

# Merton Council

## Planning Applications Committee Agenda

### Membership

#### Councillors:

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

#### Substitute Members:

Caroline Charles  
Kirsten Galea  
Nick McLean  
Stephen Mercer  
Stuart Neaverson  
Matthew Willis

**Date:** Thursday 8 December 2022

**Time:** 7.15 pm

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

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# Planning Applications Committee Agenda

## 8 December 2022

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting *To Follow*
- 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 Broghill House, Queen Alexandras Court, St Mary's Road, Wimbledon, SW19 7DE 1 - 44  
*Application No: 22/P2446*  
*Ward: Hillside*  
*Officer Recommendation: GRANT Planning Permission*  
*Subject to Conditions and S106 Agreement*
- 6 30A Ridgway Place, Wimbledon, SW19 4EP 45 - 60  
*Application No: 22/P2414*  
*Ward: Hillside*  
*Officer Recommendation: GRANT Planning Permission*  
*Subject to Conditions*
- 7 Planning Appeal Decisions *To Follow*  
Officer Recommendation:  
That Members note the contents of the report.
- 8 Planning Enforcement - Summary of Current Cases 61 - 70  
Officer Recommendation:  
That Members note the contents of the report.
- 9 Decision Log  
*That Committee note the following update:*  
  
*Planning application number:22/P1945*  
*Query: Whether the application should be included in the agenda for 8<sup>th</sup> December 2022 Planning Committee meeting*  
*The decision: That the Application should be discharged under delegated powers*  
*Who made the decision: Chair of Planning Committee*  
*When it was taken: Friday, 25<sup>th</sup> November 2022*  
*The context: New plan is first floor is 0.39m wider than the*

*previously inspector approved application. It is noted that the site width has also been found to be 0.39m wider than the approved plan and therefore the relative distance is the same. The plan was deemed not materially different. The Chair noted that we would want to encourage good behaviours for developers to regularise their schemes if onsite conditions differ from reported.*

10 Glossary of Terms

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**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.

**PLANNING APPLICATIONS COMMITTEE**  
**8<sup>th</sup> December 2022**

**Item No:**

**UPRN**

**APPLICATION NO.**

**DATE VALID**

22/P2446

08/08/2022

**Address/Site:**

Broghill House, Queen Alexandras Court, St Mary's Road,  
Wimbledon, SW19 7DE

**(Ward)**

Hillside

**Proposal:**

Demolition of Broghill House and erection of two detached six-bedroom dwellings arranged over four floors (basement, ground, first and second floor levels), with ancillary access, off-street parking, and landscaping

**Drawing Nos:**

1910-0002(E), 1910-0003(F), 1910-0460(A), 1910-1111(B), 1910-1112(A), 1910-1113(A), 1910-1114(A), 1910-1115(A), 1910-1300, 1910-1301, 1910-1302, 1910-1303, 1910-1307, 1910-1308, 1910-1309 & 1910-1310.

**Contact Officer:**

David Gardener (0208 545 3115)

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**RECOMMENDATION**

**GRANT Planning Permission Subject to Conditions and S106 Agreement**

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**CHECKLIST INFORMATION**

- Heads of agreement: Permit free
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 146
- External consultations: None

**1. INTRODUCTION**

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

## **2. SITE AND SURROUNDINGS**

- 2.1 Queen Alexandra's Court is a purpose built complex, managed by Royal Homes, a subsidiary charity of the SSAFA, the Armed Forces Charity, providing self-contained residential units for members and former members of all ranks of the British Armed Forces and their families. The complex of buildings is Grade II Listed and is located at the southern end of St Mary's Road in Wimbledon.
- 2.2 Broghill House, is a later addition located at the southern end of the site, dating from 1970-73, and provides ancillary office accommodation for the site staff as well as some guest rooms when required.
- 2.3 The application site is located in the Merton (Wimbledon Hill Road) Conservation Area.
- 2.4 The surrounding area is predominantly residential, comprising a mixture of purpose-built flatted blocks and houses. The application site is bounded by St Mary's Road to the west, Lake Road to the east, and Pine Grove to the north.
- 2.5 Off-street parking is currently provided at the front of Broghill House. The site has excellent public transport accessibility (PTAL 6a) and is also located in a controlled parking zone (zone W2).
- 2.6 The application site comprises a number of trees which are protected by Tree Preservation Orders.

## **3. CURRENT PROPOSAL**

- 3.1 The applicant seeks planning permission to demolish Broghill House and erect 2 x six bedroom detached dwellings. The dwellings would be arranged over four floors, comprising basement, ground, first and roof level accommodation.
- 3.2 The proposed dwellings would feature hipped crown roofs with dormers located in the front, rear and side elevations. A second floor balcony would be located on the rear elevation of each dwelling. Facing materials would comprise red brickwork, stone clad bay windows, grey slate roof, and grey metal windows.
- 3.3 The proposed development would provide 2 car parking spaces for each dwelling, which would be accessed using the existing vehicle access on Lake Road. Secure cycle storage would be located at basement level of each dwelling.
- 3.4 To facilitate the development, two category 'C' (a Cherry and Apple tree) and one category 'U' (a Butterfly Bush) trees will be felled.

## **4. PLANNING HISTORY**

The following planning history is relevant:

- 4.1 MER504/79 - Two car ports next to workshop. Granted, 22/10/1979.
- 4.2 MER916/82 - Application for listed building consent to install new lantern lighting affixed to exterior of buildings and within grounds of Queen Alexandra's Court. Granted, 13/01/1983.
- 4.3 89/P1397 - Listed building consent for repair and restoration works to external garden terrace walls. Granted, 18/04/1990.
- 4.4 02/P2305 - Application for listed building consent for internal alterations to kitchen and main front room to provide a meeting room for residents. Granted, 24/04/2003.
- 4.5 12/P1733 - Listed building consent for the erection of a purpose built garage. Granted, 13/08/2012.
- 4.6 13/P1155 - Lean to extension to office. Refused - 09/08/2013
- 4.7 13/P1156 - Application for Listed Building Consent for the erection of a lean to extension to existing office. Refused - 09/08/2013
- 4.8 19/P4179 - Application for a Certificate of Lawfulness in respect of the continued use of flats A2 - A6 in block 'A' as independent living facility for soldiers, sailors, airmen and their families in need of accommodation (SSAFA), within a conservation area and affecting the site of a listed building. Issued - 04/06/2020
- 4.9 20/P2311 - Application for a Certificate of Lawfulness to confirm that flats B1-B6, C1-C6, D1-D9, E1-E9, F1-F9, G1-G9, H1-H9, J1-J6 AND K1-K9 fall under residential (Class C3) use. Issued - 17/09/2020
- 4.10 In March 2021 pre-application advice was sought for the demolition of Broghill House & ancillary buildings and erection of two detached dwellings (LBM Ref: 21/P0940).

## **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 D4 (Managing heritage assets), DM EP2 (Reducing and mitigating noise), DM F1 (Support for flood risk management), DM F2 (Sustainable urban drainage systems SuDS, wastewater and water infrastructure), DM H2 (Housing Mix), DM H3 (Support for affordable housing), 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:  
GG6 (Increasing efficiency and resilience), D2 (Infrastructure requirements for sustainable densities), D3 (Optimising site capacity through the design-led approach), D4 (Delivering good design), D5 (Inclusive design), D8 (Public realm), D10 (Basement development), D11 (Safety, security and resilience to emergency), D12 (Fire safety), G5 (Urban greening), D6 (Housing quality and standards), H1 (Increasing housing supply), H10 (Housing size Mix), SI 1 (Improving air quality), SI 2 (Minimising greenhouse gas emissions), SI 3 (Energy infrastructure), SI 4 (Managing heat risk), SI 5 (Water infrastructure), SI 13 (Sustainable drainage), T4 (Assessing and mitigating transport impacts), T5 (Cycling), T6 (Car parking), T7 (Deliveries, servicing and construction)
- 5.4 Mayor of London Housing Supplementary Planning Guidance (March 2016)
- 5.5 Merton Council Small Sites Toolkit SPD 2021
- 5.5 Department for Communities and Local Government 'Technical housing standards – nationally described space standard'
- 5.6 National Planning Policy Framework 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, 11 letters of objection, one letter of support, and one letter of comment from the Wimbledon Society were received. The letters of objection were on the following grounds:
- Concerns regarding access for emergency vehicles
  - Residents of Queen Alexandras Court are elderly and will find it difficult to access information and make representations regarding the application
  - Plans of existing blocks are incorrect
  - Traffic and parking / safety concerns
  - Access should be from St Mary's Road and not Lake Road
  - Noise / dust / disruption during construction
  - Loss of private garden/allotment
  - Impact on vulnerable residents
  - Loss of privacy/overlooking
  - Proposed dwellings are out of keeping with Grade II Listed building
  - Would not preserve the setting of the Grade II Listed building
  - Excessive bulk and massing of proposed dwellings / detrimental impact on street scene
  - Public benefit does not outweigh harm to Grade II Listed building
  - Inaccurate information
  - Demolition of existing property



6.2 The letter of support is on condition that the dwellings are only sold once constructed, and a condition is attached to the planning permission requiring construction traffic uses the existing site access fronting onto Lake Road and park on Lake Road only.

6. The Wimbledon Society

Is supportive of the installation of air pumps but suggests that a condition be included to include noise attenuation in order to protect the amenities of the neighbours. There is concern about the loss of some trees by the development and it is requested that there is a condition that requires the planting of new trees equivalent to twice the age of the lost trees. There is also concern about damage during the development to the trees which are to be retained and it is requested that adequate protection is put in place. This includes trees situated in the pavement close to the proposed access to the site of the development. The access to the site is close to an awkward, constrained and busy junction and adequate site management should be put in place to minimise disruption to the neighbourhood

6.3 Council's Transport Planner

6.4 No objections.

6.5 Council's Flood Risk Officer

6.6 No objections subject to appropriate conditions.

6.8 Council's Tree Officer

6.9 The trees on the site are protected by the Merton (no.4) TPO 1970, these are referred to in the arb report as TT, T11, T12, T14, T15, T16 and T18. It is considered that the proposals do not have a negative effect on any existing retained trees, provided the trees are protected during the course of demolition and construction. I would advise attaching appropriate planning conditions regarding tree protection and site supervision.

6.10 Council's Conservation Officer

Pre-Application discussions were held. As far as the design of the two houses is concerned the current design has addressed many of the points raised from the original proposal. The design is now sympathetic to the Grade II Listed blocks behind without being pastiche. Materials samples will be required. It may be noted that my understanding is these houses are not for the benefit of the inmates or future inmates but to raise funds for the charity.

Main concerns are with the loss of the communal garden for the existing residents and loss of the office and visitor accommodation. Would another suitable location be made available for this?

## **7. PLANNING CONSIDERATIONS**

### **7.1 Principle of Development**

- 7.1.1 The proposal would result in a net increase of 2 residential units, which would help contribute to the council's housing target of providing 500 – 600 residential units in Wimbledon for the period 2011 – 2026 set out in policy CS 9 of the Core Planning Strategy 2011.
- 7.1.2 Policy H1 of the London Plan 2021 has set Merton a ten-year housing target of 9,180 new homes. By providing a net increase in 2 new units the proposals would make a contribution to meeting that target and providing much needed new housing.
- 7.1.3 Policy H2 of the London Plan 2021 outlines 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 in order to:
- 1) significantly increase the contribution of small sites to meeting London's housing needs
  - 2) diversify the sources, locations, type and mix of housing supply
  - 3) support small and medium-sized housebuilders
  - 4) support those wishing to bring forward custom, self-build and community led housing
  - 5) achieve the minimum targets for small sites
- 7.1.4 Historically small sites have been crucial to housing delivery in Merton and they continue to offer opportunities to grow Merton's housing stock. Over the last 15 years, small sites have provided over 60% of built homes borough-wide and account for over 95% of approved applications. The Council have recently adopted a Small Sites Toolkit SPD 2021 which outlines guidance on developing small sites.
- 7.1.5 The proposal to provide new residential units to this small site (0.14 ha in size) is considered to respond positively to London Plan and Core Strategy planning policies to increase housing supply and optimise small sites and is supported by Officers.

### **7.2 Design and Impact on Grade II Listed Building and Conservation Area**

- 7.2.1 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.
- 7.2.2 Policy DM D4 states that all development proposals associated with the borough's heritage assets or their setting will be expected to demonstrate, within a Heritage Statement, 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. Proposals affecting a heritage asset or its setting should conserve and enhance the significance of the asset as well as its surroundings.

- 7.2.3 Paragraph 199 of the NPPF 2021 states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance. Paragraph 202 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
- 7.2.4 Queen Alexandras' Court, or the Royal Homes, Wimbledon, is a development of purpose built accommodation originally built 'as Homes for Officers' Widows and Daughters' arranged around a quadrangle, constructed from 1901-1904 to designs by Sir Ernest George and partners. The accommodation blocks, garden pavilion, garden wall, entrance gates, gate piers and wall are all Grade II Listed, a total of seven listed structures.
- 7.2.5 The development involves the demolition of Broghill House, which is considered to have a neutral impact on the Conservation Area. Broghill House, which was built in the 1970s, has little historic significance, and as such there are no objections to its demolition.
- 7.2.6 It is considered that the proposed dwellings, which would be subordinate to the residential blocks at Queen Alexandras Court, are not excessive in terms of size. The dwellings would also be sympathetically designed, featuring hipped roofs with a similar profile to the residential blocks. The proposed facing materials comprising slate roof, red brick and stone clad bay windows, would also be similar to existing materials, which means the dwellings would integrate well with the residential blocks. The applicant has submitted a Heritage Statement, which includes visuals of the proposed houses in relation to the Listed Buildings. It is considered that there would be some limited impact on the setting of the Listed buildings given the proposed dwellings would sit in front of the southern residential block when viewed from Woodside and St Mary's Road, however it is considered the impact would be at the lower end of the 'less than substantial harm' scale. It is also considered that the public benefits would out-weigh the harm with the proposed development resulting in a net increase of two residential dwellings in an under used part of the site, whilst also sustaining the work of SSAFA and the Royal Homes in Wimbledon.
- 7.2.7 Overall, it is considered that the proposed dwellings are a high quality design, which would preserve the character and appearance of the Merton (Wimbledon Hill Road) Conservation Area, whilst having a 'less than substantial harm' on the listed buildings, which would be outweighed by the public benefits. The

proposal therefore accords with relevant planning policies on design and heritage.

### **7.3 Residential Amenity**

- 7.3.1 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.
- 7.3.2 The proposed development would be sited between approx. 11.4m (West house) and 18.2m (East House), from the closest block (Block H, J & K) at Queen Alexandras Court. This block is arranged over three floors and comprises self-contained flats. It appears from the submitted plans that the majority of the flats in this block are dual aspect with windows in the south elevation (facing the proposed development) of these flats serving bedrooms, kitchens and bathrooms. Only flats located at the eastern end of the block (Block H) appear to be single aspect with some only having a south aspect. All of the flats of this block with south aspect feature balconies, which are recessed between the flank walls of blocks H, J and K.
- 7.3.3 The applicant has submitted a daylight and sunlight report which assesses the impact of the proposed development on its surroundings with regards to daylight and sunlight availability to habitable rooms. In this instance the Vertical Sky Component (VSC), Average Daylight Factor (ADF), and Annual/Winter Probable Sunlight Hours (APSH / WPSH) Tests have been applied to the most impacted windows of the ground floor flats of Blocks H & J. The VSC is a measure of the amount of diffuse daylight reaching a window. The BRE advises that where daylight and sunlight is reduced by less than 20% the impact would be negligible. Where the windows do not meet this criteria, the BRE Guidelines states that if the VSC at the centre of a window is more than 27% of available light, then the diffuse daylighting will not be adversely affected.
- 7.3.4 The Average Daylight Factor Test (ADF) Test measures the overall amount of daylight in a space. It is recommended that the minimum ADF value for a kitchen is 2%, 1.5% for a living room, and 1% for a bedroom.
- 7.3.5 The APSH (Annual Probable Sunlight Hours)/ WPSH (Winter Probable Sunlight Hours) Test is a measure of the amount of potential direct sunlight that is available to a given surface. BRE Guidance states that windows should continue to receive in excess of 80% of their pre-development value, or 25% of available hours over a year (APSH) / 5% of hours in winter (WPSH) to be considered well lit.
- 7.3.6 The results of the VSC test demonstrate that whilst there would be a reduction in light at the windows tested, the VSC is not reduced below 27% for any window and therefore daylight standards are unlikely to be significantly altered. All tested rooms would also comfortably exceed the minimum ADF values. With

regards to sunlight, all of the proposed windows pass the APSH / WPSH Test. The development would reduce the APSH by less than 20% and is therefore compliant. It does reduce the WSPH by more than 20%, however all rooms still receive more than 5% of WSPH and can therefore be considered reasonably sunlit.

- 7.3.7 It is also considered that the proposed development would not be visually intrusive, overbearing or result in an unacceptable level of privacy loss or overlooking. The south facing single aspect flats in Block H would face the east house which is located approx. 18.2m from the block. This is considered a sufficient distance for a two-storey dwelling with roof space accommodation. Nevertheless, a condition will be attached requiring the second floor front dormer is obscure glazed to help protect privacy.
- 7.3.8 The west house would be sited approx. 11.4m from the Block. It is considered that the visual impact would be acceptable in this instance given the flats which directly face this house are dual aspect with the south facing windows serving bedrooms and bathrooms. Balconies are located on the south elevation of these flats and although there would be some impact on outlook, it is considered that on balance it would be acceptable given the proposed house is two storeys with the second floor accommodated in a hipped roof, therefore limiting the profile of the house. However, to protect privacy, and given the closer proximity of this dwelling, a condition will be attached requiring both the first and second floor front windows in the west house are obscure glazed and fixed shut below 1.7m internal floor height in the front (north) elevation. It is considered that this would not have an unacceptable impact on the standard of accommodation of the west house as this would only relate to windows in 2 of 6 bedrooms, with one of the bedrooms also featuring a juliette balcony in the west (side) elevation, which would not be required to be obscure glazed.
- 7.3.9 Objections relating to the loss of the existing allotment/garden, which is used by residents, are noted, and the applicant has confirmed that this space will re-accommodated elsewhere on the site. A condition will be attached requiring details of this space is to be submitted and provided for, prior to first occupation of the new dwellings.
- 7.3.10 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).

#### **7.4 Standard of Accommodation**

- 7.4.1 The Department for Communities and Local Government 'Technical housing standards – nationally described space standard' provides the most up to date and appropriate minimum space standards for Merton. In addition, adopted policy CS.14 of the Core Strategy and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) encourages well designed housing in the borough by ensuring that all residential development complies with the most appropriate minimum space standards and provides functional internal spaces

that are fit for purpose. New residential development should safeguard the amenities of occupiers by providing appropriate levels of sunlight & daylight and privacy for occupiers of adjacent properties and for future occupiers of proposed dwellings. The living conditions of existing and future residents should not be diminished by increased noise or disturbance.

- 7.4.2 It is considered that the proposed layouts are acceptable and all habitable rooms would receive adequate levels of daylight/sunlight. To protect the privacy of flats in the southern block of Alexandras Court, the first and second floor windows in the north facing elevation of the west house will be obscure glazed and fixed shut below 1.7m internal floor height. It is considered that although this would limit the outlook from one bedroom, there are still 5 further bedrooms in the house which would feature windows with unrestricted outlook, so is therefore acceptable. The proposed dwellings would each be 527sqm and as such would comfortably exceed the minimum space standards in terms of their overall size.
- 7.4.3 Policy DM D2 from the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that for all new houses, the council will seek a minimum garden area of 50sqm as a single usable regular shaped amenity space. The proposed dwellings would each comprise in excess of 50sqm of private amenity space and as such complies with this requirement.

## **7.5 Parking and Traffic**

- 7.5.1 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.
- 7.5.2 Two off-street parking spaces are proposed for each house, which will be accessed using the existing car access gates on Lake Road. Although London Plan Policy T6.1 states that all residential developments in areas of PTAL 5 - 6 should be car free, it is considered that the proposed level of parking is acceptable in this instance as it would be unreasonable to expect six-bedroom dwellings to be car free. London Plan Policy T6.1 requires that all residential car parking spaces must provide infrastructure for electric or Ultra-Low Emission vehicles. At least 20 per cent of spaces should have active charging facilities, with passive provision for all remaining spaces. Given the proposed number of parking spaces exceeds the maximum parking standards, a requirement will be made in this instance for all of the parking spaces to provide electric charge points. This will be secured by condition.
- 7.5.3 Given the site is within a Controlled Parking Zone (W2) and has a PTAL rating of 6a it is advised that any future permission would be required to be 'permit free'. Policy CS.20 of the Core Planning Strategy states that the Council will support permit free developments in areas within CPZ's benefiting from good access to public transport (PTAL 4-6). This is to be secured within a S106 Agreement.

7.5.4 In terms of cycle parking, London Plan Policy T5 requires 2 long stay spaces for six-bedroom dwellings. It is considered that the proposal would comply with this policy with each house providing 3 cycle spaces at basement level.

7.5.5 Overall, it is considered that the proposal would comply with relevant planning policy relating to traffic and parking.

## **7.6 Trees and Biodiversity**

7.6.1 Policy DM O2 of the Adopted Merton Sites and Policies Plan and Policies Maps (July 2014) states that development will only be permitted if it will not damage or destroy any tree which is protected by a tree preservation order, is within a conservation area; or, has significant amenity value. Policy CS.13 in the Core Planning Strategy is similarly protective of trees with amenity value.

7.6.2 A number of trees located on the application site, are protected by Tree Preservation Orders (TPOs) and these trees would not be impacted by the proposal. However, to facilitate the development, two category 'C' (a Cherry and Apple tree) and one category 'U' (a Butterfly Bush) trees will be felled. It is considered that this is acceptable given these trees are lower quality and are set back from the site's street frontage, which means their amenity value is limited. The submitted plans show a number of replacement trees to be planted and this will be secured by condition. It is considered that given the size of the two new gardens for the proposed dwellings, the site could accommodate sufficient landscape and biodiversity enhancements. These would be secured via appropriate conditions.

## **7.7 Drainage and Flood Risk**

7.7.1 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) requires proposals that incorporate basements and subterranean development to include a hydrology report which set out the impacts of the development on groundwater and surface water movements and how these will be addressed.

7.7.2 The site lies within Flood Zone 1. The site is not shown to be at high risk of surface water flooding as shown on the surface water flood maps and it is not located in flood zone associated with river flooding.

7.7.3 The application is supported by a Basement Impact Assessment (BIA) and Flood Risk Assessment (FRA), which includes on-site ground investigation, and Drainage Strategy. The Council's Flood Engineer has assessed the application and considers the submitted details to be acceptable subject to conditions relating to drainage and groundwater mitigation.

## **7.8 Air quality**

7.8.1 The whole of Merton is an Air Quality Management Area (AQMA). Officers note that only limited car parking has been provided, which is positive in terms of air

quality. Further, officers have recommended a condition ensuring that all car parking spaces for the new dwellings would have electric charging facilities. Subject to suitable conditions to control the construction process (demolition and construction method statement and a limit on noise levels from plant/machinery), it is considered that the proposed development would be acceptable in terms of its impact on air quality.

## **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**

- 10.1.2 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.

- 10.2.1 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 new dwellings are a high quality design that would have an acceptable impact on the St Mary's Road, Lake Road and Woodside street scene whilst preserving the character and appearance of the Merton (Wimbledon Hill Road) Conservation Area. It is considered that the development would cause "less than substantial harm" to the setting of the Grade II Listed Queen Alexandras Court, however, this would be outweighed by the public benefit of 2 new dwellings in a sustainable location. It is also considered that the proposed development would provide a satisfactory standard of accommodation and would have an acceptable impact on neighbour amenity, traffic and parking, trees, and surface and groundwater flows. 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) Car parking 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.1 (External Materials to be Approved)
4. B4 (Details of Site/Surface Treatment)
5. B5 (Details of Walls/Fences)
6. C1 (No Permitted Development (Extensions))
7. C2 (No Permitted Development (Windows and Doors))
8. C.3 (Obscured Glazing (Fixed Windows))
9. C.6 (Refuse & Recycling (Details to be Submitted))
10. D.11 (Construction Times)
11. F.1 (Landscaping/Planting Scheme, which shall include new tree planting and biodiversity enhancement measures)
12. F.2 (Landscaping (Implementation))
13. F.5 (Tree Protection)
14. F.8 (Site Supervision)
15. F.9 (Hardstandings)
16. H.4 (Provision of Vehicle Parking)
17. The development hereby approved shall not be occupied until electric charging points for all car parking spaces have been installed. The charging points shall be permanently retained thereafter for the use of occupiers.

Reason: To encourage the use of environmentally friendly electric vehicles in compliance with policy T6 of the London Plan 2021.

18. H.7 (Cycle Parking to be Implemented)
19. Prior to the commencement of the development hereby permitted, a Construction Logistics Plan shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented prior to the first occupation of the development hereby permitted and shall be so maintained for the duration of the use, unless the prior written approval of the Local Planning Authority is first obtained to any variation.

