary works in relation to the highway and the depth of excavation, we would require additional information to be submitted as part of the below conditions.

- a) The Damage Category Assessment (DCA) submitted only considers two sections, i.e. 25 and 27 Grange Road.. A revised DCA has to be submitted with a third case in relation to the highway.

- b) Detailed Construction Method Statement produced by the respective Contractors responsible for the underpinning, excavation and construction of the permanent retaining wall. This shall be reviewed and agreed by the Structural Engineer designing the basement.
- c) Design calculations of the temporary works supporting the highway and adjoining properties to facilitate excavation.
- d) Detail design calculations of the permanent retaining wall retaining the highway has to be submitted. The calculations shall be carried out in accordance with Eurocodes. We recommend assuming full hydrostatic pressure to ground level and using a highway surcharge of 10 KN/m² for the design of the retaining wall supporting the highway.
- e) Temporary works drawings and sections of the basement retaining walls.
- f) Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from start to completion of the project works. The report should include the proposed locations of the horizontal and vertical movement monitoring, frequency of monitoring, trigger levels, and the actions required for different trigger alarms.

6.13 Senior Engineer (Parking)

In order to proceed with the process of removing a parking spaces or relocation, a consultation is required.

The cost associated with making changes (through a consultation) to the existing parking restrictions is £3,500.00. This covers the cost of consultations, Officers time, removing the existing lines/ sign and marking of single yellow lines across the proposed driveway and relocation parking space, sign and post. The biggest cost is the statutory consultation which involve advertisement of the TMO, which is require be placed in a local newspaper and London Gazette (twice) for 21 days and notices posted on the street. All road users are entitled to object to the loss of on-street parking and such objections must be considered and resolved prior to making the changes.

When they ready to proceed, they may make a cheque payable to London Borough Of Merton and post to Traffic and Highways, London Borough Of Merton, Merton Civic Centre, London Road, Morden SM4 5DX or bag. If paying by cheque, it should be marked for my attention.

7. **PLANNING CONSIDERATIONS**

The planning considerations for the proposed extensions to this building relate to the impact on the character and appearance of the host building along with the surrounding Conservation Area, the impact upon neighbour amenity, flood risk and trees on public and private land.

7.1 Design and impact upon the character and appearance of the area

- 7.1.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. London-wide planning policy advice in relation to design is found in the London Plan (2021), in Policy D1-D5. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.
- 7.1.2 Policy DM D2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Policy DM D4 require well designed proposals that are of the highest architectural quality and incorporate a design that is appropriate to its context, so that development relates positively to the significance of a heritage asset, its appearance, scale, bulk, form, proportions, materials and character of the original building and the surrounding area, thus enhancing the character of the wider area. Core Planning Policy CS14 supports these SPP Policies.
- 7.1.3 Basement

With regards to the basement previously proposed under the previous Appeal decision (20/P2667), the Planning Inspector noted at paragraph 13:

That the proposed basement would exceed more than 50% of the rear garden is indicative that it is of an excessive size and would be out of scale with the host site and locally listed host building. Although the basement would not be visible above ground, it would, by virtue of its excessive size, nevertheless result in a disproportionate addition to the host building and would fail to respect its original design and form. Consequently, I consider that the proposed basement would harm the character of this locally listed building.

The proposed basement has been reduced in size since the previous refusal and as a result of pre-application discussions with officers. The proposed underground car port and lightwells at the front of the site have now also been removed during the current application process as a result of the feedback provided by Conservation and Planning Officers.

The proposed basement is now considered to be of a scale, form and appearance which is considered acceptable. It would be a large addition but would now be sited mainly underneath the existing house and approved extensions. From the front elevation the proposed lightwell and external stairs at the side elevation would not be very visible and is therefore not considered to impact the streetscene or surrounding conservation area.

The proposed basement would not take up more than 50% of either the front, rear or side garden and would not prevent the unaffected garden being used as a single useable area. The reduction in size of the basement, in combination with the Planning Inspector concluding no harm to the surrounding Conservation Area previously, satisfies officers

that the current basement would be an acceptable addition and would not cause harm to the host locally listed building or Conservation Area. This element of the proposal is therefore considered compliant with policy DM D2 of Merton's Sites and Policies Plan (2014).

7.1.4 L shaped single storey rear extension

Under the previous refusal (20/P2667) this element of the proposals was found to be acceptable. The proposed L shaped single storey rear extension would be contemporary in style at the rear and would be traditional in style when viewed from the front elevation. Since the previous permission (20/P0667) there is an increase in patio area proposed and the rear extension now has a flat roof with two roof lanterns towards the rear (east side) and an increased eaves height of 3.47m (as opposed to 2.81m). It would also have a slightly lower maximum roof height of 3.69m (as oppose to 4.18m). The proposed rear extension has also been increased in floor area slightly and is now less L shaped. It is also noted from the front elevation, the roof of the side extension is traditional in style, pitched and more symmetrical in shape.

7.1.5 Overall, it is considered, this element of the proposal would be large in scale but would not appear too bulky for the site due to the generous size of the main house and rear garden. The proposed rear and side infill extension would also not be very visible from the streetscene. As such this element of the proposal is considered an acceptable addition to the character of the locally listed building and surrounding conservation area.

7.1.6 Windows

Since the previous permission (20/P0667), 2 x windows are now proposed in the side elevations (instead of French doors) and at the rear 3 x proposed windows, (including lintels) at the rear are proposed also instead of French doors at single storey level. These current amendments are in keeping with the proportions of the existing fenestration and are therefore considered acceptable.

7.1.7 Boundary treatment

The proposed front boundary wall would be of the same height as the previous permission (20/P0667). However metal railings on top of the proposed brick wall have been removed, the vehicle access would also now be 6.8m wide instead of 3.5m wide and there would be a new pedestrian access at the front of the site. As the height of the wall is the same as the previous permission and of a similar height to the existing wall, the proposed boundary treatment is considered acceptable.

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

7.1.8 Trees

The Council's Tree Officer has reviewed the Arboricultural Report submitted and is satisfied the proposals are acceptable subject to the conditions below. During the application process Planning Officers also consulted the Council's Street Tree Officer due to the potential impact to a street tree. They have also recommended a condition below relating to the removal of the dropped curb and driveway. Subject to conditions below Planning Officers are now satisfied the impact to trees near the site are acceptable.

7.2 Impact on neighbouring amenity

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

The properties which might be affected by this proposal include 25 and 27 The Grange and 70 and 72 Murray Road.

7.4 25 The Grange

There is a generous separation distance at the side boundary of approximately 11m between the side elevation of the host building and the boundary wall of 25 The Grange. As such the single storey rear extension, basement and associated lightwells would not be overbearing, visually intrusive or result in a loss of daylight/sunlight or privacy towards this neighbouring property.

7.5 27 The Grange

The proposed single storey L shaped rear and side infill extension amalgamates the existing side extension and extends along the shared side boundary wall. The existing rear extension is pitched and has an eaves height of 2.45m and a maximum roof height of 4.23m.

The previously approved (20/P0627) rear and side infill extension had a variable height of between 2.45m-4.27m. The current proposed side infill and rear extension would have a roof which is partly pitched and partly flat roofed and an eaves height of 3.37m and a maximum roof height of 4.27m element). Taking into account the existing extension and the previous approval, the increase in eaves height of the current proposal is not considered to be overbearing, result in a loss of daylight/sunlight, cause an increase in overshadowing or result in a sense of enclosure to warrant refusal. The impact on this neighbour's amenity is therefore considered acceptable.

7.6 70 and 72 Murray Road

Compared to the previous planning permission (20/P0627) a similar separation distance of 1.8m on the east side of the site would remain between the rear wall of the proposed single storey rear extension and the shared rear fence. In addition when compared to the previous permission this element of the scheme had a variable height of 2.54m-3.8m where the current proposed single storey rear extension would have a proposed variable height of between 3.37-4.27m. Overall, given there are no windows close up to this neighbour's boundary and the separation distance has been maintained, the proposed single storey rear and side infill extension is not considered to be overbearing, visually intrusive or result in a loss of daylight/sunlight or privacy for these neighbouring properties.

7.7 Basement

Officers note a number of representations raising concerns with regards to the construction process and noise from the construction of the proposed basement. Officers advise that a reason for refusal on noise resulting from an anticipated construction process cannot be sustained, however, should the proposal be approved then officers would recommend a Construction Environmental Management Plan to be

submitted for approval in order for measures to be set out which would seek to minimise the impact of the construction process on surrounding amenity. Further, a construction hours and days condition would be imposed.

Overall, the proposals are considered acceptable to the amenity of these neighbouring properties in terms of loss of daylight/sunlight, quality of living conditions, privacy, visual intrusion and noise.

7.8 Flood Risk

Since the previous refusal (20/P2667) the size of the proposed basement has been reduced in size. The Councils Flood Risk Officer is now satisfied the proposal is compliant with DM D2 of Merton's Sites and Policies Plan and subject to drainage and flood risk conditions below is considered acceptable.

During the application process the Councils Structural Engineer was also consulted due to the proximity of the basement in relation to the public highway. Subject to pre commencement conditions below they are also now satisfied the proposed basement is considered acceptable.

8. Conclusion

The scale, form, design, positioning and materials of the proposals are not considered to have an undue detrimental impact to the locally listed building, the conservation area, neighbouring amenity, flood risk or trees. Therefore, the proposal is considered to comply with the principles of policies DM D2, DM D3, DM D4, DM F2 and DM 02 of the Adopted SPP 2014, CS 14 and CS 16 of the LBM Core Strategy 2011 and D3, D4, D8 G7, HC1, SI 12, SI13 of the London Plan 2021.

9. Recommendation

Grant planning permission subject to conditions.

-
1. A1 Commencement of development (full application): The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. A7 Approved Plans: The development hereby permitted shall be carried out in accordance with the following approved plans:[P11 Revision B, P12 Revision B, P01 Revision C, P06, Basement Impact Assessment (Ref: 19.462 Dated 04.02.22, EX_0 OS, EX003, P04, P05, P14 Revision C, P10 Revision C, P13 Revision B, P07, P08, P09, P03 Revision C, P11 Revision C, Tree Survey, Arboricultural Impact Assessment Report, Arboricultural Method Statement and Tree Protection Plan (Dated: January 2022)]

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

3. B1 Materials to be approved: No development shall take place until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including 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: policies D4 and D8 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. C01 No Permitted Development (Extensions): Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development plan policies for Merton: policy 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. C02 No Permitted Development (Windows and Doors): Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, door or other opening other than those expressly authorised by this permission shall be constructed in (officer to insert relevant elevations) without planning permission first being obtained from the Local Planning Authority.

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

6. C03 Before the development hereby permitted is first occupied, the windows in the west side elevation at upper ground, first floor and second floor level as identified in plan (P08) shall be glazed with obscure glass and fixed shut below internal floor level of 1.7m and shall permanently maintained as such thereafter.

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

7. C08 No Use of Flat Roof: Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

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.

8. 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. 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: policies D14 and T7 of the London Plan 2021 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

9. F05 Tree Protection: The details and measures for the protection of the existing trees as specified in the hereby approved document 'BS5837:2012 Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan' dated 'January 2022' shall be fully complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works.

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

10. F08 Site Supervision (Trees): The details of the approved "BS5837:2012 Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan' shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than monthly the status of all tree works and tree protection measures throughout the course of the demolition and site works. A final Certificate of Completion shall be submitted to the Local Planning Authority at the conclusion of all site works. The works shall be carried out in accordance with the approved Arboricultural Method Statement and Tree Protection Plan.

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

11. H1: No development shall commence until details of the proposed vehicular access to serve the development have been submitted in writing for approval to the Local Planning Authority. No works that are subject of this condition shall be carried out until those details have been approved, and the development shall not be occupied until those details have been approved and completed in full.

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

12. H2: The development hereby approved shall not be occupied until the proposed vehicle access has been sited and laid out in accordance with the approved plans.

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

13. H3: The development shall not be occupied until the existing redundant crossover/s have been removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority.

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

14. H5: Prior to the occupation of the development 2 metre x 2 metre pedestrian visibility splays shall be provided either side of the vehicular access to the site. Any objects within the visibility splays shall not exceed a height of 0.6 metres.

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

15. H9: The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must

be implemented and complied with for the duration of the construction process.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 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.

16. Non standard condition: On replacement of the drive surface of the original entrance shall be broken and excavated by hand with care until significant roots are defined . Replacement surface installed shall be of a porous loadbearing material suitable for expected traffic, with porous non-fines back fill. Noted – sheet load bearing ground cover of entrance to site in the proposals are to be in place for Construction traffic pre- commencement of works .
17. Non standard condition: No development shall occur until a preliminary risk-assessment is submitted to the approval of the LPA. Then an investigation conducted to consider the potential for contaminated-land and shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.

18. Non standard condition: No development shall occur until a remediation method statement, described to make the site suitable for, intended use by removing unacceptable risks to sensitive receptors, and shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.

19. Non standard condition: Prior to first occupation, the remediation shall be completed and a verification report, produced on completion of the remediation, shall be submitted to and approved in writing by the local planning authority.

Reason: To protect the health of future users of the site in accordance with policy 9.10.6 of the London Plan 2021 and policy DM EP4 of Merton's sites and policies plan 2014.

20. Non standard condition: Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure, waterproofing and drainage.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

21. Non standard condition: Prior to the commencement of the development, a detailed surface water and foul drainage plans shall be submitted to and approved in writing by the local planning authority.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy SI 13.

22. No development shall take place until a Construction Environmental 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
- measures to control the emission of noise and vibration during construction. (including the methodology for the basement excavation and any 24 hour generator/pumping)
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction works

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

Non standard conditions:

23. Prior to commencement a Damage Category Assessment (DCA) must be submitted in relation to how it impacts the highway to the LPA.
24. Prior to commencement a Construction Method Statement must be produced by the respective Contractors responsible for the underpinning, excavation and construction of the permanent retaining wall. This shall be reviewed and agreed by the Structural Engineer designing the basement.
25. Prior to commencement design calculations of the temporary works supporting the highway and adjoining properties to facilitate excavation must be submitted to the LPA.
26. Prior to commencement detail design calculations of the permanent retaining wall retaining the highway must be submitted to the LPA. The calculations shall be carried out in accordance with Eurocodes. We recommend assuming full hydrostatic pressure to ground level and using a highway surcharge of 10 KN/m² for the design of the retaining wall supporting the highway.

27. Prior to commencement temporary works drawings and sections of the basement retaining walls must be submitted to the LPA.
28. A movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from start to completion of the project works must be submitted to the LPA. The report should include the proposed locations of the horizontal and vertical movement monitoring, frequency of monitoring, trigger levels, and the actions required for different trigger alarms.

Reason: To safeguard the special architectural or historic interest of the building, neighbouring properties and to comply with the following Development Plan policies for Merton: policy HC1 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2, D3 and D4 of Merton's Sites and Policies Plan 2014.

INFORMATIVES:

Non standard Informative: The proposed relocated parking bay is subject to a public consultation and can only be carried out until this process has been carried out and deemed acceptable by Highways.

Non standard Informative: The applicant should be aware that the site may provide a useful habitat for swifts. Swifts are currently in decline in the UK and in order to encourage and improve the conservation of swifts the applicant is advised to consider the installation of a swift nesting box/bricks on the site

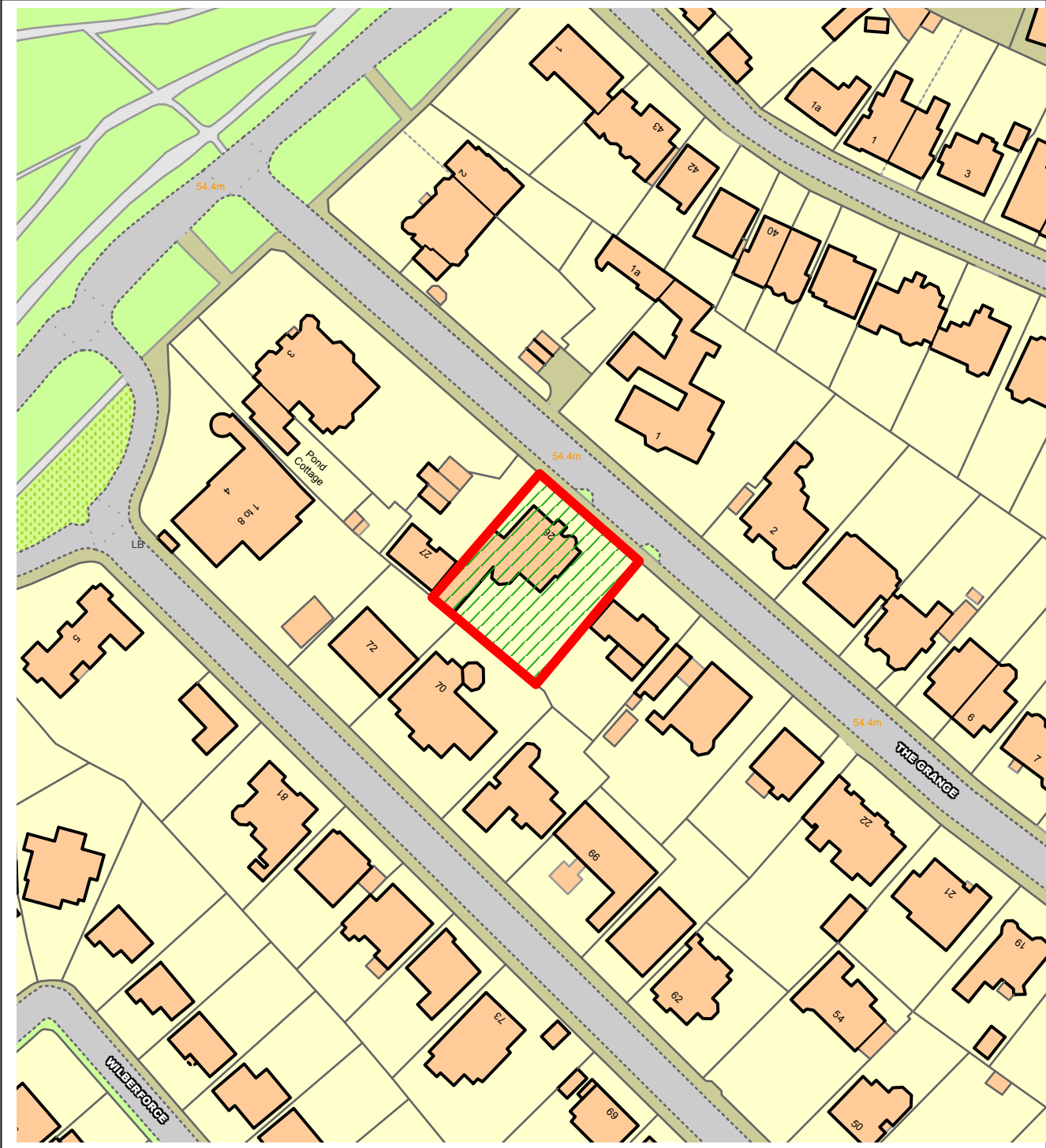
INF 8: It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.

INF 9: You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.

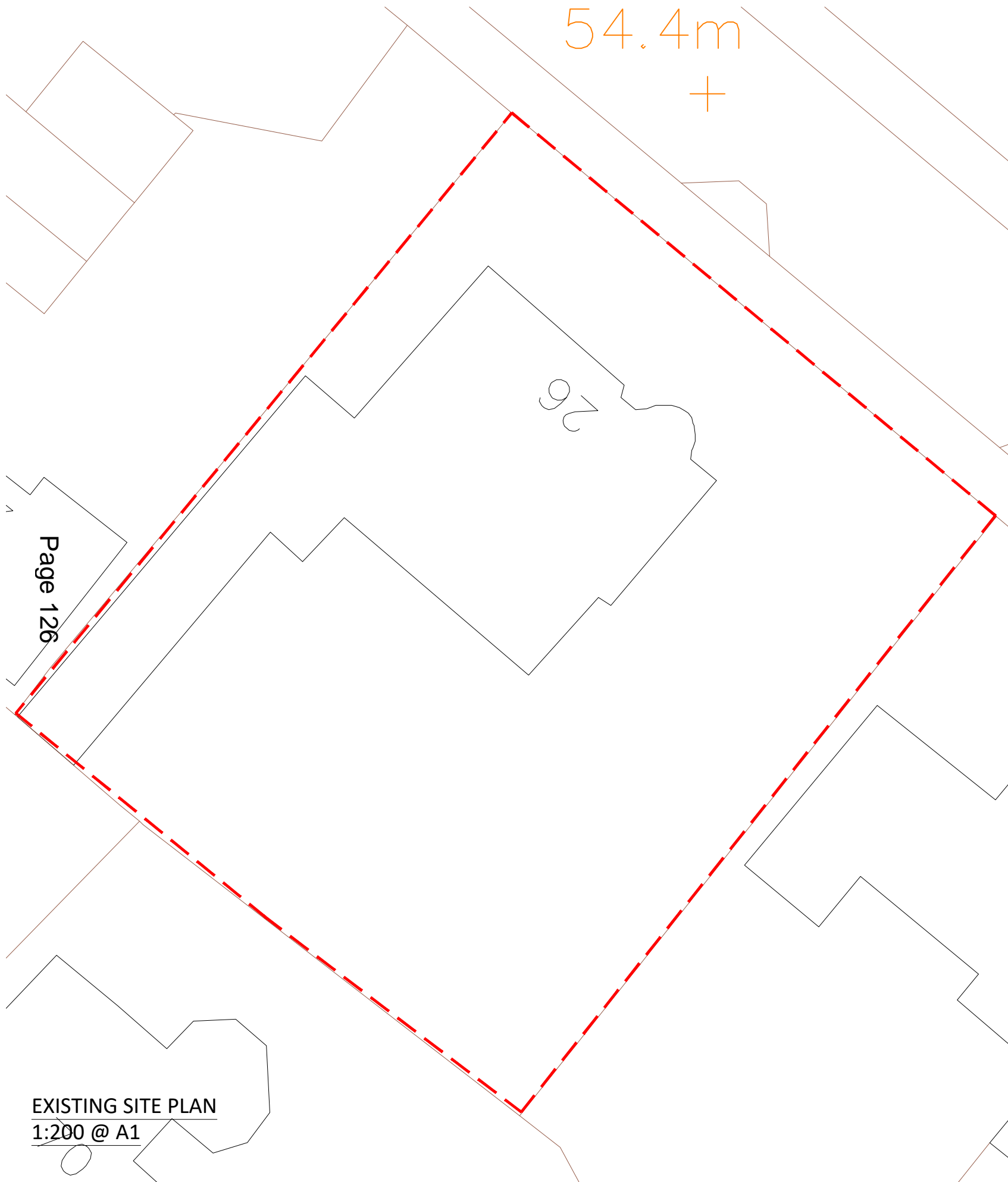
INF 12: Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events

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

NORTHGATE SE GIS Print Template

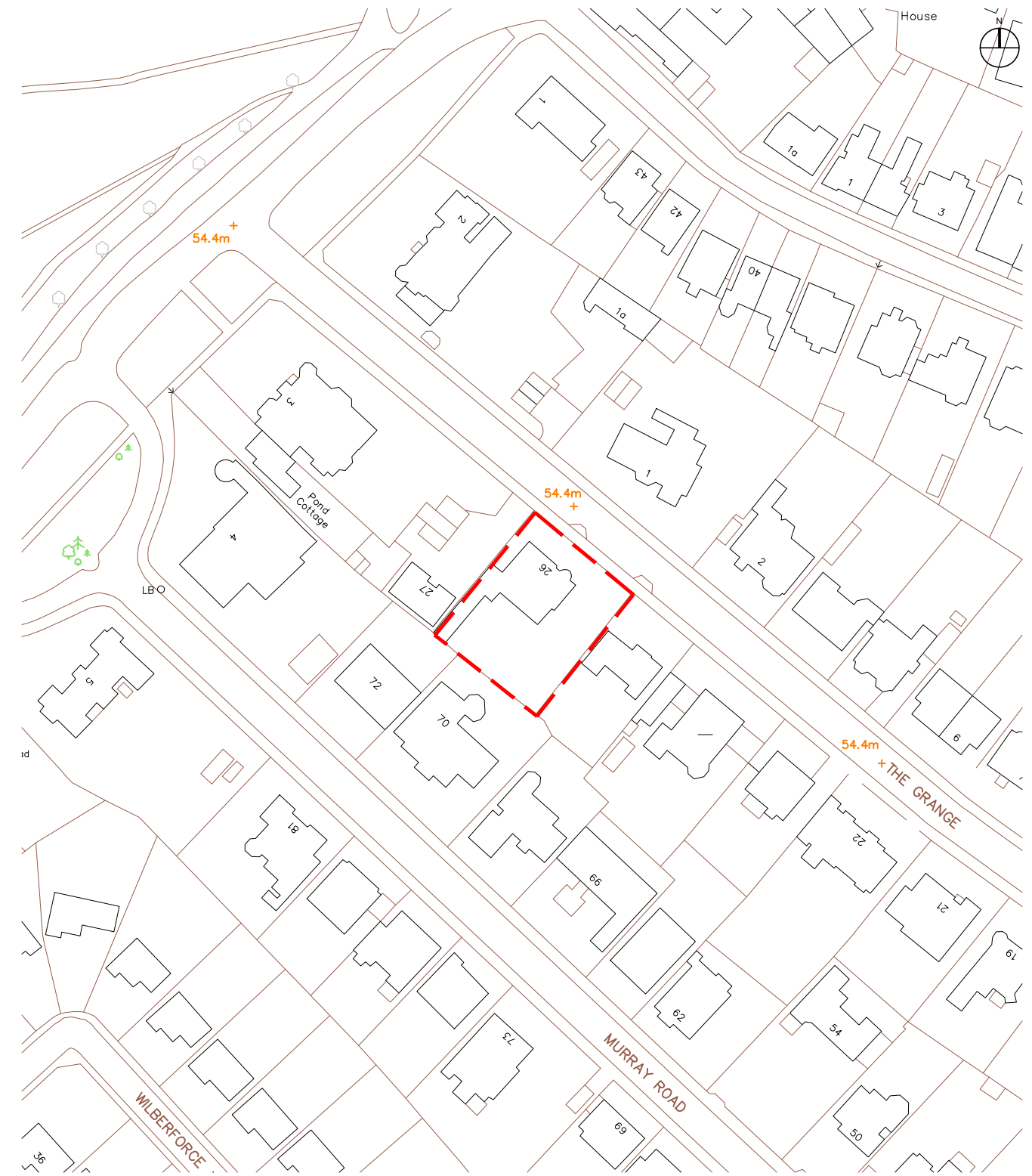


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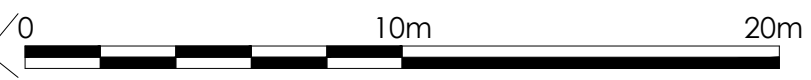