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

20. Development shall not commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate:
- (i) Parking of vehicles of site workers and visitors;
  - (ii) Loading and unloading of plant and materials;
  - (iii) Storage of construction plant and materials;
  - (iv) Wheel cleaning facilities
  - (v) Control of dust, smell and other effluvia (Air Quality measures);
  - (vi) Control of surface water run-off;
  - (vii) Noise mitigation measures.

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

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

21. The drainage strategy shall be implemented in accordance with the approved submitted details contained within the Drainage Strategy & Maintenance Statement (Reference DS&MS/12603 Rev 1, dated July 2022) which incorporates onsite storage of 19.2m<sup>3</sup>. The drainage scheme will dispose of surface water at the agreed rate of 2l/s.

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. 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.

23. Prior to occupation of the development details of replacement allotment/garden area shall be submitted and approved by the Local Planning Authority. The approved details shall be implemented before first occupation of the development.

Reason: To safeguard the amenities of existing residents and to comply with policy DM D2 of Merton's Sites and Policies Plan 2014.

24. No development shall be commenced until a detailed construction method statement is submitted and approved by the Local Planning Authority. The construction method statement shall include details of construction sequence and temporary propping and shall be reviewed and agreed by a chartered structural designer.

Reason: The details are considered to be material to the acceptability of the proposal and for safeguarding the amenity of neighbouring residential properties and to comply with policy DM D2 of the adopted Merton sites and Policies Plan 2014.

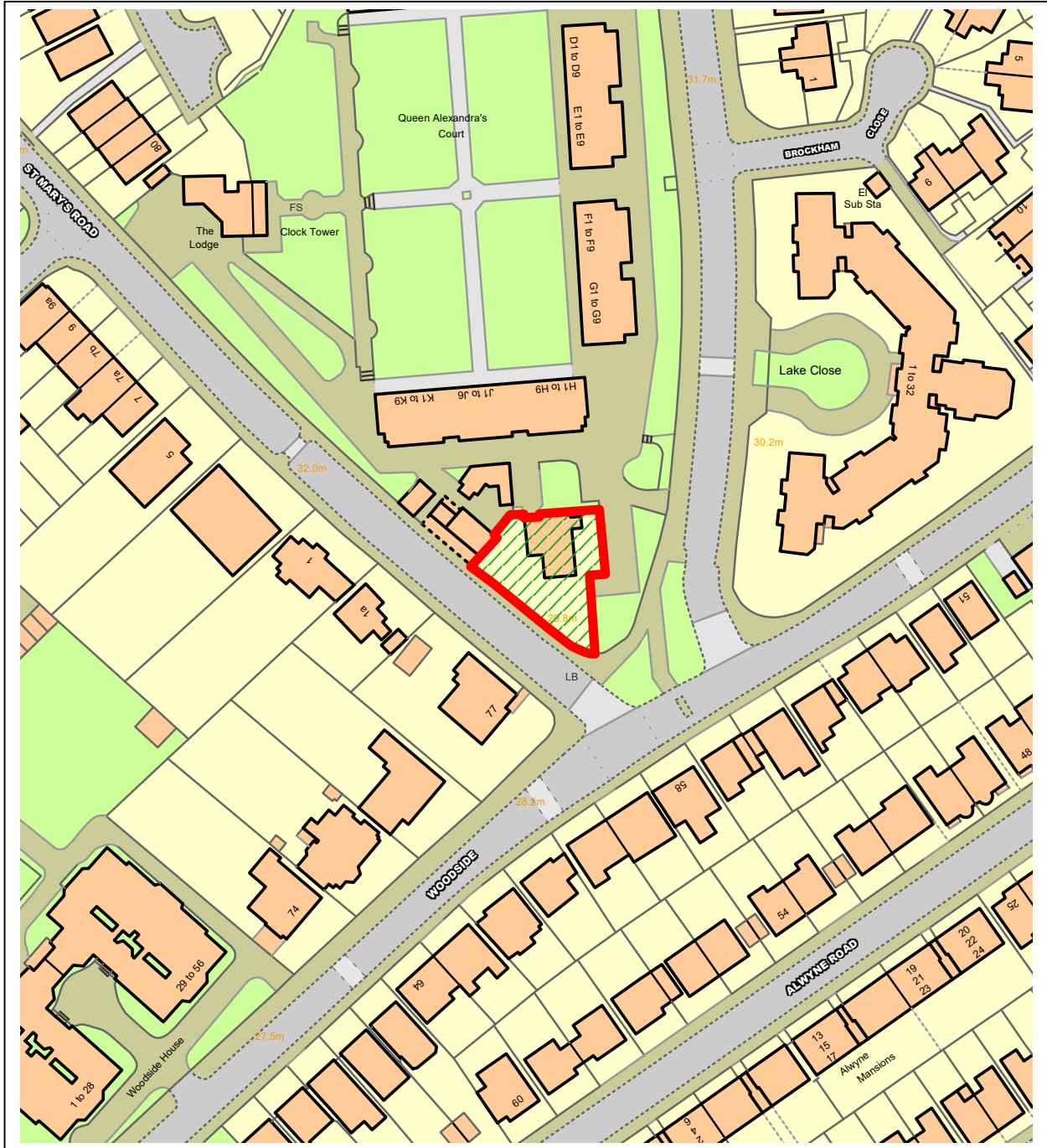
25. No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved internal water consumption rates of no greater than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI 2 and SI 3 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

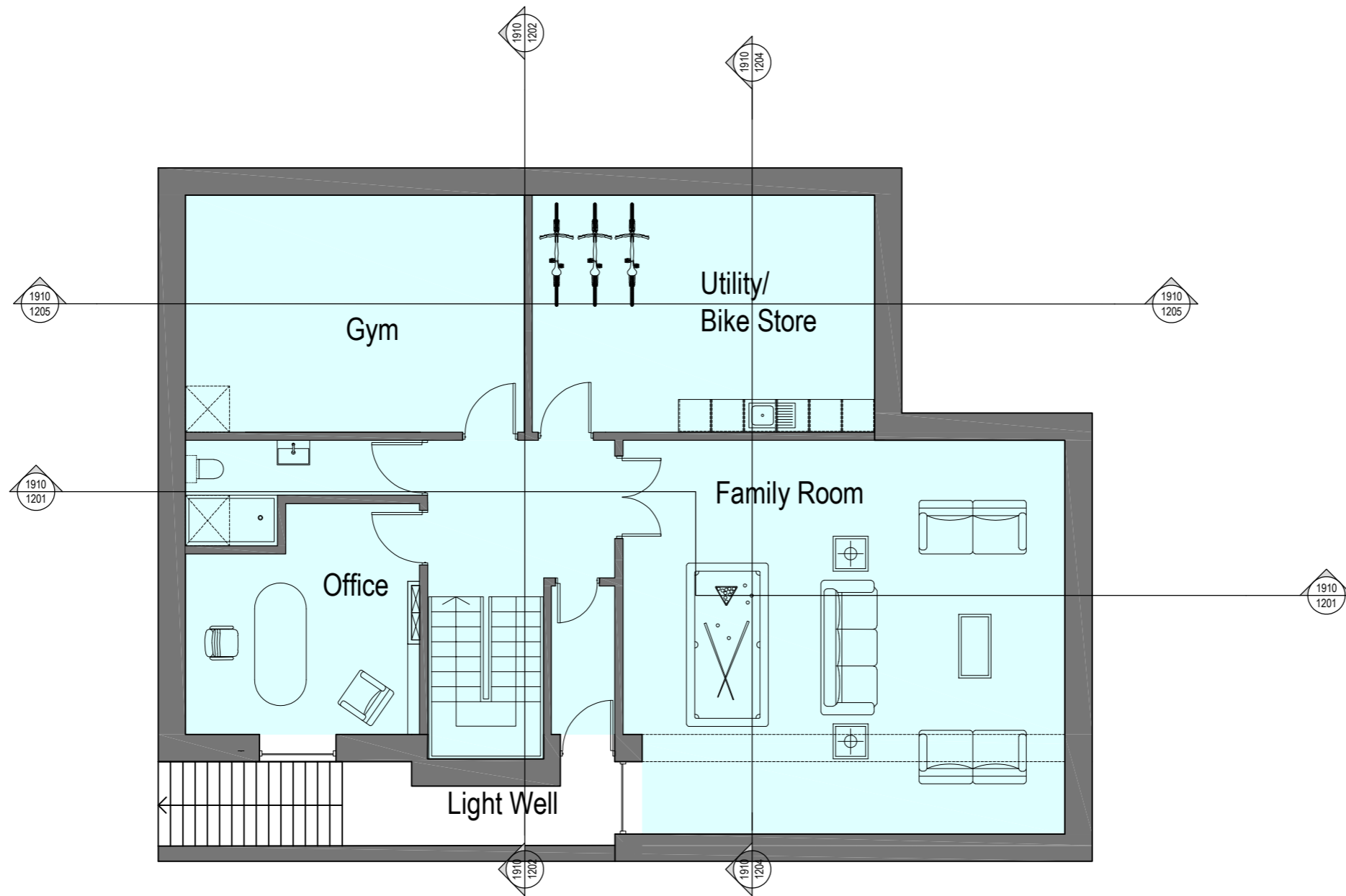
26. INFORMATIVE: The applicant should be aware that the site may provide a useful habitat for swifts. Swifts are currently in decline in the UK and in order to encourage and improve the conservation of swifts the applicant is advised to consider the installation of a swift nesting box/bricks on the site.
27. INFORMATIVE: No surface water runoff should discharge onto the public highway including the public footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777). No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.



# NORTHGATE SE GIS Print Template

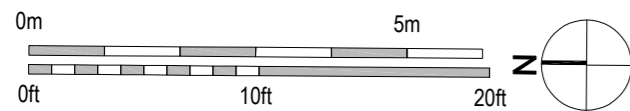


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 - Design development  
 - Accurate site survey, site levels and dimensions need to be fully evaluated  
 - Allowance for construction methods and building tolerances.  
 - Local authority consents

rev	date	drawn by	chkd	description
/	11.02.22	ES	SH	Preliminary Issue
A	29.02.22	ES	SH	Preliminary Issue
B	12.07.22	ES	SH	Planning Issue



status **FOR PLANNING**

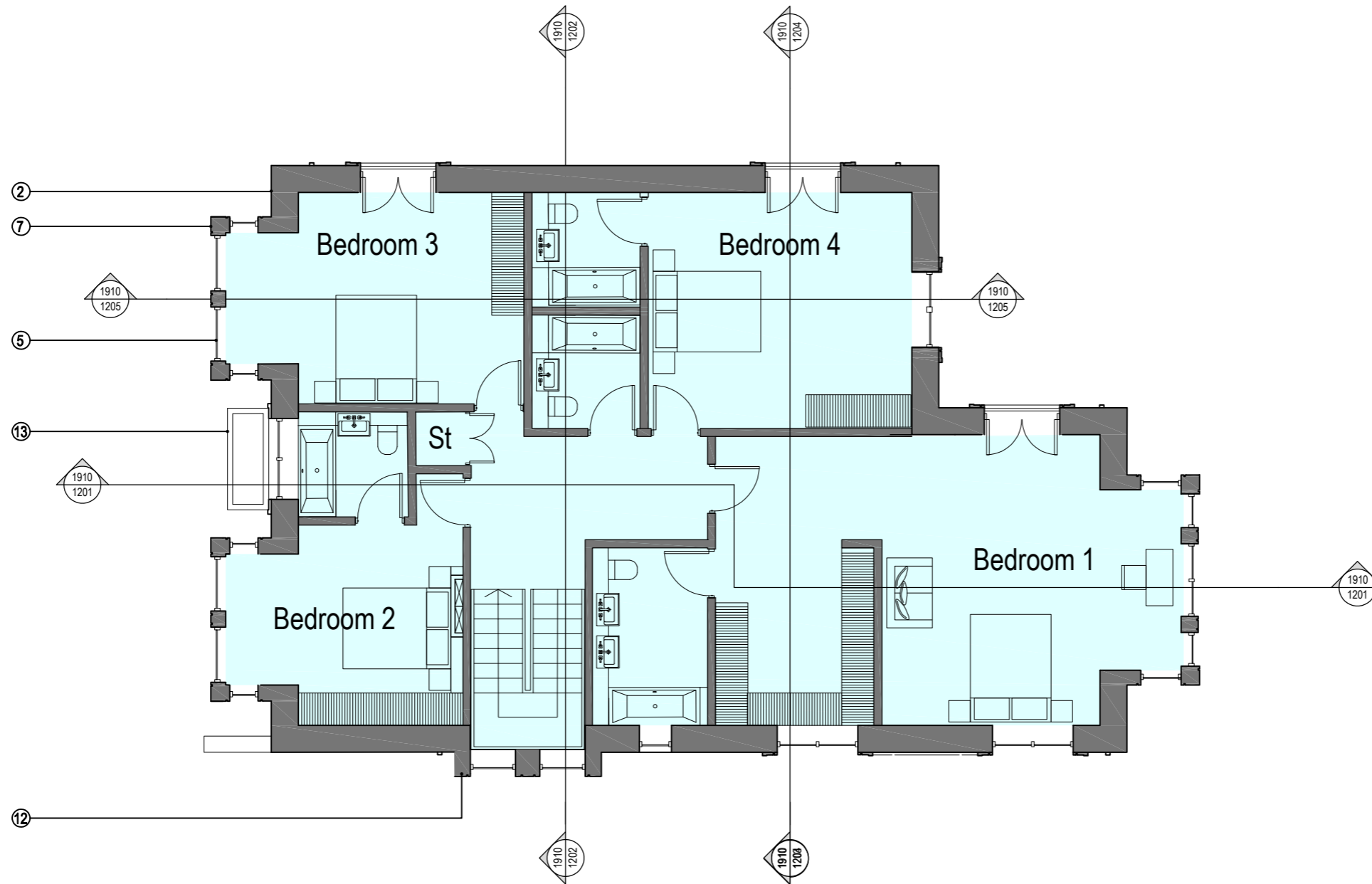
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McSWEENEY  
ARCHITECTS**   
 28 Great Queen Street, Covent Garden, London WC2B 5EL  
 tel: 020 7831 7835 - email: admin@bm-architects.co.uk

project  
**Queen Alexandra Court  
 Wimbledon, London**

title  
**East House Proposed Basement Plan**

scale	date	drawn
1:100@A3	11.02.22	ES

drawing no.	revision
1910-1101	B



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rev	date	drawn by	chkd	description
/	11.02.22	ES	SH	Preliminary Issue
A	25.03.22	ES	SH	Minor Revisions
B	12.07.22	ES	SH	Planning Issue

- Materials Legend**
- 1 - Red Glazed Brickwork
  - 2 - Red Brickwork
  - 3 - Zinc Cladding
  - 4 - Grey Slate Roof
  - 5 - Grey Metal Windows
  - 6 - Painted Metal Balustrade
  - 7 - Stone Clad Bay Window
  - 8 - Stone Cladding
  - 9 - White Aluminium Guttering
  - 10 - White Painted Timber Eaves
  - 11 - Painted Metal Handrail
  - 12 - Stone Clad Stair Windows
  - 13 - Grey Metal Canopy
  - 14 - Painted Timber Door
  - 15 - Walk-on Glass Rooflight
  - 16 - Photovoltaic Panels
  - 17 - Plant

status **FOR PLANNING**

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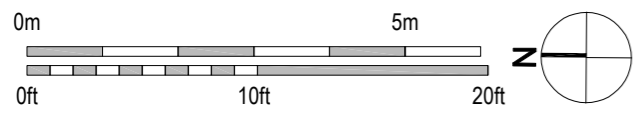
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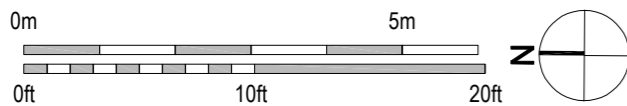
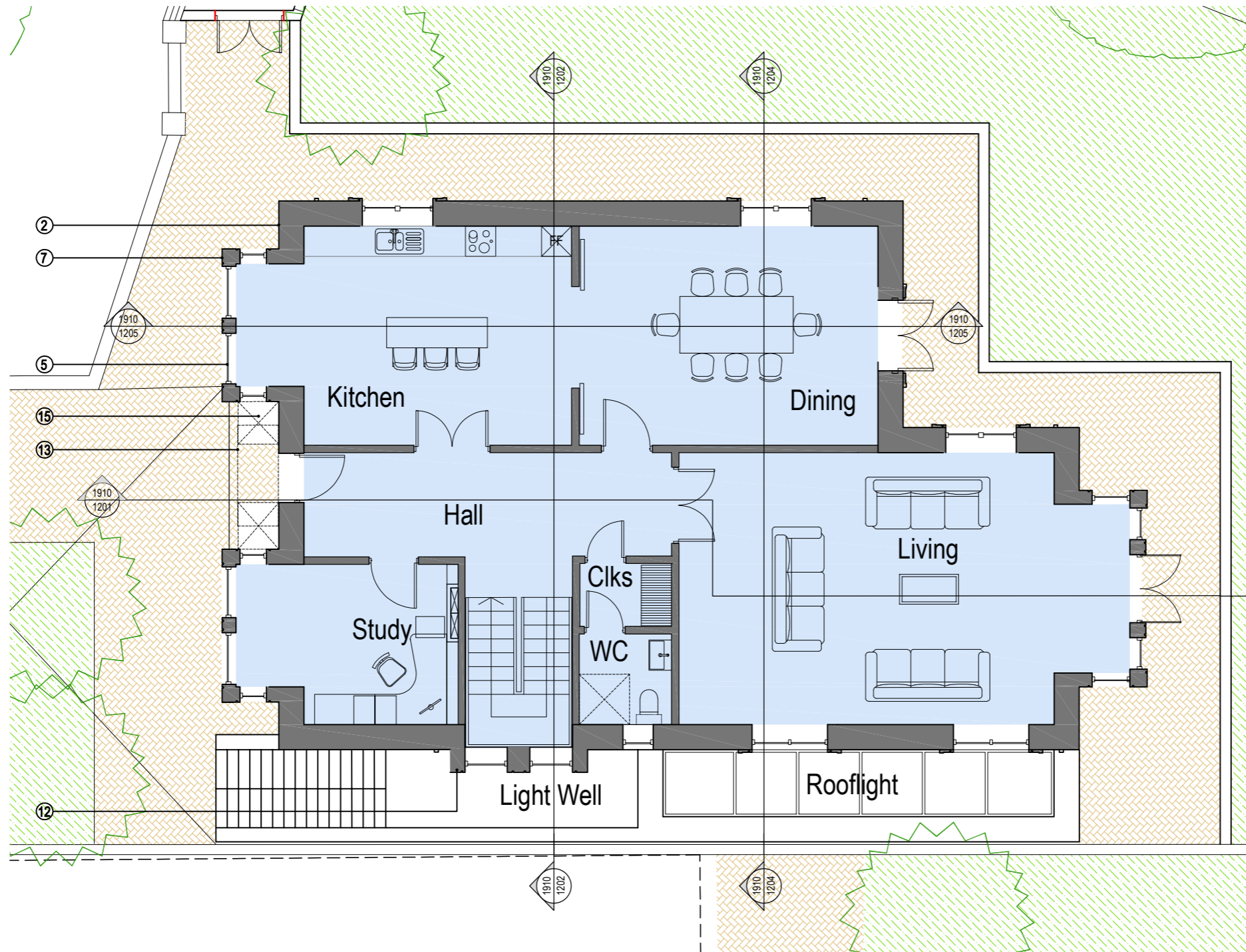
project  
**Queen Alexandra Court  
 Wimbledon, London**

title  
**East House Proposed First Floor Plan**

scale 1:100@A3      date 11.02.22      drawn ES

drawing no. 1910-1103      revision B





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rev	date	drawn by	chkd	description
/	11.02.22	ES	SH	Preliminary Issue
A	29.03.22	ES	SH	Minor Revisions
B	12.07.22	ES	SH	Planning Issue

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  - 13 - Grey Metal Canopy
  - 14 - Painted Timber Door
  - 15 - Walk-on Glass Rooflight
  - 16 - Photovoltaic Panels
  - 17 - Plant

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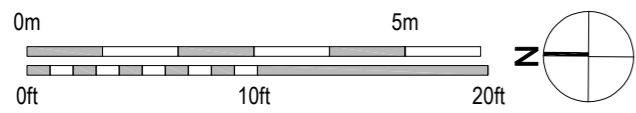
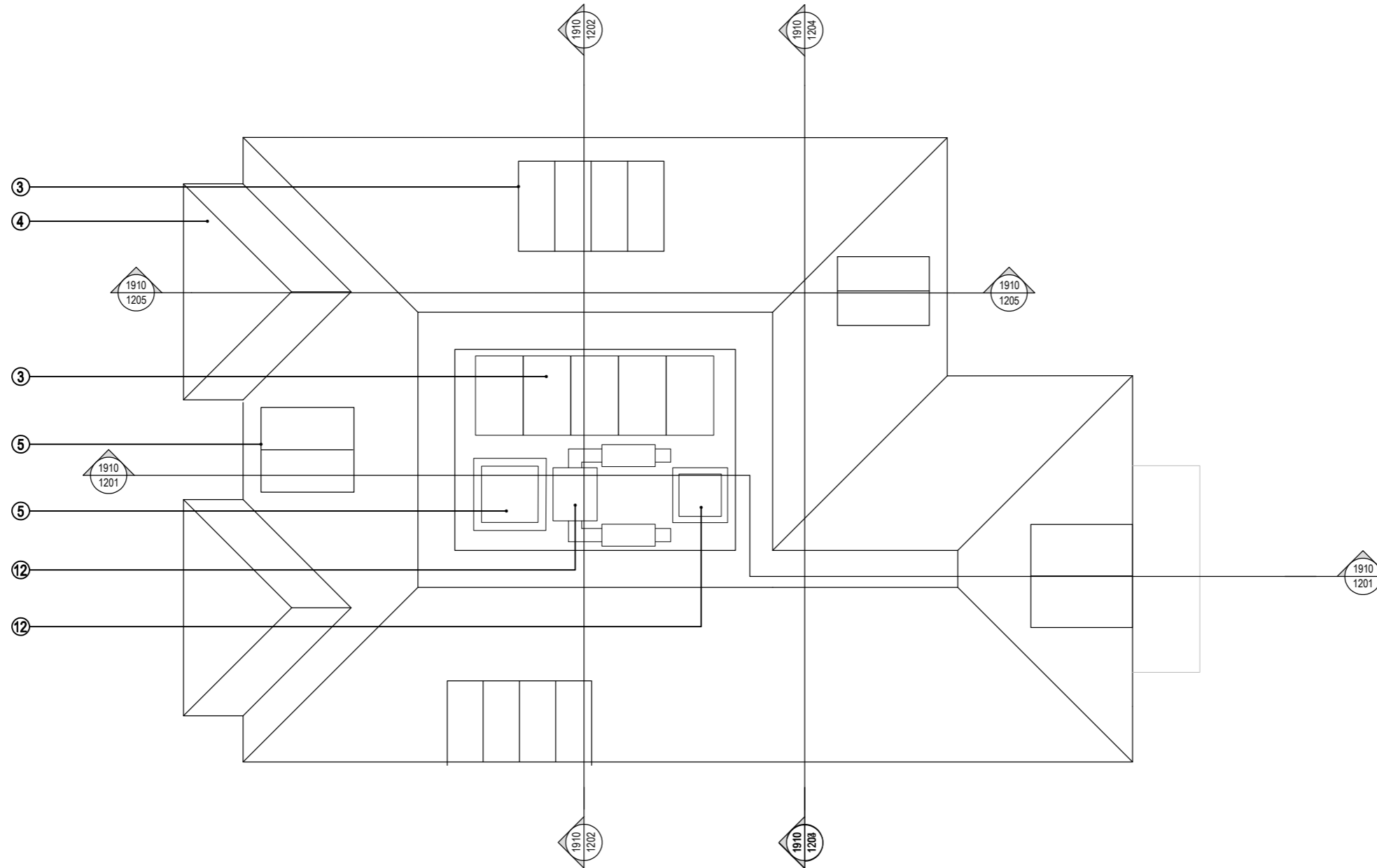
project  
 Queen Alexandra Court  
 Wimbledon, London

title  
 East House Proposed Ground Floor Plan

scale	date	drawn
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drawing no.	revision
1910-1102	B





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/	11.02.22	ES	SH	Preliminary Issue
A	29.03.22	ES	SH	Preliminary Issue
B	12.07.22	ES	SH	Planning Issue