EXISTING SITE PLAN
1:200 @ A1

Page 126



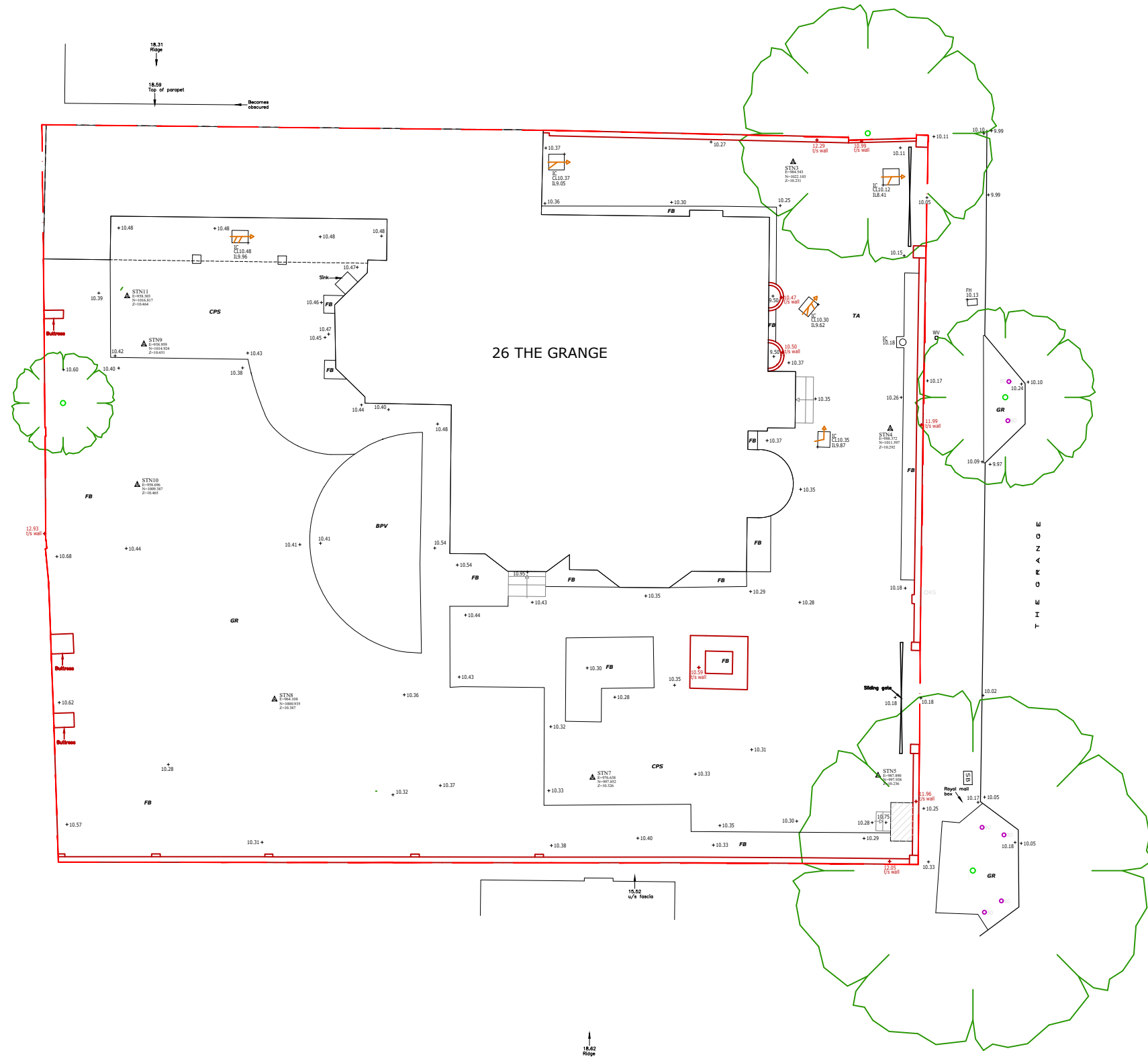
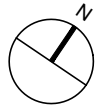
EXISTING LOCATION PLAN
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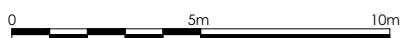
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job: 26 The Grange, SW19	job no: 221	date: 07/01/20
drawing: Existing Site Plan and Location Plan	scale: VARIES @ A1	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. EX_0_OS	rev. -



PROPERTY BOUNDARY

EXISTING SITE PLAN

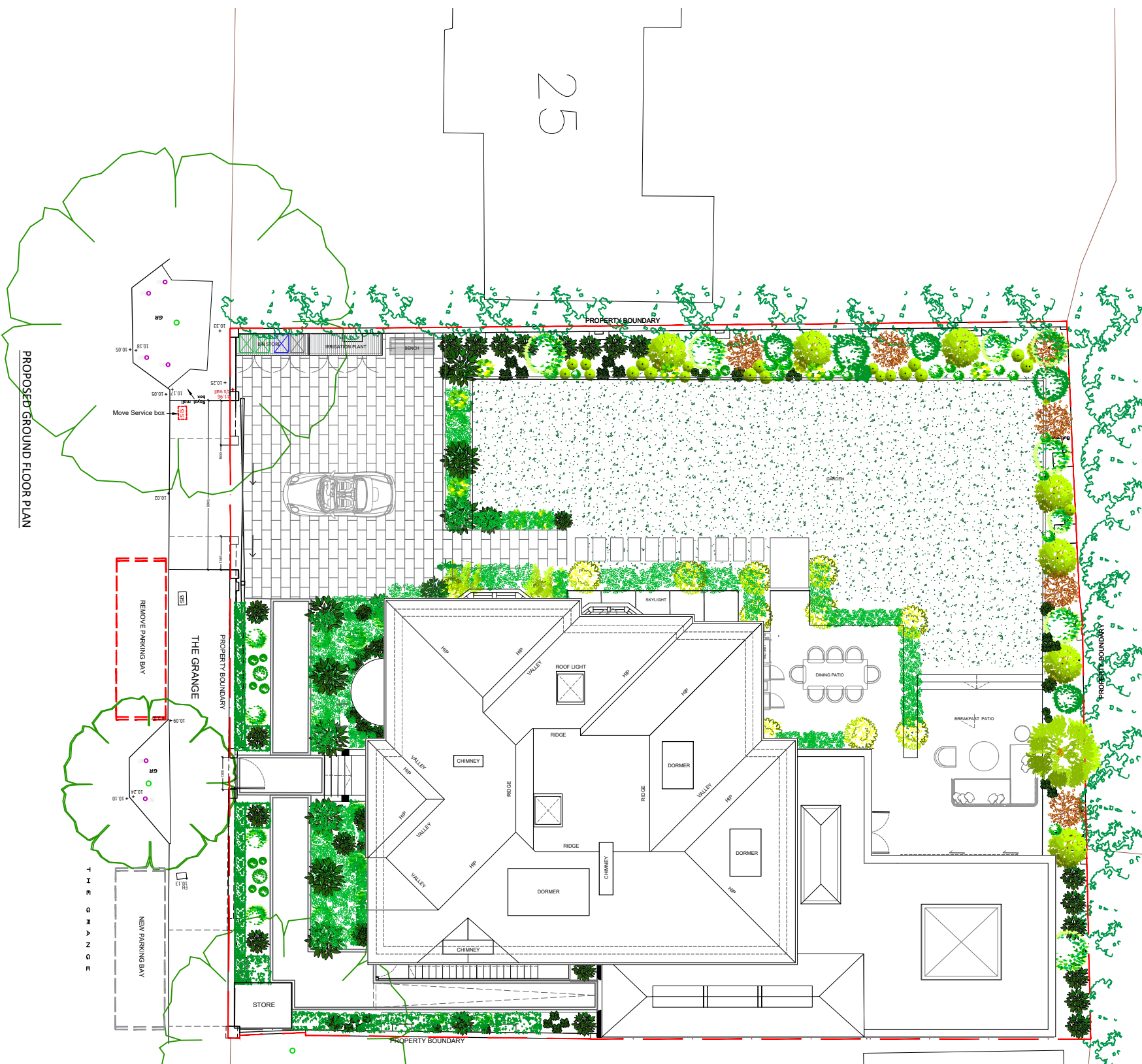


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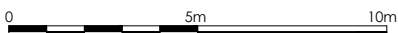
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drawing: Existing Site Plan	scale: 1:200 @ A3	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. EX003	rev. -

PLANNING



PROPERTY BOUNDARY

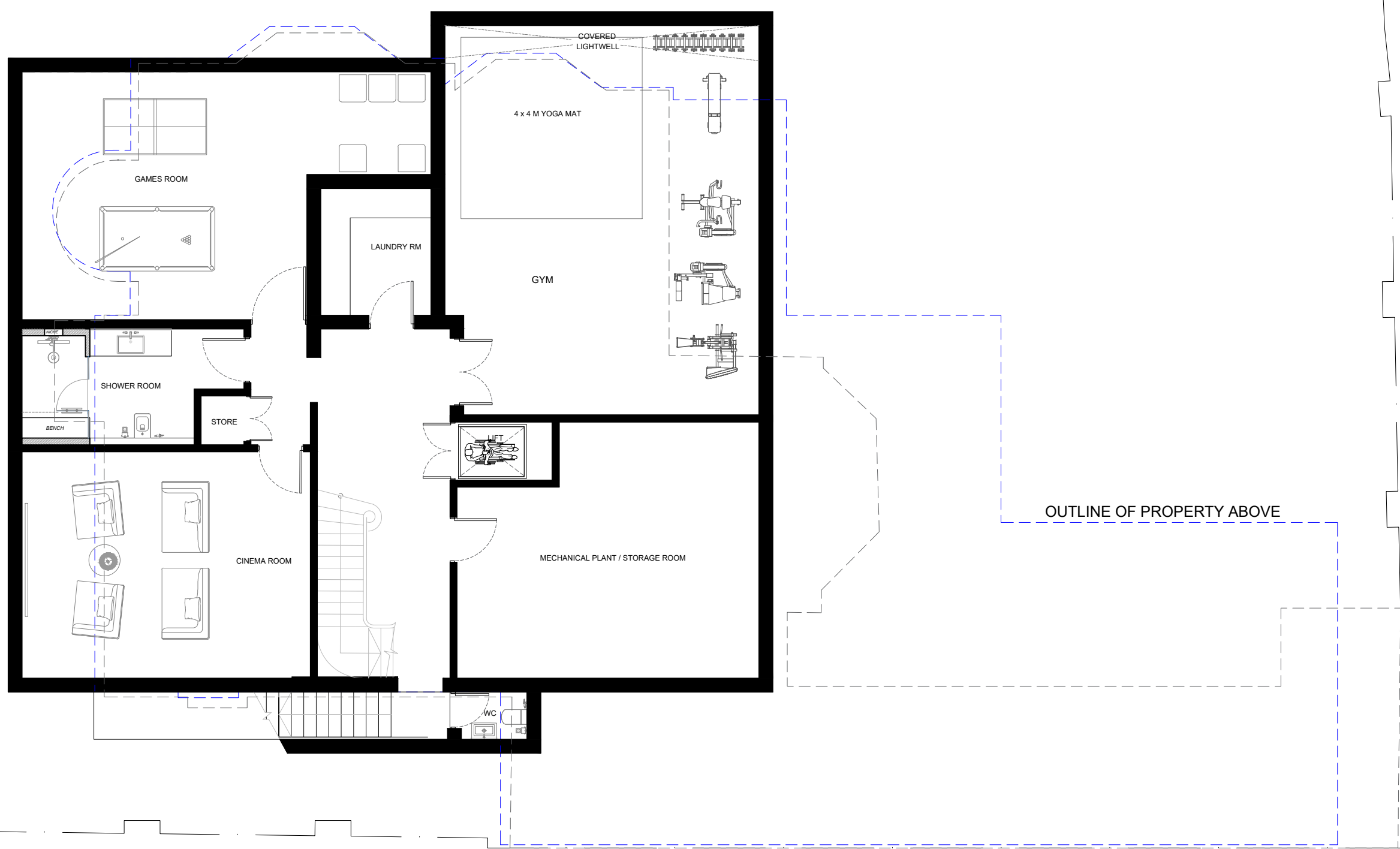
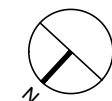
PROPOSED SITE PLAN



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job: 26 The Grange, SW19	job no: PLANNING	date: 29/04/2022
drawing: Proposed Site Plan	scale: 1:200 @ A1	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P01	rev. C



OUTLINE OF PROPERTY OVER

PROPOSED BASEMENT FLOOR PLAN

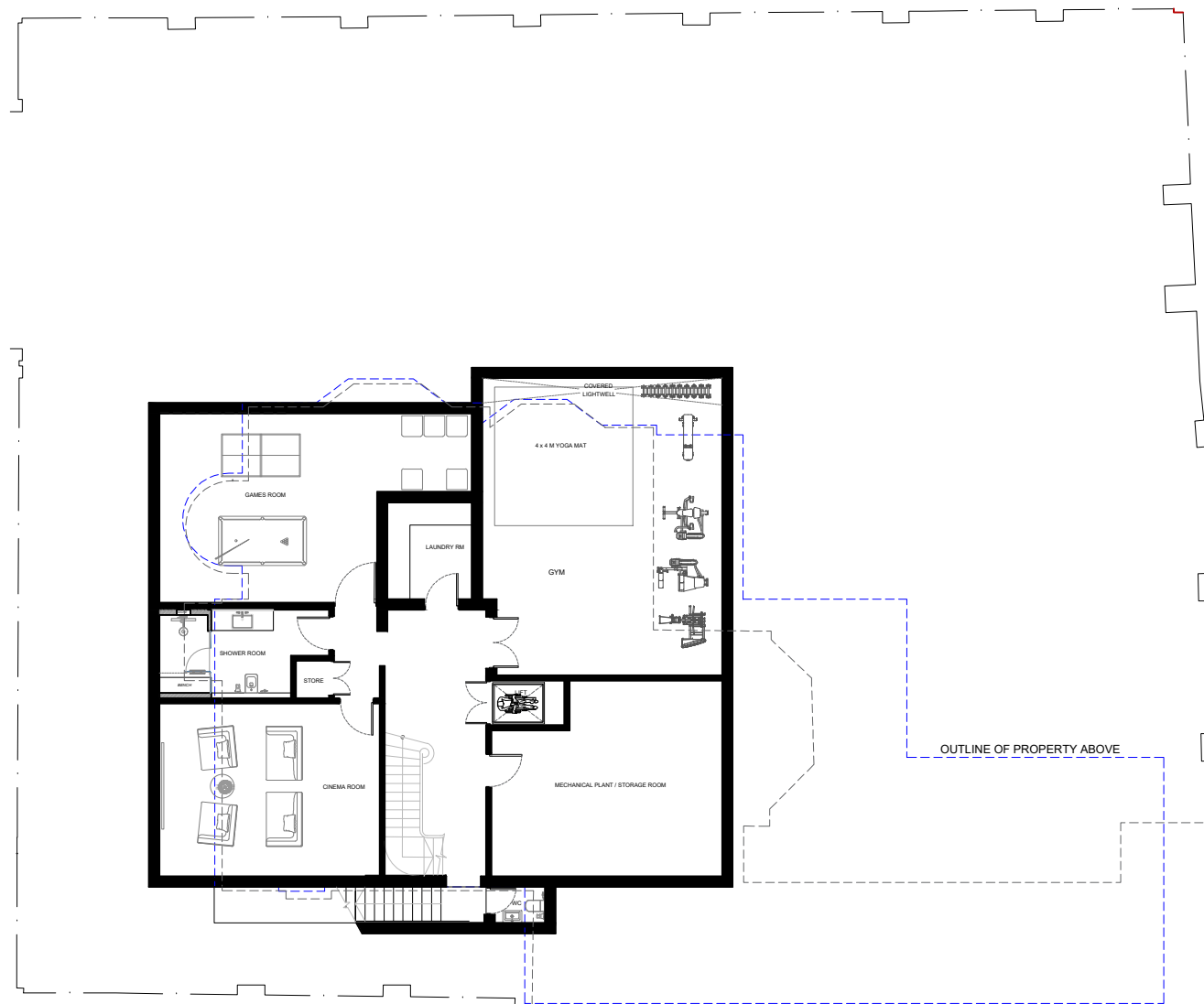
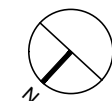


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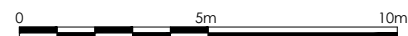
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job: 26 The Grange, SW19	job no: Proposed Basement Floor Plan	date: 29/04/2022
scale: 1:50 @ A3 1:100 @ A1	drawn: JL	
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P10	rev. C

PLANNING



PROPOSED BASEMENT FLOOR PLAN

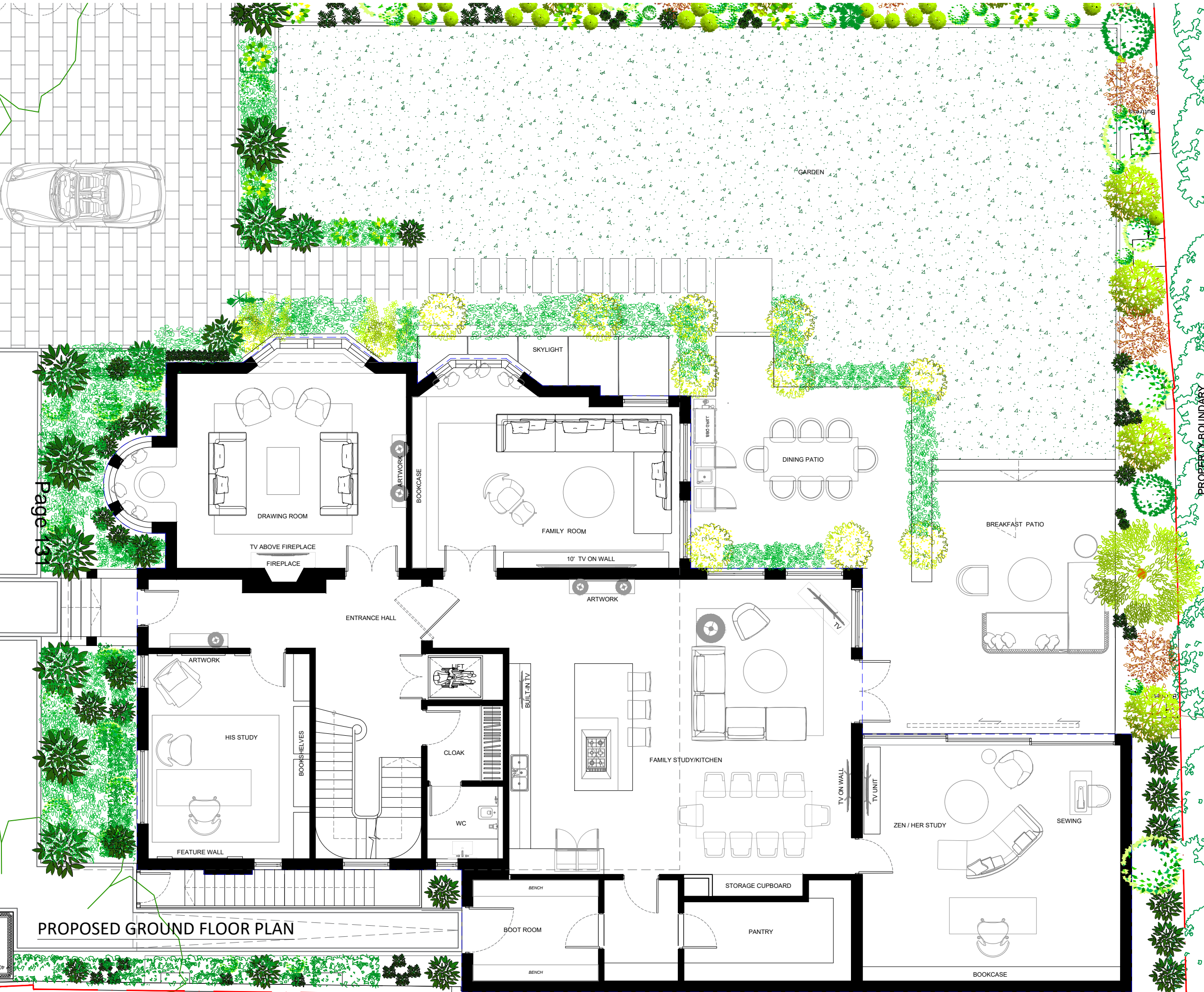
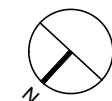


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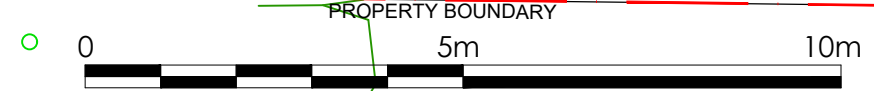
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drawing: Proposed Basement Floor Plan	scale: 1:200 @ A1	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P13	rev. B

PLANNING



Page 131

PROPOSED GROUND FLOOR PLAN

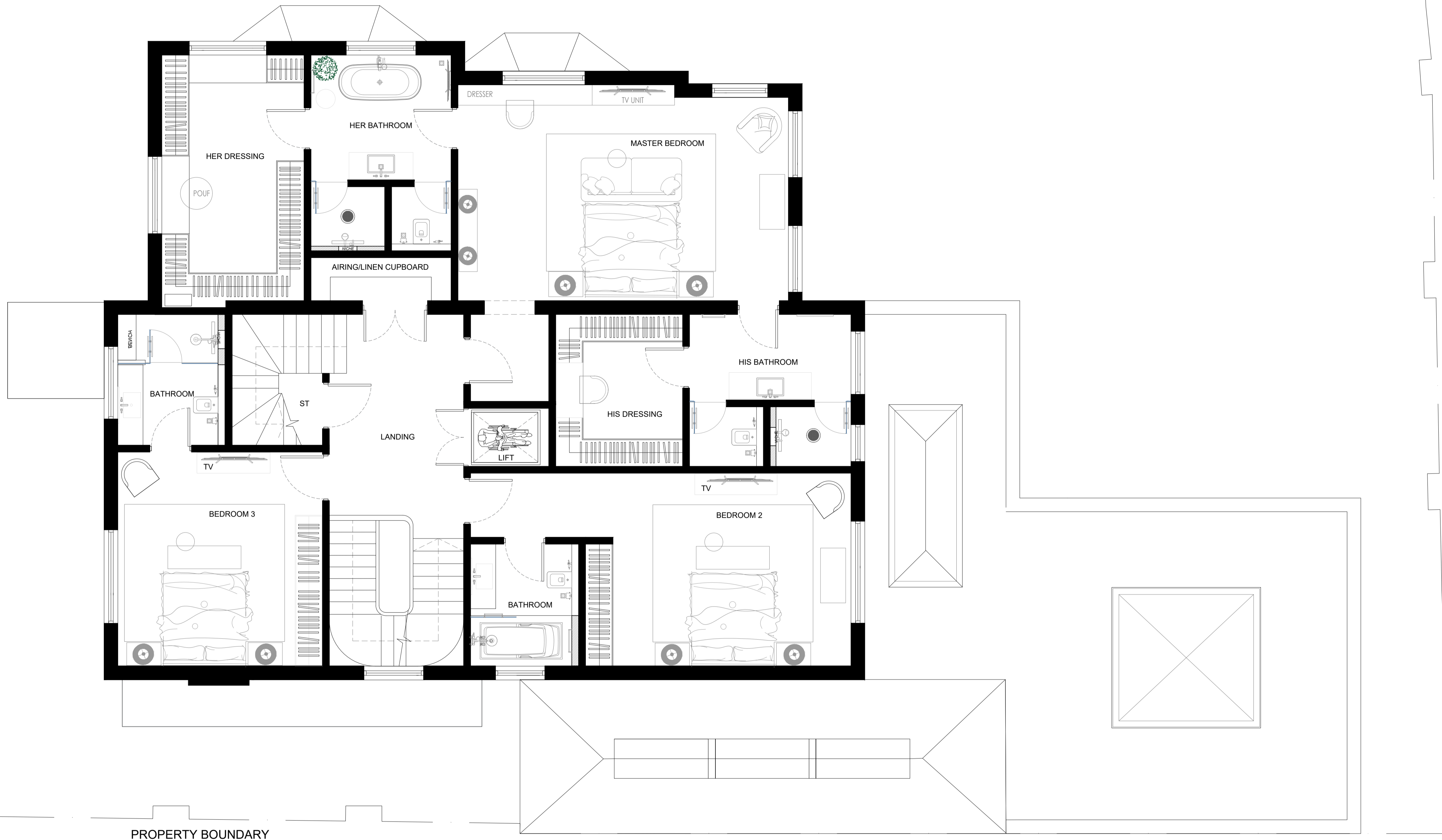
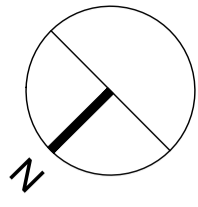


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job: 26 The Grange, SW19	job no: 29/04/2022	date: 29/04/2022
drawing: Proposed Ground Floor Plan	scale: 1:50 @ A3 1:100 @ A1	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P03	rev. C

PLANNING



PROPERTY BOUNDARY

PROPERTY BOUNDARY

No. 27

PROPOSED FIRST FLOOR PLAN

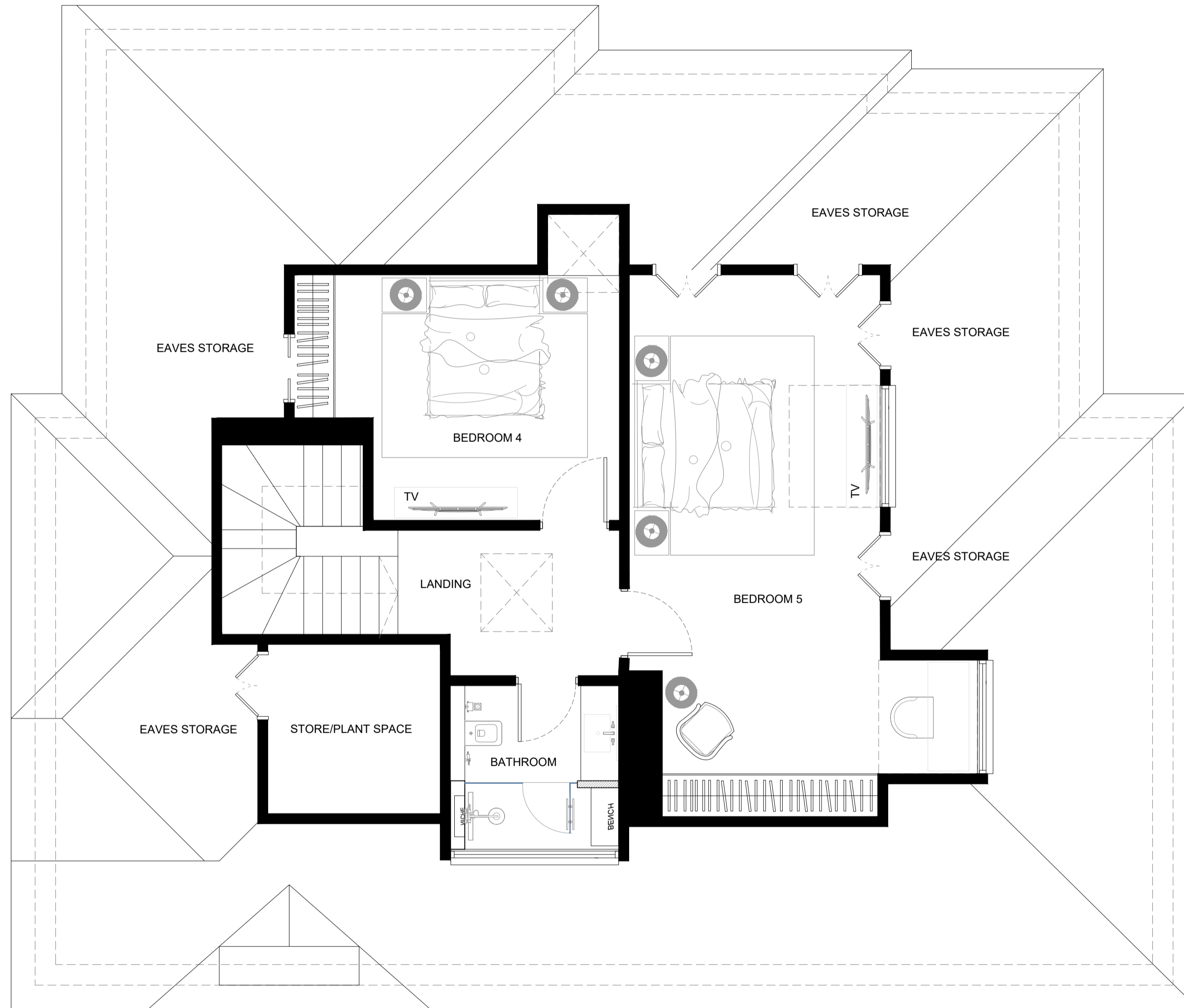
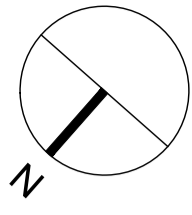


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job: 26 The Grange, SW19	job no:	date: 12/01/2022
drawing: Proposed First Floor Plan	scale: 1:50 @ A1 1:100 @ A3	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P04	rev. -

PLANNING



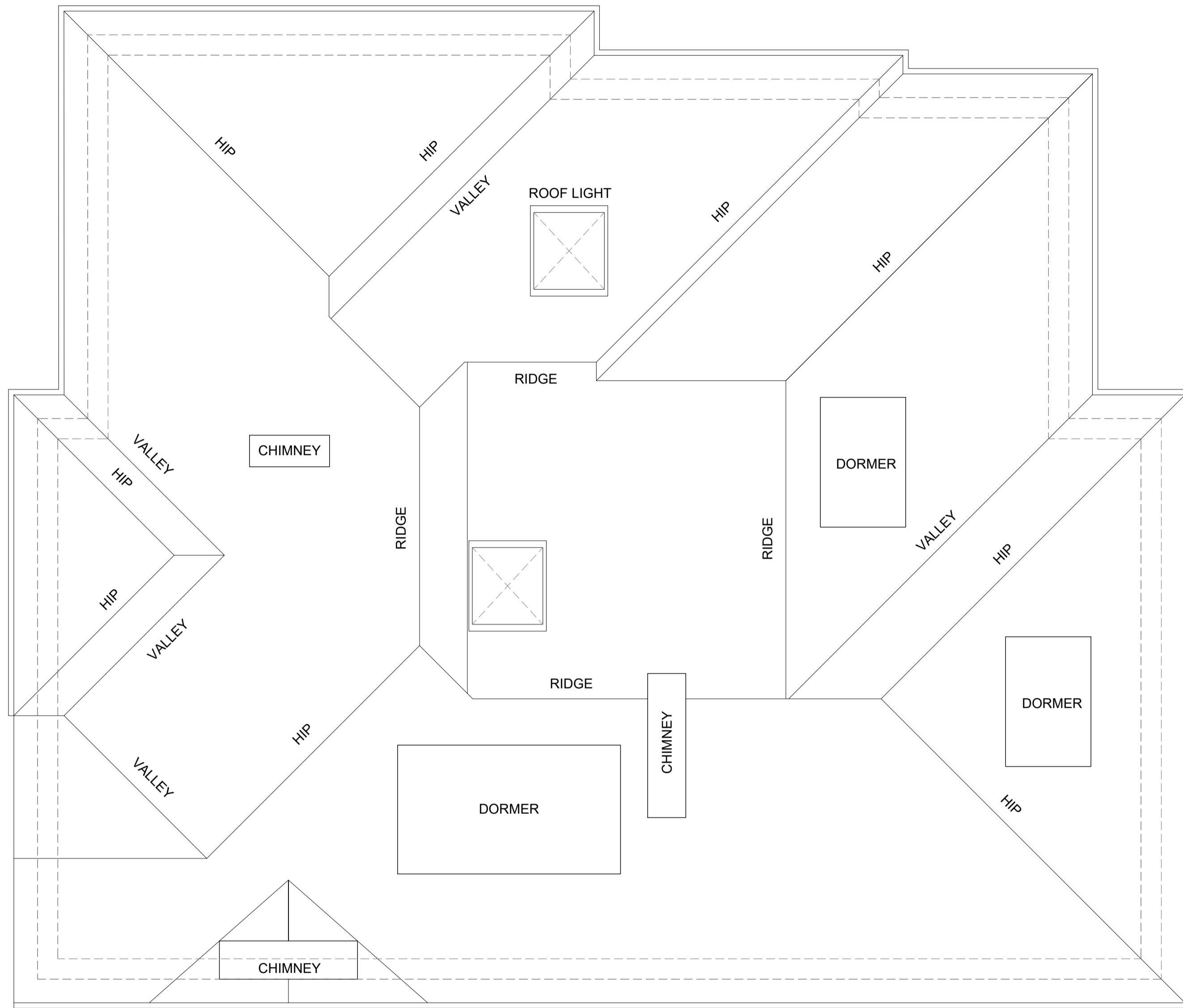
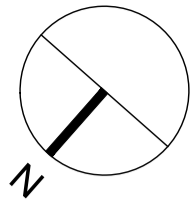
PROPOSED SECOND FLOOR PLAN



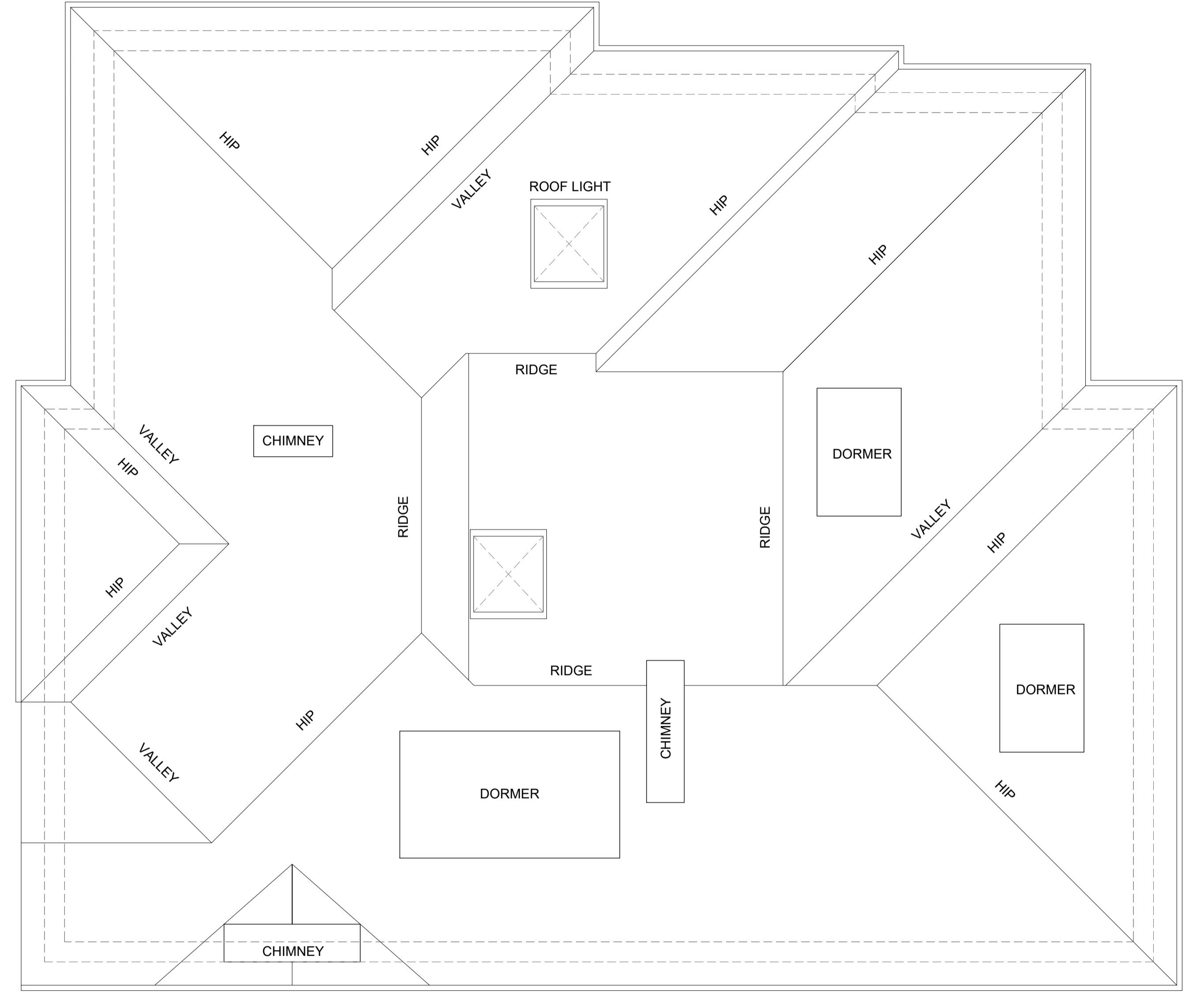
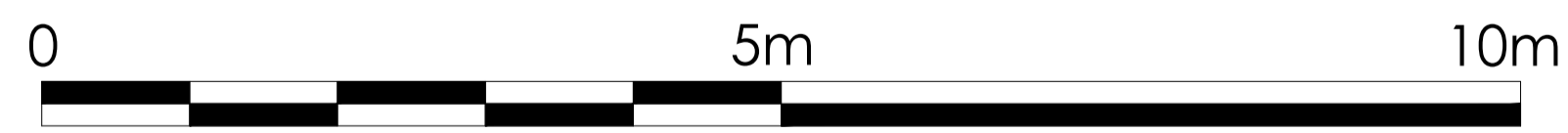
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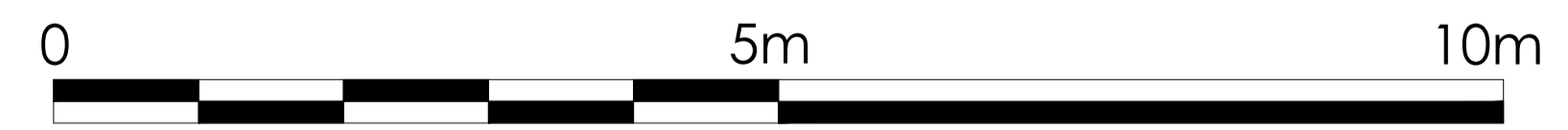
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drawing: Proposed Second Floor Plan	scale: 1:50 @ A1 1:100 @ A3	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P05	rev. -



EXTANT APPROVED ROOF PLAN



PROPOSED ROOF PLAN

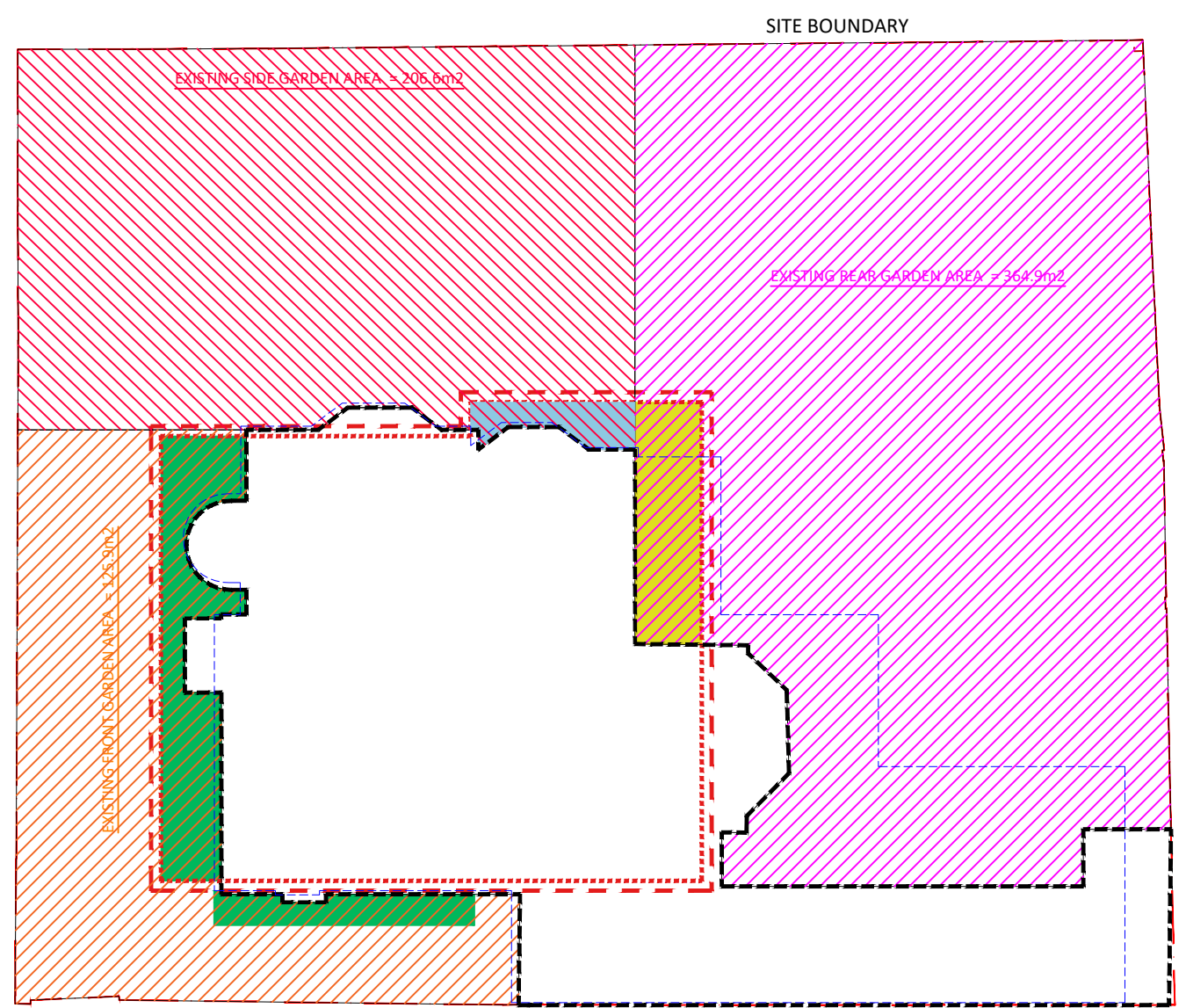
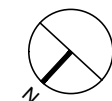


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job: 26 The Grange, SW19	job no: P06	date: 12/01/2022
drawing: Proposed Roof Plan	scale: 1:50 @ A1 1:100 @ A3	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P06	rev. -

PLANNING



AREA KEY

--- EXISTING HOUSE FOOTPRINT (GROUND FLOOR) = 278.9

- - - BASEMENT FOOTPRINT = 243.7m²

..... BASEMENT GIA = 224.9 m²

 FRONT GARDEN AREA = 125.9m²

 SIDE GARDEN AREA = 206.6m²

 REAR GARDEN AREA = 364.9m²

 BASEMENT WITHIN FRONT GARDEN AREA = 28.9m²

 BASEMENT WITHIN SIDE GARDEN AREA = 5.3m²

 BASEMENT WITHIN REAR GARDEN AREA = 14.6m²

PROPOSED AREAS



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job: 26 The Grange, SW19	job no:	date: 29/04/2022
drawing: Proposed Areas	scale: 1:200 @ A1	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P14	rev. C

PLANNING

P.B

P.B



PROPOSED STREET ELEVATION

P.B

P.B



P.B

P.B



PROPOSED FRONT ELEVATION

P.B

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job:	job no:	date:
26 The Grange, SW19		12/01/2022

drawing:	scale:	drawn:
Proposed	1:50 @ A1	JL
Front Elevation & Street Elevation	1:100 @ A3	

notes:	drawing no.	rev.
All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	P07	-

P.B

P.B

PROPERTY BOUNDARY

PROPERTY BOUNDARY



PROPOSED SIDE ELEVATION



P.B

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Page 137

P.B

P.B

PROPERTY BOUNDARY

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PROPOSED REAR ELEVATION

P.B

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job: 26 The Grange, SW19	job no: -	date: 12/01/2022
drawing: Proposed Elevations	scale: 1:50 @ A1 1:100 @ A3	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P08	rev. -

PLANNING



PROPOSED GARDEN ELEVATION



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job: 26 The Grange, SW19	job no:	date: 12/01/2022
drawing: Proposed Elevations	scale: 1:50 @ A1 1:100 @ A3	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P09	rev. -

PLANNING

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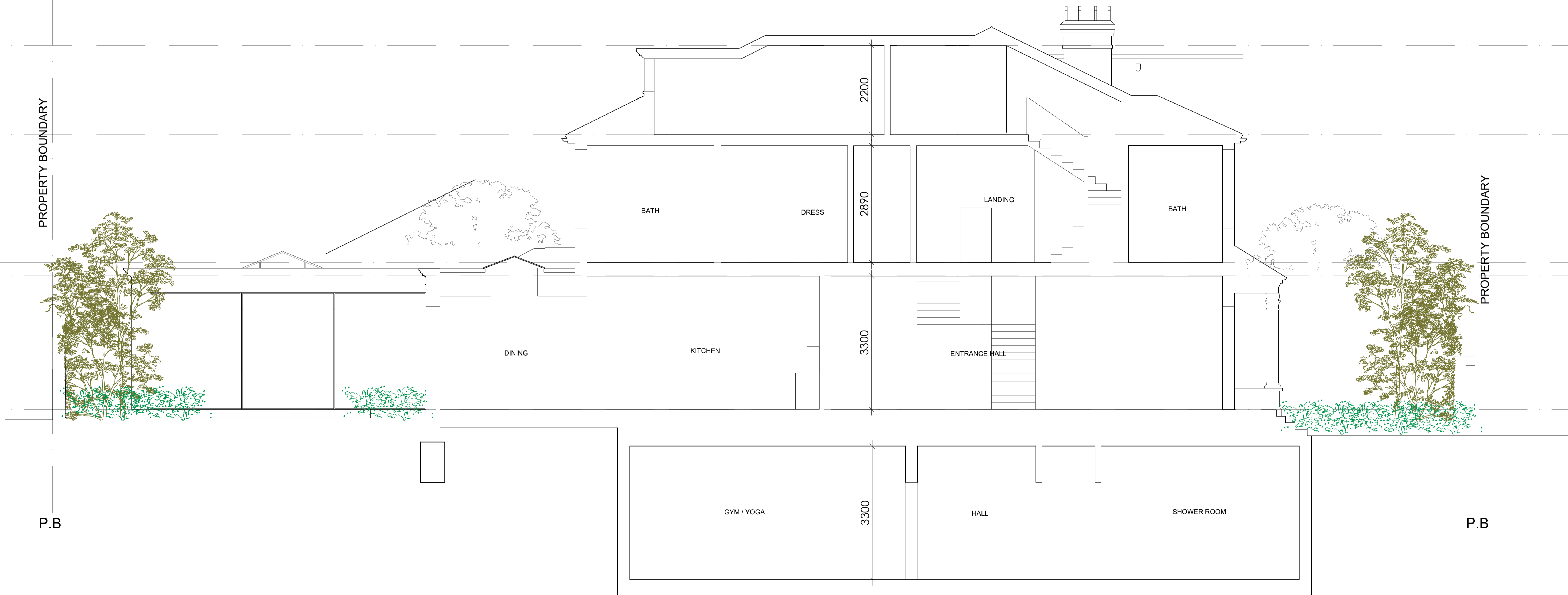
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PROPERTY BOUNDARY

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PROPOSED LONG SECTION

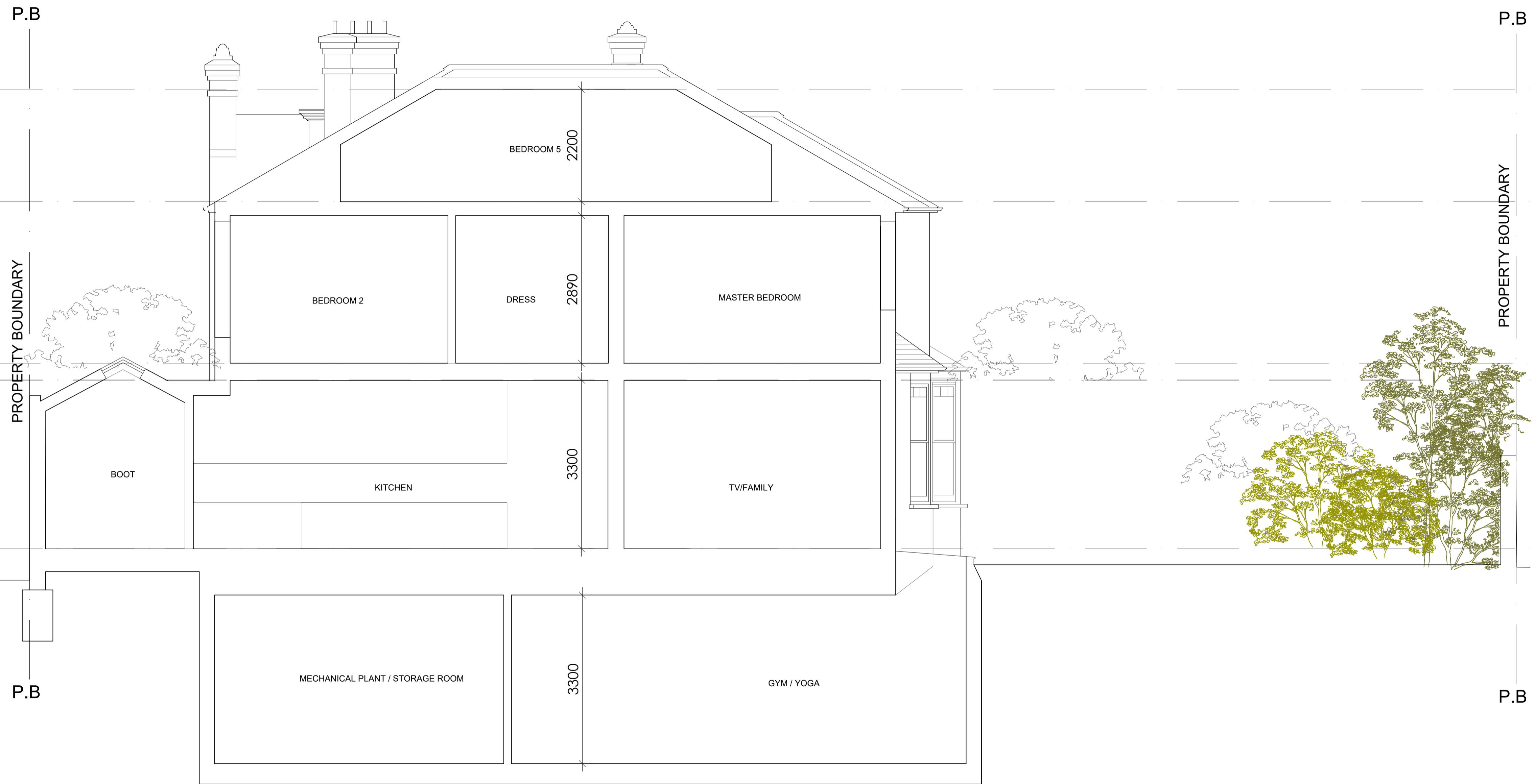


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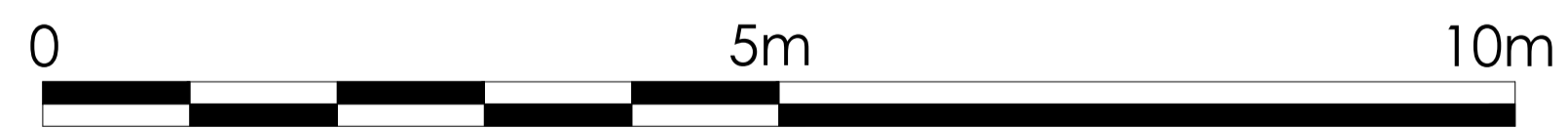
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job: 26 The Grange, SW19	job no:	date: 29/04/2022
drawing: Proposed Long Section	scale: 1:50 @ A1 1:100 @ A3	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P11	rev. C

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PROPOSED SHORT SECTION



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job: 26 The Grange, SW19	job no:	date: 25/01/22
drawing: Proposed Short Section	scale: 1:50 @ A1 1:100 @ A3	drawn: JL
notes: All drawings are to be read in conjunction with the full planning application. Do not scale these drawings	drawing no. P12	rev. B

PLANNING

PLANNING APPLICATIONS COMMITTEE
14th July 2022.

Item No:

UPRN **APPLICATION NO.** **DATE VALID**
 21/P4421 07.01.2022

Address/Site Hadley Road Community Allotment
 New Barns Avenue
 Mitcham
 Surrey
 CR4 1LG

Ward: Pollards Hill

Proposal: Erection of a single storey service building comprising new toilet and community use classroom/workshop with associated vent pipe and septic tank.

Drawing Nos: Site location plan and drawings HAD 102, 300, 301 & 902

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: 181
- Press notice – No
- Site notice –Yes
- External consultations: No
- Archaeological Priority Zone – No
- Controlled Parking Zone – No
- Number of jobs created: - Nil

1 INTRODUCTION

- 1.1 The application has been brought before the Committee due to the level of public interest. The application was due to be heard at the June 16th 2022 PAC meeting but the meeting overran and the application referred to this meeting.
- 1.2 The only changes to the report reflect the addition of conditions shown in the June modifications sheet as well as the deletion of references to new fences and gates which are now subject to a separate planning application, 22/P1860.
- 1.3 The application is subject to a requirement for planning permission because it involves the erection of a new building and a new educational use for the site and this is not an option under permitted development or prior approval.

2. SITE AND SURROUNDINGS

- 2.1 The application site forms part of an Allotment site accessed from Hadley Road in Mitcham and is comprised of the existing concrete hardstanding area. The allotments are surrounded by residential rear gardens.
- 2.2 The site is classified as Open Space and is designated as 'Open Space A004 New Barnes Avenue Allotments'.
- 2.3 The site is not located within a conservation area nor is it in anyway listed. The site is not located within a controlled parking zone and has a public transport accessibility level (PTAL) of 0 (0 being the lowest and 6b being the best).
- 2.4 The allotments were originally operated solely as a council venture but operational control is being transferred to the Hadley Road Community Allotments group.

3. CURRENT PROPOSAL

- 3.1 The proposal is for the erection of a single storey service building comprising new toilet and community use classroom/workshop with associated vent pipe and septic tank.
- 3.2 The new single storey flat roofed building would include an outdoor work and BBQ area, an enclosed meeting/classroom area and a toilet facility. The proposed structure would be constructed from natural materials with rammed earth for the walls, a timber frame and polycarbonate roof for natural lighting. The toilet facility would utilise a septic tank system with vent flue. The proposed toilet will facilitate longer use of the allotment for the existing plot holders as well as providing a facility for visiting young people and those using the new classroom.

- 3.3 The new meeting room/classroom space would be used in partnership with the National Trust being allocated one of the on site plots for a small education project. They currently have a group of 12 primary students who will be using the allotment once a week. The new facility would also be available for use by the allotment plot holders for meetings and events. There would be an outdoor sink and BBQ area.
- 3.4 Additional users referenced by the applicants include the Wide Ways Medical practice who would only be involved in a limited capacity, to enable social prescribing referrals to gardening at the allotments. The project space has links to other local schools; Sherwood Primary, William Morris, Harris Primary and Harris Academy, but there is no plan for their immediate use of this. In future there maybe some limited use with Pollards Hill Youth Centre and Moat Housing Association. Full details of the level of this use have yet to be supplied.

4. **PLANNING HISTORY**

- 4.1 22/P1860 - Removal of existing chain link fencing and site access gates at the Hadley Road entrance and erection of new 2.1m high gates and fencing – Pending decision
- 4.2 MER501/70 - Prefabricated hut – Deemed consent - 09/07/1970

5. **CONSULTATION**

Consultation letters sent to neighbours and site notice posted. Given the high level of previous objection consultation letters were sent to neighbouring residential occupiers. Consultation letters to plot holders were supplied to the applicant to distribute.

- 5.1 Objections were received from 12 persons raising concerns relating to;

Highways

- Reduction in on site parking from 4 spaces to 1-2
- It also leaves no space for parking (many plot holders travel in vehicles despite what the plans suggest), no space for deliveries (manure, wood chip etc), no space for rubbish collections which are currently left at the front
- Noticeable increase in parking on the side streets when they hold events.
- The council is trying to restrict traffic in the area but this encourages it.
- This building is not appropriate for a small allotment in a small residential area. There is a building in Sherwood Park which is more suitable with a recreational ground which has parking facilities and is only a stones throw away from the allotments.
- It will reduce space on the concrete slab for deliveries of manure and woodchip

- I'm concerned about the increase in traffic along Hadley Road and Castleton Road and difficulty obtaining parking spaces as a result of the proposed building and its associated use.