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status **FOR PLANNING**

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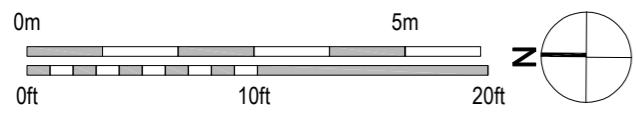
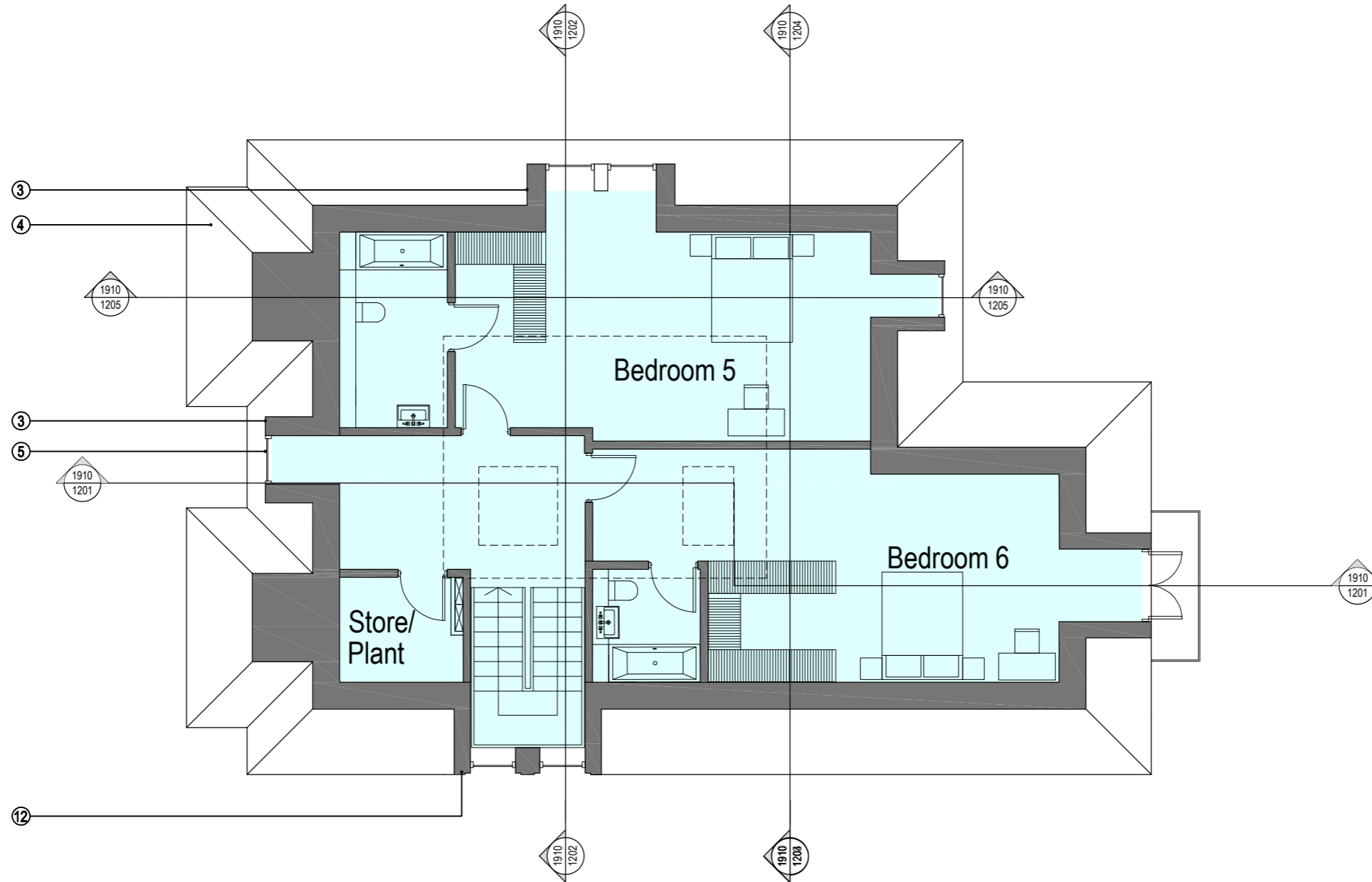
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title  
 East House Proposed Roof Plan

scale	date	drawn
1:100@A3	11.02.22	ES

drawing no.	revision
1910-1105	B



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rev	date	drawn by	chkd	description
/	11.02.22	ES	SH	Preliminary Issue
A	25.03.22	ES	SH	Minor Revisions
B	12.07.22	ES	SH	Planning Issue

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  - 17 - Plant

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project  
**Queen Alexandra Court**  
 Wimbledon, London

title  
**East House Proposed Second Floor Plan**

scale	date	drawn
1:100@A3	11.02.22	ES

drawing no.	revision
1910-1104	B

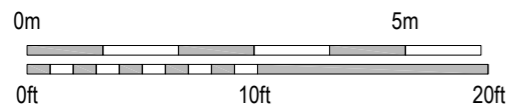


▼ Second Floor

▼ First Floor

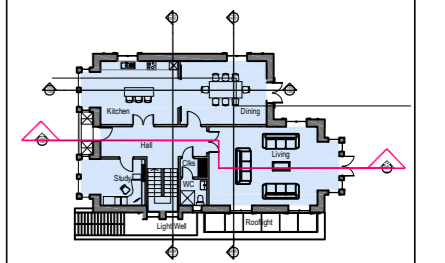
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▼ Basement Floor

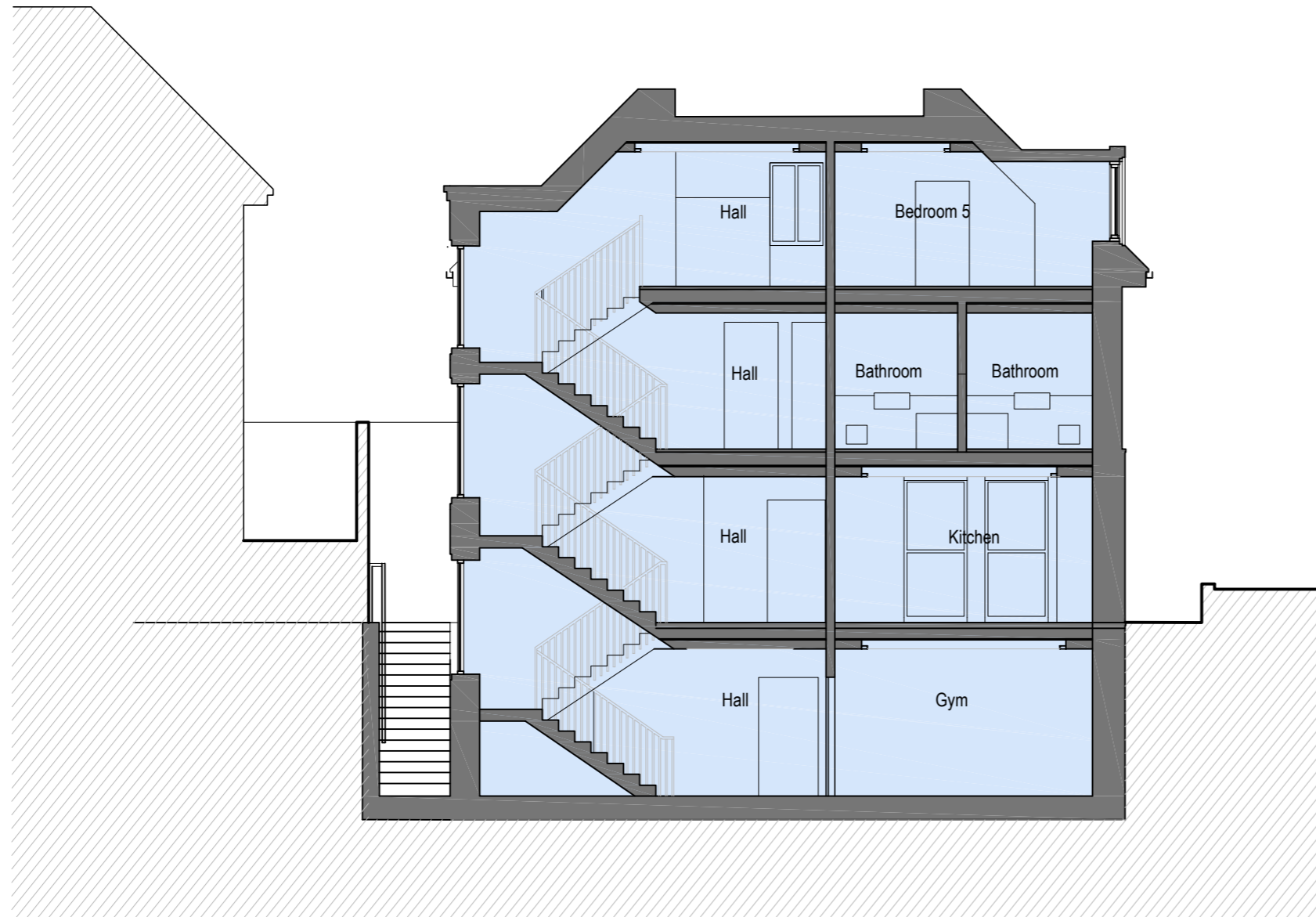


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/	29.03.22	ES	SH	Preliminary Issue
A	14.07.22	ES	SH	Planning Issue



status		
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project Queen Alexandra Court Wimbledon, London		
title East House Proposed Section AA		
scale	date	drawn
1:100@A3	10-02-21	ES
drawing no.	revision	
1910-1201	A	

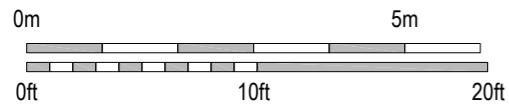


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▼ First Floor

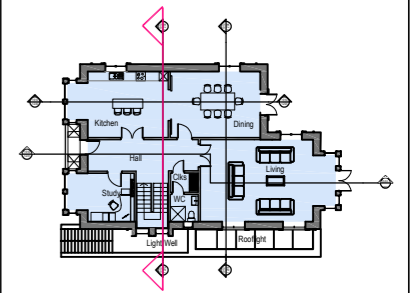
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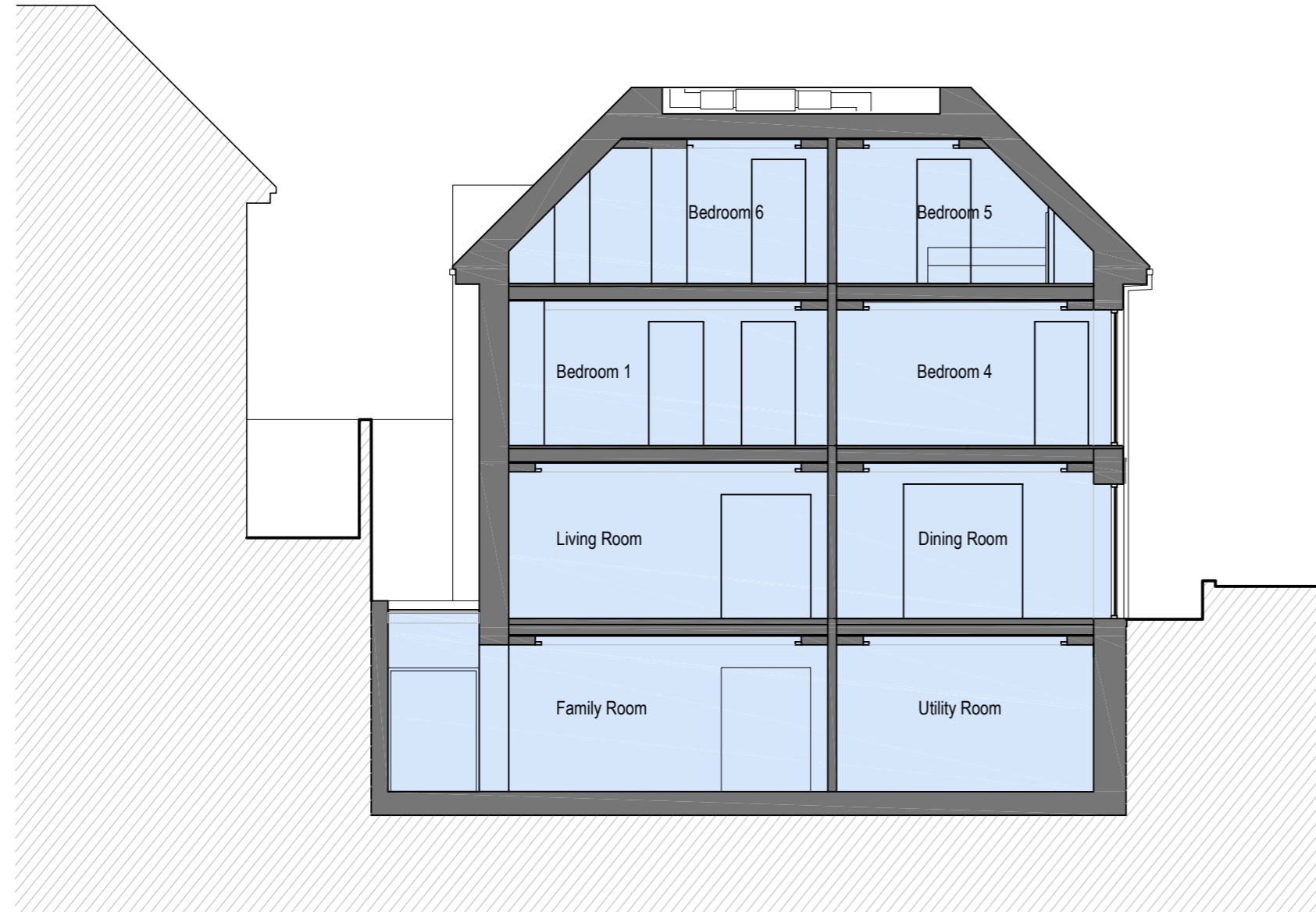


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/	29.03.22	ES	SH	Preliminary Issue
A	14.07.22	ES	SH	Planning Issue



status		
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project		
Queen Alexandra Court Wimbledon, London		
title		
East House Proposed Section BB		
scale	date	drawn
1:100@A3	10-02-21	ES
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1910-1202	A	

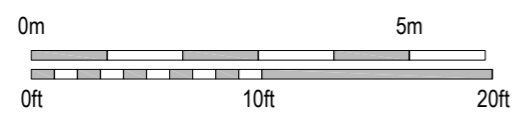


▼ Second Floor

▼ First Floor

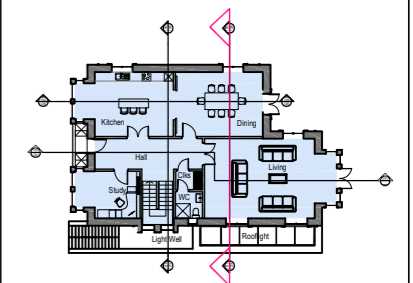
▼ Ground Floor

▼ Basement Floor




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/	08.04.22	ES	SH	Preliminary Issue
A	14.07.22	ES	SH	Planning Issue



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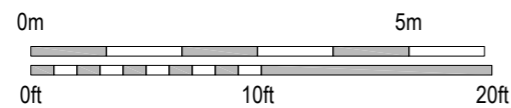
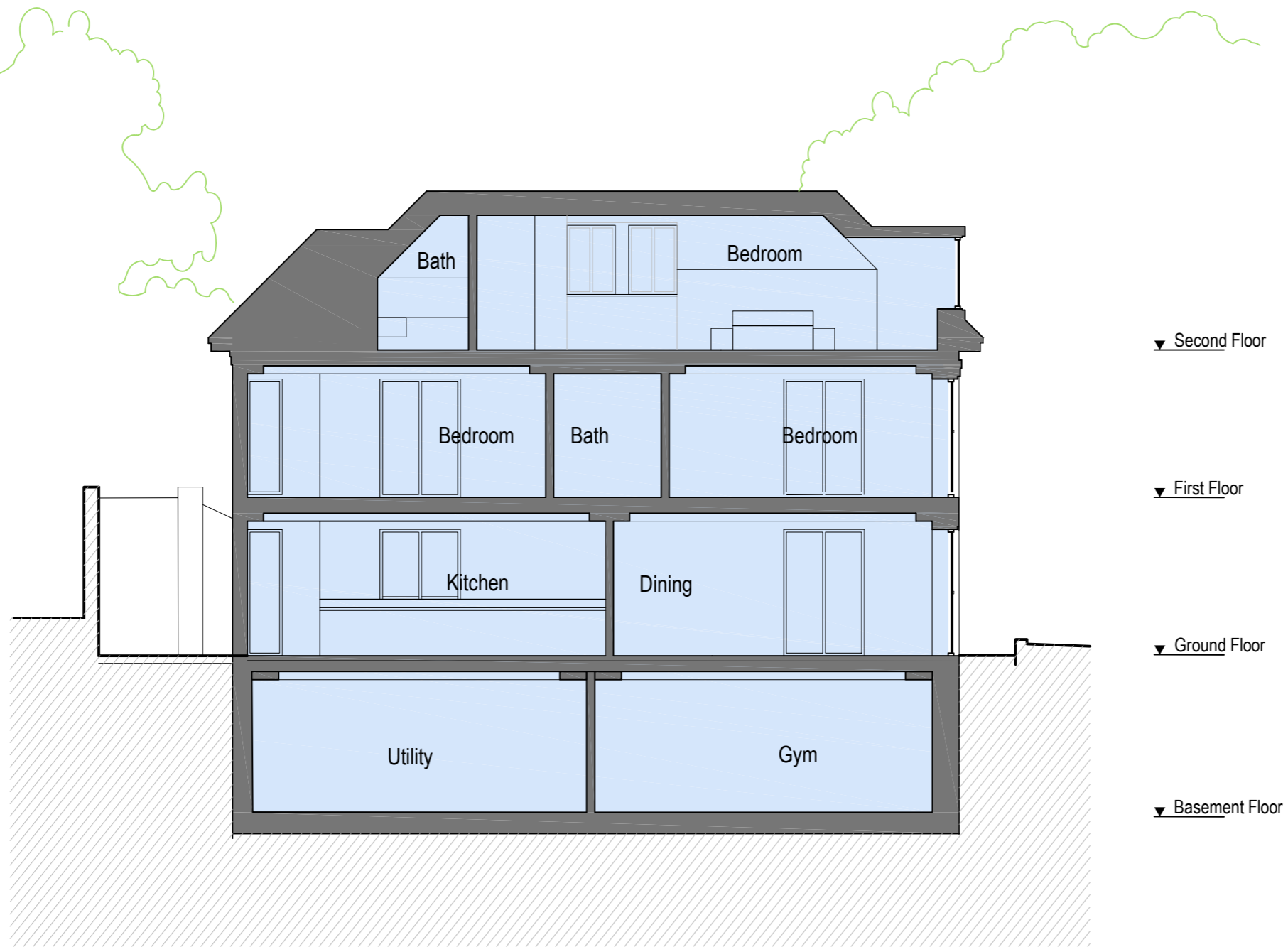


project  
**Queen Alexandra Court**  
 Wimbledon, London

title  
**East House Proposed Section CC**

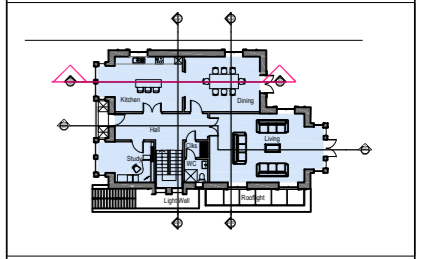
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drawing no.	revision
1910-1204	A



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 - Local authority consents

rev	date	drawn by	chkd	description
/	29.03.22	ES	SH	Preliminary Issue
A	14.07.22	ES	SH	Planning Issue



status **FOR PLANNING**

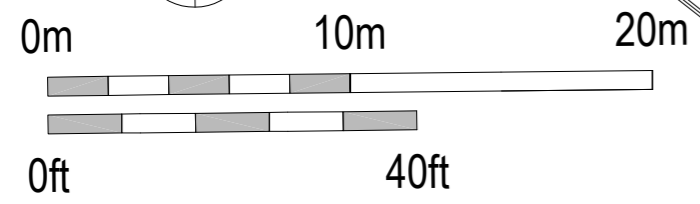
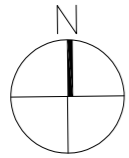
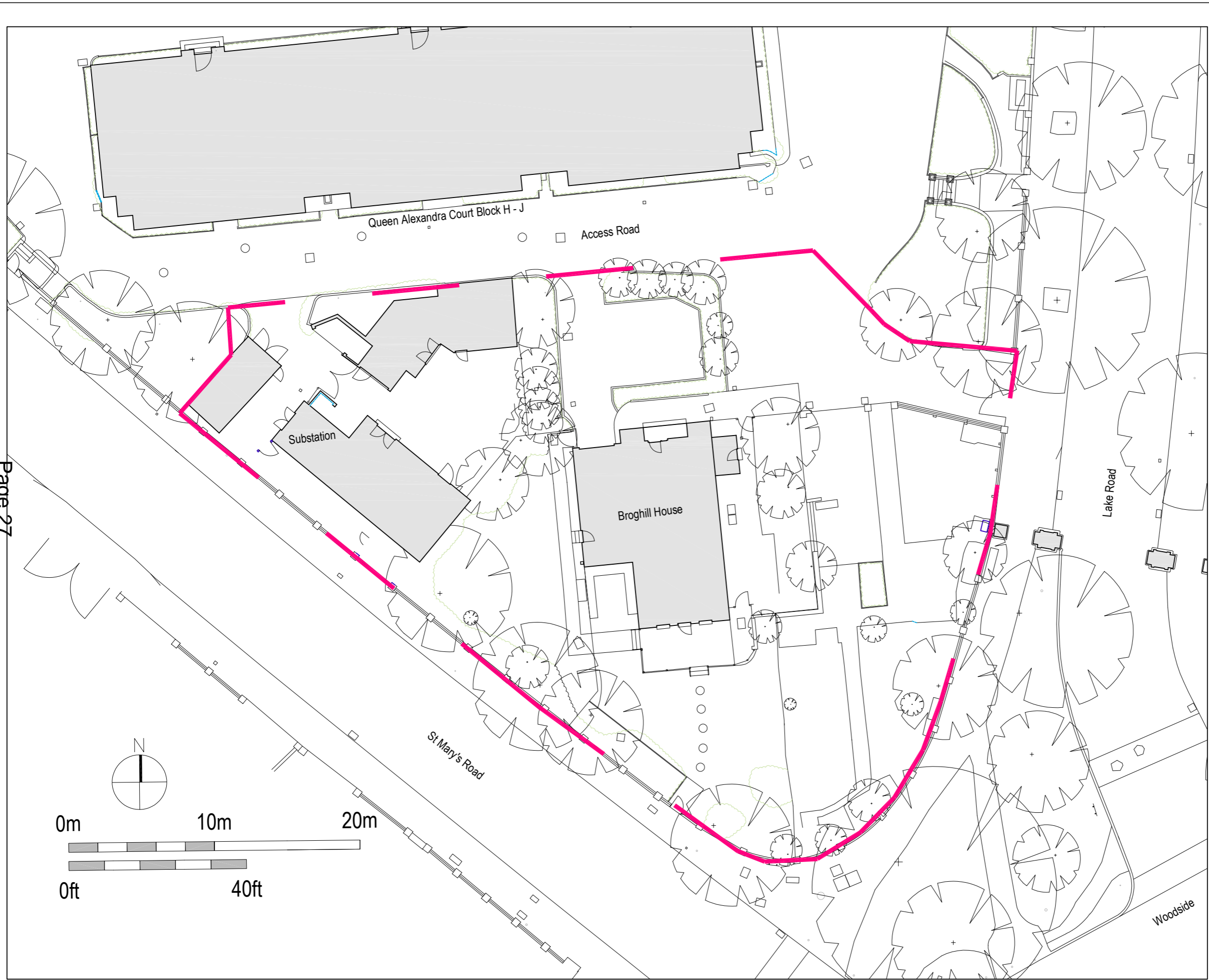
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 tel: 020 7831 7835 - email: admin@bm-architects.co.uk

project  
**Queen Alexandra Court**  
 Wimbledon, London

file  
**East House Proposed Section DD**

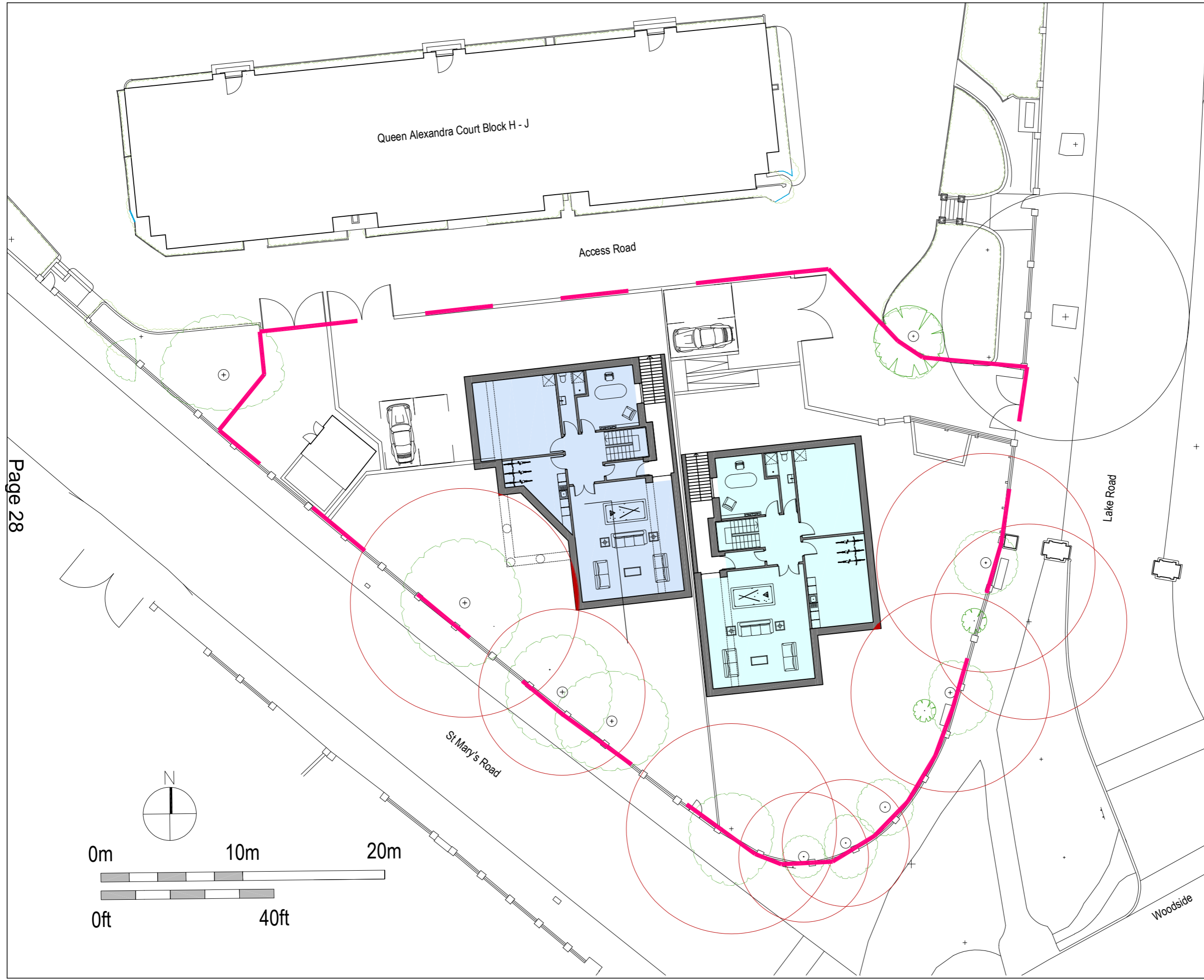
scale	date	drawn
1:100@A3	23-02-22	ES

drawing no.	revision
1910-1205	A



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 - Allowance for construction methods and building tolerances.  
 - Local authority consents  
 rev date drawn by chkd description  
 / DD.MM.YY XXX XXX descriptive text here

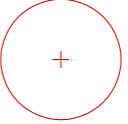
status		
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<b>BRIMELOW          McSWEENEY          ARCHITECTS</b>		
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project		
Queen Alexandra Court Wimbledon, London		
title		
Existing Site Plan		
scale	date	drawn
1:200@A3	18-04-19	SM
drawing no.		revision
1910-0000		.