Use

- The proposed community events will attract more visitors than just allotment holders which will cause noise and disturbance, possibly into the evening.
- The hours of operation should be restricted.
- Plot holders have been tending to them for many many years and certainly do not want them destroyed by gangs of children from several schools, youth centres, adults and youth offending teams visiting.
- The new building will turn a private allotment into a public space.
- The New Horizon centre and Sherwood Park Hall could be this could be rented occasionally as a classroom and then cross over to the community plot to do any practical work.
- The allotments are private and should remain that way for the benefit of the allotment holders and residents.
- It is apparent that with the National Trust being given Plot 25a with a three year tenancy (as disclosed on the posters on site) having £125,000 to contribute to children's causes and initiatives may have swayed the balance away from of the need of an on-site toilet and towards a full blown service building that is neither called for, nor most importantly, voted for.
- To open up these allotments to the NT would be to deprive people on the waiting list a space on the allotment - there are concerns with this project appearing to be more long term that if they become established, how many more plots will they be given instead of the people waiting on the list who genuinely trust that they will eventually get a plot?
- If the National Trust (NT) want a structure for shelter and teaching space, they can build this on their plot.

Neighbour Impact

- The site is poorly fenced and the building may attract vandalism (or even unwanted tenancy!)
- The proposed building would cause unnecessary noise, litter and residents not being able to park in their own roads as parking is already an issue in these small roads.
- The vent pipe is not the 30m minimum distance from the closest house as is claimed.

Consultation

- Plot holder and neighbour consultations were not made aware of the proposals.

- At some point, the toilet has changed its location and into a workroom, BBQ area and toilet. None of this was put to the plot holders until the plans were produced at the 14/11/2021 meeting. There has been a reluctance by HRCA Chair and Secretary to circulate the plans with the meeting minutes when asked so that those on the HRCA emailing list could have access to the information sooner and it reach more of the plot holders. It should be noted that not all the plot holders have access to computers. They are not able to attend online meetings and hence do not receive MoMs or correspondence electronically.
- Hardcopies have been rarely supplied.
- There has been a lack of information being offered by the HRCA Chair to the plot holders and when asked for more information, the Chair has been evasive and has avoided plot holders in discussing the issue. There is a number of plot holders that are not aware of the development. As stakeholders, the plot holders' request for more information (HRCA MoMs 3/10/21 & 14/11/21) has been ignored and pushed aside.
- Plot 25a was then given to the National Trust without proper feedback to ploholders
- Having read the representations that have been submitted to you, it is clear that the residents do not want this building on the site. You had 11 responses to the proposal, of which four (36%) were for the motion and seven (64%) were against. Of those four for the motion, two (18% of the total respondents) were representatives of the Council/National Trust and two (18% of the total respondents) were volunteers on the community plots on the site, all four of which live outside the affected residential area. Of those against the motion, all are residents in the affected area (64% of the total respondents) with two (18% of the total respondents) being both plot holders and residents.
- Hadley Road allotment is a small site which is supposed to be self managed. However, the site is not being run with the agreement of many plot holders. I was never made aware of the plans that have been put forward until a meeting very late last year. The plot holders were all led to believe that the plans related to a composting toilet on plot 25a. This plot has now been allocated to the national trust against the wishes of many plot holders, and this has been documented in several meetings.

Other

- This allotment went independent (which seemed to happen without my knowledge or any chance to vote) during covid. I first realised what had happened when a new sign went up with the name change...But the toilet project already seemed to be

underway. I assumed that this must be due to popular demand but speaking to fellow plot holders I don't find anyone who wants it.

- We pay for our water and there will inevitably be water wasted – taps left running etc. Why should the plot holders pay for this?
- The septic tank will need to be cleared out by a professional company- I don't want us to pay for the costs of this either.
- The money would be better spent improving fences and on general maintenance.
- I don't feel any need for a toilet on site and I have spoken to others who feel the same. If there was huge demand I wouldn't oppose it but there doesn't seem to be.
- I am of the opinion that funds can be directed to lowering plot holders rent as this is comparatively high. The current high rent is a disincentive and perhaps makes it unattractive for a broad range of people within the community who could benefit, mentally and physically, from working a piece of land.
- something more ecological such as composting toilet could be considered as opposed to the proposed structure.
- The new toilet was previously due to be located on plot 25a and to be a compost toilet rather than a septic tank.
- I am concerned that the existing plot holders will fund not only this project but the cost of the plot that has been given to the NT.
- Are plot holders to subsidise this build and project? How are our fees used for the benefit of the allotment and for us to effectively run and manage it if we are paying for a building we do not need and will not make use of.

5.2 Letters of support were received from 11 persons stating;

- The provision of a toilet will assist visitors and allow people to stay longer
- The learning space will benefit educationally and offer shelter from inclement weather
- The building will provide a community asset
- It reminds my husband of home back in Jamaica
- We really enjoy our gardening activity and truly believe that this plan should go ahead as it will be a great facility for our community (all plots users and visitors). As the sunny days are coming we often need to stay long days working on our plots and we all need toilets facilities.
- I am very much happy and respect the way in which the Hadley Road community allotment is been run or managed because when I first started there the allotments were in a sorry state, rubbish all over, high grass, aspeso and very unkept, now it's cleaned up and people farming and taking care of their plot. Thank you.

National Trust and Cllr Henry

- 5.3 Emails of support were received from the National Trust and Cllr Henry but they are beneficiaries and applicant for the proposals respectively

Cllr Dollimore

- 5.4 Cllr Dollimore commented; I write in regards to the above application to install a toilet and small classroom on the allotments. I write in support of the application because I understand this new community facility will be a great place for local school children to spend time outside and learn about biodiversity with the National Trust. Many children will not have access to a garden at home or at school and so this is a great opportunity to open up access to our green spaces and educate pupils about gardening and the origins of the food on their plate.

- 5.5 Environmental Health Officer - no objections to the proposals

6. POLICY CONTEXT

Relevant policies in the London Plan 2021 are;

D1 (London's form, character and capacity for growth)
D3 (Optimising site capacity through a design lead approach)
D5 (Inclusive design)
D11 (Safety & Security)
D13 (Agent of Change)
D14 (Noise)
G 8 (Food growing)
GG2 (Making the best use of land)
GG6 (Increasing efficiency and resilience)
SI 2 (Minimising greenhouse gas emissions)
SI.3 (Sustainable drainage)
T4 (Assessing and mitigating transport impacts)
T5 (Cycling)
T6.1 (Residential Parking),

NPPF 2021 Para 99

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

CS 11 Infrastructure
CS 13 Open space and nature conservation
CS 14 Design
CS 15 Climate Change
CS 17 Waste
CS 18 Transport
CS 20 Parking servicing and delivery

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

DM D1 Urban design and the public realm
DM D2 Design considerations
DM O1 Open space
DM O2 Nature conservation, trees and hedges
DM T2 Transport impacts of development
DM T3 Car Parking and servicing standards

7. PLANNING CONSIDERATIONS

7.1 The principal planning considerations in this case relate to the principle of new building works and their use on the allotments which as designated Open space, the impact of the scale and design of the building works on the appearance and character of the local area, the impact on neighbour amenity as well as the impact on parking.

7.2 Principle of development

7.2.1 Sites and Policies Plan policy DM 01(Open Space) and Core strategy policy CS13 (Open space) seek to protect and enhance Open space and improve access to it. DM O1 states that 'designated Open space should not be built upon unless the development is for alternative sports and recreation provision, the needs for which clearly outweigh the loss'.

7.2.2 In this particular instance the site itself forms a small part of the overall allotments and whilst technically Open Space, the location of the proposed building is in reality largely a space comprising an existing area of concrete slab and hardstanding rather than a natural surface that could be played on or used for growing anything. The proposal would involve the loss of the area of greenery by the entrance and the expansion of the hardstanding to both the front and rear elevations of the new building. In total an area of around 66sqm of greenery would be lost to facilitate the development.

7.2.3 Policy DM O1 then sets out that if the alternative provision element is acceptable then development would need to be of a high quality design that does not harm the character, appearance or function of the open space, retains and or improves public access through the creation of new and more direct foot and cycle paths and preserves the function of leisure walks and green chains.

7.2.4 Given the nature of the actual site of the proposal on predominantly an area of hardstanding and the improvement to the recreational provision of improved facilities at the site for the allotment holders the principle of the proposals are considered to accord with relevant Open space policies and to therefore be acceptable.

7.3 The impact of the design and appearance on the street scene

- 7.3.1 London Plan 2021 policy D3, Core Strategy policy CS14 and SPP DM D2 require developments to relate positively and appropriately to the siting, scale, proportions and massing of surrounding buildings and existing street patterns and which would enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions.
- 7.3.2 As the site is a designated Open Space SPP policy DM O1 applies and stipulates that new developments should be of a high quality design that does not harm the character and appearance of the open space.
- 7.3.3 The site is currently a large concrete slab with no buildings and is surrounded by a relatively uniform arrangement of residential properties. There is therefore no established design form that it would be expected for any development such as this to follow. As the space is currently an open area of hardstanding, at 4.6m from the site boundary the structure would be readily visible from Hadley Road, the allotments and surrounding houses. The roof is designed to keep the overall height as low as would be comfortably possible utilising polycarbonate to assist with improving internal light. The roof is in three sections between 2.7m and 3.35m in height and the exterior materials would be compacted earth bricks to assist with a 'green feel' to the appearance of the structure.
- 7.3.4 If members are satisfied that the works would not harm the character and appearance of the open space conditions requiring details of materials to be as proposed can be attached to ensure a satisfactory appearance for the development and to guard against value engineering.

7.4 The use of the site for educational and community purposes

- 7.4.1 London Plan policy S3 (Education and childcare facilities) recommends councils 'encourage the shared use of services between schools, colleges, universities, sports providers, and community facilities, and between early years and health and social care providers'.
- 7.4.2 London Plan policy G8 (Food growing) sets out that proposals should 'protect existing allotments and encourage provision of space for urban agriculture, including community gardening, and food growing within new developments and as a meanwhile use on vacant or under-utilised sites'.
- 7.4.3 The policy notes that 'Providing land for food growing helps to support the creation of a healthier food environment. At the local scale, it can help promote more active lifestyles and better diets and improve food security. Community food growing not only helps to improve social integration and community cohesion but can also contribute to improved mental and physical health and wellbeing'.

- 7.4.4 Sites and Policies Plan policy DM C1 (Community facilities) supports the provision and or expansion of community facilities where the site is located with good transport links, adequate parking and would not have an undue adverse impact on the amenities of nearby residents.
- 7.4.5 SPP policy DM O1 applies to the site as it is a designated Open Space and as such proposals must not harm the function of that Open Space such that the allotment element should remain the primary function of the site.
- 7.4.6 The National Trust already operates once a week classes for groups of up to 12 youngsters. The new classroom facility would assist in making these classes less weather dependant and allow for the expansion of these services to small groups from local schools and community groups. The applicant has not supplied any firm details on the proposed level of increased use of the site for educational and wellbeing purposes and the proposals include a purpose built BBQ area as part of the building. Given that the primary purpose of the allotments is for horticultural purposes for the allotment holders and not an open-ended community use it is considered that significant weight should be given to protecting the function of the Open Space. Consequently, a condition restricting the level and type of use ancillary to the allotment use is recommended including hours of operation and playing amplified music.
- 7.4.7 The site is acknowledged to be in a very poor area of public transport accessibility and has no formal onsite parking facilities. To reduce the impact on neighbour amenity from parking and to improve the sustainability of the site it is proposed that all visiting groups would be expected to attend on foot. To manage the issue of parking and accessibility it is recommended that a condition be attached for a Travel Plan to be submitted for approval and the site to operate in accordance with that approved plan.

7.5 The impact on neighbour amenity

- 7.5.1 SPP policy DM D2 and London Plan policy D3 require that proposals do not have a negative impact on neighbour amenity from loss of light, privacy, visual intrusion or increased disturbance and that people feel comfortable with their surroundings. The proposals have not generated objections on the grounds of amenity based on a loss of light, outlook or privacy to neighbouring properties. There will be no overlooking created from the new building as there are no windows that face Hadley Road. Given the single storey nature of the building there would be no overshadowing or loss of light to any properties.
- 7.5.2 The proposal documents originally stated the vent pipe to the toilet would be 30m from the closest house which was revised to 19m but would actually be around 10m from the closest house on Hadley Road although it was shown on the elevational drawings. The vent pipe would be fitted

with an odour filter to protect the amenity of neighbours and allotment holders. This would be covered by a planning condition requiring full details to be submitted to and approved.

- 7.5.3 Neighbour concerns relating to parking and traffic and the impact on their amenity are dealt with elsewhere in this report. The other concern of neighbours has been the changes to the use of the site. Community events held on site with loud music playing were a cause of concern which have been heightened by the formalizing of a BBQ facility. The unspecified level of use by various groups of people unrelated to the allotments and ensuing disturbance were also raised as concerns. To mitigate this a condition restricting the level of uses is recommended.

7.6 Parking, servicing and deliveries.

Core Strategy Policy CS 20 is concerned with issues surrounding pedestrian movement, safety, serving and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection. London Plan policy T4 (Assessing transport impacts) and SPP policy DM T2 (Transport impacts of development) seek to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment and reduces potentially harmful public health impacts

- 7.6.1 The proposals generated objections from neighbours on the grounds of a harmful impact on parking and traffic movements. There is no formal parking on site although limited informal parking has been observed by officers. Given that on site parking would be limited to one or two vehicles the use of the space for the new building would not significantly impact parking in the locality. With no increase in the number of allotments on site it would not be evident that the proposals would increase the level of vehicle movements. There were initial concerns that the schools and other groups would come to the site by vehicles which would then need to find somewhere to park nearby and being larger than cars would increase a risk of damage to residents cars when manoeuvring in the confined spaces around the site. The applicant has confirmed that the visiting groups are local and would attend on foot and it is possible to regulate this through a requirement to comply with a Travel Plan condition.

7.7 Other matters

- 7.7.1 Consultations; There were a number of objections relating to internal consultations with the allotment holders in terms of not fully informing plot holders of the proposals ahead of the submission of a planning application, sharing information on the proposals and their voting for the proposals and the costs of submitting an application. This would be a matter for the allotments association to address albeit the Chair of the allotment association is also the applicant and is not a planning consideration although officers have striven to ensure that all plot holders were consulted on the application.

7.7.2 Funding and operating costs; Objectors were concerned regarding the costs of the proposal as well as ongoing funding for maintenance. Again, this would be a private matter for the plot holders rather than a planning consideration.

8. SUSTAINABLE DESIGN AND CONSTRUCTION.

New buildings must comply with the Mayor's and Merton's objectives on carbon emissions, renewable energy, sustainable design and construction, green roofs, flood risk management and sustainable drainage. Given the outdoor nature of the building with its roof design it has been designed not to utilise gas or electricity and is more of an enclosed shelter than a building which is required to meet any energy saving requirements. Consequently it is not considered to be subject to conditions in this regard.

9. CONCLUSION

9.1 The development would provide a new facility for the allotments with a building that includes a toilet and a classroom/meeting room to provide limited educational and wellbeing facilities for local schools and community groups. Conditions are recommended to ensure that those activities remain ancillary to the use of the allotments and operate within such times as not to negatively impact the amenity of neighbouring residents. The visits to the site by the groups would be by foot and controlled by a travel plan so as not to negatively impact parking in the locality. The proposed development is therefore recommended for approval subject to conditions.

10. RECOMMENDATION:

GRANT PLANNING PERMISSION subject to the following conditions:

1. A1 Commencement of Development
2. A7 Approved Plans; Site location plan and drawings HAD 102, 300, 301 and 902
3. Details of materials for the development to be submitted;
4. The development shall only be used by plot holders and for educational purposes ancillary to and directly associated with the allotments/open space at all times and for no other purpose, (including any other purpose within the Town and Country Planning (Use Classes Order) 1997), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification.

Reason: The Local Planning Authority would wish to retain control over any further change of use of these premises in the interests of safeguarding the amenities of the area and to ensure compliance with the following Development Plan policies for Merton: policy D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

5. All hardstandings shall only be accessed by vehicular users for the purposes of maintenance/deliveries for the allotments and not for visitor or plot holder parking at any time (other than disabled parking);
6. Prior to the commencement of the development, full details of the proposed odour filter system shall be submitted to and approved in writing by the Local Planning Authority. The details approved shall be maintained as such thereafter to the satisfaction of the Local Planning Authority.

Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policies D4 and D14 of the London Plan 2021, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

7. Other than the proposed toilets, the use of the building hereby permitted shall operate only between the hours of 08:00 to 18.00 on any day unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policies D4 and D14 of the London Plan 2021, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

8. Prior to the occupation of the development hereby permitted, a Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TfL and shall include: (i) Targets for sustainable travel arrangements; (ii) Effective measures for the on-going monitoring of the Plan; (iii) A commitment to delivering the Plan objectives for a period of at

least 5 years from the first occupation of the development; (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development. The development shall be implemented only on accordance with the approved Travel Plan.

Reason: To promote sustainable travel measures and comply with the following Development Plan policies for Merton: policies T2, T3 and T4 of the London Plan 2021, policies CS18, CS19 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

9. No music or other amplified sound generated on the premises shall be audible at the boundary of any adjacent residential building.

Reason: To safeguard the amenities of surrounding area and to ensure compliance with the following Development Plan policies for Merton: policies D4 and D14 of the London Plan 2021, policy CS7 of Merton's Core Planning Strategy 2011 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

10. 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.

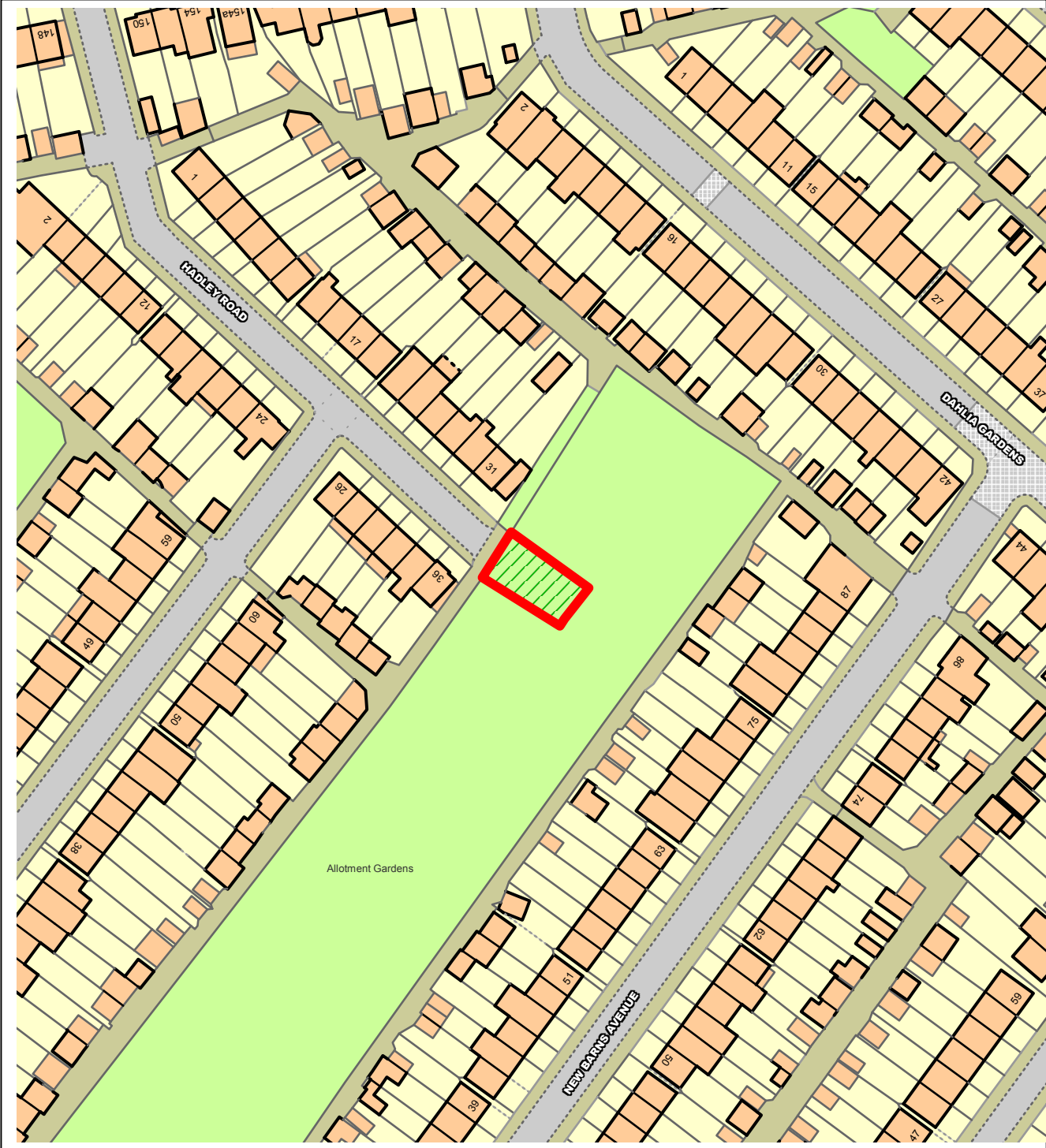
Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policies D3 and D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

11. The hardstanding hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use.

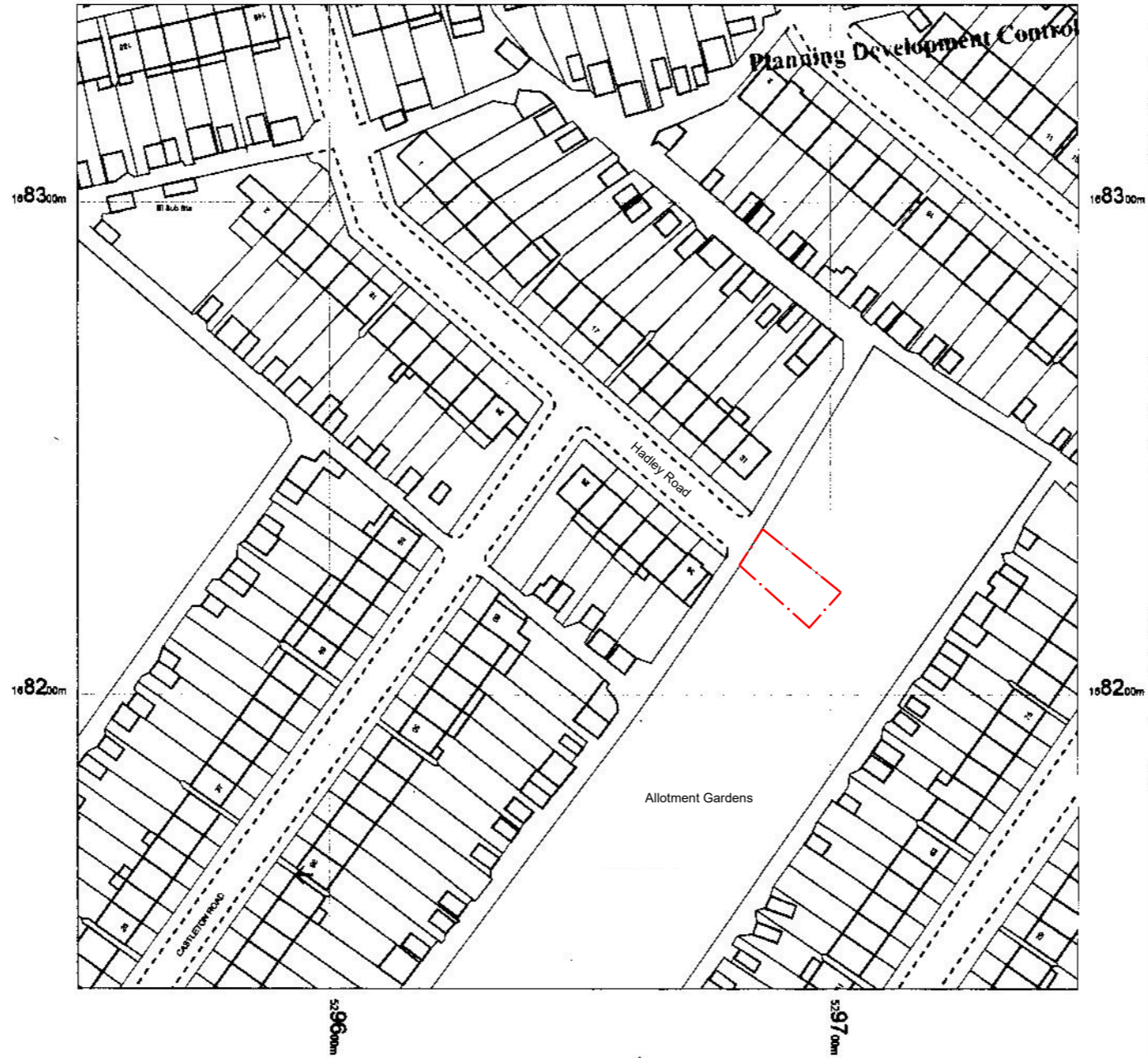
Reason: To reduce surface water run-off and to reduce pressure on the surrounding drainage system in accordance with the following Development Plan policies for Merton: policy SI12 of the London Plan 2021, policy CS16 of Merton's Core Planning

Strategy 2011 and policy DMF2 of Merton's Sites and Policies Plan 2014.