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**KEY**

NOTE: Ground Floor Plan shown for Reference

 Tree Root Protection Area (RPA)

status **FOR PLANNING**

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 Queen Alexandra Court  
 Wimbledon, London

title  
 Proposed Basement Site Plan

scale 1:250@A3	date 09-03-22	drawn ES
drawing no. 1910-0002	revision E	



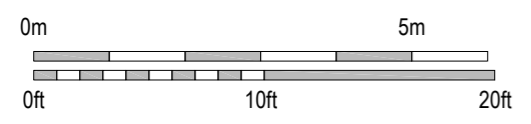


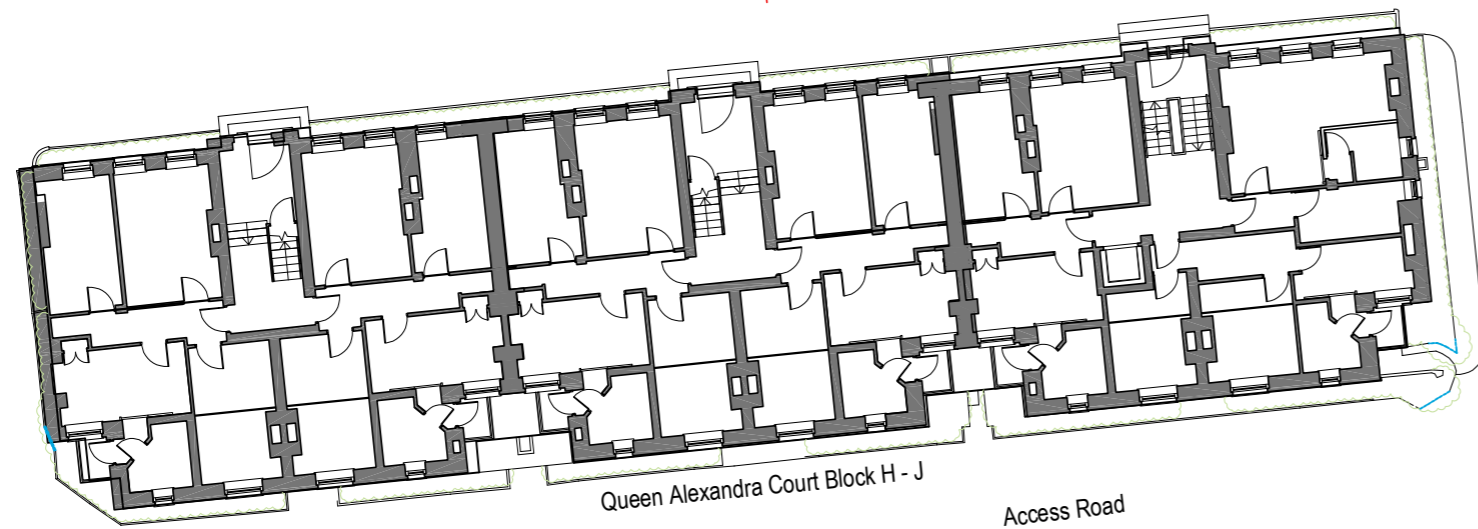
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 - Local authority consents  
 rev date drawn by chkd description  
 / 14.07.22 ES SH Planning Issue



- Materials Legend**
- 1 - Red Glazed Brickwork
  - 2 - Red Brickwork
  - 3 - Zinc Cladding
  - 4 - Grey Slate Roof
  - 5 - Grey Metal Windows
  - 6 - Painted Metal Balustrade
  - 7 - Stone Clad Bay Window
  - 8 - Stone Cladding
  - 9 - White Aluminium Guttering
  - 10 - White Painted Timber Eaves
  - 11 - Painted Metal Handrail
  - 12 - Stone Clad Stair Windows
  - 13 - Grey Metal Canopy
  - 14 - Painted Timber Door
  - 15 - Walk-on Glass Rooflight
  - 16 - Photovoltaic Panels
  - 17 - Plant

status		
<b>FOR PLANNING</b>		
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project		
Queen Alexandra Court Wimbledon, London		
title		
Proposed East Elevation		
scale	date	drawn
1:100@A3	18-02-21	ES
drawing no.	revision	
1910-1302	/	





Access Road



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rev	date	drawn by	chkd	description
E	20.05.22	ES	SH	Minor Revisions
F	12.07.22	ES	SH	Minor Revisions

**KEY**

- Lawn and Planting
- Permeable Paving
- New Tree
- Existing Tree Root Protection Zone

status **FOR PLANNING**

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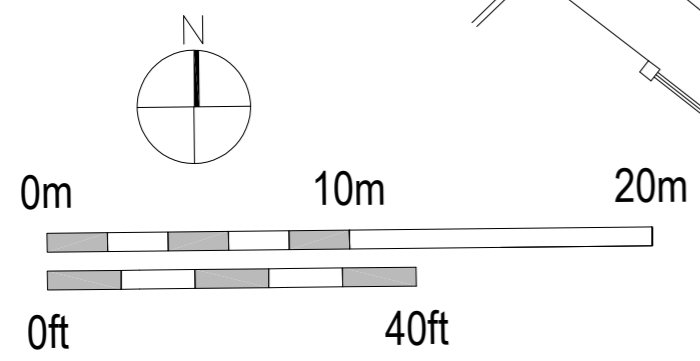
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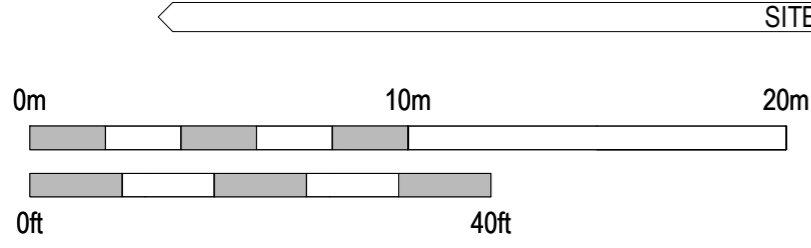
project  
**Queen Alexandra Court**  
 Wimbledon, London

title  
**Proposed Ground Floor Site Plan**

scale	date	drawn
1:250@A3	09-03-22	ES

drawing no.	revision
1910-0003	F





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rev	date	drawn by	chkd	description
/	18.07.22	ES	SH	Planning Issue



- Materials Legend**
- 1 - Red Glazed Brickwork
  - 2 - Red Brickwork
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  - 5 - Grey Metal Windows
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  - 10 - White Painted Timber Eaves
  - 11 - Painted Metal Handrail
  - 12 - Stone Clad Stair Windows
  - 13 - Grey Metal Canopy
  - 14 - Painted Timber Door
  - 15 - Walk-on Glass Rooflight
  - 16 - Photovoltaic Panels
  - 17 - Plant

status **FOR PLANNING**

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project  
**Queen Alexandra Court**  
 Wimbledon, London

title  
**Proposed Lake Road Elevation**

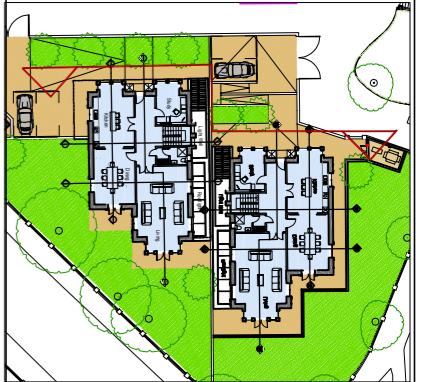
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drawing no.	revision
1910-1308	.



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rev	date	drawn by	chkd	description
/	14.07.22	ES	SH	Planning Issue



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  - 2 - Red Brickwork
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  - 9 - White Aluminium Guttering
  - 10 - White Painted Timber Eaves
  - 11 - Painted Metal Handrail
  - 12 - Stone Clad Stair Handrail
  - 13 - Grey Metal Canopy
  - 14 - Painted Timber Door
  - 15 - Walk-on Glass Rooftlight
  - 16 - Photovoltaic Panels
  - 17 - Plant

status **FOR PLANNING**

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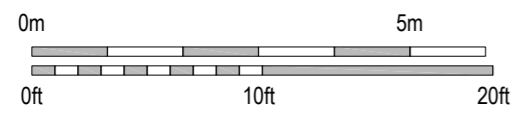


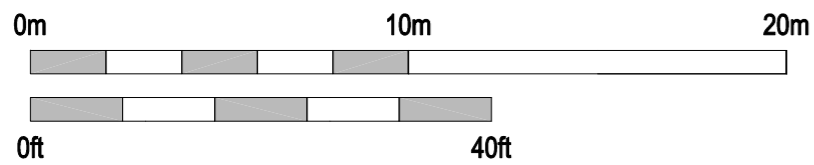
project  
 Queen Alexandra Court  
 Wimbledon, London

title  
 Proposed North Elevation

scale	date	drawn
1:100@A3	16-02-21	ES

drawing no.	revision
1910-1303	/





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rev	date	drawn by	chkd	description
/	18.07.22	ES	SH	Planning Issue



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  - 16 - Photovoltaic Panels
  - 17 - Plant

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project  
 Queen Alexandra Court  
 Wimbledon, London

title  
 Proposed Rear Site Elevation

scale	date	drawn
1:200@A3	09-06-21	ES

drawing no.	revision
1910-1310	.



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 - Local authority consents  
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 / 14.07.22 ES SH Planning Issue



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  - 15 - Walk-on Glass Rooflight
  - 16 - Photovoltaic Panels
  - 17 - Plant

status **FOR PLANNING**

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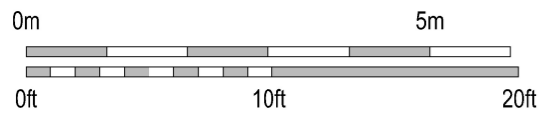


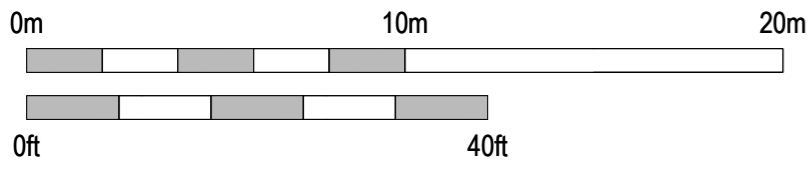
project  
**Queen Alexandra Court  
 Wimbledon, London**

title  
**Proposed South Elevation**

scale date drawn  
 1:100@A3 16-02-21 ES

drawing no. revision  
**1910-1300**





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rev	date	drawn by	chkd	description
/	18.07.22	ES	SH	Planning Issue



- Materials Legend**
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  - 16 - Photovoltaic Panels
  - 17 - Plant

status **FOR PLANNING**

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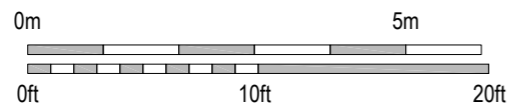
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project  
**Queen Alexandra Court**  
 Wimbledon, London

title  
**Proposed St Mary's Rd Elevation**

scale	date	drawn
1:200@A3	28-03-22	ES

drawing no.  
**1910-1309**



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rev	date	drawn by	chkd	description
/	14.07.22	ES	SH	Planning Issue



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  - 15 - Walk-on Glass Rooflight
  - 16 - Photovoltaic Panels
  - 17 - Plant

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 Wimbledon, London**

title  
**Proposed West Elevation**

scale	date	drawn
1:100@A3	18-02-21	ES

drawing no.  
**1910-1301**

revision  
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rev	date	drawn by	chkd	description
/	18.07.22	ES	SH	Planning Issue



- Materials Legend**
- 1 - Red Glazed Brickwork
  - 2 - Red Brickwork
  - 3 - Zinc Cladding
  - 4 - Grey Slate Roof
  - 5 - Grey Metal Windows
  - 6 - Painted Metal Balustrade
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  - 15 - Walk-on Glass Rooflight
  - 16 - Photovoltaic Panels
  - 17 - Plant

status **FOR PLANNING**

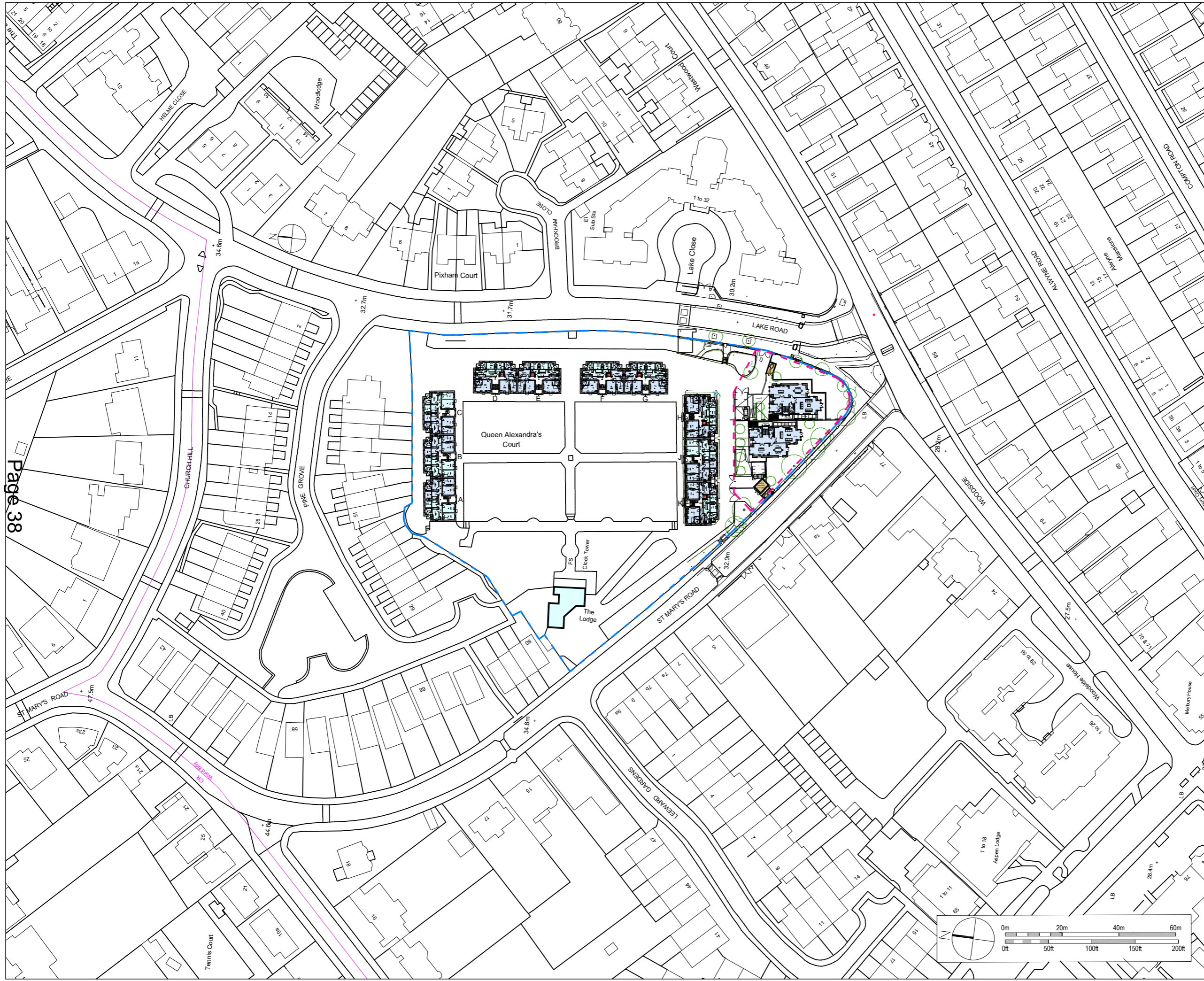
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 McSWEENEY  
 ARCHITECTS**   
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project  
**Queen Alexandra Court**  
 Wimbledon, London

title  
**Proposed Woodside Road Elevation**

scale	date	drawn
1:200@A3	16-02-21	ES

drawing no.	revision
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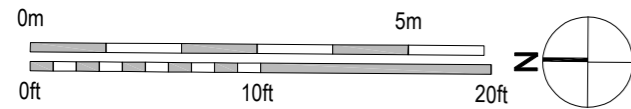
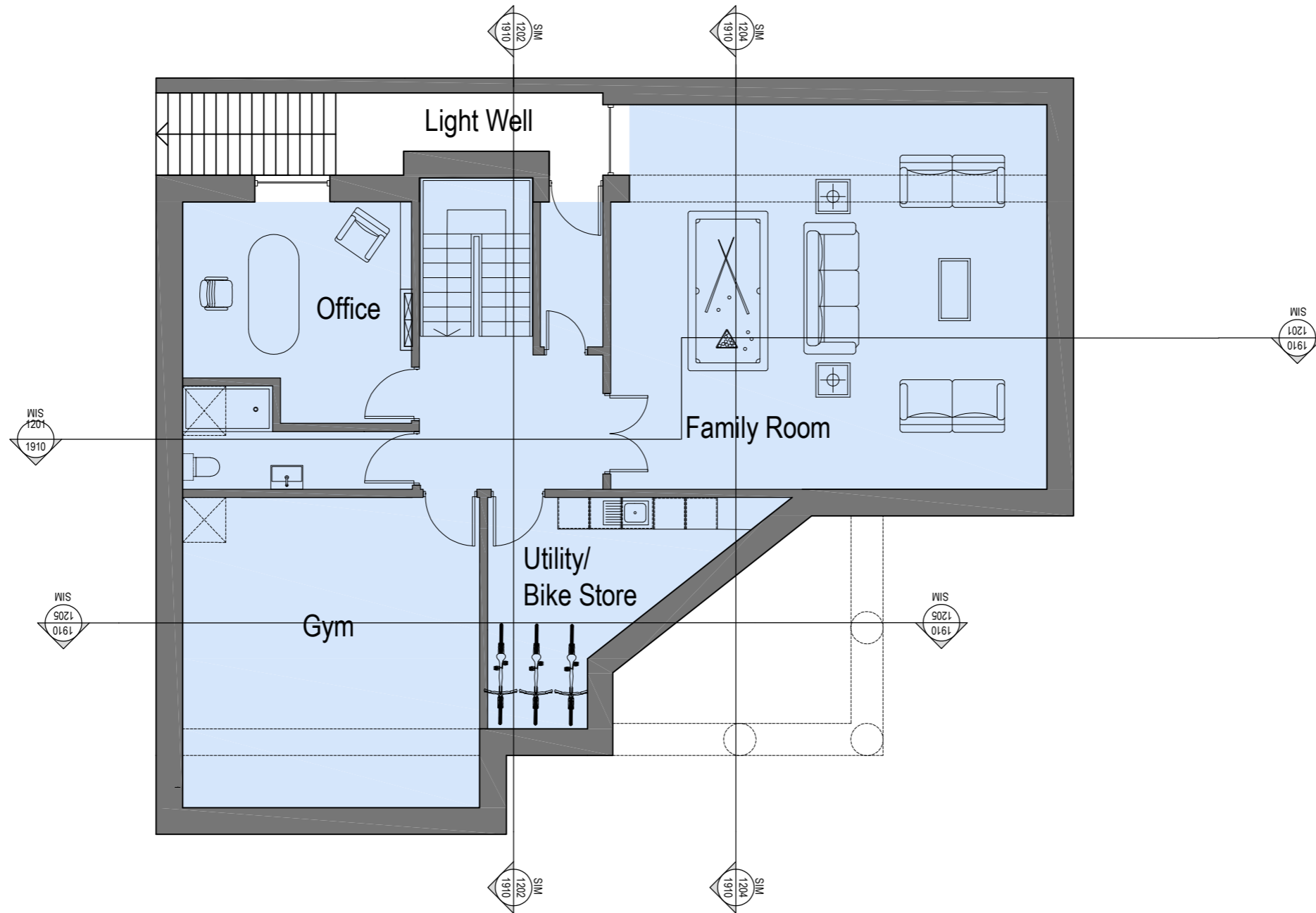


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 - Local authority consents

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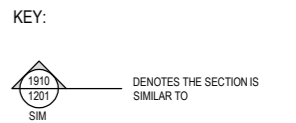
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project <b>Broghill House Site, Queen Alexandra Court</b> Wimbledon, London SW19 7DE		
title <b>Site Location Plan</b>		
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/	11.02.22	ES	SH	Preliminary Issue
A	29.03.22	ES	SH	Preliminary Issue
B	14.07.22	ES	SH	Planning Issue