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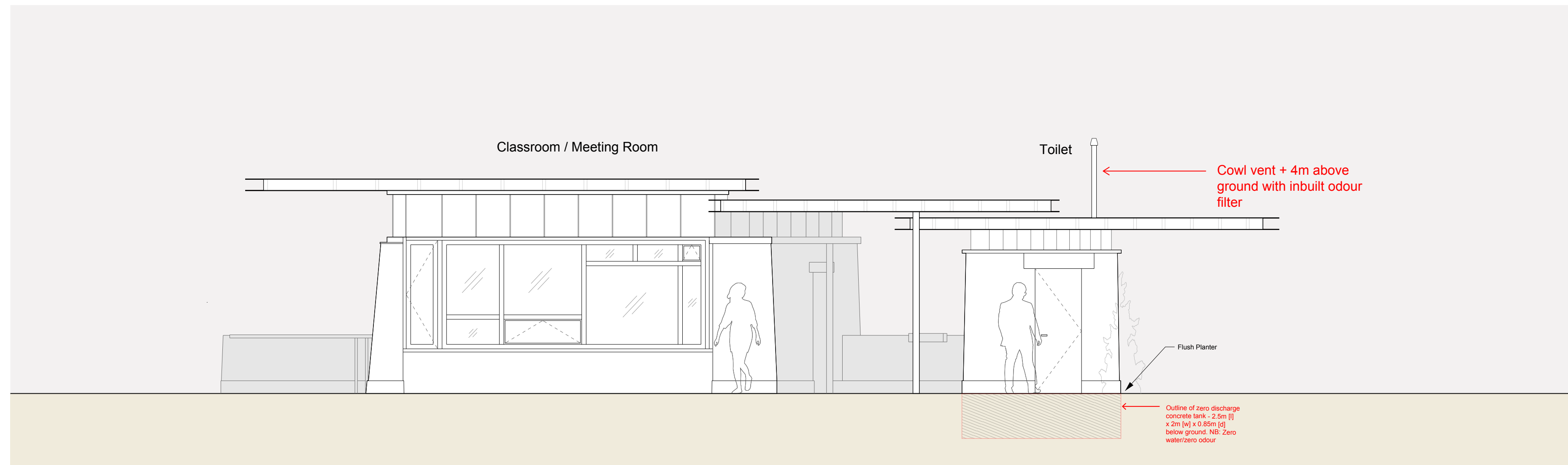
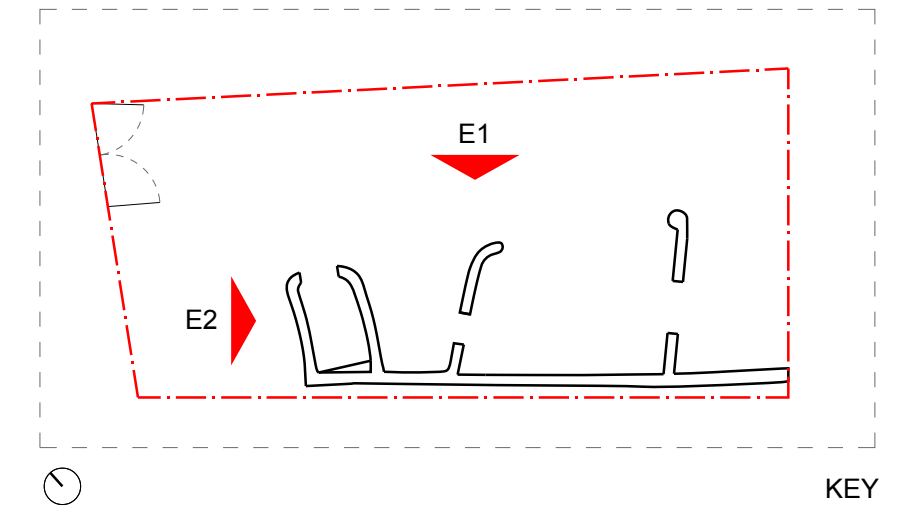
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DRAWN BY: :PR	CHECKED BY: :MD	NUMBER: :HAD 000
DRAWING: :Existing Location Plan		

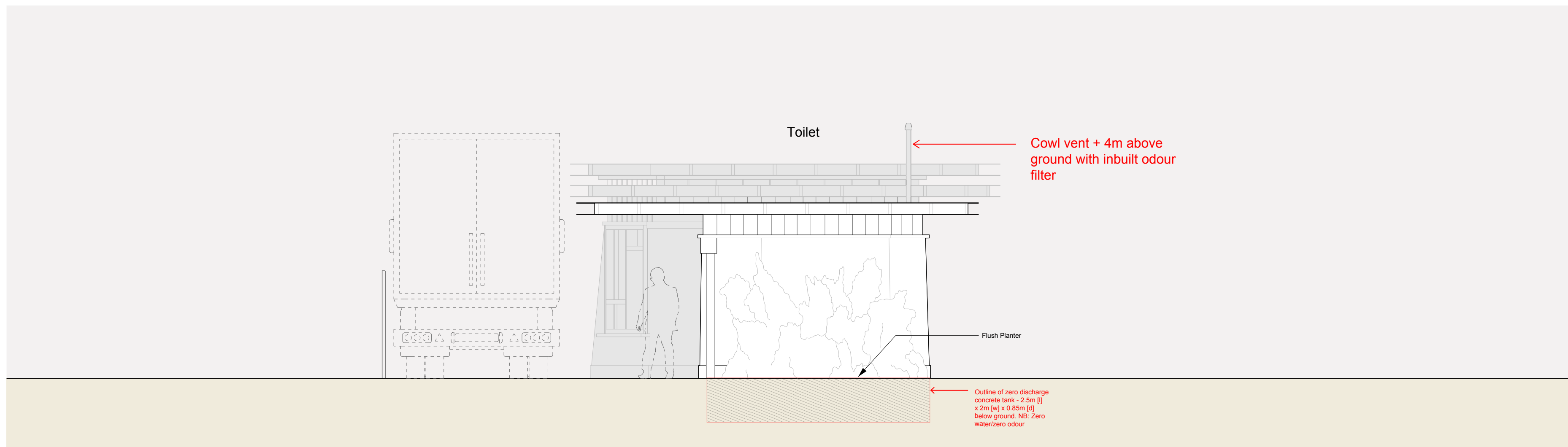
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1
300 E1 Front Elevation
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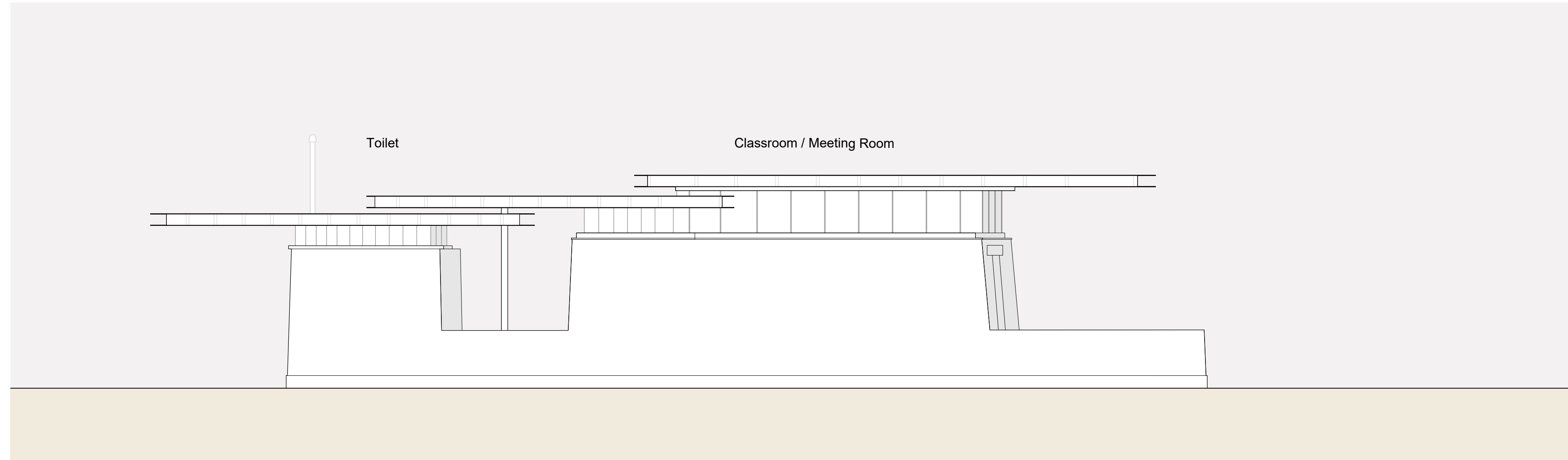
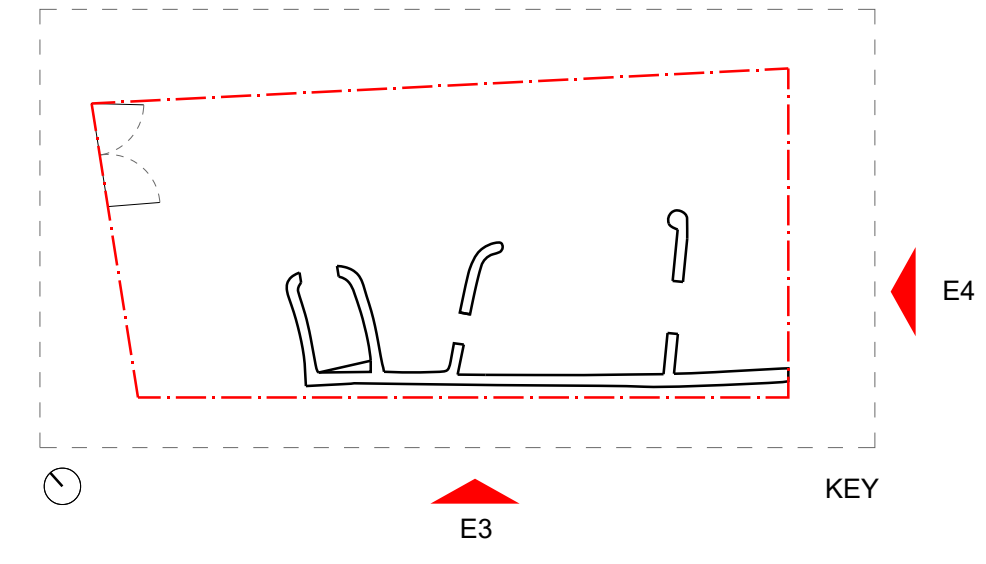


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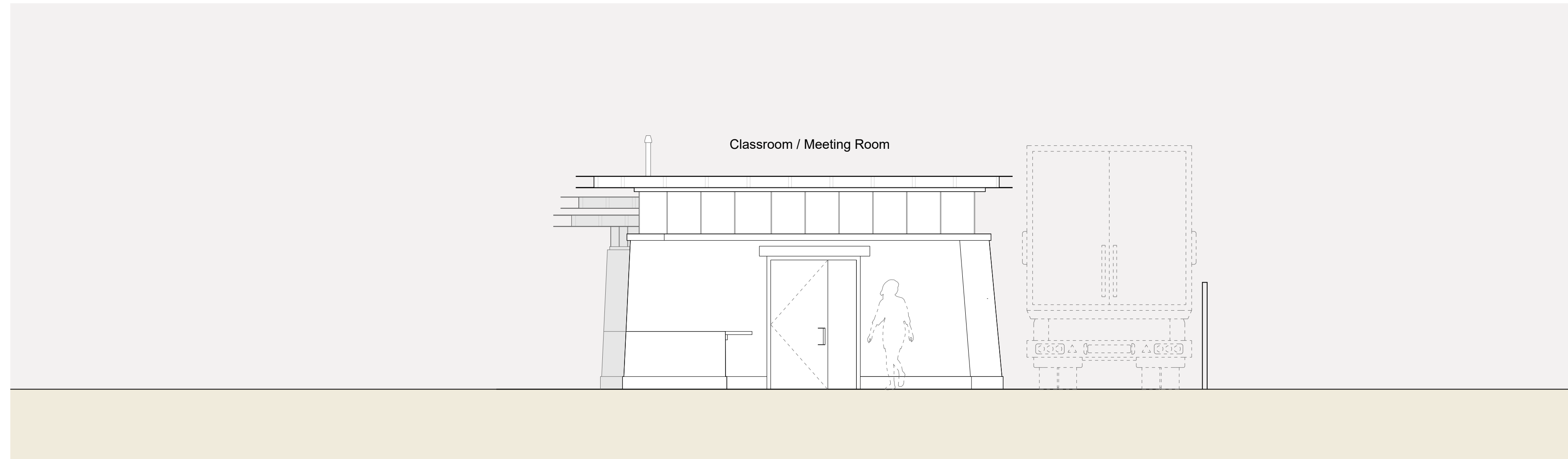
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1
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1:100@A3

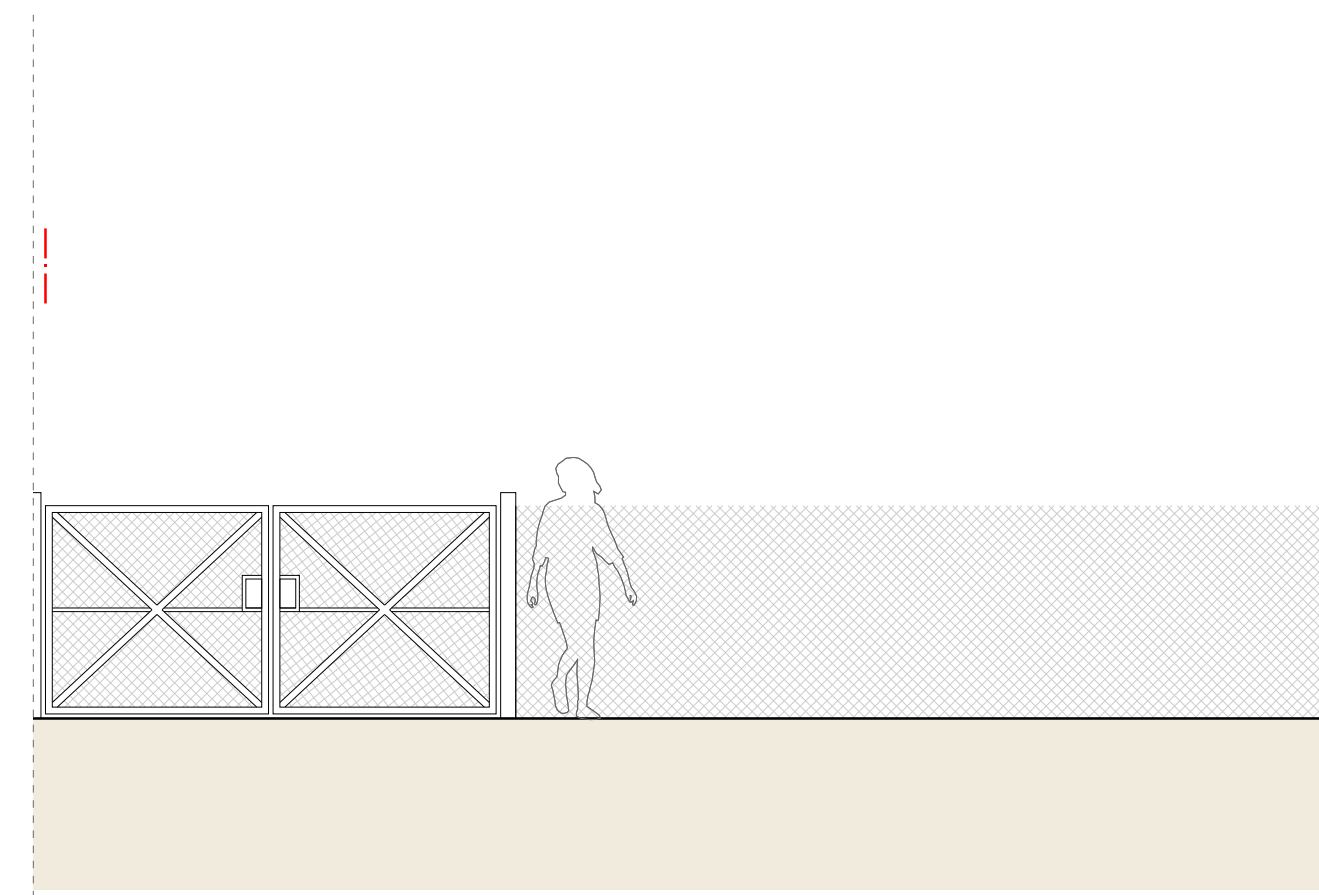
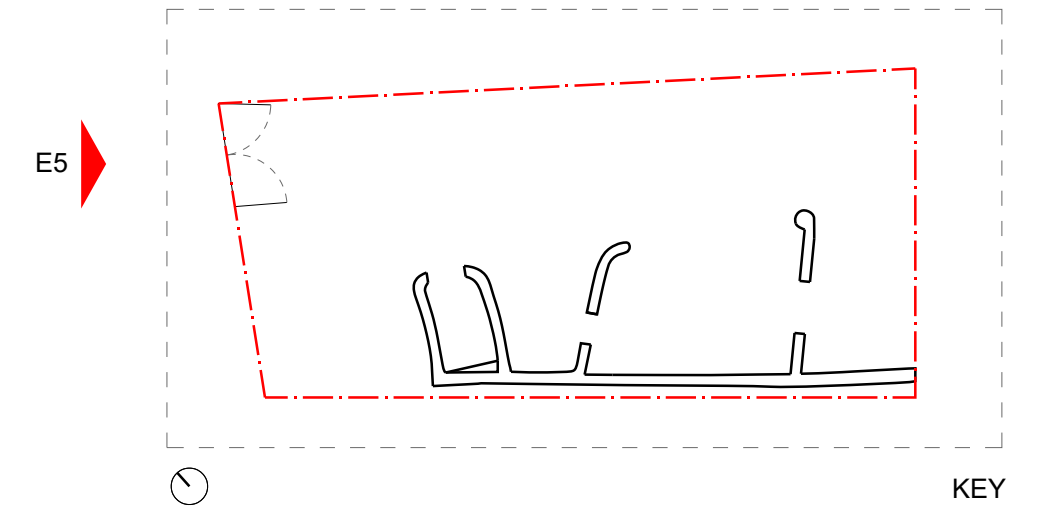


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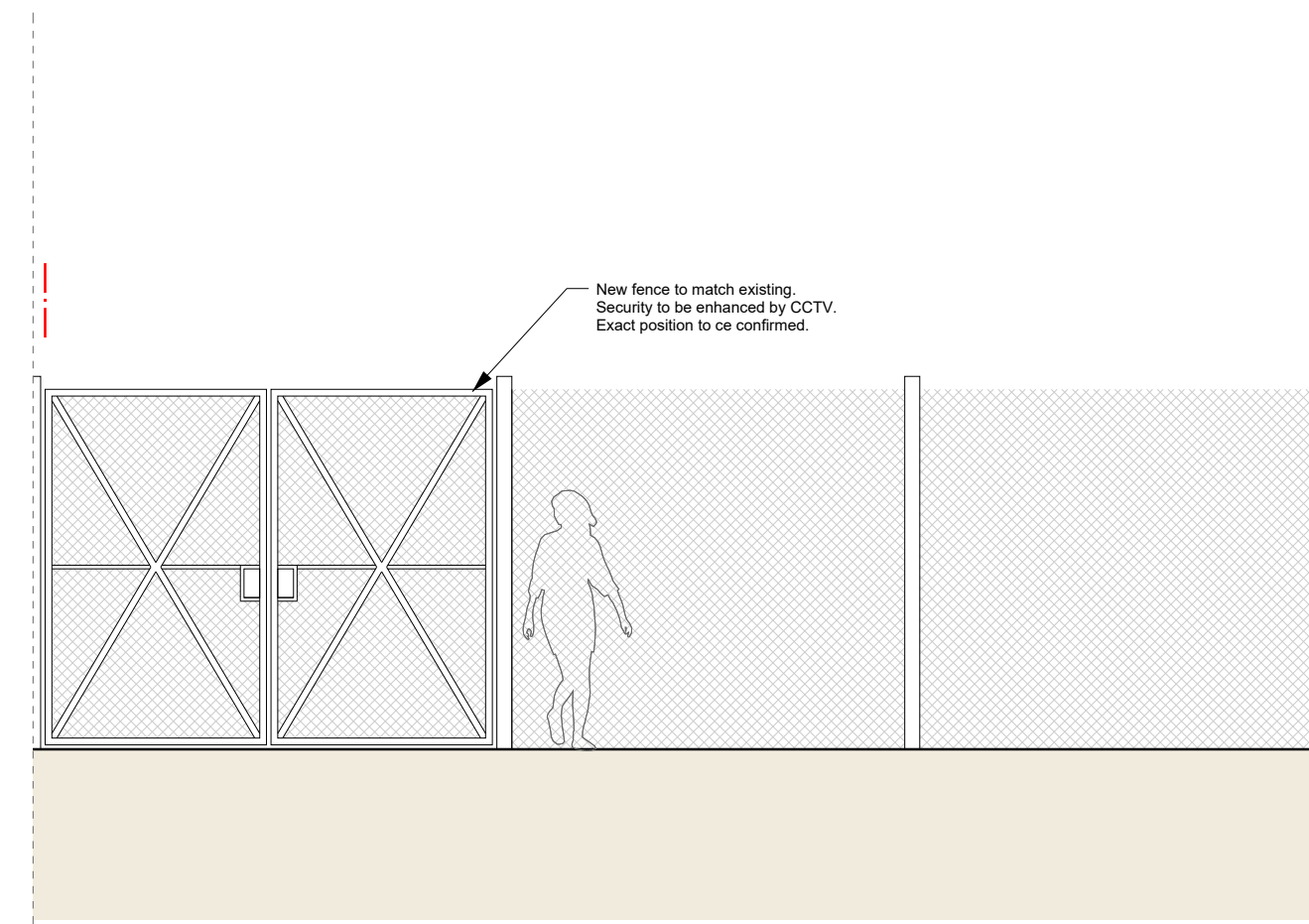
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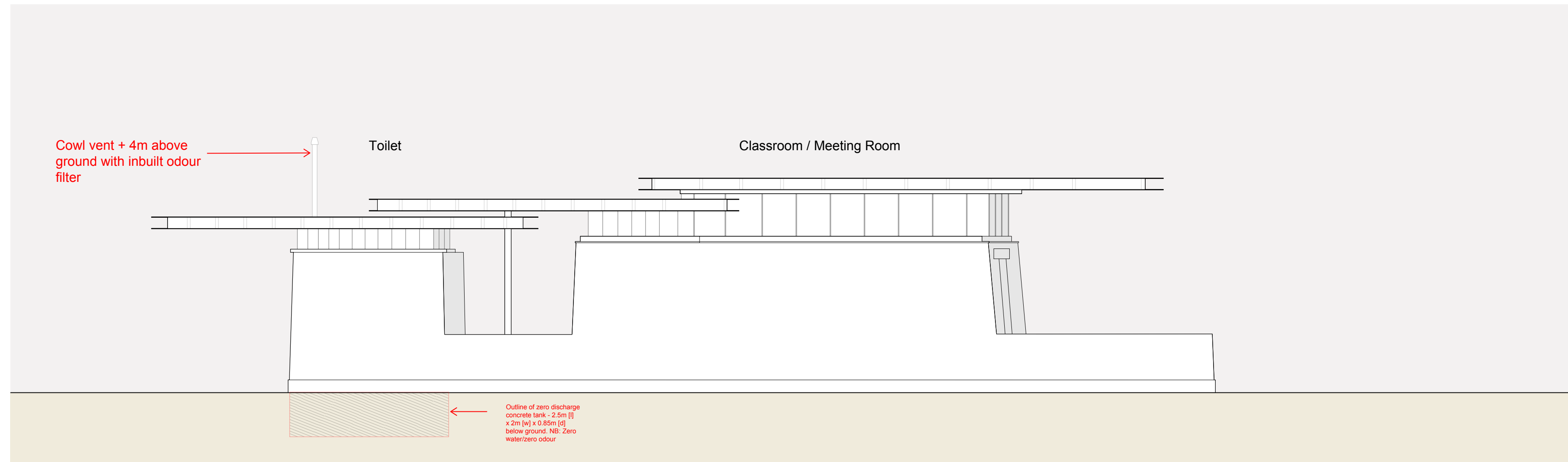
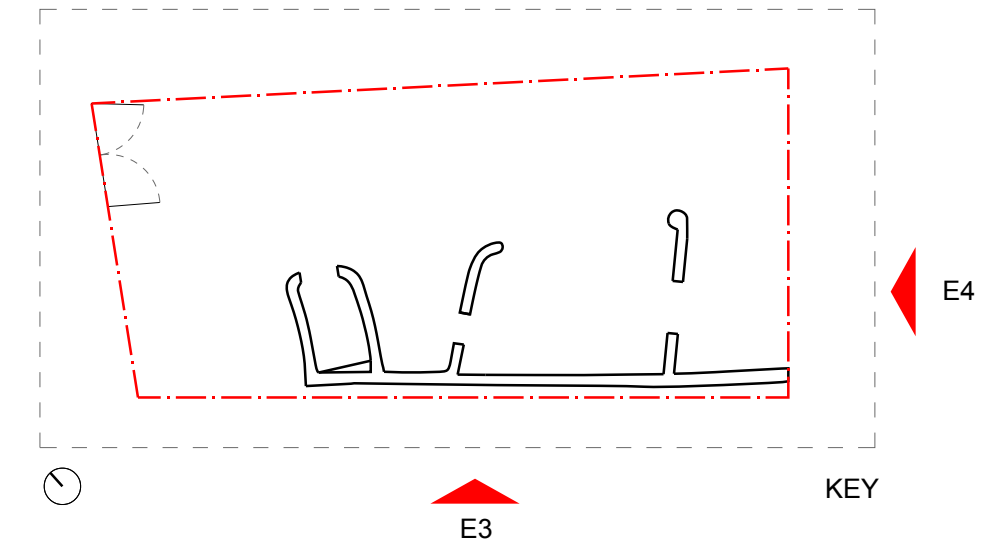
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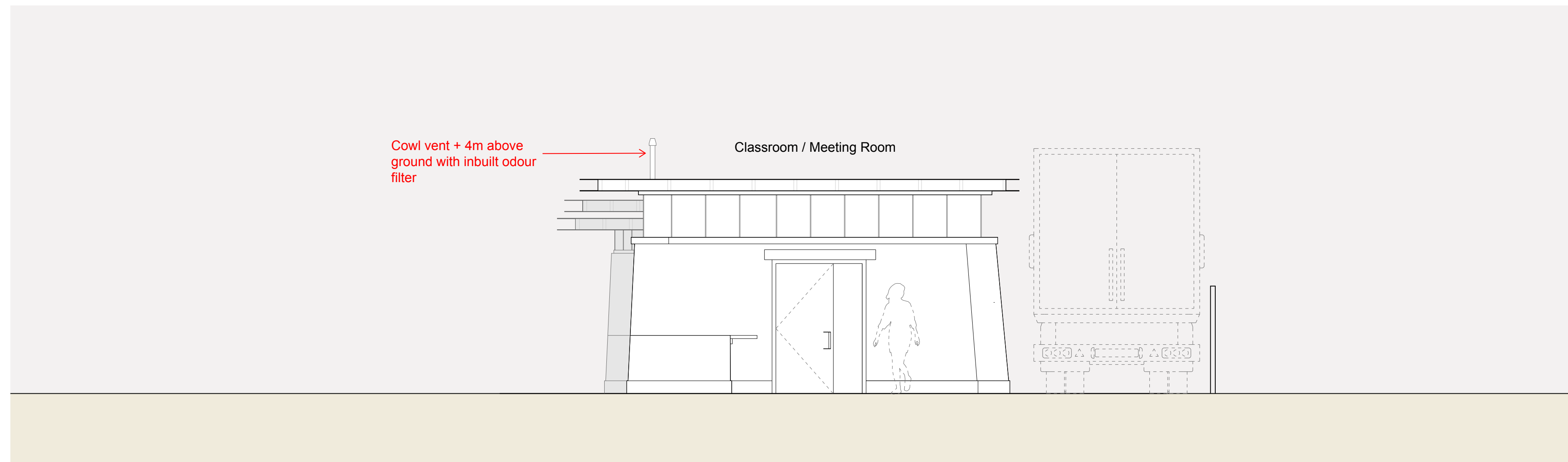
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 302 Elevation
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2 Proposed Front Gate E5
 302 Elevation
 Scale: 1:50@A1
 1:100@A3



1
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Elevation Scale: 1:50@A1
1:100@A3

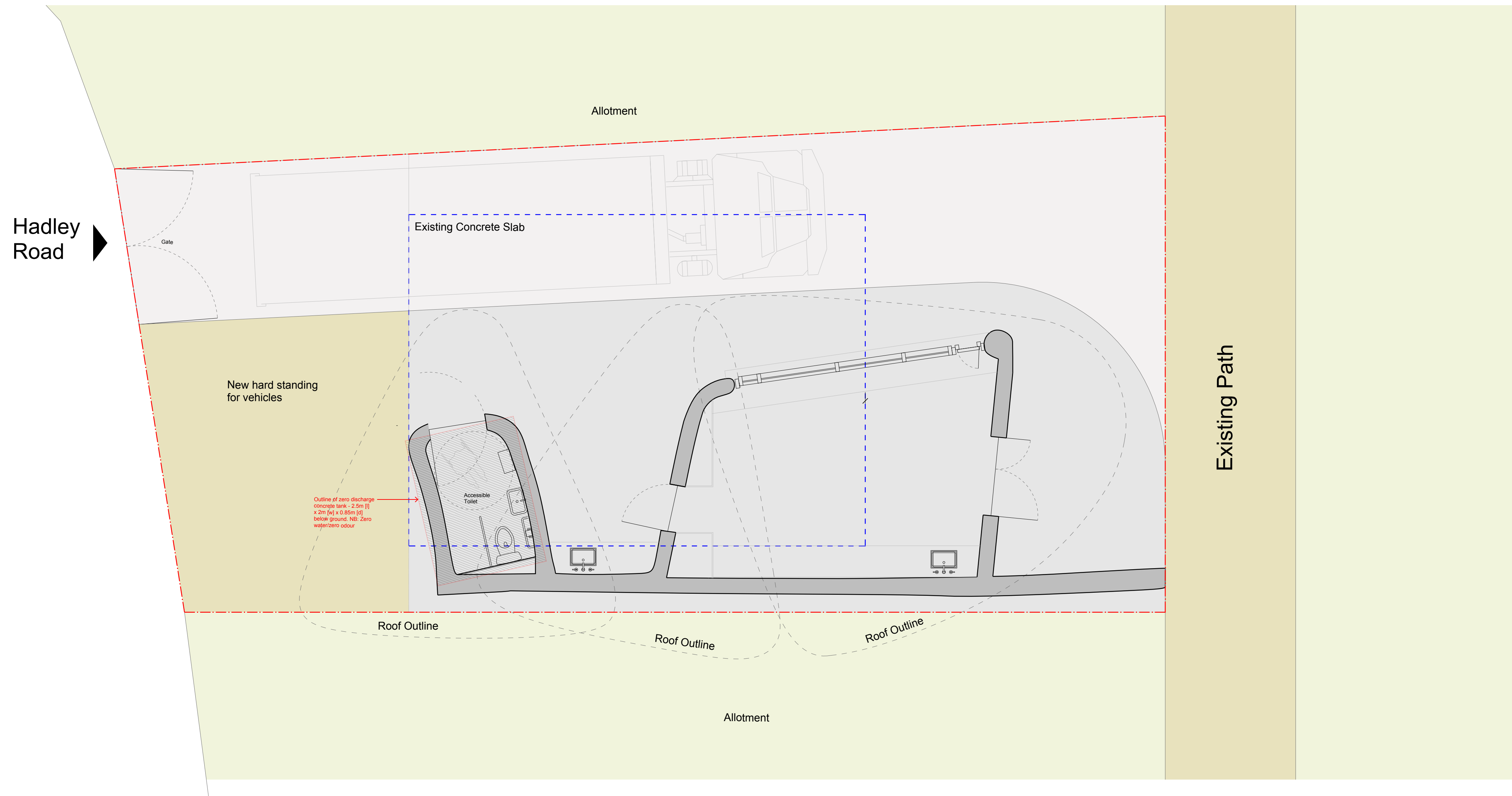


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		1:100@A3	

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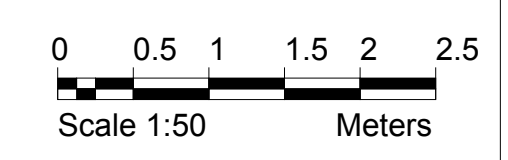
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102 Ground Floor Plan
Plan Scale: 1:50@A1
1:100@A3

- - - - - Boundary Line
- - - - - Existing Concrete Slab (Gridlines 1,3,B,E)
- Slab
- Driveway
- Allotment

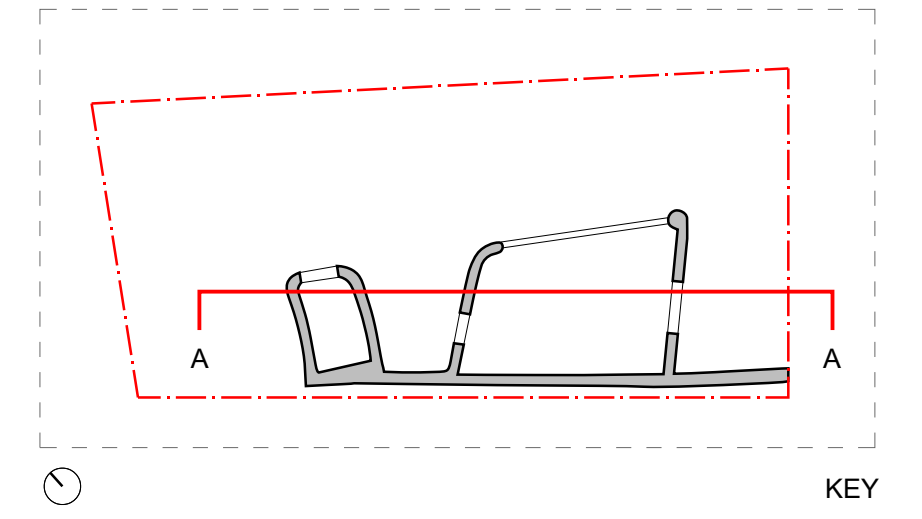
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DRAWING: :Proposed Ground Floor Plan & Setting Out			

:REVISION P2	
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1 Section AA
902 Perspective

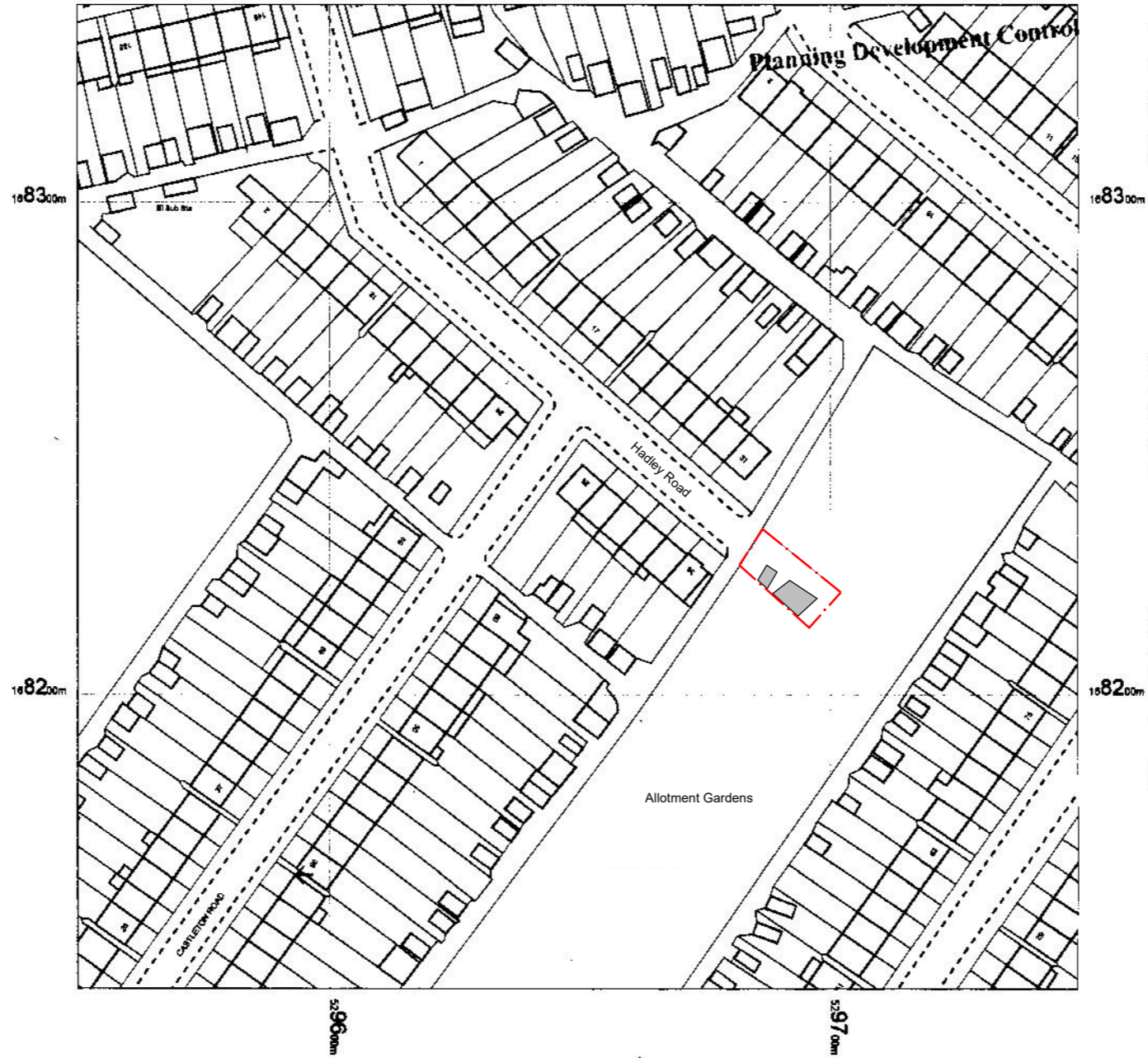
Rammed Earth Walls

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PROJECT: :HAD		

NUMBER: :HAD 902	ISSUE FOR: PLANNING	SCALE: n/a	DATE: 13.10.2021
DRAWING: :Section AA			

:REVISION P1

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1 Location Plan
 100 Plan Scale: 1250@A3

--- Boundary Line ■ Proposed

PROJECT: :Hadley Road Community Allotment, CR4 1NU		
DRAWN BY: :PR	CHECKED BY: :MD	NUMBER: :HAD 100
PROJECT: :HAD		

DRAWING: :Proposed Location Plan		ISSUE FOR: PLANNING	SCALE: 1:1250@A3	DATE: 13.10.2021
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:REVISION P1		0 10 20 30 40 50
Scale 1:1250		Meters

NOTES:
 1. Do not scale
 2. This drawing is not for construction
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Committee: Planning Applications Committee

Date: 14th July 2022

Agenda item:

Wards: Village

Subject: Objection to the Merton (No.777) Tree Preservation Order 2022 at 5 Parkside Avenue, Wimbledon, SW19 5ES.

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

Recommendation:

That the Merton (No.777) Tree Preservation Order 2022 be confirmed without modification.

1. Purpose of report and executive summary

This report considers the objection that has been made to the making of this tree preservation order. Members must consider the objections before deciding whether or not to confirm the Order, with/without modification.

2. Planning History

2.1 This report relates to no.5 Parkside Avenue, Wimbledon, SW19 5ES. The property is located in the Wimbledon North Conservation Area. This property is one of several that are included in the Merton (No.18) Tree Preservation Order 1978. The protection takes the form of area protection and would only relate to trees that existed in 1978 and any replacement trees planted thereafter.

2.2 In August 2020, a planning application was submitted for the 'Demolition of 2 storey dwelling house and erection of replacement dwelling house with accomodation within the roof space' This case (planning reference 20/P2610) was determined by members of the Planning Applications Committee meeting held on the 10 December 2020. The officer's report advised members that objections had been received from 5 neighbouring properties, the Wimbledon Society and the Parkside Residents Association. All of the objectors raised concerns with regards to the loss of a large quantity of trees and that the proposed landscaping did not mitigate sufficiently against the loss of those

trees. One neighbouring objector commissioned their own arboricultural report wherein it is noted that the proposed scheme did not mitigate against the loss of the existing trees. The submitted landscaping plan shows 12 no. Field Maple trees along the frontage of the site and 2 species of Crab Apple to the rear of the site, although the quantity and locations of these trees had not been marked on the plan. Members resolved that the planning application should be granted planning permission subject to conditions. Condition 2 requires the development to be carried out in accordance with specifically approved plans, including the submitted landscape plan. Conditions 9 & 12 relate to the protection of the existing retained trees, and conditions 10 & 11 relate to the submission of a landscaping and planting scheme.

- 2.3 On the 11 January 2021, an application for approval of details reserved by condition was submitted seeking to discharge 4 conditions (planning reference 21/P0263), including condition 10 relating to the landscape and planting scheme. The proposed landscape plan showed the existing retained trees and 18no. Field Maple trees and 3 no. Crab Apple trees to the front of the site and a further 4no. Crab Apple trees to the rear of the site. This was found to be acceptable and was approved on the 8 March 2021.
- 2.4 On the 2 March 2022, a tree works application (s.211 notice) was submitted seeking consent to remove all of the existing retained trees in the rear garden. The applicant gave no reason(s) for this work. The trees were shown on a landscape plan that differed from the approved landscape plan and this shows a complete re-design to the front and rear gardens. New trees were also shown on the plan, however, the quantity of Field Maple trees to the frontage had been reduced from the approved 18 to 11 trees. The existing trees in the rear garden, in all probability, postdate 1978 and were not, therefore, protected by the existing old tree preservation order. This meant that only the regulations concerning conservation areas applied to those trees. As such, the local planning authority must determine the matter within 6 weeks otherwise the applicant could go ahead and remove the trees. Given the history of this site, the tree officer concluded that not only should the existing trees be protected, but that this should extend to include the trees to be planted under planning reference 21/P0263. On the 7 April 2022, the Merton (No.777) Tree Preservation Order 2022 took effect in the form of an area protection of the entire property. The Regulation 5 Notice that sets out the reasons for the Order, makes it clear that this relates to the existing and new trees. The plan is appended to this report.

3. Legislative Background

- 3.1 Section 198 of the Town and Country Planning Act 1990 (as amended), empowers Local Planning Authorities to protect trees in the interests of amenity, by making tree preservation orders. Points to consider when considering a tree preservation order are whether the particular trees have a significant impact on the environment and its enjoyment by the public, and that it is expedient to make a tree preservation order.
- 3.2 When issuing a tree preservation order, the Local Planning Authority must provide reasons why the tree has been protected by a tree preservation order. In this particular case 10 reasons were given that include references to the visual amenity value of the trees to the area; that the trees have an intrinsic

beauty; the trees make a significant contribution to the character and appearance to the local area; that the trees were to be retained under planning ref: 20/P2610; that the trees form part of our collective heritage for present and future generations; that the trees are an integral part of the urban forest; that the tree contributes to the local bio-diversity; and protects against climate change.

3.3 Under the terms of the provisional status of an Order, objections or representations may be made within 28 days of the date of effect of the Order. The Council must consider those objections or representations before any decision is made to confirm or rescind the Order.

4. Objections to the Order

4.1 The Council has received 2 objections to the Order. One from the agent and the second objection is from the landowner.

4.2 The objection from the agent has been summarised as follows:

- That not all of the trees are worthy of protection and the Beech tree marked as T9 is singled out as being in poor condition and is recommended for removal in the tree survey approved under 20/P2610. The majority of these trees are of low quality and value with limited public amenity.
- The new trees to be planted as part of the recent planning permission will be young and take a number of years to develop and grow.
- As the property is in a conservation area, all of the trees are protected.
- Refers to Planning Policy Guidance whereby the tree officer should visit the site and consider whether the Order is justified. That the officer should gather enough information to enable an accurate Order to be drawn up. The agent questions whether this was the case or whether the tree officer relied on the recent planning application.
- Notes the law with regards to making objections/representations, and that they should be made in writing and within the specified date.

The owner raised the following objection:

- Objects to not being permitted to tweak their originally approved landscape plans.

5. Planning Considerations

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

- The trees are required to be retained as part of the planning consent. The Beech tree marked T9 in the tree survey is described as being in a fair condition and has a lifespan of less than 10 years. The tree straddles the boundary with another property. Whilst the tree expert recommended this tree for removal, it has, nevertheless, been shown as retained on the approved Tree Protection Plan. A tree works application could be submitted proposing its removal, and with the tree preservation order in place a replacement tree could be secured. The majority of the retained trees are classed as 'C' category trees. However, this does not prevent such trees of low quality being protected particularly in view of the

objections that were made in response to planning reference 20/P2610. Furthermore, local planning authorities have a duty to make Orders where it appears to be necessary in connection with the grant of planning permission.

- The approved Field Maples shall be semi-mature and be between 5.75 and 6 metres in height. The Crab Apple trees shall be between 3 and 4 metres in height. Regardless of their size at the time of planting, a tree preservation order would ensure they are retained and replaced as necessary.
- As outlined above, the protection is limited to 6 weeks if an application is made proposing the removal of a tree.
- The tree officer did rely on the approved tree survey and landscape plan to determine what form the tree preservation order should take. As the development is currently under construction and given the shortness of time to respond to a s.211 notification, it was considered that the area category should be used as a temporary measure to protect the existing and proposed trees until such time as they are all in place and can then be fully assessed and reclassified.
- Noted.
- A tree works application is not the correct method of proposing amendments to an extant landscaping condition. The agent who submitted the s.211 notice was informed of this. Any proposals for changes should be submitted in the form of a planning application to amend the approved plan.

6. Officer Recommendations

- 6.1 The Merton (No.777) Tree Preservation Order 2022 should be confirmed without modification.

7. Consultation undertaken or proposed

None required for the purposes of this report

8. Timetable

N/A

9. Financial, resource and property implications

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

10. Legal and statutory implications

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

11. Human rights, equalities and community cohesion implications

N/A

12. Crime and disorder implications

N/A

13. Risk Management and Health and Safety implications.

N/A

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

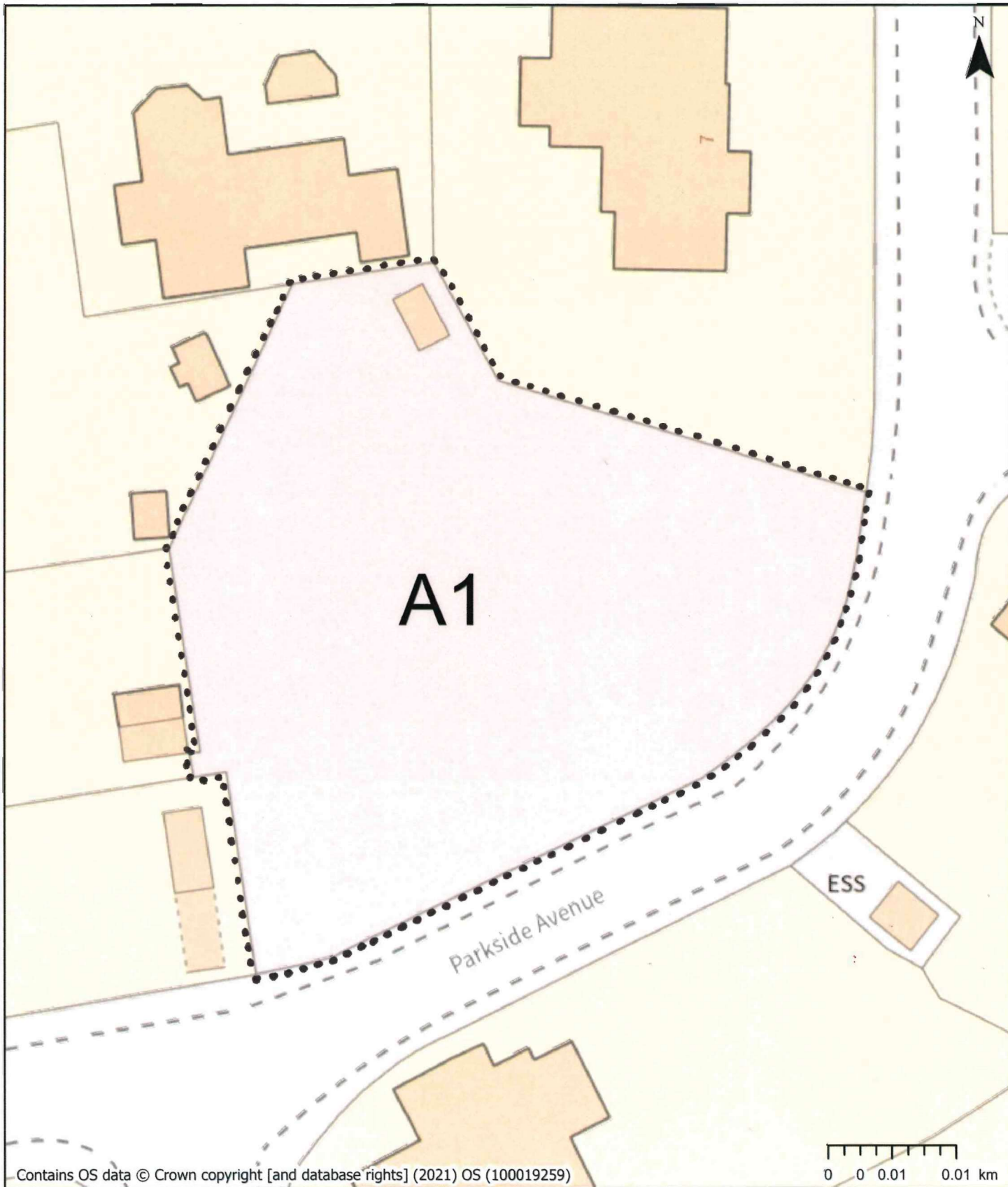
Tree Preservation Order plan

15. Background Papers

The file on the Merton (No.777) Tree Preservation Order 2022
Government Planning Practice Guidance on Tree Preservation Orders and trees in conservation areas.

Merton (No. 777) Tree Preservation Order 2022 - 5 Parkside Avenue

06/04/2022, 13:31:14



Legend
[Black rectangle symbol] Merton Borough Boundary

Scale: 1:413



Committee: Planning Applications Committee

Date: 14th July 2022

Agenda item:

Wards: Wimbledon Park

Subject: Objection to the Merton (No.772) Tree Preservation Order 2022 at 1 Weir Road, SW19 8UG.

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

Recommendation:

That the Merton (No.772) Tree Preservation Order 2022 be confirmed but be modified by removing T1 (Elder) from the Order.

1. Purpose of report and executive summary

This report considers the objection that has been made to the making of this tree preservation order. Members must consider the objection before deciding whether or not to confirm the Order, with/without modification.

2. Planning History

- 2.1 In April 2021, a planning application was submitted for the 'Refurbishment of existing retail unit (class E) comprising installation of new shopfront and customer entrance exit lobby; rear extension; reconfigured site layout including new parking arrangements; and associated works.' This case (planning reference 21/P1436) was determined at officer level and was granted permission subject to conditions. Planning condition 5 requires the submission of a landscaping and planting scheme.
- 2.2 The officer's delegated report noted that an assessment of the trees had been undertaken by Landmark Trees. The officer also noted that the applicant proposed to keep all trees on site alongside measures to enhance the existing trees. The proposal was considered to be in keeping with policy DM02. Policy DM02 specifically notes that development may only be permitted if it will not damage or destroy any tree which is protected by a tree preservation order or has significant amenity value.

- 2.3 On the 21.9.21, an application to discharge planning condition 5 (reference 21/P3407) was submitted proposing the removal of all the existing vegetation and trees on the basis of an ecological report by Middlemarch Environmental. That survey identified 4 species of invasive non-native plants listed under the London Invasive Species Initiative – Cherry Laurel, Tree of Heaven, False Acacia and the Butterfly Bush. All are considered to be a species of high impact or concern that are widespread in London and require extensive action to control/eradicate. Officers accepted the expert's advice and advised the applicant to amend the proposed landscape plan to retain 7 specified trees and to permit the removal of the existing shrubs and ground cover. The applicant responded by providing an amended plan showing 3 retained trees (Horse Chestnut, Dawn Redwood and Elder) and 4 new trees. The plan was annotated against the existing trees to be ‘..retained and crown lifted to give 6.0m clearance if possible.’ In effect, this would result in the removal of most, if not all, the branches on the trees. On officer's advice, the applicant then added the existing Hornbeam to the plan but stated an intention to crown lift this tree and the Elder to provide 5.0m clearance. The applicant was duly advised that this was excessive tree work, and that the Council would only agree to pruning back branches back from the footpath to the boundary. In view of all of these negotiations, a decision was taken to protect the 4 trees agreed for retention with a tree preservation order. On the 1 March 2022, the Merton (No.772) Tree Preservation Order 2022 took effect. The Order protects a Horse Chestnut tree, Dawn Redwood, Hornbeam and the Elder tree. The plan is appended to this report.
- 2.4 Planning application 21/P3407 was approved on the 2 March 2022. The approved landscape plan shows the 4 retained existing trees and 5 new trees as part of the soft landscaping arrangement to the site.

3. Legislative Background

- 3.1 Section 198 of the Town and Country Planning Act 1990 (as amended), empowers Local Planning Authorities to protect trees in the interests of amenity, by making tree preservation orders. Points to consider when considering a tree preservation order are whether the particular trees have a significant impact on the environment and its enjoyment by the public, and that it is expedient to make a tree preservation order.
- 3.2 When issuing a tree preservation order, the Local Planning Authority must provide reasons why the tree has been protected by a tree preservation order. In this particular case 8 reasons were given that include references to the visual amenity value of the trees to the area; that the trees have an intrinsic beauty; the trees make a significant contribution to the character and appearance to the local area; that the trees were to be retained under planning ref: 21/P1436; that the trees form part of our collective heritage for present and future generations; that the trees are an integral part of the urban forest; that the tree contributes to the local bio-diversity; and protects against climate change.
- 3.3 Under the terms of the provisional status of an Order, objections or representations may be made within 28 days of the date of effect of the Order. The Council must consider those objections or representations before any decision is made to confirm or rescind the Order.

4. Objection to the Order

4.1 The Council has received an objection to the Order from the agent acting on behalf of the landowner of 1 Weir Road.

4.2 The objection has been summarised as follows:

- That the landowner does not wish to remove the trees and is obligated to retain them under the planning consent. Notwithstanding that, it is the opinion of the agent that the removal of these trees would not have a significant impact on the locality as there are other trees in the locality and that the planting of 5 new trees adds to the visual amenity of the street scene. Further elements were assessed including:
 - The canopies overhang the site boundary and public footway
 - The trees are non-native
 - The trees are located in a built-up urban area and have no relationship with the surrounding landscape and make a limited arboricultural contribution
 - The trees are not in a conservation area.
- There is no risk of the trees being felled or damaged in ways which would have a significant impact on the area because the planning permission granted includes the retention of the trees and the careful pruning to remove lower branches that are overhanging the site boundary and public footpath. The trees would be under good arboricultural management and would be included in maintenance operations. The new store intends to operate for many years and therefore the Council can rest assured that there is no threat to the existing trees from a change of ownership or the lack of knowledge over the intention to retain the existing trees on the site, which deems the TPO unnecessary.
- There is evidence of deadwood in the crowns and therefore this indicates the trees are in decline.

5. Planning Considerations

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

- There are no specific planning conditions attached to the planning consent requiring the retention of any existing trees. The tree survey by Landmark Trees applied a 'B' category rating to the Horse Chestnut, Dawn Redwood and Horse Chestnut. The Elder was not identified in the survey, and therefore has not been given a category. The categorisation of existing trees on a site is a method for tree quality assessment developed for the BS 5837:2012 – Trees in relation to design, demolition and construction, recommendations, and this is an accepted arboricultural industry standard. Category 'B' defines trees of a moderate value with an estimated remaining life expectancy of at least 20 years. Categories 'A' and 'B' are the most desirable trees to retain as part of a development and this accords with the aims of policy DM02.

- Officers have agreed to the pruning back of overhanging branches. This is a minor amount of work that would not impact on the overall aesthetics of the shape and form of the trees.
 - The BS 5837:2012 and the tree preservation order do not distinguish between native and non-native species of tree. Both are mainly concerned with the retention of trees of a visual amenity value, although other factors such as historical, commemorative or a veteran tree can be of additional importance. Nature conservation value can be included in the consideration of a tree preservation order, but this factor alone would not warrant an Order.
 - These trees are located in a built-up area of mixed commercial and residential usage. They are established trees that provide an important source of visual amenity to residents and visitors alike.
 - It is irrelevant whether this is a conservation area or not. These trees are important within the context of their surroundings and the visual amenity they provide to the public.
- A site visit was carried out on the 18 May 2022 by the tree officer in preparation for this report. It was found that the Elder tree listed as T1 in the Order has been cut down to a stump. As this tree has been destroyed, it is proposed that this should be removed from the Order. The other trees are good examples of their species, and a tree preservation order is the only way of ensuring the remaining trees are retained and kept under good arboricultural management. The Order shall then remain in place for the duration of the lifespan of those trees, and any replacements, regardless of whether there is any change of ownership.
 - The Tree Survey noted the presence of minor static deadwood in the Dawn Redwood. The production of deadwood is a normal biological process in trees. However, when the amount of deadwood in the canopy of the tree becomes excessive, then this is usually an indicator that a tree is in decline. This is not the case with the Dawn Redwood as this is an early mature tree showing normal growth vitality.

6. Officer Recommendations

- 6.1 The Merton (No.772) Tree Preservation Order 2022 should be confirmed but be modified to removed T1 (Elder) from the Order.