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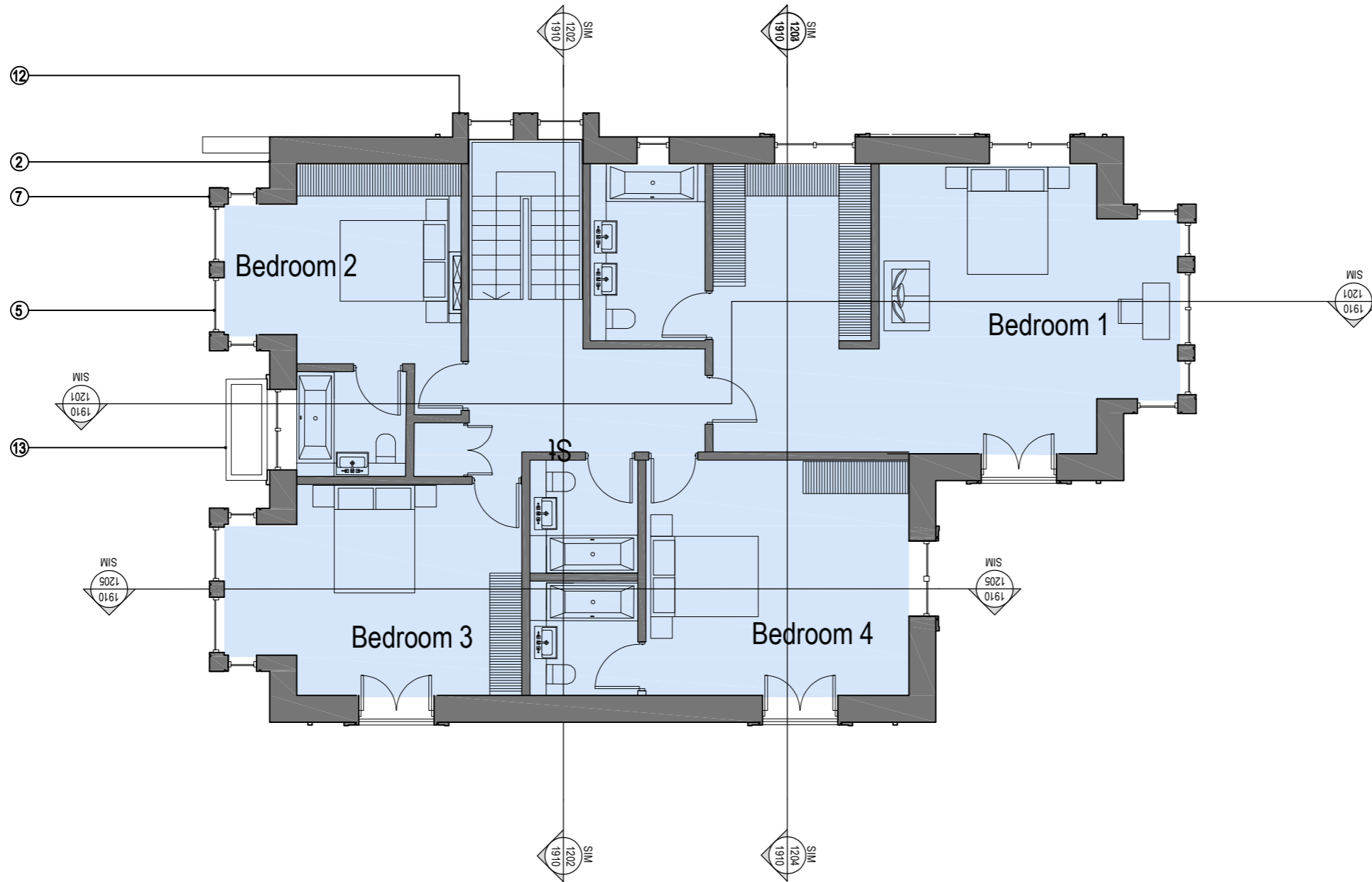
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project  
**Queen Alexandra Court**  
 Wimbledon, London

title  
**West House Proposed Basement Plan**

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
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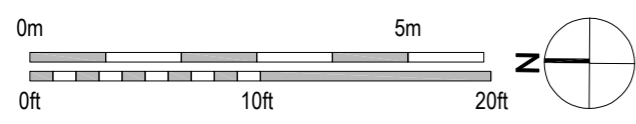
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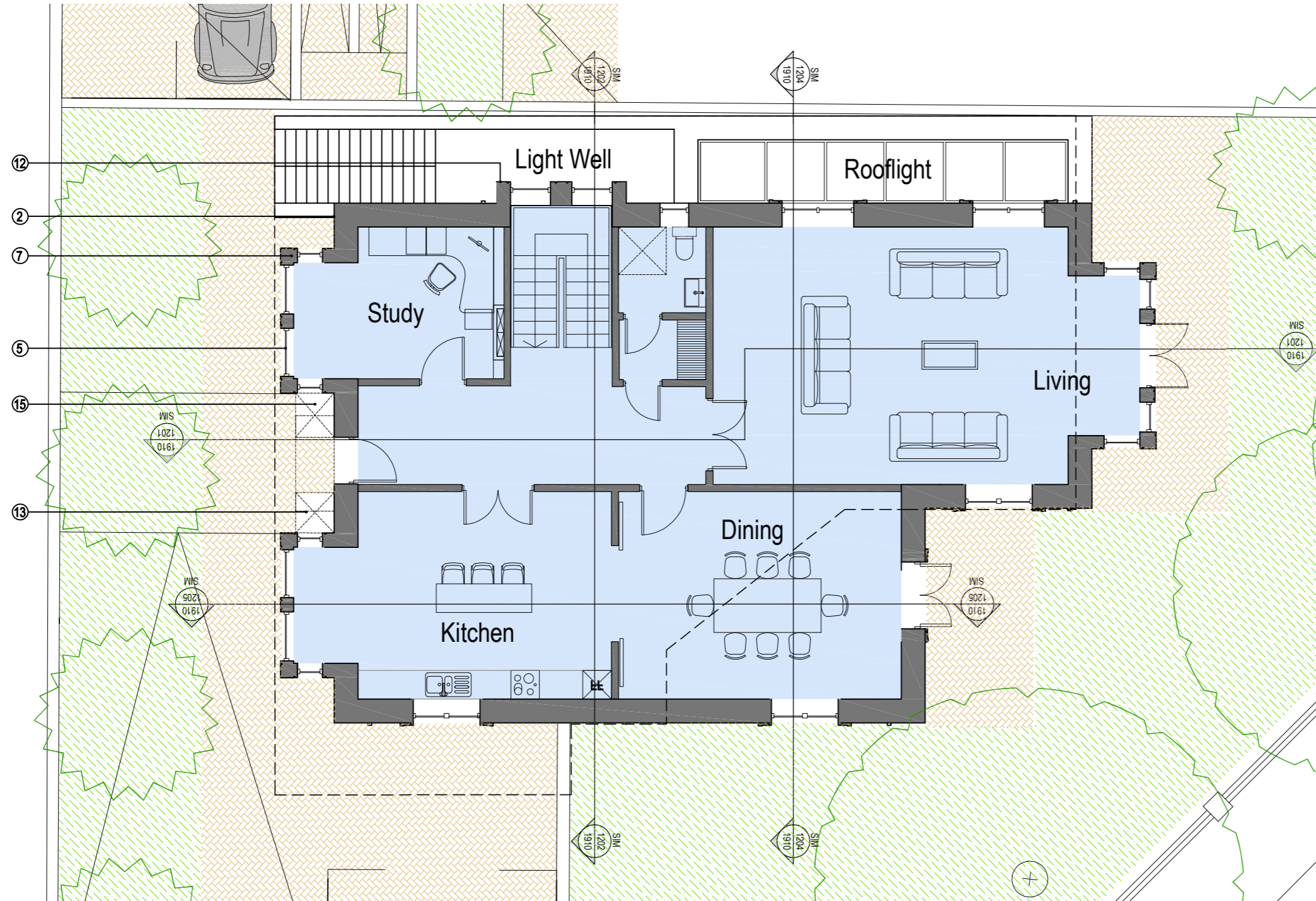
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  - 3 - Zinc Cladding
  - 4 - Grey Slate Roof
  - 5 - Grey Metal Windows
  - 6 - Painted Metal Balustrade
  - 7 - Stone Clad Bay Window
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  - 10 - White Painted Timber Eaves
  - 11 - Painted Metal Handrail
  - 12 - Stone Clad Stair Windows
  - 13 - Grey Metal Canopy
  - 14 - Painted Timber Door
  - 15 - Walk-on Glass Rooflight
  - 16 - Photovoltaic Panels
  - 17 - Plant

status <b>FOR PLANNING</b>		
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project Queen Alexandra Court Wimbledon, London		
title West House Proposed First Floor Plan		
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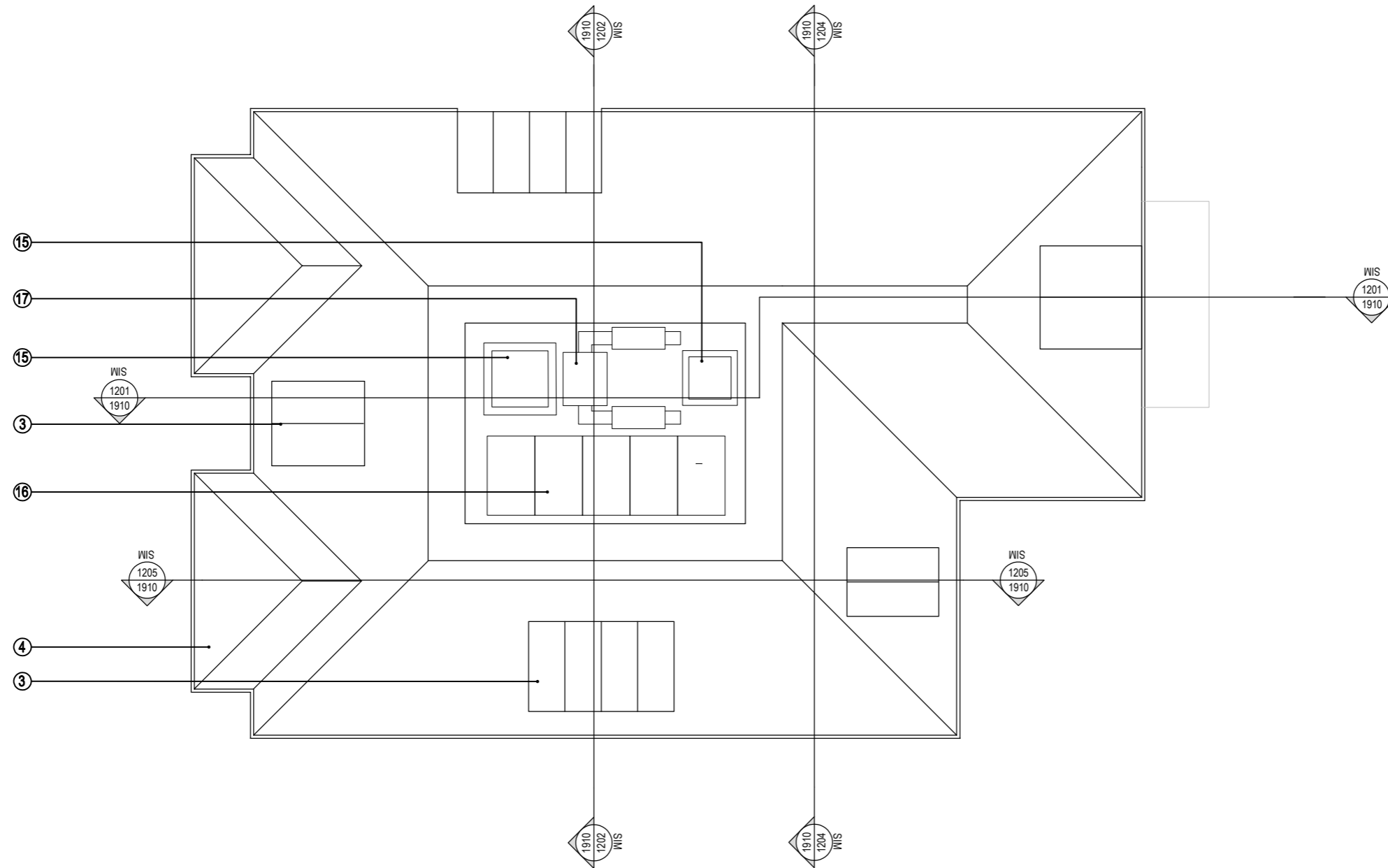
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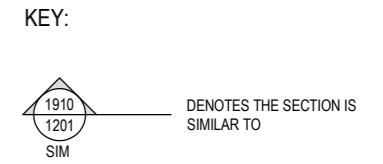
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title		
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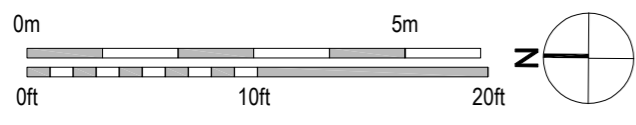
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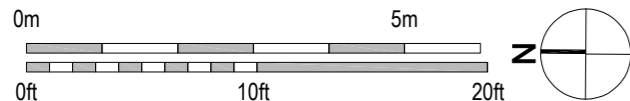
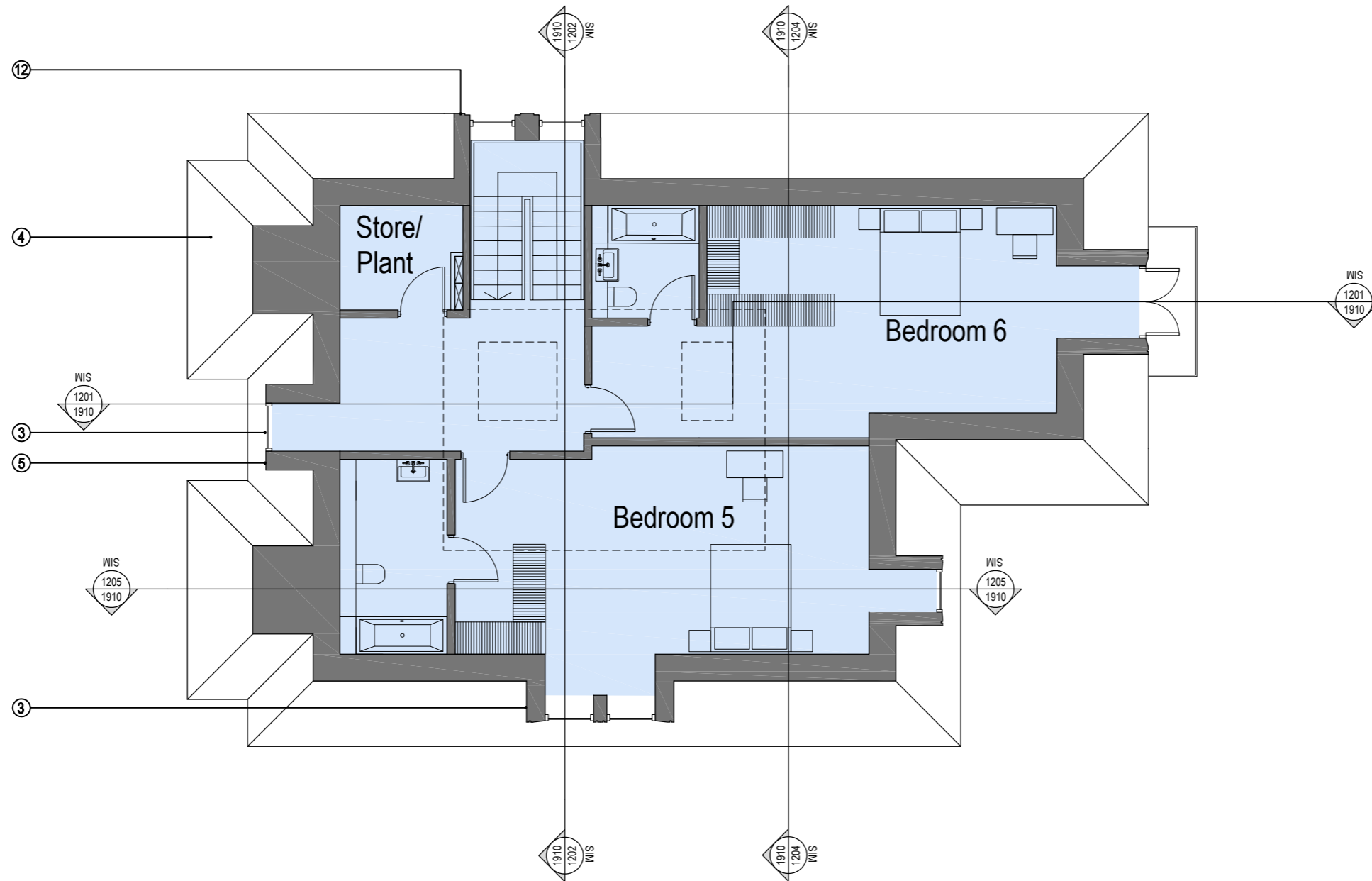
project  
**Queen Alexandra Court**  
 Wimbledon, London

title  
**West House Proposed Roof Plan**

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




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status **FOR PLANNING**

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project  
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 Wimbledon, London

title  
**West House Second Floor Plan**

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**PLANNING APPLICATIONS COMMITTEE**  
**08<sup>th</sup> December 2022**

**Item No:**

<b><u>UPRN</u></b>	<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
	22/P2414	19/08/2022

**Address/Site:** 30A Ridgway Place, Wimbledon, SW19 4EP

**(Ward)** Hillside

**Proposal:** ERECTION OF SINGLE STOREY REAR EXTENSION AND RETROSPECTIVE APPLICATION FOR A BASEMENT EXTENSION.

**Drawing Nos:** See condition 2.

**Contact Officer:** Stephen Hill (0208 545 4378)

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**RECOMMENDATION**

**GRANT Planning Permission Subject to Conditions**

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**CHECKLIST INFORMATION**

- Heads of agreement: n/a
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 5
- External consultations: None

**1. INTRODUCTION**

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

**2. SITE AND SURROUNDINGS**

- 2.1 The application site ("the Site") is a semi-detached dwelling located on the north-east side Ridgway Place in Wimbledon. The house is the most northern

of a group of four, constructed pursuant to planning permission 15/P3366 and subsequent variations (see section 4).

2.2 The house is not a locally or nationally listed building or within a Conservation Area.

2.3 There are no further constraints or other relevant planning designations.

### 3. **CURRENT PROPOSAL**

3.1 This applicant seeks planning permission for the following:-

#### **Prospective application**

3.1.1 A proposed single storey rear extension with green roof and a glazed canopy, extending approximately 2.8m to the rear of the existing building. The materials of the extension would be render with zinc matching the existing building.

3.1.2 Wall mounted cycle parking along the northern elevation of the extension.

3.1.3 New internal staircase connecting the existing basement and the new extension.

3.1.4 The remaining garden would be approximately 68m<sup>2</sup>.

#### **Retrospective application**

3.1.5 Retrospective permission is sought for the element of the basement which extends beyond the footprint of the house at the rear. This part of the basement was constructed without planning permission, at the same time as the original house constructed pursuant to 15/P3366 in or around 2018.

### 4. **PLANNING HISTORY**

#### **4.1 The following history is relevant to this application.**

15/P0663. Permission refused.

DEMOLITION OF EXISTING 2 x HOUSES AND ERECTION OF 4 x SEMI DETACHED HOUSES WITH ASSOCIATED LANDSCAPING.

15/P366. Permission granted.

DEMOLITION OF EXISTING 2 x HOUSES AND ERECTION OF 4 x SEMI DETACHED HOUSES WITH ASSOCIATED LANDSCAPING.

16/P3793. Conditions discharged.

18/P0253. Variation of condition granted.

VARIATION OF CONDITION 2 (APPROVED PLANS) ATTACHED TO LBM PLANNING PERMISSION 15/P3366 RELATING TO THE DEMOLITION OF EXISTING 2 x HOUSES AND ERECTION OF 4 x SEMI DETACHED HOUSES WITH ASSOCIATED LANDSCAPING.

21/P3043. Discharge of conditions.

22/P1868. Planning permission – withdrawn.  
ERECTION OF SINGLE STOREY REAR EXTENSION.

#### **4.2 Officer's narrative comment on planning history**

4.2.1 30A Ridgway was constructed pursuant to planning permission 15/P3366 which granted consent the construction of four houses, of which 30A is one.

4.2.2 In 2018, the developer applied (18/P0253) to vary the original planning permission and this variation was granted. The variation applied for included the extension of the basements into the rear gardens for numbers 30 and 29A Ridgway Place. However, the similar rear basement that was constructed at 30A was not included in 18/0253, there is no other planning permission for its construction so the extended basement meaning that 30A Ridgway Place has been built in breach of planning control.

#### **5. CONSULTATION**

Consultation letters were sent to adjoining neighbouring properties. 12 comments were received from residents in the local area, including one representation from an immediate neighbour, raising objection. The objections raised were on the following grounds:-

- Impact on privacy and amenity of neighbouring properties
- Excessive bulk and height
- Overbearing presence
- Visual impact on immediate area
- Overdevelopment of site.
- Drainage impacts
- Breach of planning control
- Unsightly design

Council's Flood Risk Officer

See paragraph 7.1.

Council's Structural Engineer

I understand that the planning application is for the departure of the basement construction in relation to the original application. Since the departure is overextension of the basement towards the rear of the property, this does not affect the highway and therefore I have no issues with this.

#### **6. POLICY CONTEXT**

- 6.1 London Plan 2021 policy:  
D4 (Delivering good design)  
D5 (Inclusive design)  
D10 (Basement development)  
G5 (Urban greening)  
D6 (Housing quality and standards)

D11 Safety, security and resilience to emergency  
D14 Noise  
SI 13 (Sustainable drainage)

6.2 Merton Sites and Policies Plan July 2014 Policies:  
DM D3 Alterations and extensions to existing buildings  
DM D2 (Design considerations in all developments)  
DM F2 (Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure)  
DM O2 (Nature conservation, trees, hedges and landscape features) DM T2 Transport impacts of development DM T3 Car parking and servicing standards DM T5 Access to the road network

6.3 Merton Core Strategy 2011 Policies:  
CS14 (Design)  
CS 15 Climate Change CS 17 Waste Management CS 18 Active Transport

Merton's Basement SPD

## **7. PLANNING CONSIDERATIONS**

### **7.1 The Basement**

7.1.1 The additional area of a basement extending beyond the rear elevation of the main house was built in breach of planning control and the applicant seeks to regularise it.

7.1.2 The visual impact of the basement is none or almost none, and the planning issue is the impact of the basement on drainage and flood risk.

7.1.3 The Council's drainage officer met with the applicant's construction consultant, Graham White of Structa, online on 4 October 2022 in order to discuss the basement's construction and its actual impact. The applicant had provided a Flood Risk Assessment and Drainage Strategy, and the Construction drawings showing the basement's technical design, which were submitted with the application to discharge the condition for the new house (16/P3973).

7.1.4 Having met with Mr White, the Council's drainage consulted commented on 5 October 2022:-

"I've reviewed the documents that the applicants have submitted, which are the construction issue drawings for the basement drainage and others. I can confirm that the details are satisfactory for the drainage conditions placed on the original planning application. What we haven't got confirmation of is whether they were built according to plan."

7.1.5 Mr Marcus Beale, an architect and principal at Beale and Co, who (a) was the architect who designed the house; (b) acted on the application to discharge conditions (16/P3973) including that relating to the basement; and (c) is the agent for this application, confirmed by email on 5 October 2022 that to the

best of his knowledge, the basement was constructed in accordance with the drawings.

- 7.1.6 On the basis of the evidence above, Officers are satisfied that the additional area of basement poses no drainage or flood risk issues.

## **7.2 The ground floor extension**

- 7.2.1 The planning considerations for an extension to an existing building relate to the impact the proposed extension has on the character and appearance of the host building along with the surrounding area, and the impact upon neighbour amenity.

## **7.3 Impact on character and appearance.**

- 7.3.1 London Plan policies D3, D4 and D8, Core Strategy policy CS14 and SPP Policies DMD2 and DMD3 require well designed proposals that will respect the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings.

- 7.3.2 The following assessment is made against the merits of the design and massing of the proposed extension and the impact it has on the adjoining surrounding area.

- 7.3.3 The proposed extension is not visible from the public realm and can be seen from neighbouring properties. The extension is relatively modest and is a scale, form and appearance which are considered in keeping with the character of the site and the immediate area. The rear extension is of minimal depth and would not appear incongruous or result in overdevelopment of the site, leaving a good area of garden for the host dwelling. The limited depth and height mean that the extension would remain subservient to the host building which is in any event very recently constructed. The contemporary design is sympathetic with the host building and the area, and it would therefore not appear out of keeping with either. Overall, the proposals are considered acceptable additions to the site and surrounding area.

## **7.4 Neighbouring amenity**

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

- 7.4.2 The properties which are potentially affected by this proposal are 32 and 30 Ridgway Place. The proposal is not visible and/or has no appreciable impact on the outlook from other properties in the immediate area.

### 32 Ridgway Place

- 7.4.3 This property to the north-west of the Site is a 1950s detached dwelling house which has itself been significantly extended at the side and rear on the ground floor pursuant to planning permission 19/P1337 (“the 2019 Extension”). Number 32 is situated up a steep gradient and sits higher than the subject

property. The ground level of the garden is approximately 400m higher and the flank wall of the building is a noticeable presence from the garden of the subject property.

7.4.4 The 2019 Extension of the original dwelling house is 7.5m deep and 3.2m high and at the time extended beyond the rear elevation of the subject property. The 2019 Extension includes a flank wall facing the Site (See Fig 1 and Fig 2), which extends beyond the rear doors of number 32 and is significantly higher than the ground floor element of subject property, due to the uphill gradient.

7.4.5 This proposal is 2.8m deep and would extend beyond the raised flank wall at number 32, but would still be substantially lower. There would also be a reasonable separation distance at the side boundary between the side elevation of the proposed extension and the side boundary fence.

7.4.6 Due to the flank wall and the different levels, there would be no impact on daylight and sunlight to number 32 and for the same reasons it is considered that the new extension would not create an overbearing presence and would not create any sense of enclosure at number 32.

7.4.7 This proposal is therefore not considered to be overbearing, visually intrusive or result in a loss of privacy or daylight/sunlight or overshadowing and there are no unacceptable impacts on number 32.