7. Consultation undertaken or proposed

None required for the purposes of this report

8. Timetable

N/A

9. Financial, resource and property implications

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

10. Legal and statutory implications

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

11. Human rights, equalities and community cohesion implications

N/A

12. Crime and disorder implications

N/A

13. Risk Management and Health and Safety implications.

N/A

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

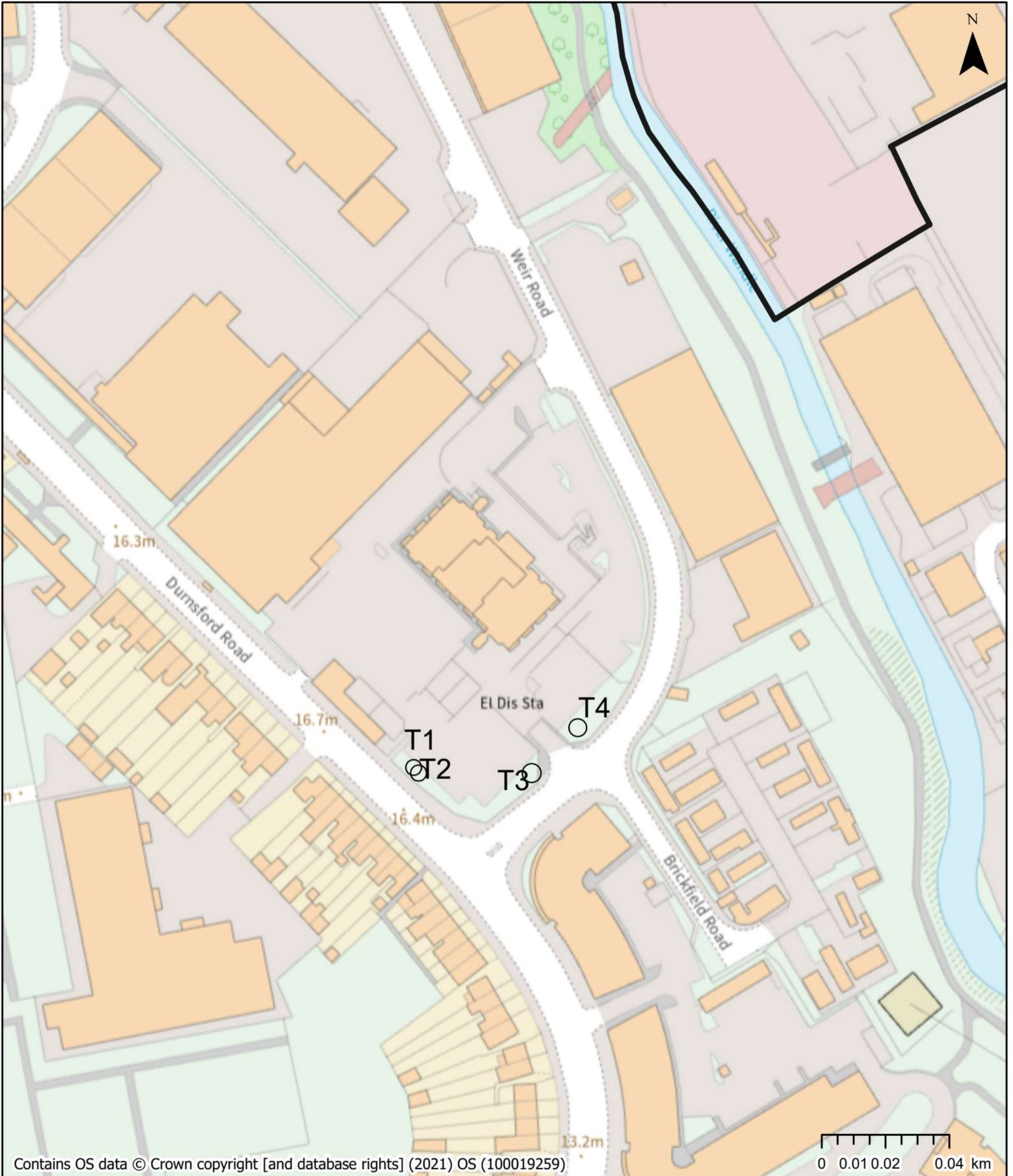
Tree Preservation Order plan

15. Background Papers

The file on the Merton (No.772) Tree Preservation Order 2022
Government Planning Practice Guidance on Tree Preservation Orders and trees in conservation areas.

Merton (No.772) Tree Preservation Order 2022 - 1 Weir Road



17/02/2022, 10:41:18



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Legend

-  Override 1
-  Merton Borough Boundary

Scale: 1:1,654

Committee: Planning Applications Committee

Date: 14th July 2022

Agenda item:

Wards: Village

Subject: Objection to the Merton (No.773) Tree Preservation Order 2022 at 296 Coombe Lane, Raynes Park, SW20 0RW.

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

Recommendation:

That the Merton (No.773) Tree Preservation Order 2022 be confirmed without modification.

1. Purpose of report and executive summary

This report considers the objection that has been made to the making of this tree preservation order. Members must consider the objection before deciding whether or not to confirm the Order, with/without modification.

2. Planning History

- 2.1 In August 2021, a planning application was submitted for the 'Demolition of dwelling house and erection of three new dwelling houses'. This case (planning ref: 20/P2235) was considered by the members of the Planning applications Committee at their meeting on the 19 August 2021. Members resolved that the application be granted permission subject to conditions. Planning condition 9 requires the protection of the retained tree as part of the approved development.
- 2.2 In November 2021, an application to discharge various planning conditions was submitted. This included an Arboricultural report including a tree survey and Arboricultural Method Statement for the protection of the retained Manna Ash tree on the site.
- 2.3 As the single dominant tree on the site that did not have any form of formal protection, the tree officer considered that as this tree was to be retained as part of the approved development, it should be given protection in the form of a tree

preservation order. On the 1 March 2022, the Merton (No.773) Tree Preservation Order 2022 took effect.

3. Legislative Background

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

4. Objection to the Order

- 4.1 The Council has received an objection to the Order from a local resident.
- 4.2 The objection has been summarised as follows:
 - That the tree is not a Manna Ash but an Ash tree.
 - That the former owner of the property used to prune the tree on a regular basis. The tree is now neglected and has been allowed to outgrow its surroundings.
 - Had hoped the developer would remove the tree and plant a slow-growing ornamental tree.
 - Due to neglect the tree is now tall and a potential hazard should it fall.
 - The roots of the tree are pushing up the flagstones to the neighbouring property and it creates a mess every October/November.
 - The tree overhangs the garden and the car is affected by bird droppings and debris falling from the tree.
 - That the Order should be revoked in favour of allowing the developer the freedom to do whatever he pleases.

5. Planning Considerations

- 5.1 The Tree Officer would respond to each of the objector's respective points as follows:
 - The arboricultural report submitted under 21/P3992 identifies this tree as a Manna Ash. The tree has been given a 'B' category rating under the BS

5837:2012 that is a tree of moderate quality with an estimated life expectancy of at least 20 years. The report also provided the following appraisal of the tree 'This tree does merit retention due to High Capital Asset Valuation of Amenity (CAVAT).' The Council's tree officer agrees that this is a Manna Ash (*Fraxinus ornus*). It is the policy of this Council (DM 02) to ensure that trees of significant amenity value are retained as part of a development. In this case, this is a visually prominent tree that makes a significant visual contribution to the local environment. As such the use of a tree preservation order to protect this tree is an appropriate use of the planning legislation.

- A tree preservation order does not normally prevent the appropriate arboricultural management of a tree.
- The objector could have raised this as an issue for consideration at the planning application stage. This is now an approved development requiring the retention of the Manna Ash tree.
- The tree survey found only the presence of minor deadwood. The tree appears to be in reasonably good health and there would appear to be no visual indicators to support the suggestion of a potential hazard.
- The flag stones could be re-laid. As a deciduous tree, the shedding of leaves in autumn is a natural biological process that does not justify the removal of a tree. However, the objector may wish to consider applying for permission to prune back the overhanging branches.
- The mild nuisance of bird droppings and falling debris could be dealt with by applying for permission to prune back the overhanging branches.
- The tree preservation order should not be revoked for all of the reasons set out in this report.

6. Officer Recommendations

- 6.1 The Merton (No.773) Tree Preservation Order 2022 should be confirmed without modification.

7. Consultation undertaken or proposed

None required for the purposes of this report

8. Timetable

N/A

9. Financial, resource and property implications

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

10. Legal and statutory implications

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

11. Human rights, equalities and community cohesion implications

N/A

12. Crime and disorder implications

N/A

13. Risk Management and Health and Safety implications.

N/A

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

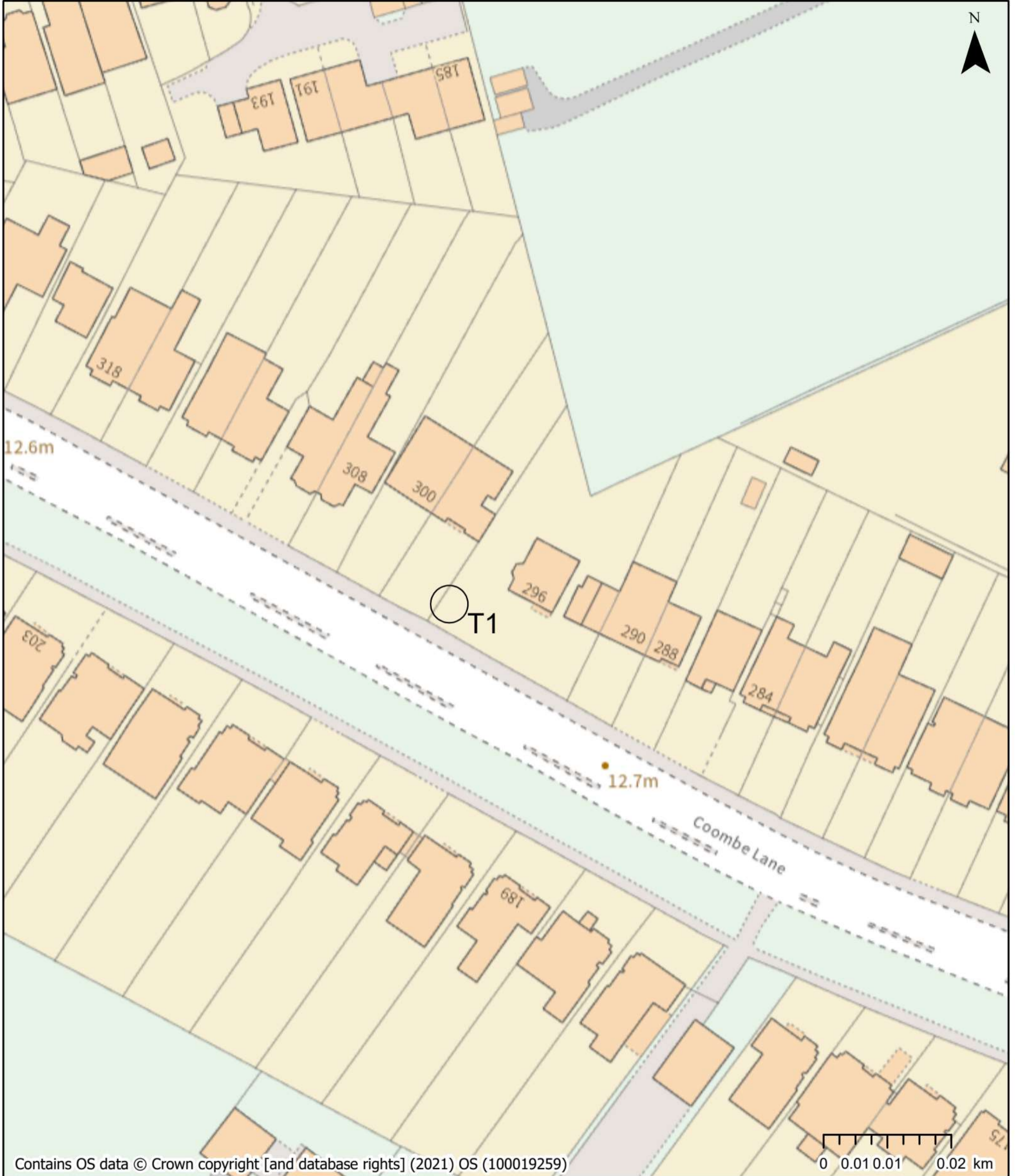
Tree Preservation Order plan

15. Background Papers

The file on the Merton (No.773) Tree Preservation Order 2022
Government Planning Practice Guidance on Tree Preservation Orders and trees in conservation areas.

Merton (No. 773) Tree Preservation Order 2022 - 296 Coombe Lane



23/02/2022, 14:51:03



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Legend

-  Override 1
-  Merton Borough Boundary

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PLANNING APPLICATIONS COMMITTEE
14th July 2022

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	21/P1459	16/04/2021

Address/Site: Advertising Panel outside 87 The Broadway, Wimbledon, SW19 1QE

(Ward) Hillside

Proposal: INSTALLATION OF A FREE-STANDING, INTERNALLY ILLUMINATED DOUBLE-SIDED DIGITAL ADVERTISEMENT UNIT- ADVERTISED SPACE MEASURING 1065MM X 1895MM

Drawing Nos: Proposed Plans, Site Plan Amended 24.02.22

Contact Officer: Jivan Manku (0208 545 4859)

RECOMMENDATION

GRANT Advertisement Consent, subject to Conditions

CHECKLIST INFORMATION

- Heads of agreement: None
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: Not required
- Site notice: Not required
- Conservation Area: No
- Number of neighbours consulted: 10
- External consultations: None

1. INTRODUCTION

- 1.1 The proposal has been brought before the Planning Applications Committee at the request of Councillor Anthony Fairclough.

2. SITE DESCRIPTION

- 2.1 The application site is located outside No. 87, The Broadway. The surrounding area comprises a mixture of commercial uses in the town centre location and the site does not lie within a Conservation Area.

3. CURRENT PROPOSAL

- 3.1 The application seeks advertisement consent for the erection of an internally illuminated, freestanding, double sided advertisement panel to replace the existing free standing advertising panel.
- 3.2 The proposed panel would be 1.34 metres wide, 0.255 metres deep and 2.955 metres high. The visible area of the panel would be 1.895 metres high and 1.065 metres wide.
- 3.3 The display would be an ultra high definition LCD screen which would allow close up reading from a distance of up to 50 metres. The luminance levels of the display would operate at 600 Cd/m² maximum.
- 3.4 Amended Plans: Amended site plan was received following Highways Officer advice to re-position the proposed advertising panel 0.45 m closer toward the road to give more space to users of the pavement and to show the proposal and existing lamppost in the right position.

4. PLANNING HISTORY

- 4.1 16/P2277 - ADVERTISEMENT CONSENT FOR THE DISPLAY OF A FREESTANDING STRUCTURE COMPRISING 2 x BACK-TO-BACK 84" DIGITAL ADVERTISING SCREENS TO REPLACE EXISTING - Grant Advertisement Consent - 01/09/2016

5. CONSULTATION

- 5.1 Ten neighbouring properties and the Council's Highways Officer were notified of the proposed development as part of the consultation process on 10/05/2021. 7 objections were received on the following grounds:
- The current unit already restricts pedestrian flow significantly, additionally it is an eyesore and poses a safety risk;
 - The unit is a distraction to traffic and hides pedestrians trying to navigate a very small pavement space, this includes children, and causes issues for vehicles turning left from Russell Road onto The Broadway;
 - Navigation of this area of pavement has been difficult for some time, before any Covid restrictions were introduced. It also represents the only pedestrian route from Wimbledon Station to the Theatre. Given the recent pavement improvements outside the theatre promote pedestrian use, making this area as attractive, safe and accessible as possible would seem to be of the highest priority, not the placement of an advertising unit which is simply an obstacle.
 - This unit will reduce visibility for my business;
 - I need the area in front of my business for tables.
 - The plan and site photos do not show the seating area for Diba Restaurant therefore in reality, there is less space than shown in the photos;
 - The proposed scheme should be refused and the existing unit should be removed;
 - Street furniture should be aligned along the pavement as close to the kerb edge as possible so that they do not become an obstacle to disabled people, especially visually impaired people.
 - The outdoor seating for Diba Restaurant, existing unit and street furniture currently obstruct the path;
 - Having the sign in its current location impedes foot traffic.
- 5.2 The Wimbledon Society:
- Objection to the application.
 - Contrary to draft local plan policy (policy D5.6)
 - Conflict with paragraphs 5.6.2 and 5.6.3.
 - The advertisement is far from unobtrusive standing nearly 3m high and over 1.3 m wide.
 - Location is close to other street furniture. The existing unit already hinders the movement of pedestrians. Pavement can be busy at times due to proxy to Wimbledon Theatre.

- This is a large unit. It certainly provides opportunities for concealment.
- Council should reject the application.

5.3 Love Wimbledon:

- The location of the current unit restricts pedestrian flow which makes it a congested area;
- The section is a busy footway with limited access;
- The increased mass of the unit would not be safe.
- The Wimbledon Society:
- The proposed unit is contrary to several of the policies in the councils draft local plans and far from unobtrusive standing nearly 3m high and over 1.3 m wide.
- The unit is situated close to several other items of street furniture (e.g telephone boxes, pedestrian lights and crossing button).
- The unit is large.

5.4 Ward Councillor:

The applicant contends that "The site identified is an existing digital unit which has been assessed and deemed appropriate in light of its position in the street which avoids points in the road where drivers and pedestrians are required to take special care". The existing consent was obtained in 2016 and it cannot be assumed that circumstances have not changed. For example, the images in the applicant's plans provided do not show the seating outside Diba restaurant, which is now a semi permanent fixture given the government and recovery response to Covid. Even without the seating, there is limited access past the sign, but with it there is practically none. This reduces safety and accessibility of the pavement. In addition, the applicant does not discuss section 12 of the NPPF on Achieving well-designed places. Specifically, the NPPF paragraph 127 defines decisions to "create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

5.5 Merton Centre for Independent Living:

Our attention has been drawn to this application and we understand there are concerns about this pavement area becoming over crowded. While we can see that the measurements for the proposed boards leave good space on the pavements for all users, it is clear in the photos included which show the existing board that there is a lot of other street clutter in the form of signs and tables and chairs for the restaurant (which is a widespread problem on the Broadway) and this may present obstacles for Disabled people who use wheelchairs or mobility scooters and people with visual impairments.

5.6 Council's Highways Officer: If this is a replacement of existing in the same position, Highways would like the shelter to be positioned nearer the kerb (0.45m) to give more pedestrian space due to other elements on the footway.

This has now been done on amended plans.

5. POLICY CONTEXT

Merton Sites and Policies Plan July 2014 policies:

- Policy DM D2 Design considerations in all developments
- Policy DM D4 Managing heritage assets
- Policy DM D5 Advertisements

- Policy CS14 Design

London Plan 2021:

- Policy D8 Public Realm
- Policy D4 Delivering Good Design

The NPPF 2021

- Chapter 7 Ensuring the vitality of town centres
- Chapter 8 Promoting healthy and safe communities
- Chapter 12 Achieving well designed places

6. PLANNING CONSIDERATIONS

The planning considerations for the proposed advertisement panel would include the following:

- Character and Appearance
- Neighbour Amenity
- Highway Safety

6.1 Character and Appearance

6.1.1 Policy DM D5 requires that advertisements are of high quality design and that the quality, character and amenity of the borough is not diluted or undermined by inappropriate or excessive advertising on buildings, in the street or on site frontages. DM D5 also requires decisions to have regard to public realm enhancement schemes and regeneration initiatives, to ensure they are not diluted or undermined by inappropriate proliferation of advertisements.

6.1.2 The proposed advertisement panel would replace an existing free standing panel in the same location, albeit further towards the road. The proposed panel would be upgraded to an internally illuminated LDC screen. The panel would be slightly higher than the existing unit to a maximum height of 2.955 metres (existing height is 2.8 m) but would be similar in terms of width and depth. The only main change to the street scene would be the increased illumination of the panel and the proposed housing of the unit. The location is such that the surroundings are commercial in nature where there are a variety of commercial shops. Further, there are some existing street furniture present in the locality, such as bicycle racks, bins, lamppost, trees and a letter box. Given the town centre location and the previous consent for the existing advertising panel, officers do not consider that the proposal would cause visual harm to the local area. The proposed unit has been moved closer to the pavement edge upon request from the Highways Officer which results in the unit being less of an obstruction to users of the pavement. It is therefore considered the advertisement panel would not have an undue detrimental impact on the character and appearance of the pavement or wider street scene and is compliant with Policy DM D5 and DM D2.

6.1.2 The Broadway Conservation Area boundary commences at the junction with Gladstone Road to the west and the Grade II Listed Theatre is present to the east. Taking these surrounding heritage assets into consideration, officers are satisfied that the proposal would not cause any harm to either heritage asset. The proposal is therefore considered to comply with Policy DM D4 of the Local Plan.

6.2 Neighbour Amenity

6.2.1 Merton's Sites and Policies Plan 2014 policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring

properties in terms of pollution, light spill/pollution, loss of light, quality of living conditions, privacy, visual intrusion and noise.

6.2.2 The proposed advertisement panel would replace an existing panel but would be upgraded with an LDC screen to display the proposed advertisements. As previously mentioned, the buildings around the panel are commercial units. Although objections have been received in regards to the location of the proposed unit and its proximity along the pavement to the commercial units, it has been relocated so it is closer to the kerb as requested by the Highways Officer. This helps to mitigate the issues raised in the comments regarding the advertisement unit being an obstruction to pedestrians. As such, within this setting, the proposed panel and illumination levels of 600 Cd/m² are considered acceptable and would not cause undue harm to the neighbouring amenity. Therefore, the proposal is compliant with Policy DM D2 in this regard.

6.3 Highway Safety

6.3.1 Core Strategy policies CS18 and CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management.

6.3.2 Due to the new position of the proposed unit and the fact it will replace an existing panel it would not be considered to cause harm to the public footpath or highway. The Highways Officer had requested the panel be re-sited further north towards the road by 0.45 m to ensure that the users of the pavement are not impeded. The proposal was amended to comply with this requirement. The proposal is therefore considered to be acceptable in regards to transport and highway safety and would comply with Policies CS18 and CS20.

7. CONCLUSION

7.1 Grant advertisement consent subject to conditions.

Recommendation:

Grant Advertisement Consent, subject to the following conditions:

Conditions

1. This consent shall expire 5 years from the date of this decision.

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

2. The development hereby permitted shall be carried out in accordance with the following approved plans: Proposed Plans, Site Plan Amended 24.02.22

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

3 No advertisement shall be sited or displayed so as to endanger persons using any highway, railway, waterway, dock, harbour or aerodrome (civil or military), obscure or hinder the ready interpretation of any traffic sign, railway signal or aid to navigation by water or air, or hinder the operation of any device used for the purpose of security or surveillance or for measuring the speed of any vehicle.

Reason: To accord with Regulation 14 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007.

4. Any advertisement displayed shall be static, and any site used for the display of advertisements shall be maintained in a condition that does not impair the visual amenity of the site.

Reason: To comply with Regulation 14 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

5. Any structure or hoarding erected or used principally for the purpose of displaying advertisements shall be maintained in a condition that does not endanger the public.

Reason: To comply with Regulation 14 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

6. Where an Advertisement is required under these Regulations to be removed, the site shall be left in a condition that does not endanger the public or impair visual amenity.

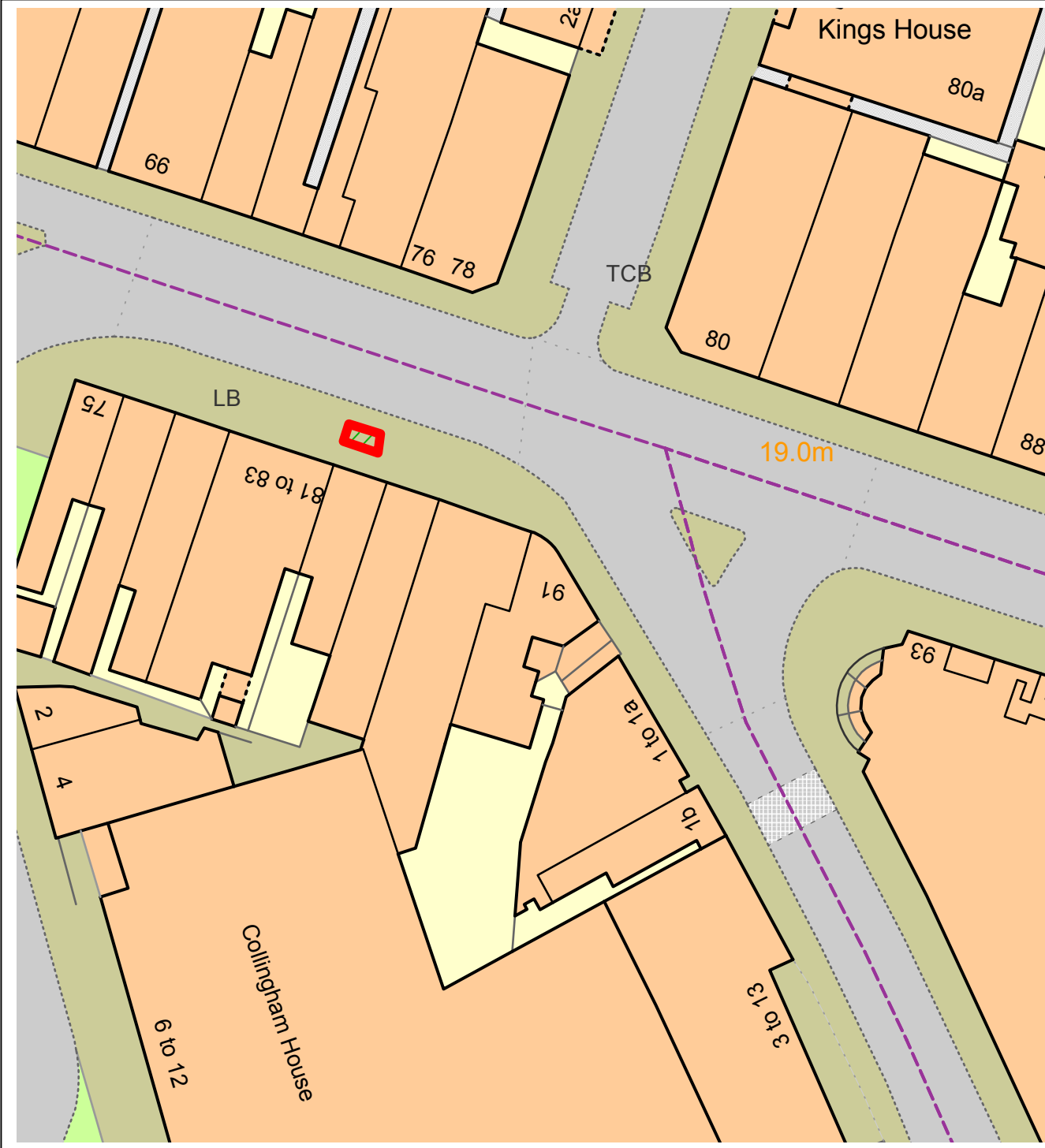
Reason: To comply with Regulation 14 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

7.