Fig 1 – view from rear garden of the subject property to 32 Ridgway Place:



Fig 2 – view from garden of subject property to flank wall of 32 Ridgway Place:



### 30 Ridgway Place

7.4.8 The proposed rear extension is not considered to be harmful to the amenity of this neighbouring property and as a ground floor extension, partially separated by a fence, would not result in any noticeable loss of daylight/sunlight or a loss of privacy.

7.4.9 The extension would be visible from the upper windows of 30 Ridgway Place, but is not considered to create an overbearing presence and be visually harmful. The extension is only proposed to be 2.8m in depth and the design is sympathetic with the existing built form. Officers acknowledge that the host site is sited on higher ground level than this adjoining neighbouring property, however, owing to the short depth of the proposal and its limited height it is not considered to cause an overbearing impact.

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

## 8. CONCLUSION

- 8.1 The impact of the basement has been assessed by the council's Flood Risk and Drainage Office and is considered acceptable.
- 8.2 The scale, form, design, positioning and materials of the rear extension are not considered to have an undue detrimental impact upon the character or appearance of the host building, surrounding area or on the neighbouring amenity.
- 8.3 Therefore, the proposals are considered to comply with the principles of policies DM D2, DM D3 and DMD4 of the Adopted SPP 2014, CS14 of the LBM Core Strategy 2011 and D3, D4 and D8 of the London Plan 2021.
- 8.4 It is therefore recommended that planning permission is granted, subject to conditions.

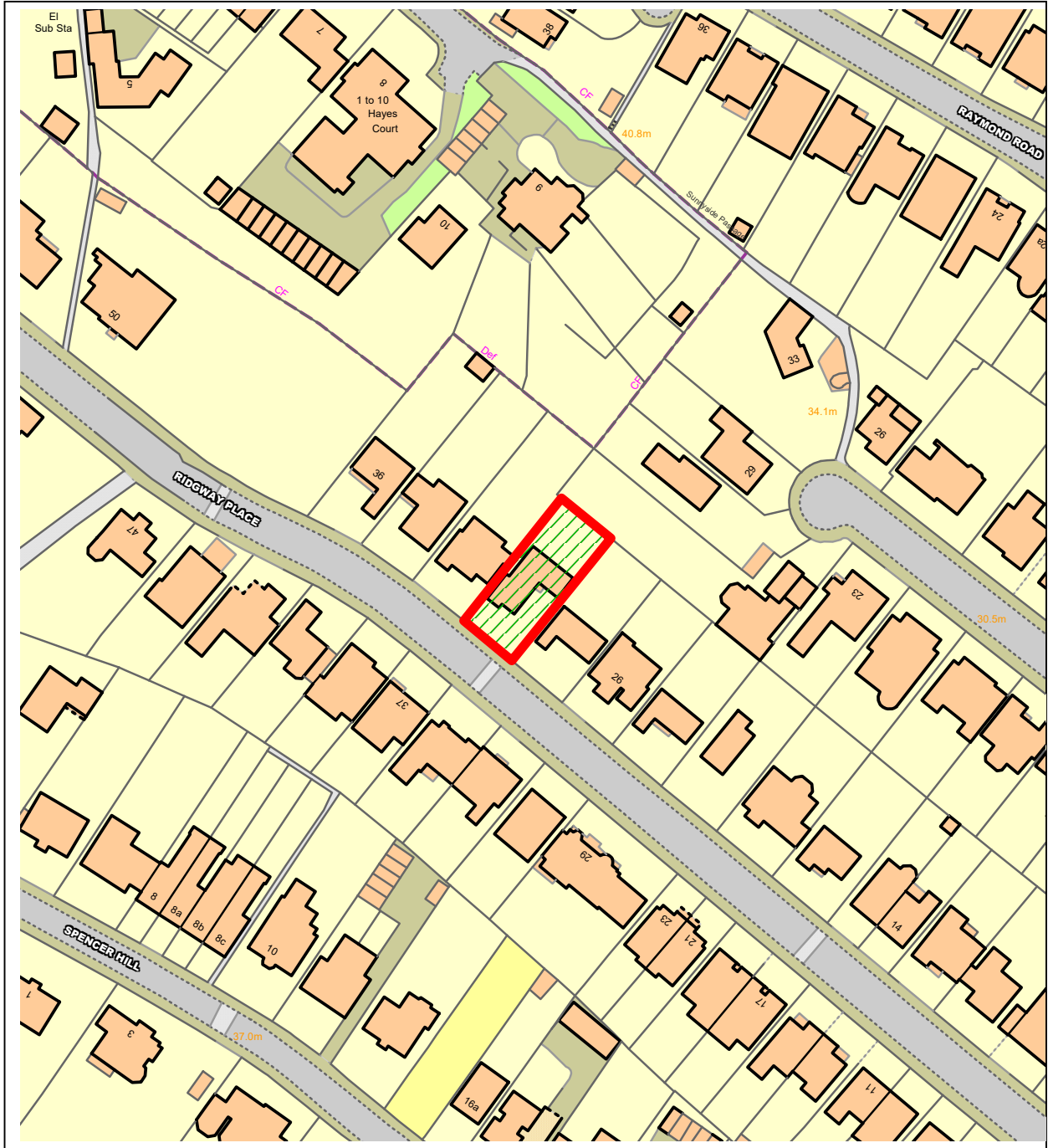
### **RECOMMENDATION**

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

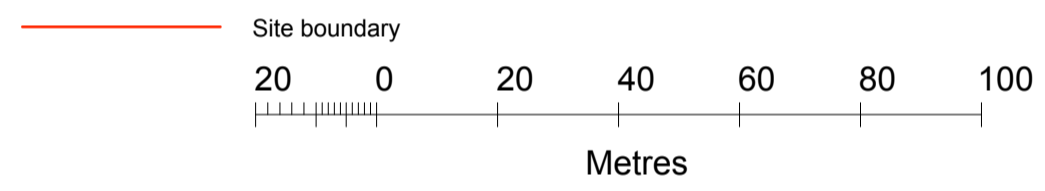
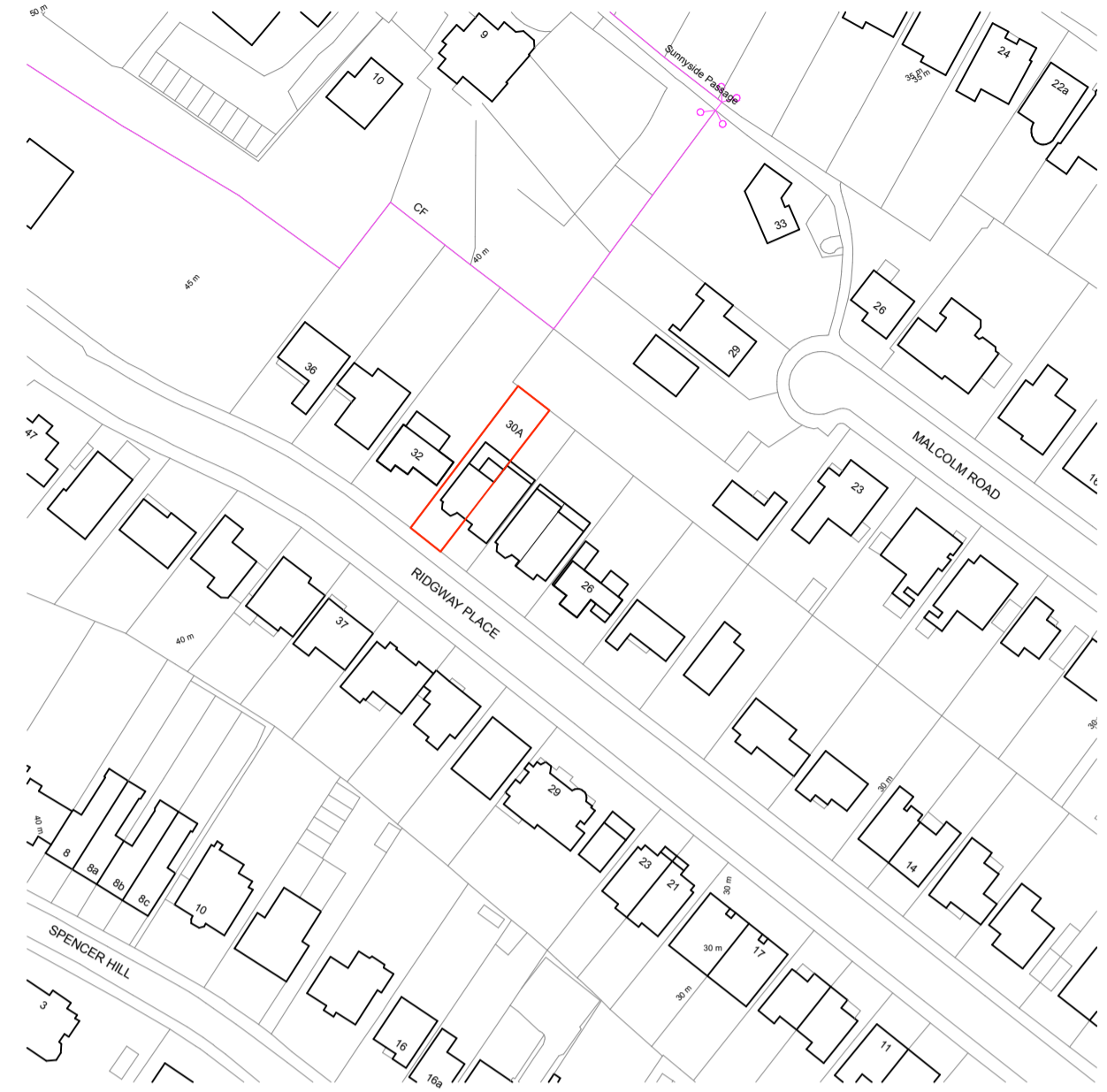
- 1 The prospective development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.  
Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans: 640.2/01/Rev P2; 640/ 040/P5; 640/ 040/P6; 640.2/03/P1. Construction Method Statement Report Ref 3845-ST001 P4.  
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 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.



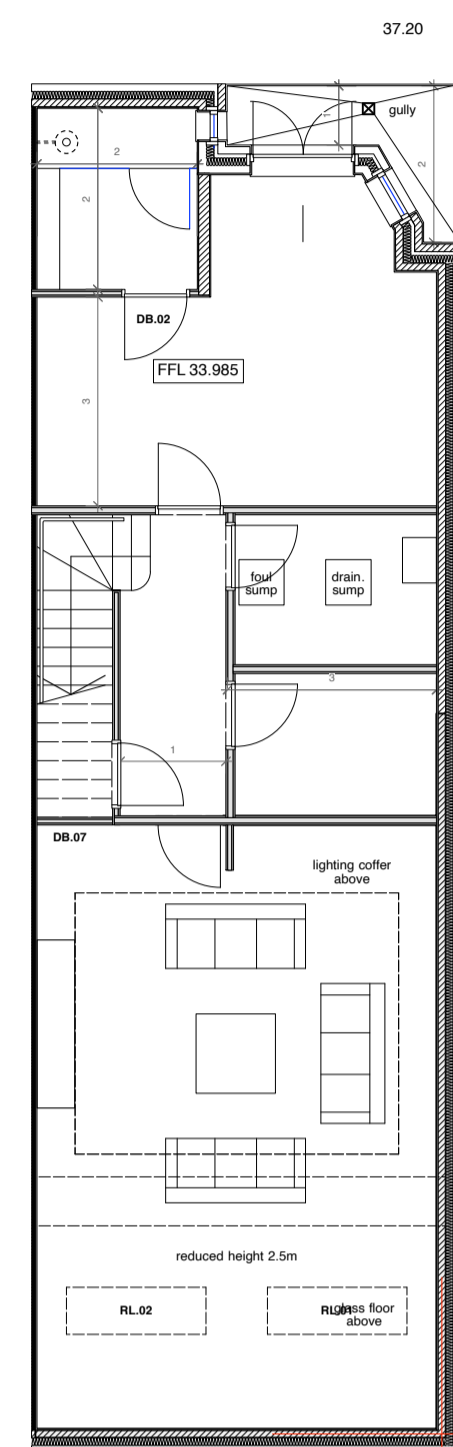
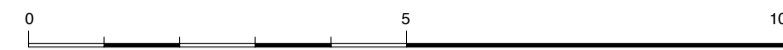
# NORTHGATE SE GIS Print Template



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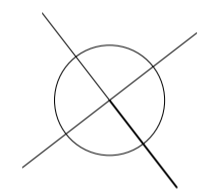


LOCATION

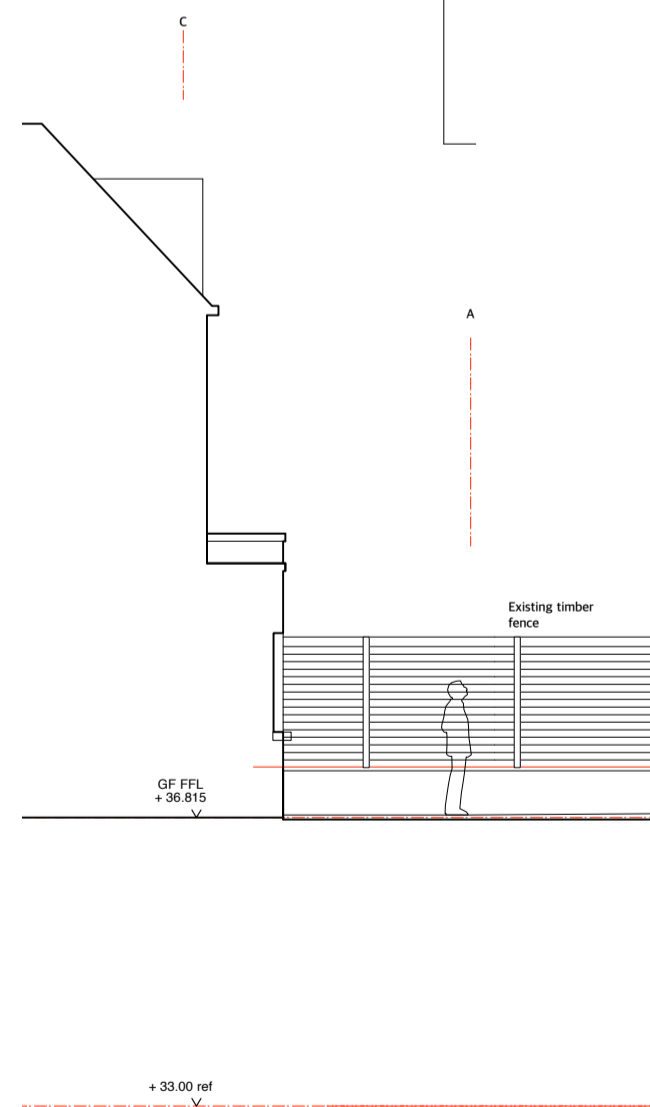


LOWER GROUND

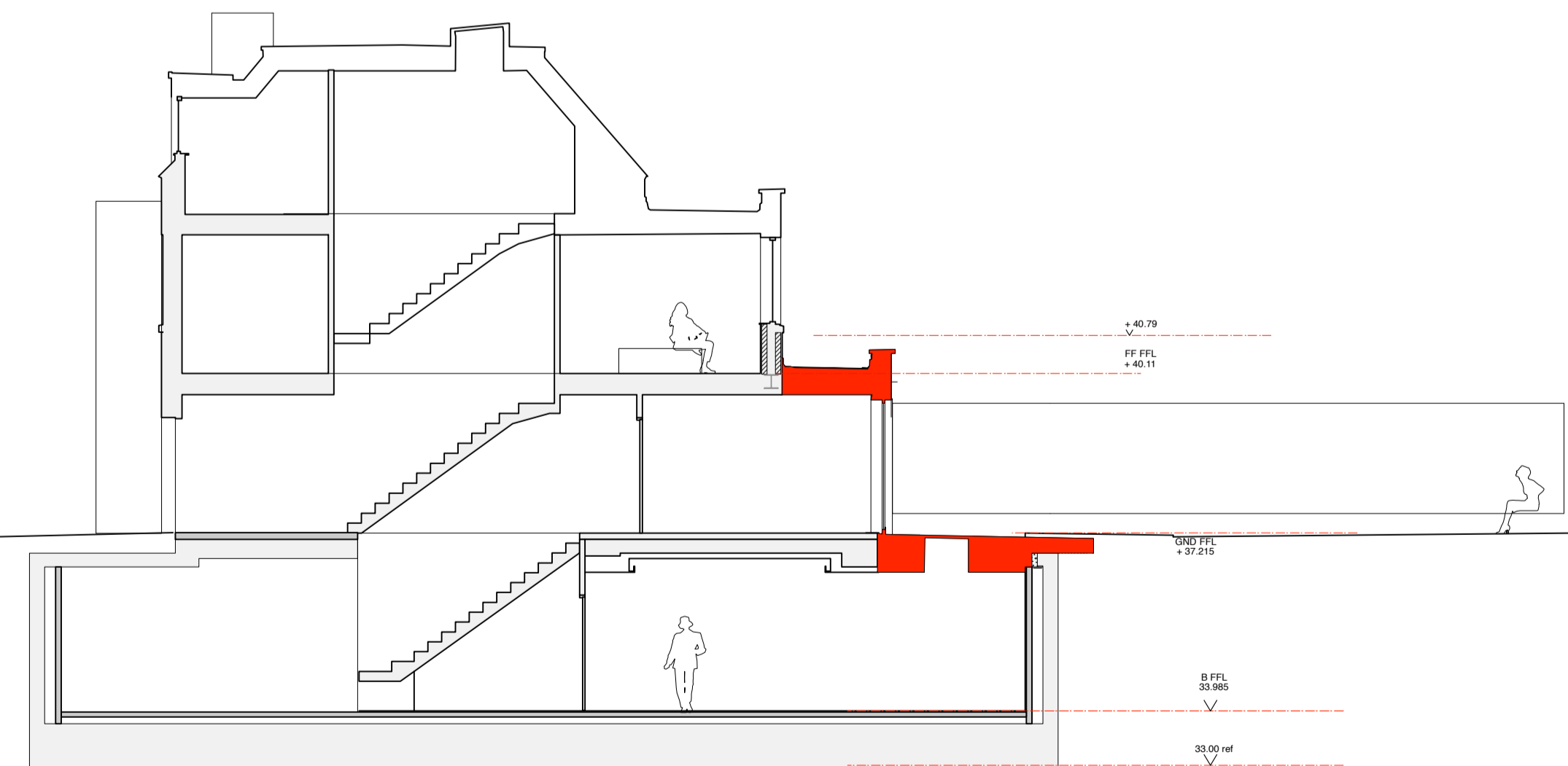
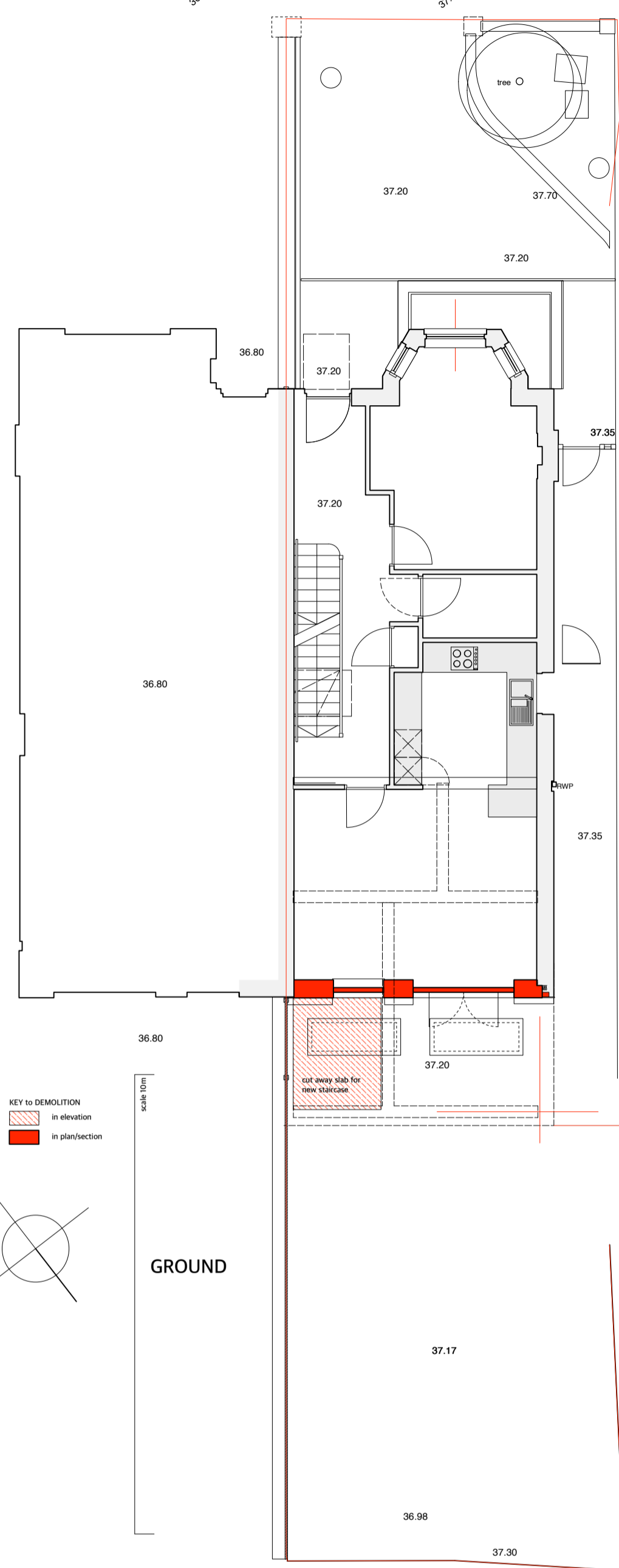
KEY TO DEMOLITION  
in elevation  
in plan/location