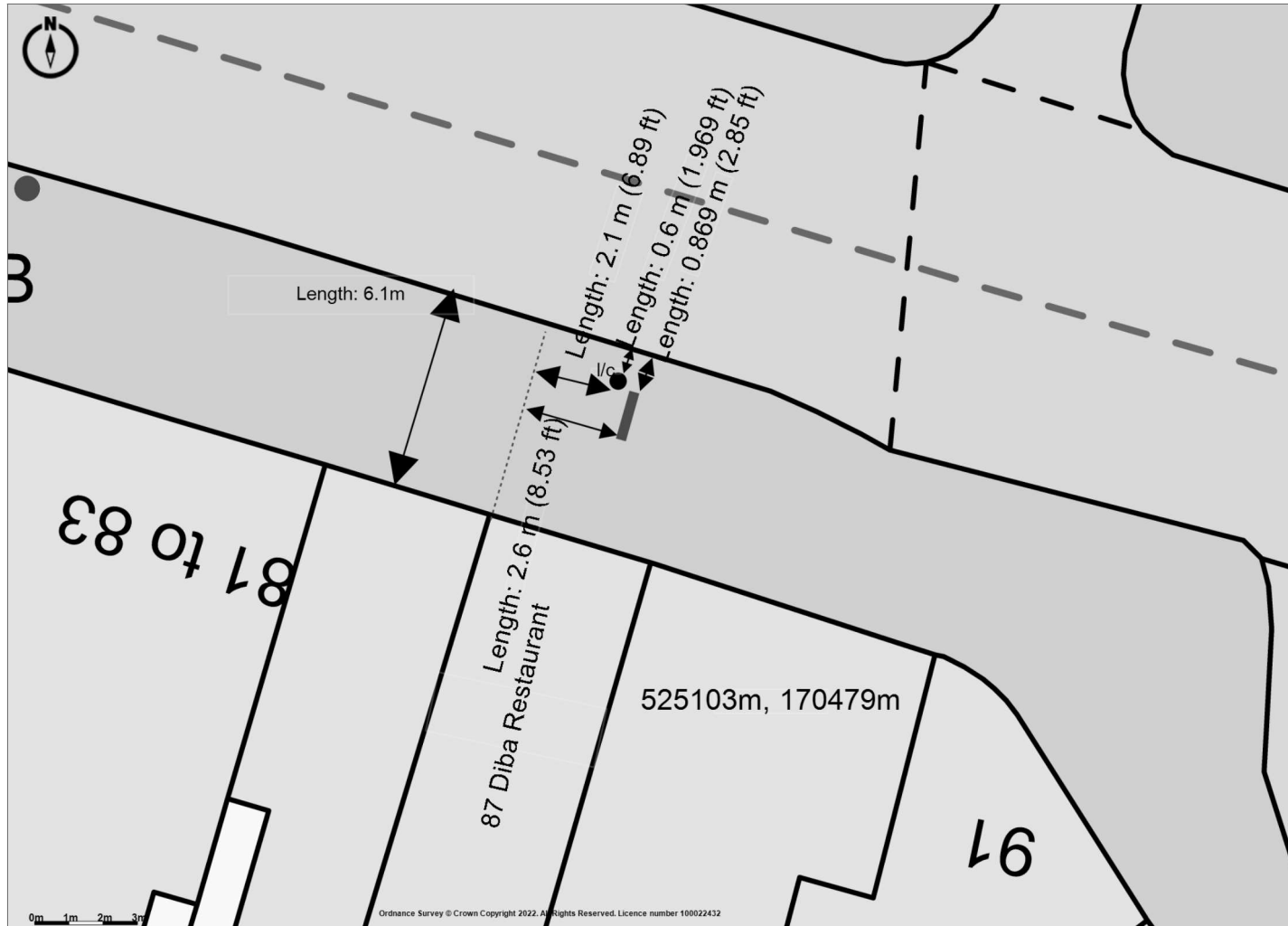
The illuminance levels of the advertisement hereby consented shall not exceed 600 cd/m².

Reason: To comply with Regulation 14 of the Town & Country Planning (Control of Advertisements) (England) Regulations 2007.

NORTHGATE SE GIS Print Template



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Promap

● LANDMARK INFORMATION

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Plotted Scale - 1:200. Paper Size - A4


MER0171DD conversion

London Borough of Merton
Digital Street Furniture

MER0171DD
The Broadway IFO No 87 SW19 1QE

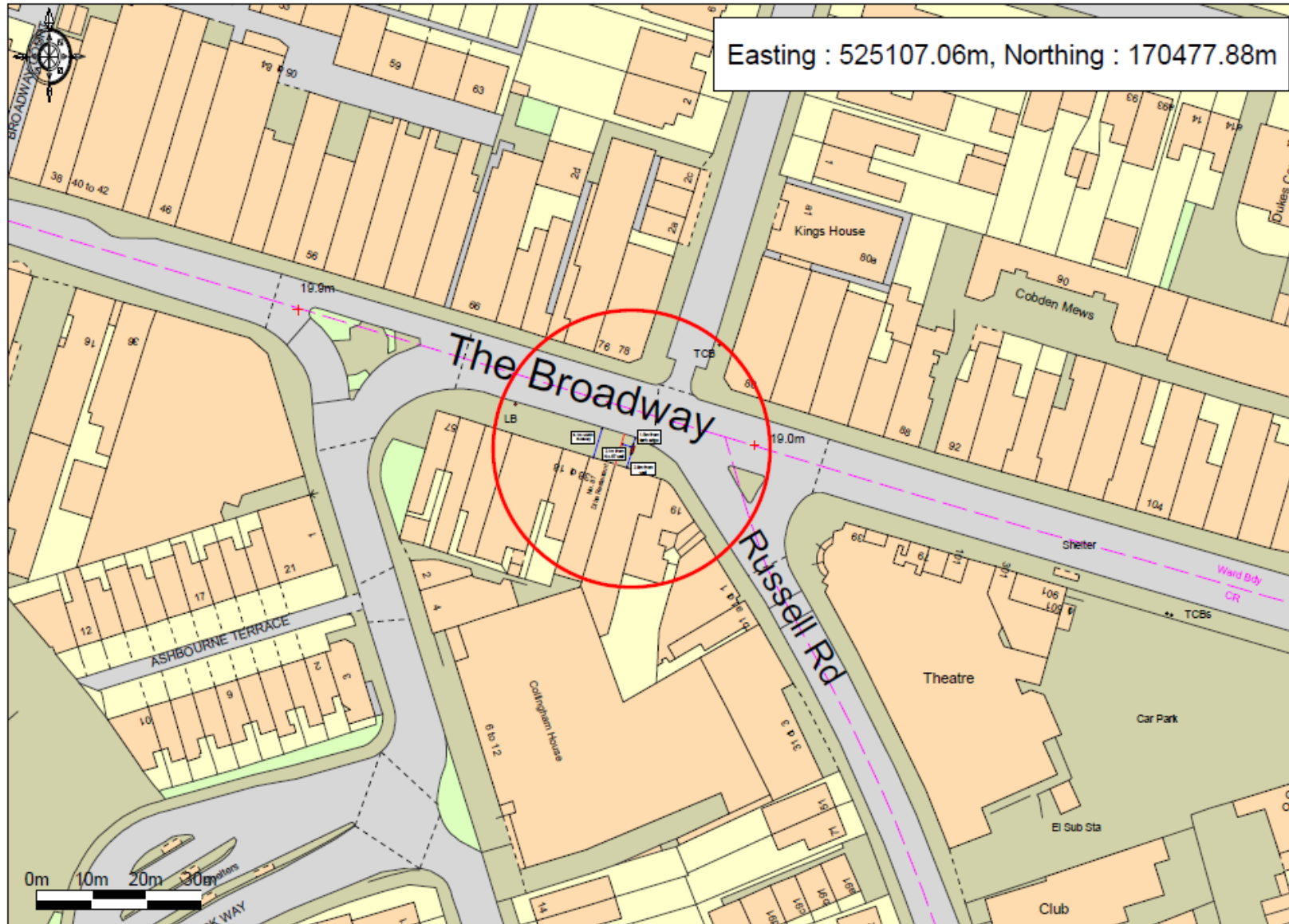
CONTENTS

Page 192

- 
- Location Plan - 1:1250
 - Site Plan - 1:200
 - Site Photos
 - Rendered Image
 - Technical Specification
 - Design Excellence
 - Sustainability & Social Responsibility

MER0171DD The Broadway IFO No 87 SW191QE

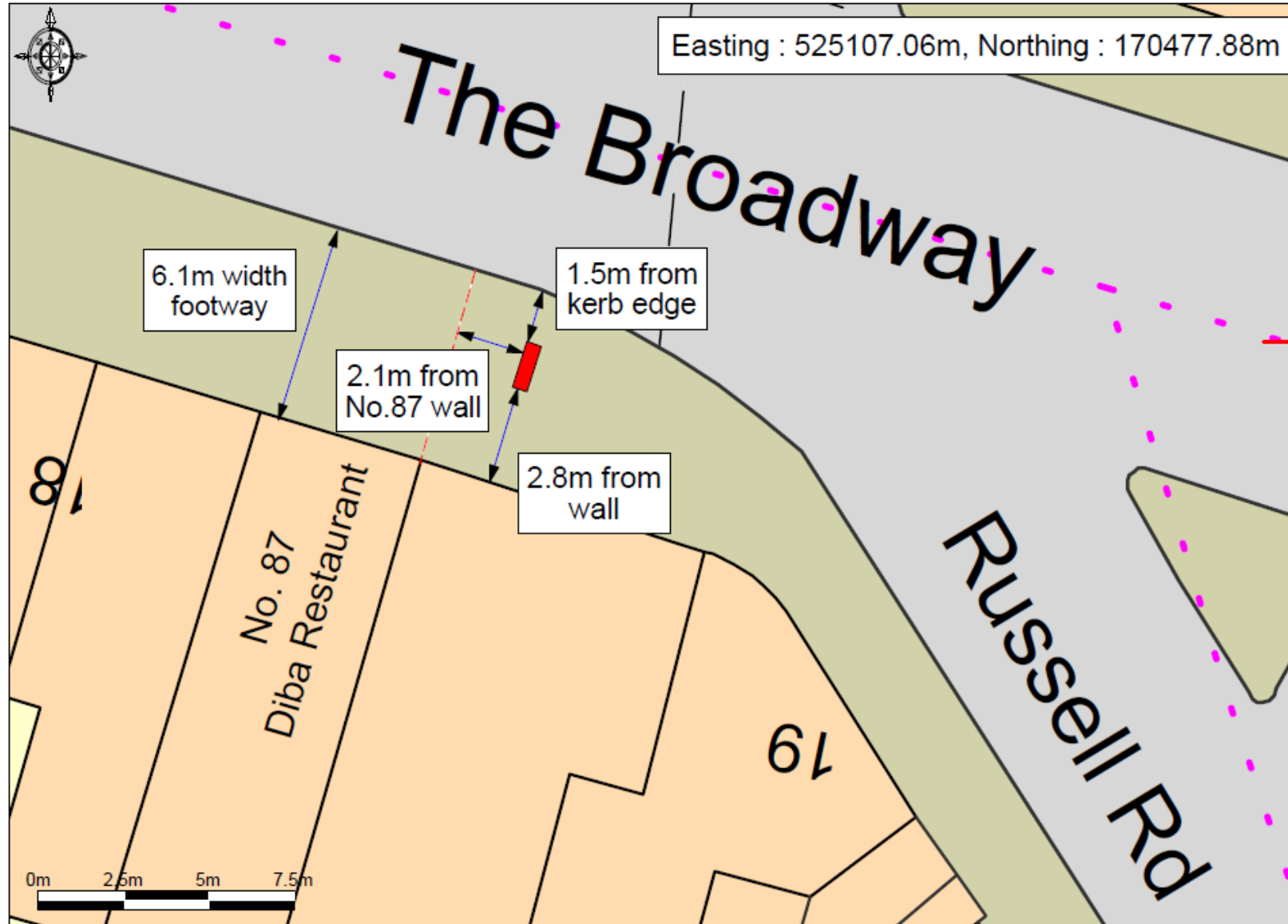
CONVERSION – OS MAP 1:1250



MER0171DD The Broadway IFO No 87 SW191QE

CONVERSION – OS MAP 1:200

Page 194



MER0171DD The Broadway IFO No 87 SW191QE

CONVERSION – SITE PHOTO

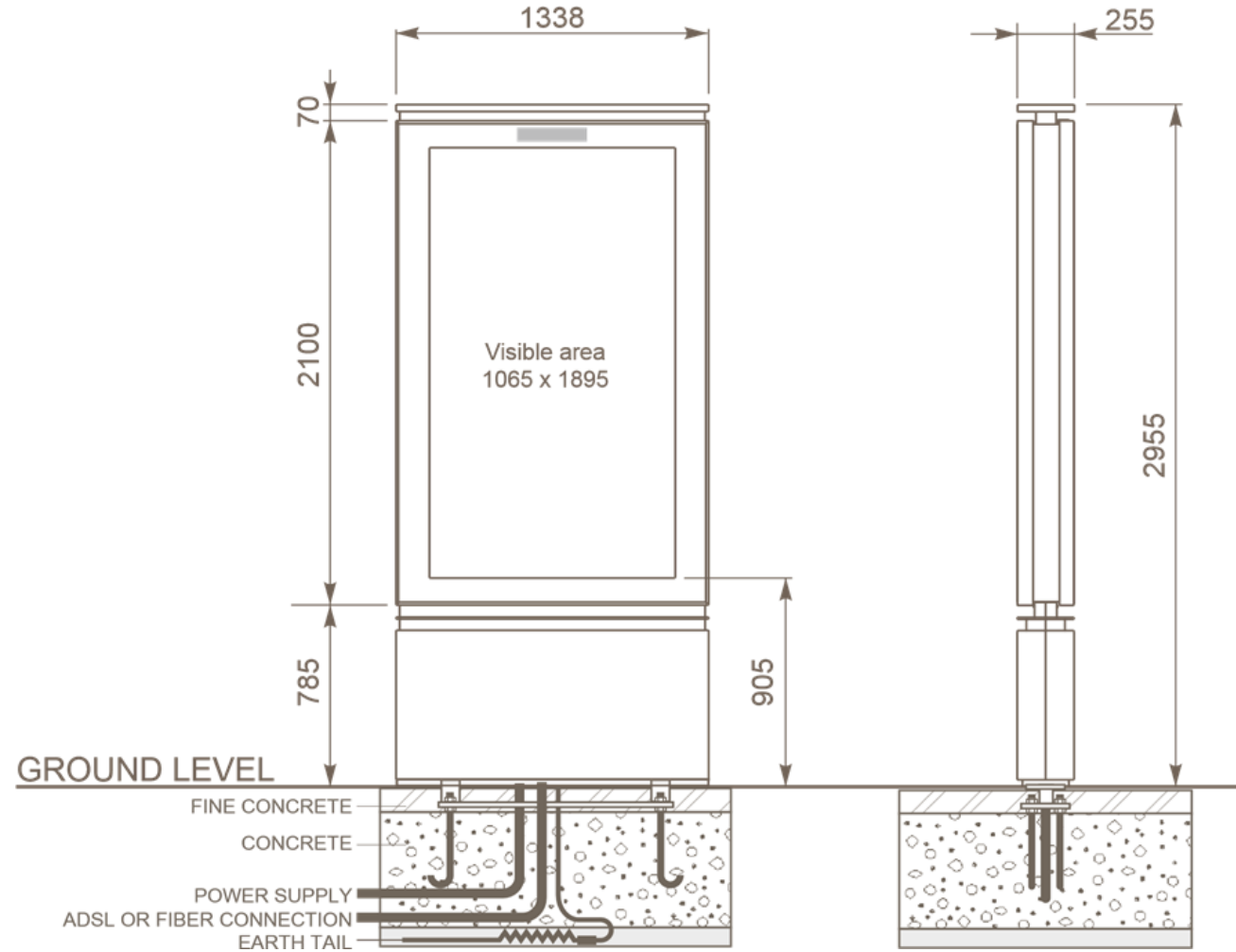
Page 195



TECHNICAL SPECIFICATION
FREE-STANDING UNIT

MERTON'S DIGITAL 86' PANEL

Page 198



MERTON'S DIGITAL 86' PANEL



SCREEN TECHNICAL SPECIFICATION

PRODUCT DETAILS

Resolution

86-inch LCD 16/9 portrait format high-luminance screens. Ultra HD resolution 3840 x 2160 pixels. Excellent definition for close-up reading and from a distance (up to at least 50 m)

Visibility

Luminance operates at a 600 Cd/m² night time maximum level. Daytime levels can vary and are controlled by the ambient light to ensure good light output day and night to minimise power consumption. Screen designed for visibility in all weather conditions (rain, sun, cloud) Anti-glare protection treated glass Screen equipped with last generation LED matrix backlight allowing local dimming to provide deep contrast colors

Reliability

Forced ventilation to keep internal temperature below 50°C and extend the service life of the electronic circuitry

Displayed Contents

Enables display of Full HD contents (1920x1080) with enriched resolution up to Ultra HD (3840x2160) thanks to an algorithm. The screen is able to display native Ultra HD content. Display of animated content (videos): MPEG-2, MPEG-4 (.mov, .mp4, .avi, etc.) Display of still images: jpeg, png, non-animated gif Display of dynamic content: flash (swf) + data feed

LG-MRI - PRODUCT

Built for Performance

BoldVu® displays are built for outdoor environments and has been tested for resilience and reliability, from unstable power supply and vandalism to extreme ambient temperatures and solar exposure. This rigorous testing process has influenced the BoldVu® design. This design and engineering approach has enabled MRI to achieve the highest standards for outdoor LCD performance in the BoldVu® product.

DynamicVu® | Block dimming

BoldVu® displays perform real-time analysis of every frame up to 120 times per second. This feature boosts image contrast, reduces backlight power and heat generation, and extends LED backlight life.

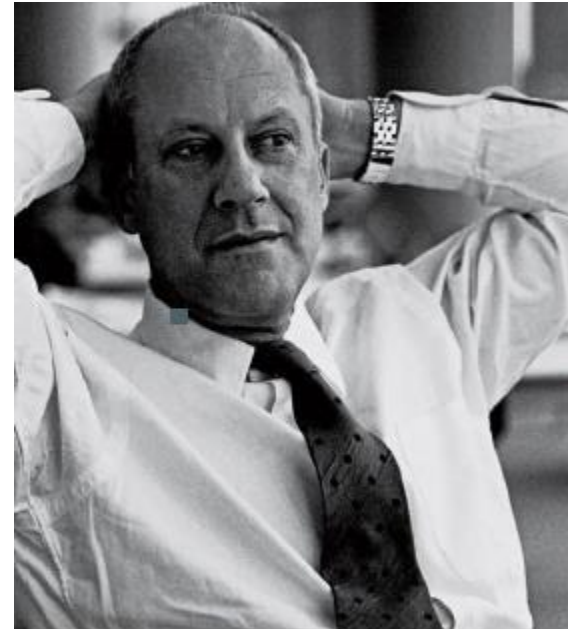
DESIGN EXCELLENCE

BEAUTIFUL YET PRACTICAL

At the heart of the Company's philosophy is a dedication to design excellence and sustainable development. JCDecaux is renowned for its landscape legacy of beautifully designed Street Furniture & Roadside Displays. Created through the continued collaboration with leading Architects and Designers, in partnership with Local Councils, JCDecaux continue to develop and install comprehensive lines of Street Furniture and Roadside Displays for Cities across the world. The investment in high quality durable designs is intended to enhance the public realm and to complement the area.

JCDecaux has worked collaboratively with private and public sector partners since its founding in 1964, supporting their needs in major cities and urban centres around the world. Our business was founded on the principle of providing high-quality street furniture and public utility services, through the granting of advertising rights.

Page 201



LORD NORMAN FOSTER

"The work we carry out with our various partners extends our knowledge in new areas and working methods, and the experience gained continues to enrich other branches of our activities."

Norman Foster

SUSTAINABILITY & SOCIAL RESPONSIBILITY

IMPORTANCE OF SUSTAINABILITY

Sustainability is a core principle for JCDecaux. We strive to create a balance between its business growth and social and environmental responsibilities. The twin pillars of innovation and sustainability drive the business forward and influence every project we undertake. JCDecaux have recently been commended for its leading approach by achieving a place on the CDP's prestigious 'A-List' for climate change action.

As a key player in many urban environments, JCDecaux operate to promote public messaging through their displays. The messages proposed by the Council can influence key areas of the Borough to promote activities and social responsibilities. As part of our partnership, the London Borough of Merton will receive 15% of the unit screen time to display public commercial messages of their choosing.

Page 202



SUSTAINABILITY: Key to the Future of Cities

COMMITTING TO

100% RENEWABLE ENERGY BY

2022 JCDecaux is the first Out-of-Home company to join the RE100 initiative



GREEN

100%

ELECTRICITY
used in our buildings and advertising sites

LED lighting installed on street furniture

9 ELECTRIC VANS IN OPERATION



98.5%
OF ALL WASTE **RECYCLED OR RECOVERED**



SITE LANDSCAPING, GREEN WALLS AND VISUAL AMENITY
RAINWATER COLLECTED FOR CLEANING BUS SHELTERS

100%
OF PAPER AND PE VINYL POSTERS **RECYCLED**

JCDecaux

814 TONNES OF WASTE

DIVERTED FROM LANDFILL

31% LESS CO2
PRODUCED BY OUR VEHICLES COMPARED TO 2012

SEDEX AWARD 2ND PLACE

BEST ENVIRONMENTAL SUSTAINABILITY PROGRAMME

CERTIFIED
ISO 14001 & ISO 50001

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Committee: Planning Applications

Date: 14th July 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/P0546
Site:	3 Mitcham Park, Mitcham CR4 4EN
Development:	PROPOSED ERECTION OF A TWO STOREY REAR EXTENSION AND REAR ROOF EXTENSION IN CONNECTION WITH THE CHANGE OF USE FROM RESIDENTIAL REHABILITATION CENTRE (CLASS C2) TO A 10 ROOM HMO (CLASS SUI GENERIS).
LPA Decision:	REFUSED (Delegated Decision)
Appeal Decision:	DISMISSED
Date of Appeal Decision:	16 th June 2022

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

Application Number **21/P0039**
Site: 33 Lingfield Road, Wimbledon SW19 4PZ
Development: PROPOSED DEMOLITION OF EXISTING FIVE BED DWELLING AND ERECTION OF A THREE STOREY APARTMENT BUILDING. FOR THE CREATION OF 4 x THREE BEDROOM APARTMENTS, INCLUDING REMOVAL OF TWO TREES AND ALTERATIONS TO EXISTING ACCESS.
LPA Decision: REFUSED (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 13th June 2022

[LINK TO DECISION](#)

Application Number **21/P0451**
Site: 18A Ridgway, Wimbledon SW19 4QN
Development: PROPOSED CHANGE OF USE FROM PHYSIOTHERAPY PRACTICE [E(e) USE] TO RESIDENTIAL [C3 USE] TO CREATE 2 x SELF-CONTAINED FLATS WITH A NEW RAISED REFUSE AREA
LPA Decision: REFUSED (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 28th June 2022

[LINK TO DECISION](#)

Application Number **21/P2278**
Site: 73 Cavendish Road, Colliers Wood SW19 2EY
Development: CREATION OF A NEW ATTACHED DWELLING, INVOLVING THE PROPOSED ERECTION OF SIDE & REAR EXTENSIONS TO 73 CAVENDISH ROAD
LPA Decision: REFUSED (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 8th June 2022

[LINK TO DECISION](#)

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: 16th July 2022

Agenda item:

Wards: All

Subject: PLANNING ENFORCEMENT - SUMMARY OF 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 Officers Ray Littlefield: 0208 545 3911
Ray.Littlefield@merton.gov.uk
Raymond Yeung: 0208 545 4352
Raymond.Yeung@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:	513	New Appeals:	(0)
New Complaints	32	Instructions to Legal	0
Cases Closed	71	Existing Appeals	1
New Enforcement Notices Issued		TREE ISSUES	
Breach of Condition Notice:	0	Tree Applications Received	69
New Enforcement Notice issued	1	% Determined within time limits:	98%
S.215: ³	1	High Hedges Complaint	0
Others (PCN, TSN)	0	New Tree Preservation Orders (TPO)	0
Total	1	Tree Replacement Notice	0
Prosecutions: (instructed)	0	Tree/High Hedge Appeal	0

Note (**figures are for the period from (from 20th April to 7th June 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 year's backlog of planning enforcement appeals to determine.

2.0 Recent Enforcement Actions

Land at 22 Vectis Road London SW17 9RG -Untidy land

A section 215 notice has been served to the above property, the rubbish and vegetation to the front and the rear of the property increases its adverse impact on the amenity of the area. Section 215 of the Town and Country Planning Act (1990) provides local authorities with an additional discretionary power for requiring landowners to clean up 'land adversely affecting the amenity of the neighbourhood'

This matter concerns the adverse impact that the condition of the land at 22 Vectis Road has on the amenity of the surrounding area. The owner of the land has failed to clear rubbish and vegetation to the front and to the rear. To the front this includes, but is not limited to: large weeds in excess of three metres in height, trees and bushes, abandoned bins, abandoned car parts, household plastics, wooden boards, bricks which have been abandoned, motorcycle helmet, wooden boards, a mattress, a white household appliance. To the rear this includes, but is not limited to: overgrown vegetation, including overgrowth of seedling trees and shoots, household waste and appliances, garden waste and appliances and a derelict outbuilding which is in a state of disrepair.

Enforcement officers will be re-visiting the site soon to see if the notice has been complied with.

310 & 372 Grand Drive SW20 9NQ – Untidy land

Before



After



An unannounced visit was made by the council in April 2022, soon after the investigation by an enforcement officer and making contact to the property owners, the land was cleared in May 2022.

70 Linkway, SW20 9AZ. Unauthorised hardsurfacing of front garden.

Before



After



The breach has now been rectified the hardstanding or cement has been removed and the front garden has been reinstated with a grassed area and a wooden boundary fence.

61a WORPLE ROAD LONDON SW19 4LB. A Breach of Condition Notice was served. The developers failed to provide screening required by condition on a planning permission for a new residential development, no screening leads to an overlooking and loss of privacy issue towards existing neighbouring adjoining residents.

12A Deer Park Road, South Wimbledon, London SW19 3TL.

An enforcement notice was served from a change of industrial/office unit into a 16 unit House In Multiple Occupation (HMO), it did not receive planning permission and is expedient due to the creation of the poor residential accommodation in a commercial area. The notice requires the cessation of the HMO use requiring to remove kitchen and toilets from the units.

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 Land is again being fly tipped a further s215 Notice was issued on 28th February 2022 including enclosing and clearing the untidy / overgrown Land.

The council is in process of taking direction action to clear the land again.

100 Garth Road, Morden, SM4 4LR. Relates to the unauthorised erection of a self-contained residential unit on top of an existing garage. An enforcement notice has been served dated 28th March 2022, the Notice will take effect on 2nd May 2022 with a 3 months compliance period unless an appeal is submitted. The notice requires: Completely demolish the Unit or Restore that part of the property to its condition prior to the breach of planning control by complying with approved drawing number E-1672-PJ-03A planning permission 17/P2214.

Land at 225-231 Streatham Road, SW16.

A Temporary Stop Notice was issued on 2nd February 2022 requiring the immediate cessation of use of the Land as a car wash. The notice took immediate effect, and the unauthorised use was ceased, and the Notice fully complied with.

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. Works Stopped, Notice complied with. Further investigation was taken on the shopfront, this has since received planning permission. Also investigation is in process to the rear air-conditioning units.

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

Successful Prosecution case-update

7 Streatham Road, Mitcham, CR4 2AD

A warning letter to the owners threatening direct action for the remedial works following non-compliance to enforcement notices. As previously mentioned, 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.

A letter has been written to the land owner to state that The Council is minded to take direct action by engaging a building contractor to undertake the works to secure compliance with the enforcement notices, pursuant to section 178, Town and Country Planning Act 1990 (as amended). This would result in further costs that would be recoverable from you directly. Before embarking on this course of action we wish to allow you a further opportunity to voluntarily comply with the enforcement notices.

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 owner has responded with a pre-application meeting which took place at the beginning of July 2022 and appears to be co-operating with the council to remedy the harm by offering to reduce the size of the said breaches.

A brief summary;

The plea hearing took 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 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.

The defendant was fined for the outbuilding and the dormer extensions due to non-compliance with two enforcement notices.

Existing enforcement appeals

1

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

N/A

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