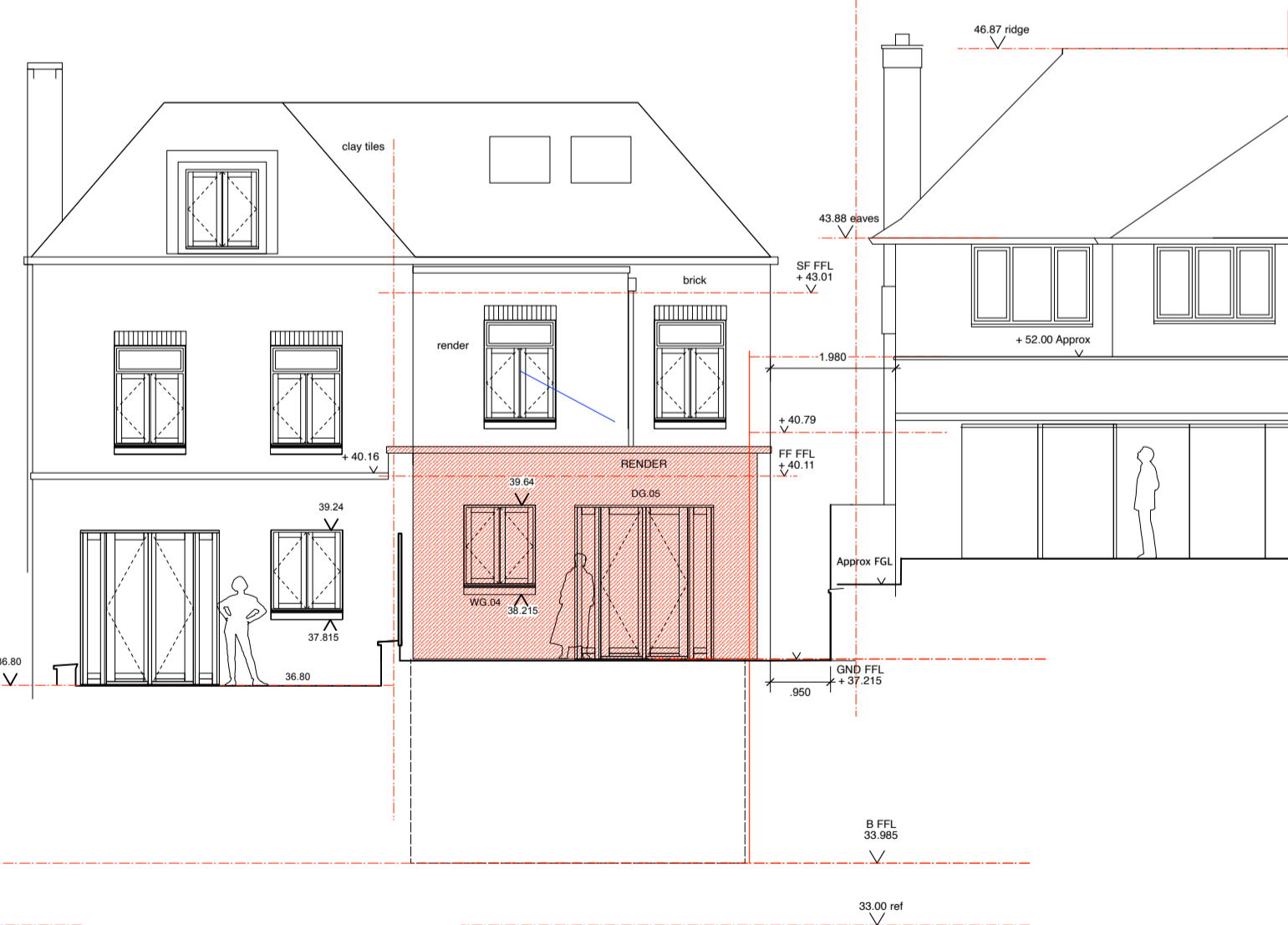
GROUND



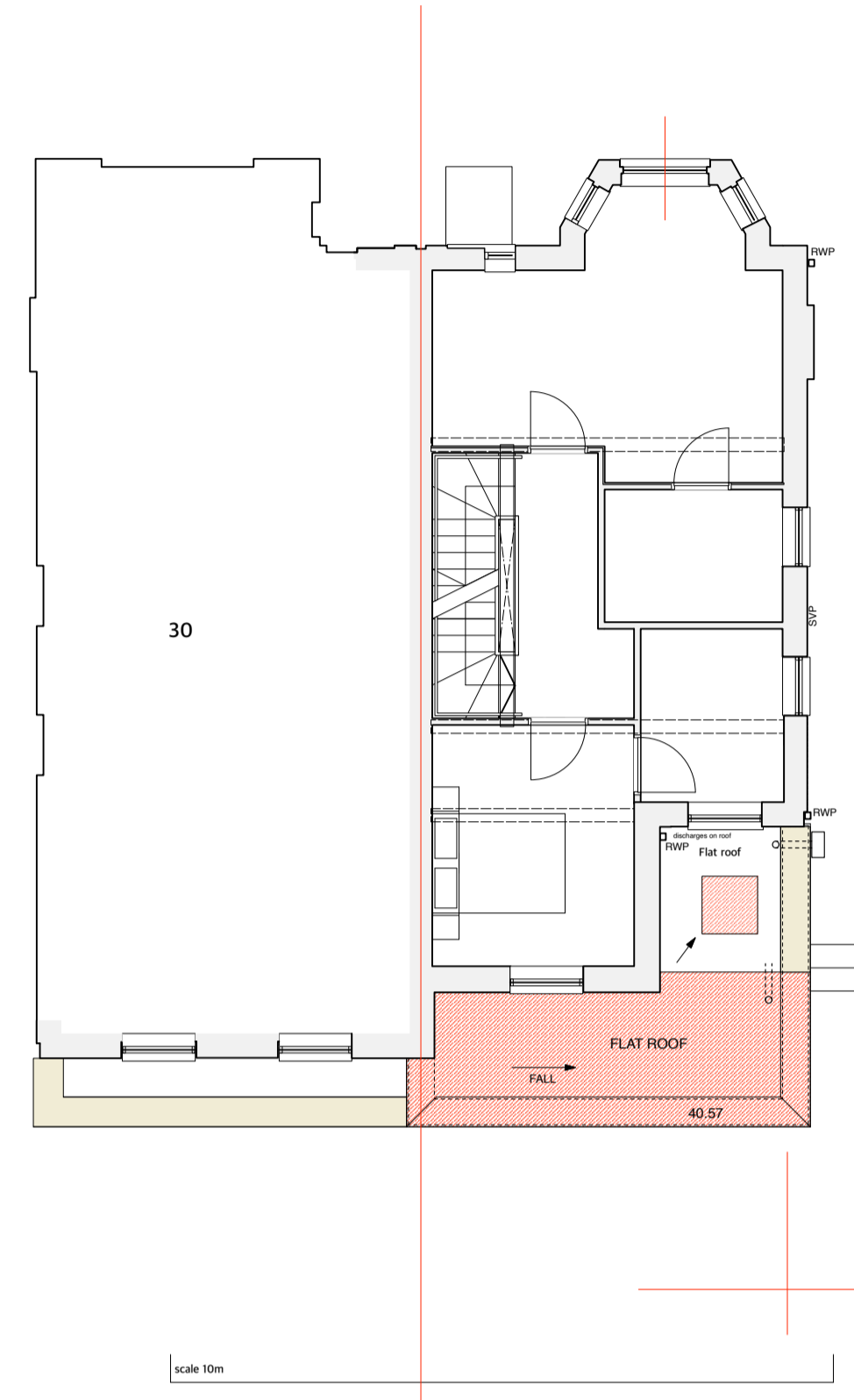
SIDE [SOUTH] ELEVATION



LONG SECTION

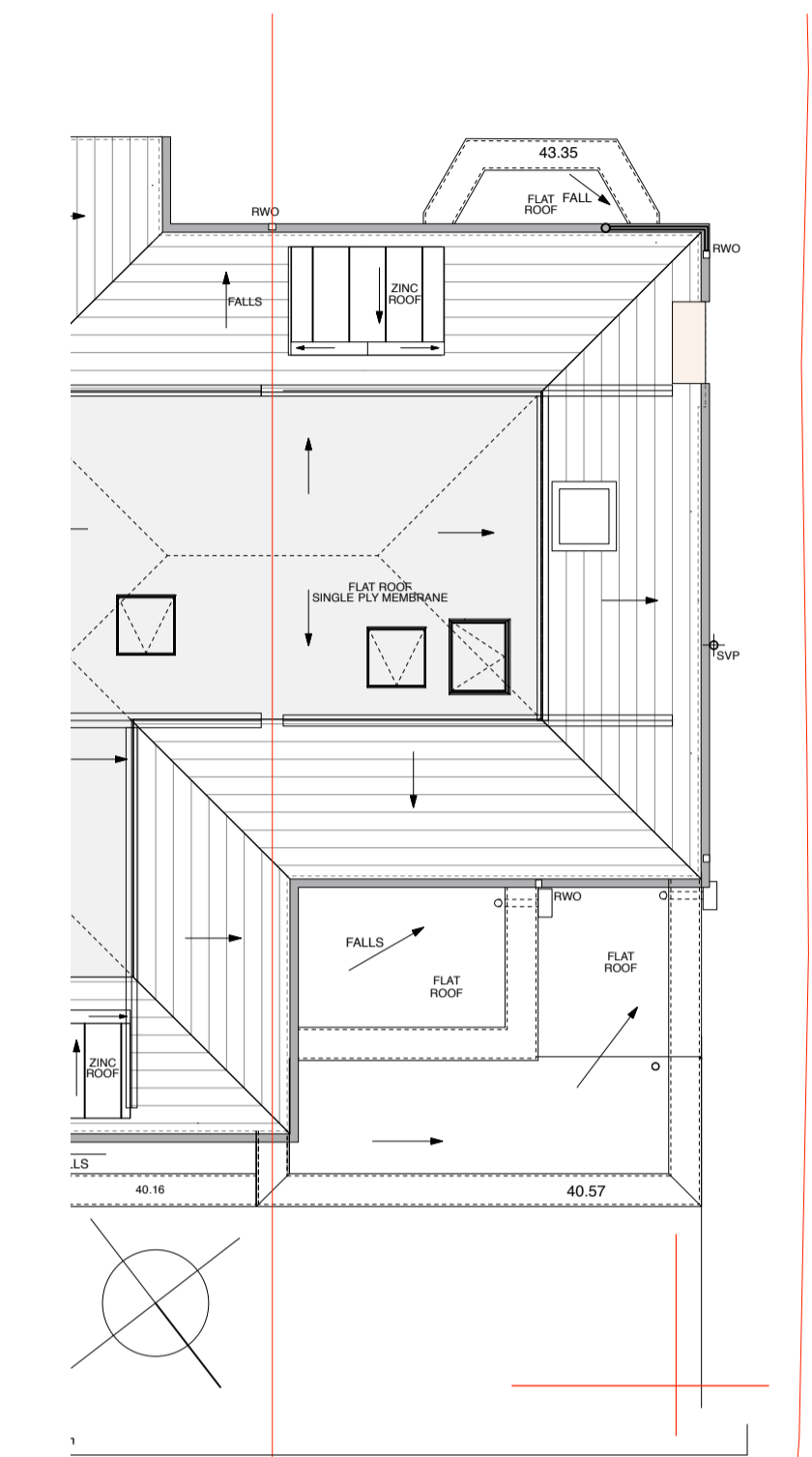


REAR [EAST] ELEVATION

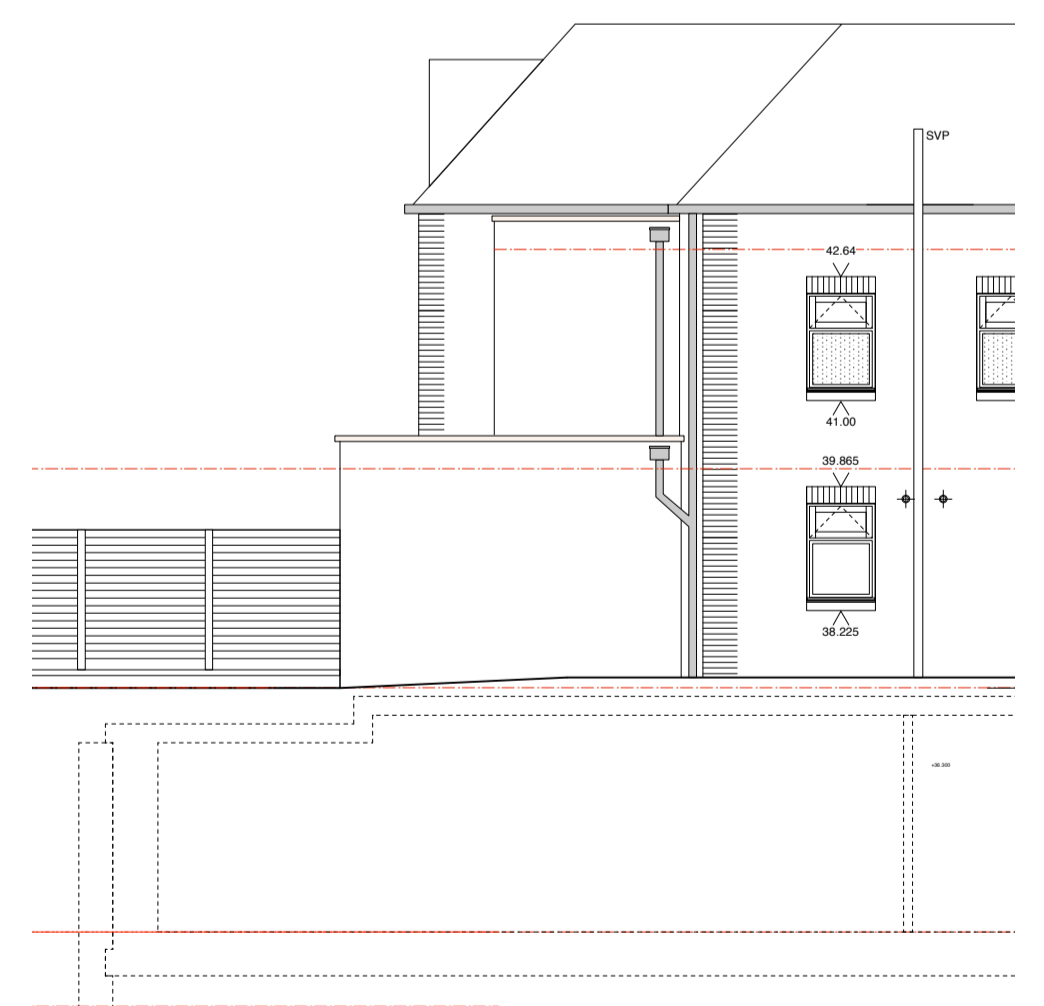


FIRST

SECOND

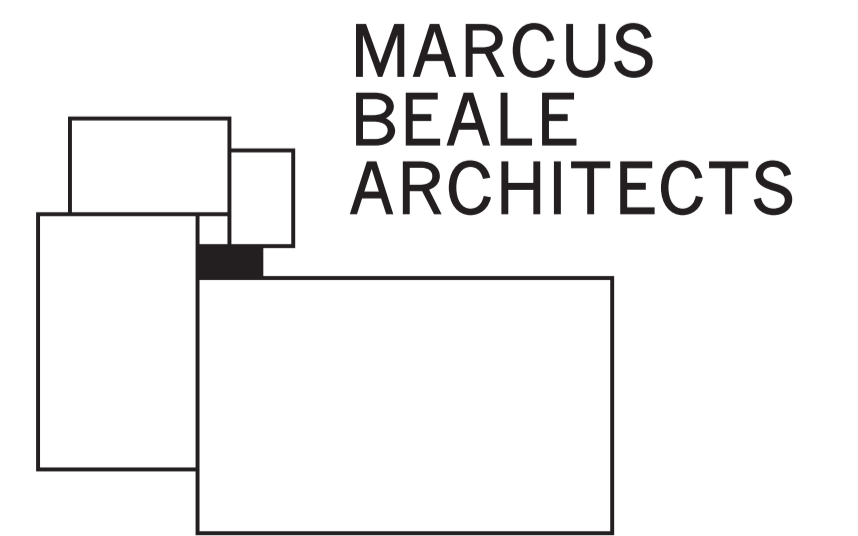


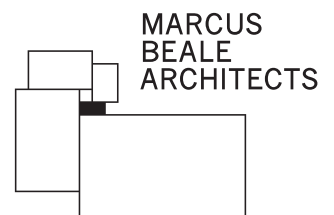
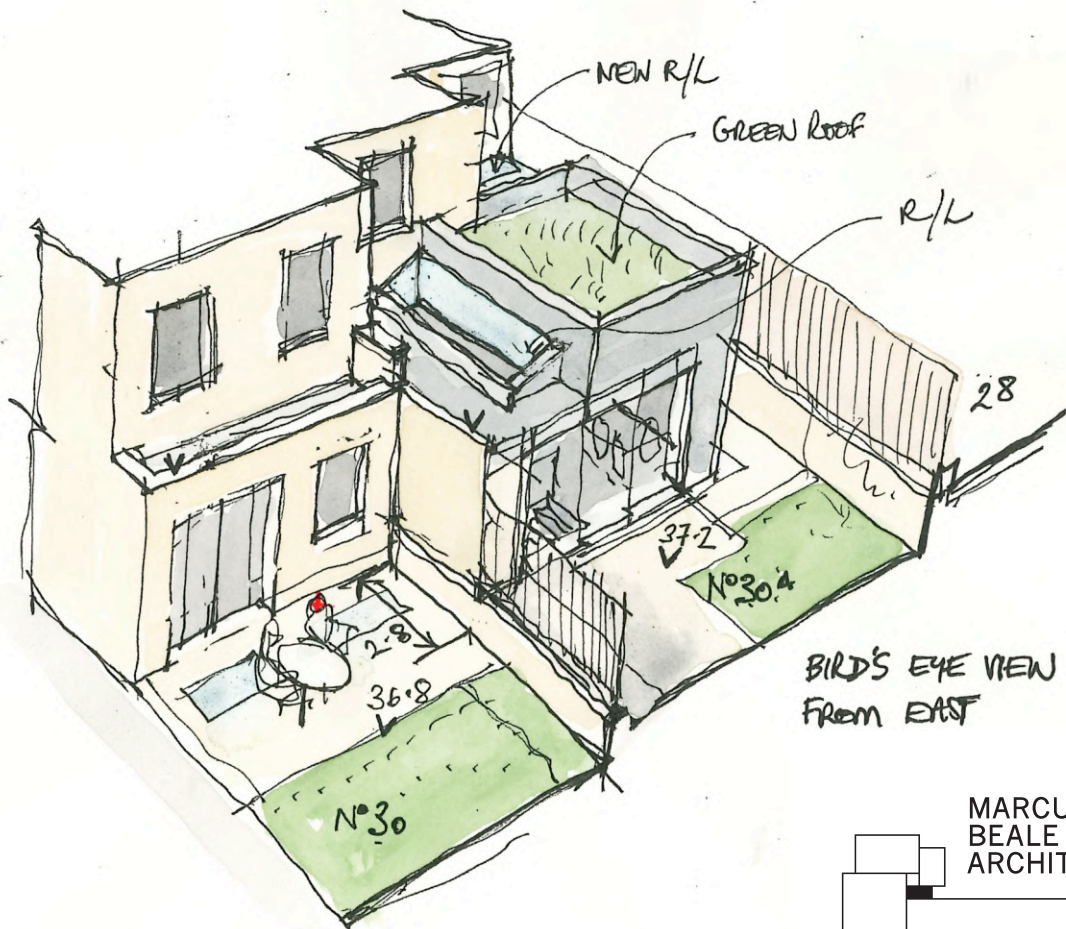
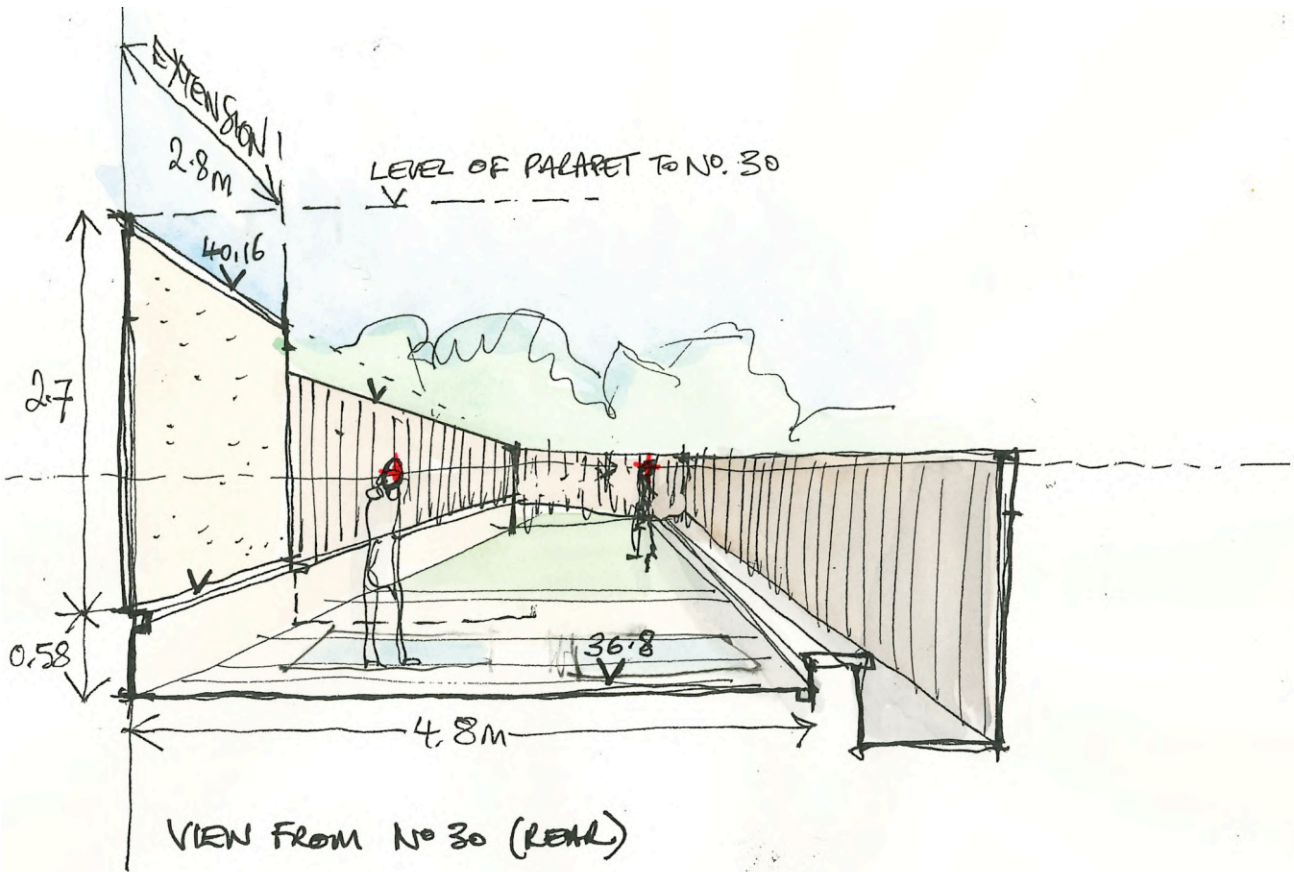
ROOF PLAN



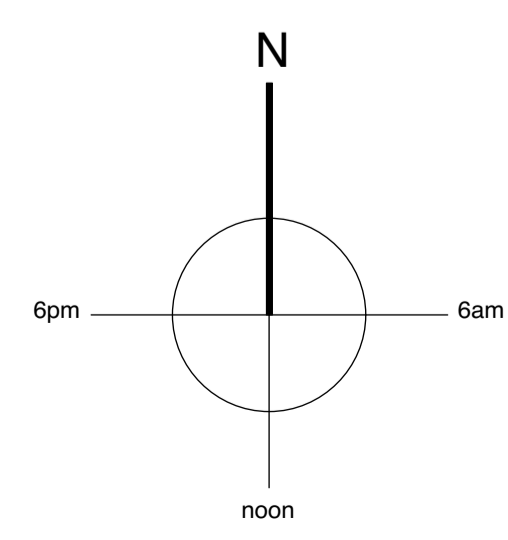
SIDE [NORTH] ELEVATION

Rev P2 Further detail of no.32 Planning application 220804  
Rev P1 Planning application 220614  
640.2 02 Rev P2  
30A RIDGWAY PLACE  
June 2022  
PLANS, ELEVATIONS  
AS EXISTING

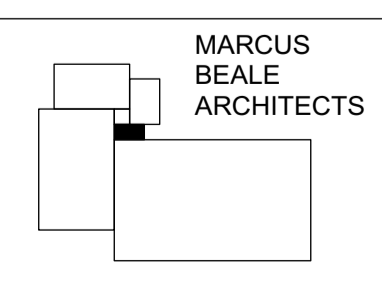




30A RIDGWAY PLACE  
220608  
marcus-beale.com  
640.2. SK01. P1



MBA, 1 Compton Road  
Wimbledon, London SW19 7QA  
Phone +44 (0) 20 8946 4141  
Fax +44 (0) 20 8946 2299  
Email mba@marcus-beale.co.uk  
www.marcus-beale.co.uk



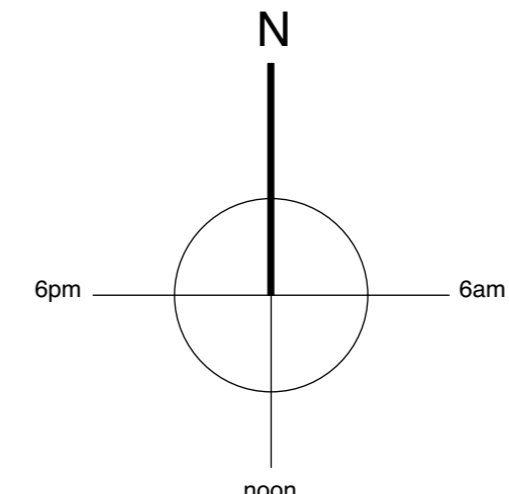
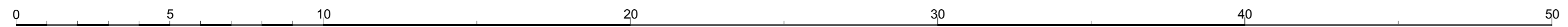
- P5 - 19/12/17 - BASEMENT EXTENDED AT REAR UNDER TERRACES. ENSUITES MOVED TO THE FRONT
- P4 - 24/12/15 - BUILDINGS REDUCED 500mm TO THE RIDGEWAY, 30 RW GABLE AND BAY SWAPPED, 1m REDUCED FROM 28 RW
- K - 24/12/15 - BUILDINGS REDUCED 500mm TO THE RIDGEWAY, 30 RW GABLE AND BAY SWAPPED, 1m REDUCED FROM 28 RW
- P3 - 25/08/15 - ISSUED TO PLANNING
- P2 - 15/05/15 - ISSUED TO PLANNING FOR PRE-APP
- P1 - 12/02/15 - ISSUED TO PLANNING

28 & 30 RIDGWAY PLACE, SW19 4EP		PROPOSED	
<b>BASEMENT PLAN</b>			
Scale: 1:100 @ A1 1:200 @ A3	Drawn: AF	640/ 040 P5	
Date: 29/10/2014	Check: MB		

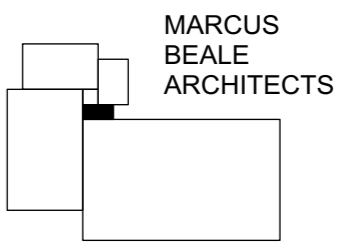


Plots 28A and 30 extended to the rear under terrace.

Ensuites moved to the front.

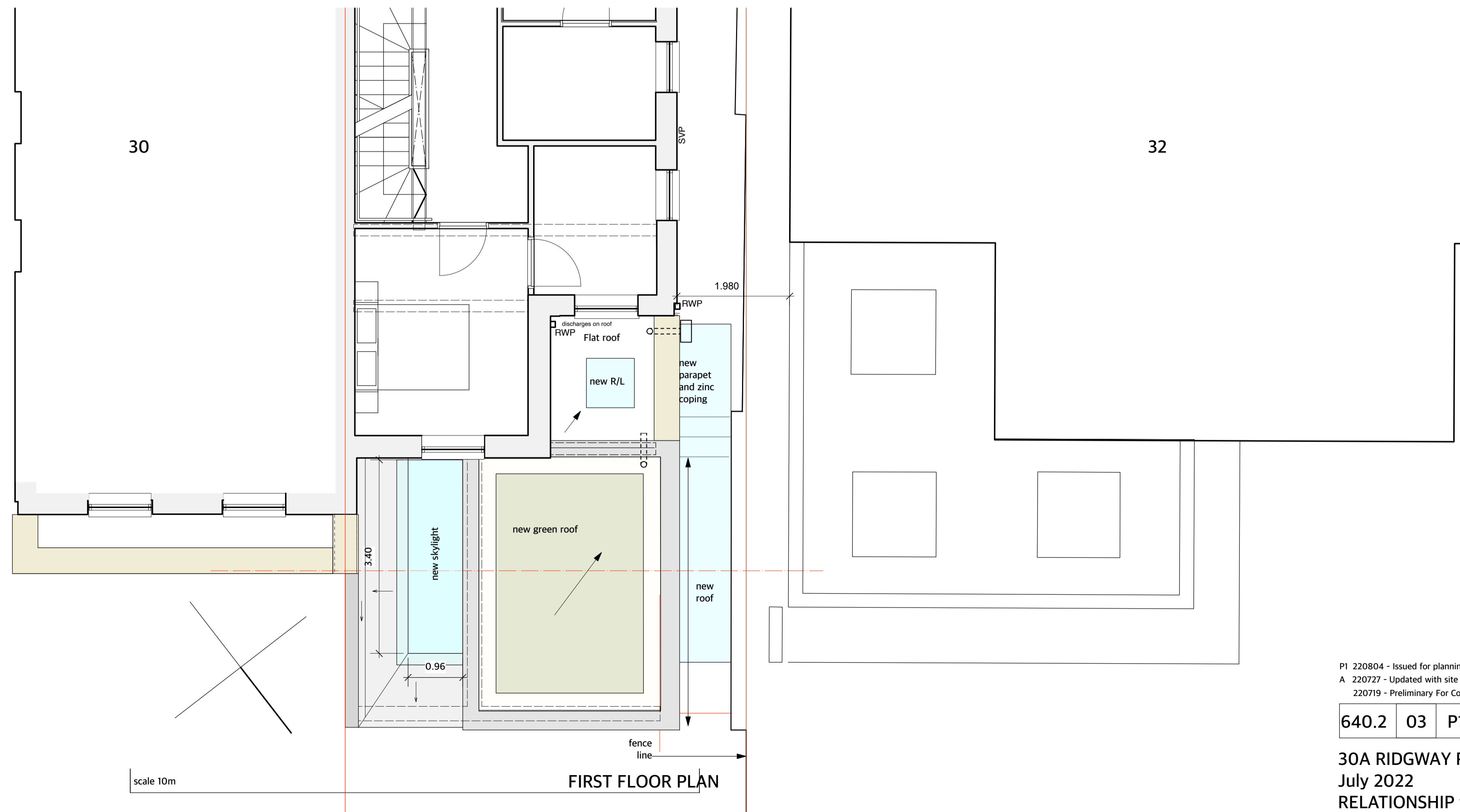
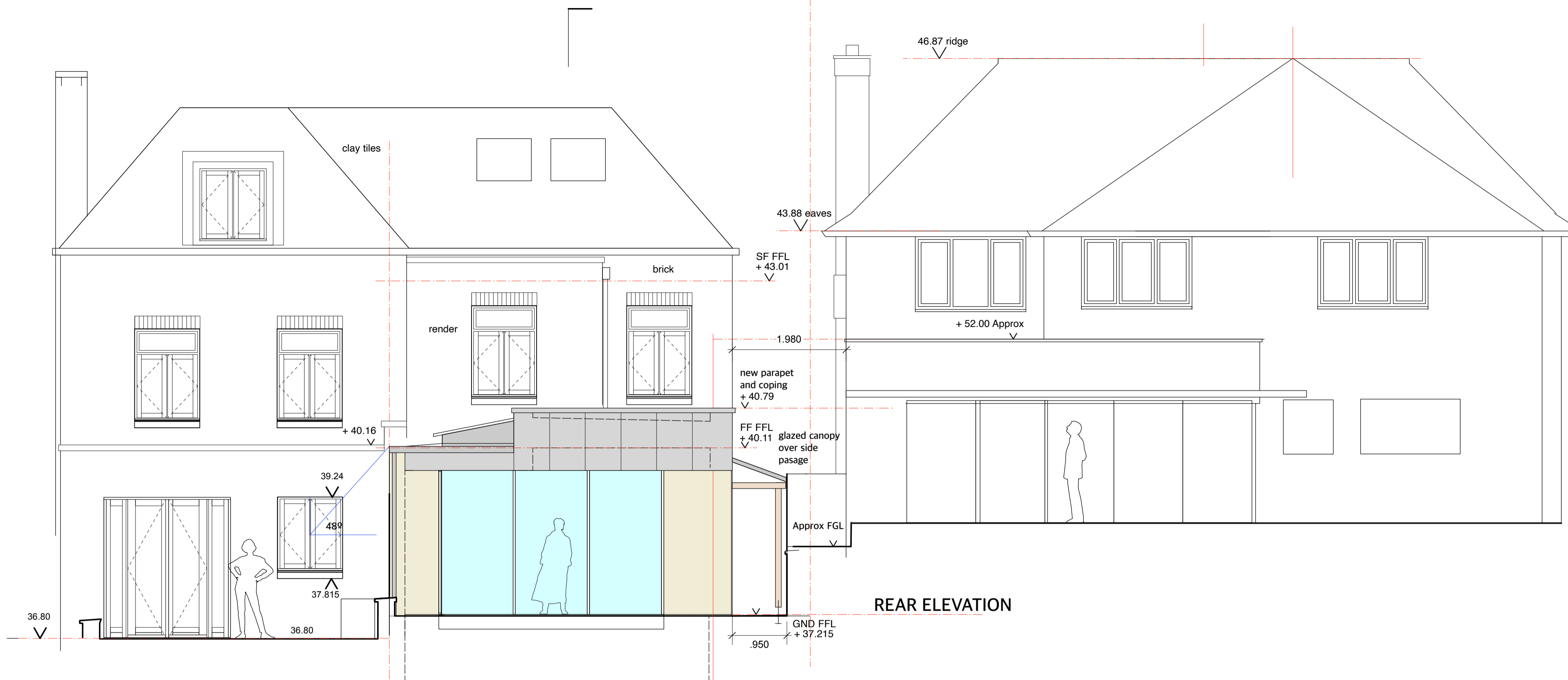


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 www.marcus-beale.co.uk



- P6 - 24/01/18 - ISSUED FOR PLANNING
- P5 - 19/12/17 - BASEMENT EXTENDED AT REAR UNDER TERRACES, ENSUITES MOVED TO THE FRONT
- P4 - 24/12/15 - BUILDINGS REDUCED 500mm TO THE RIDGEWAY, 30 RW GABLE AND BAY SWAPPED, 1m REDUCED FROM 28 RW
- K - 24/12/15 - BUILDINGS REDUCED 500mm TO THE RIDGEWAY, 30 RW GABLE AND BAY SWAPPED, 1m REDUCED FROM 28 RW
- P3 - 25/08/15 - ISSUED TO PLANNING
- P2 - 15/05/15 - ISSUED TO PLANNING FOR PRE-APP
- P1 - 12/02/15 - ISSUED TO PLANNING

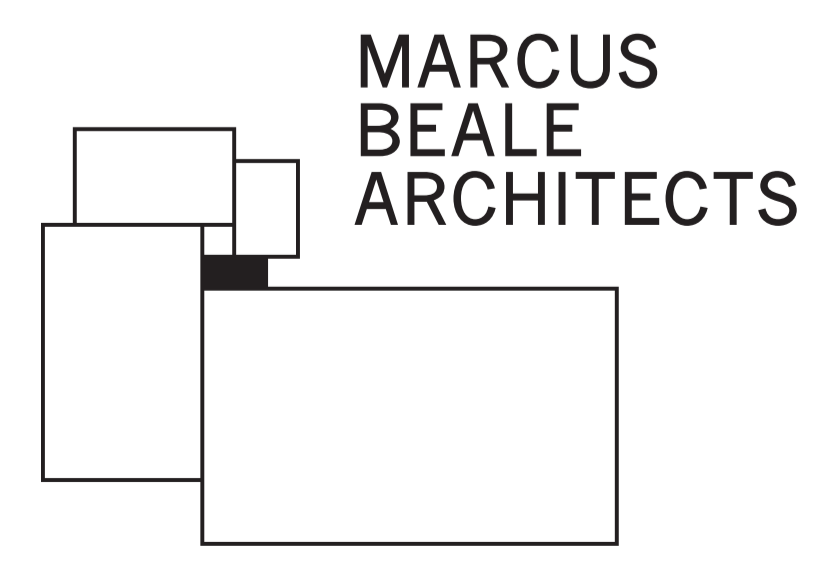
28 & 30 RIDGWAY PLACE, SW19 4EP		PROPOSED	
<b>BASEMENT PLAN</b>			
Scale: 1:100 @ A1 1:200 @ A3	Drawn: AF	640/ 040 P6	
Date: 29/10/2014	Check: MB		

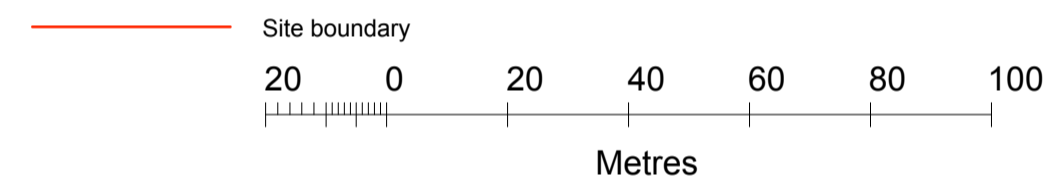
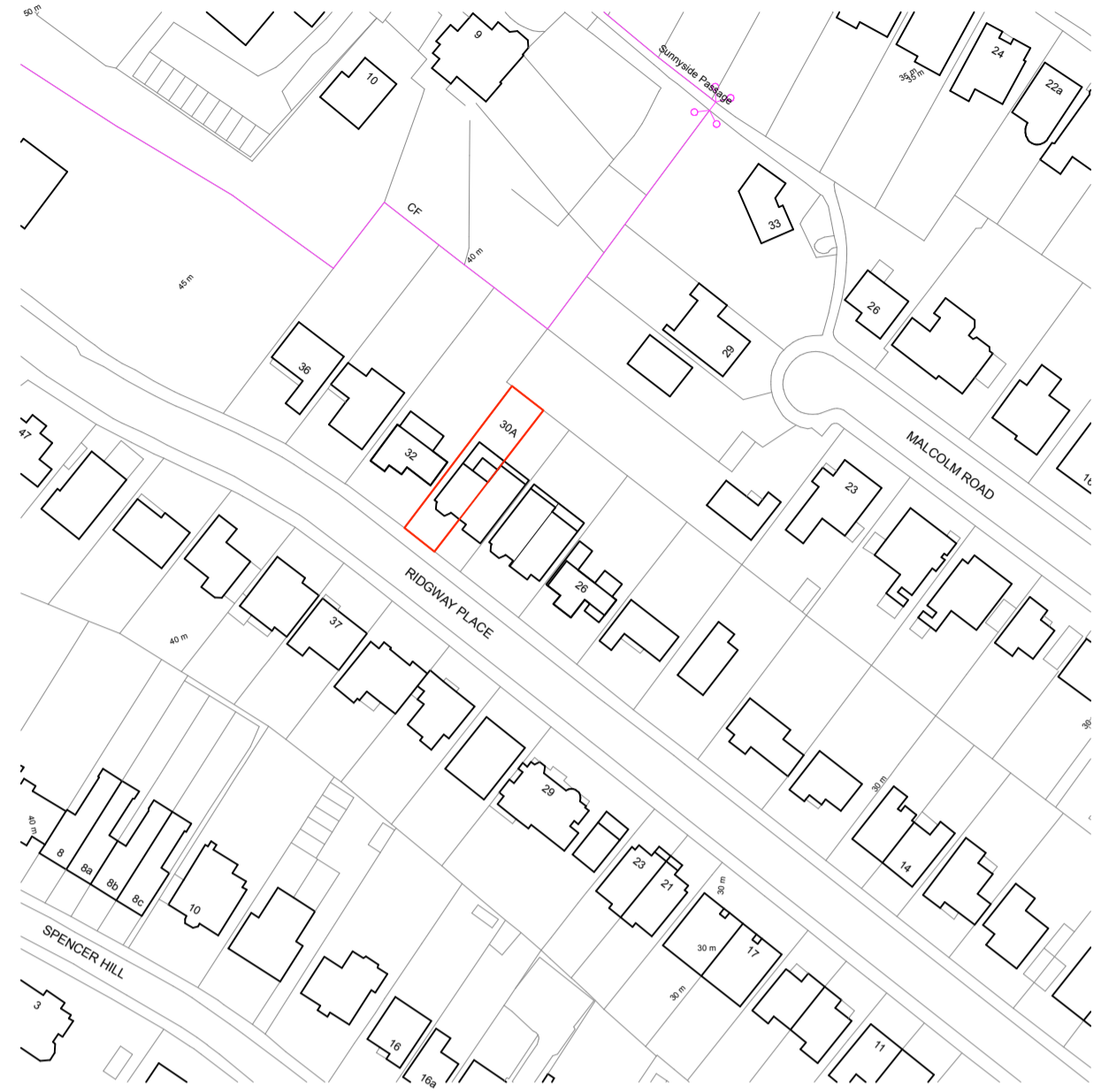


P1 220804 - issued for planning  
 A 220727 - Updated with site measurements  
 220719 - Preliminary For Comment

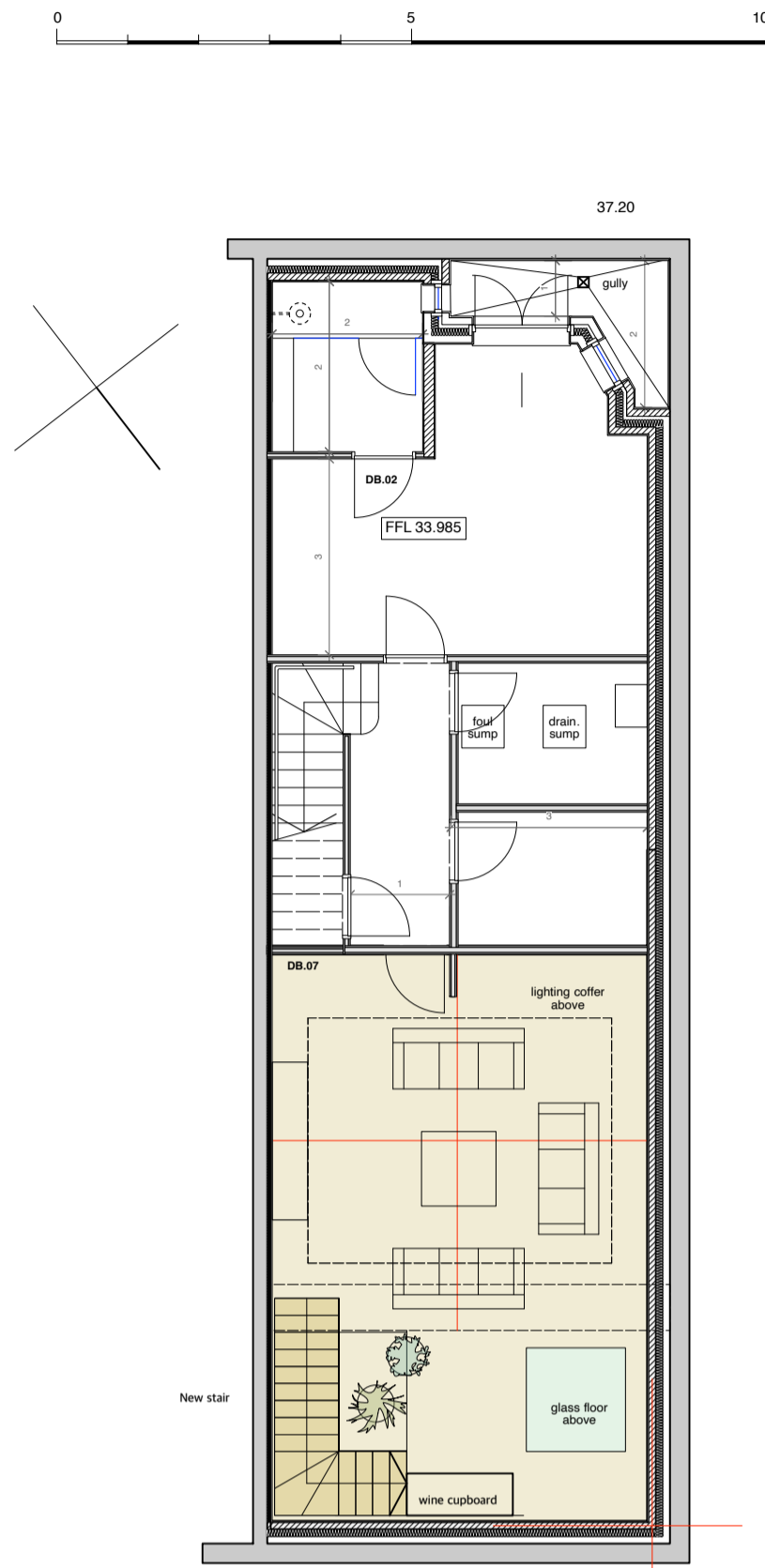
640.2	03	P1
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30A RIDGWAY PLACE  
 July 2022  
 RELATIONSHIP to NO 32  
 AS PROPOSED

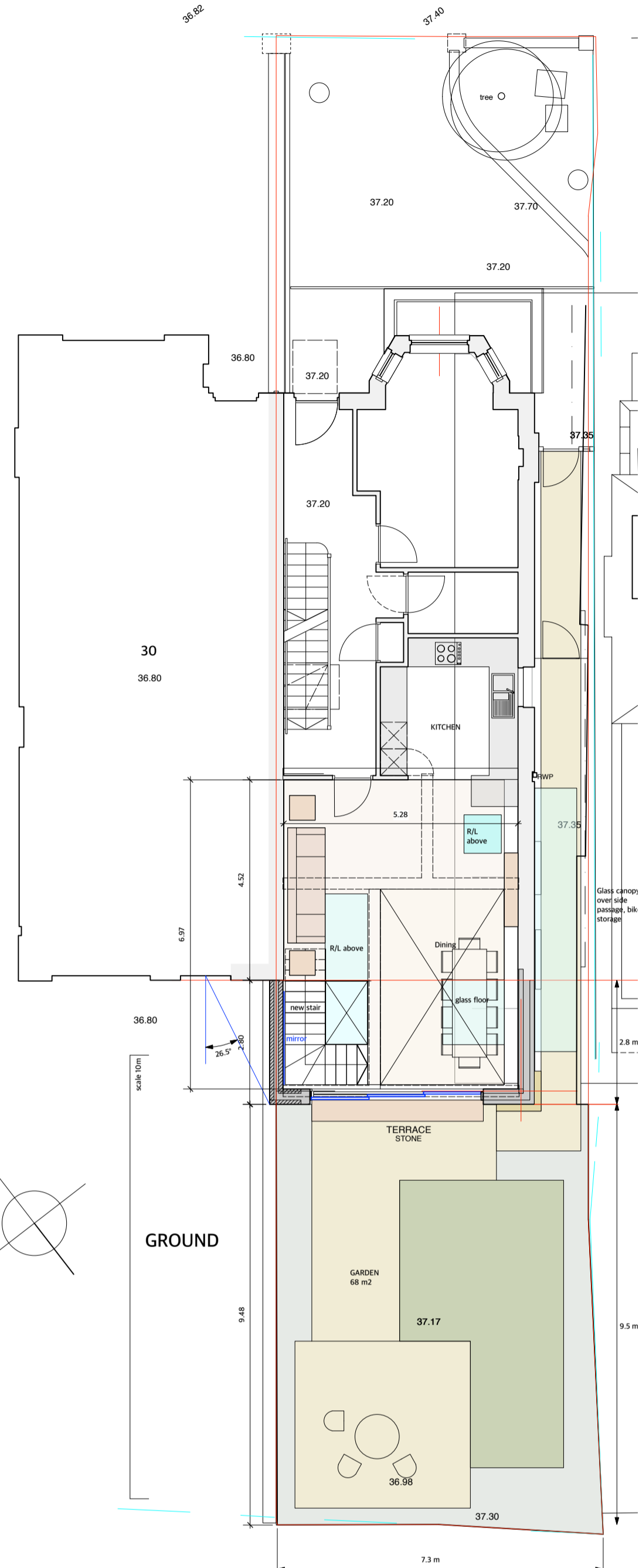




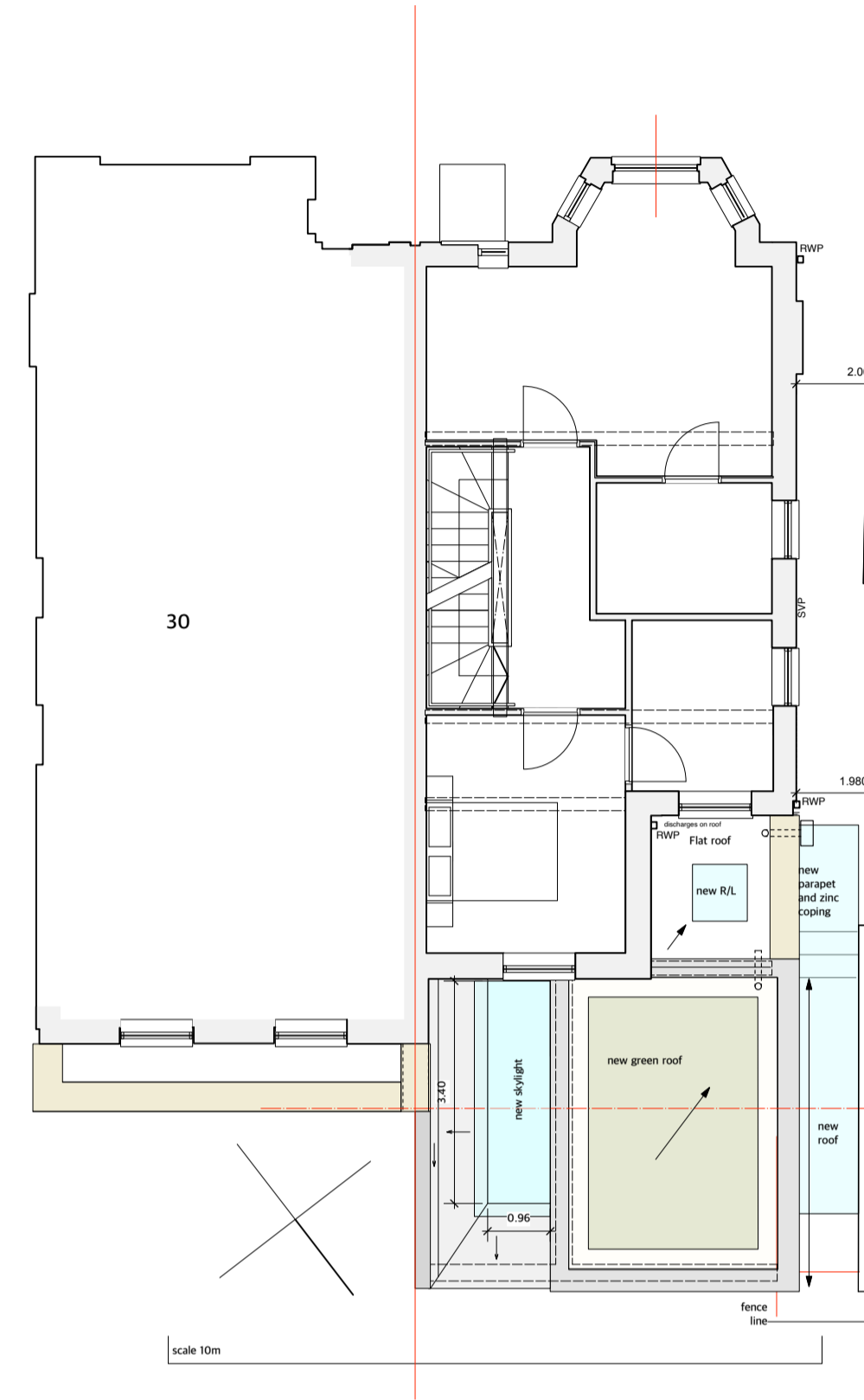
LOCATION



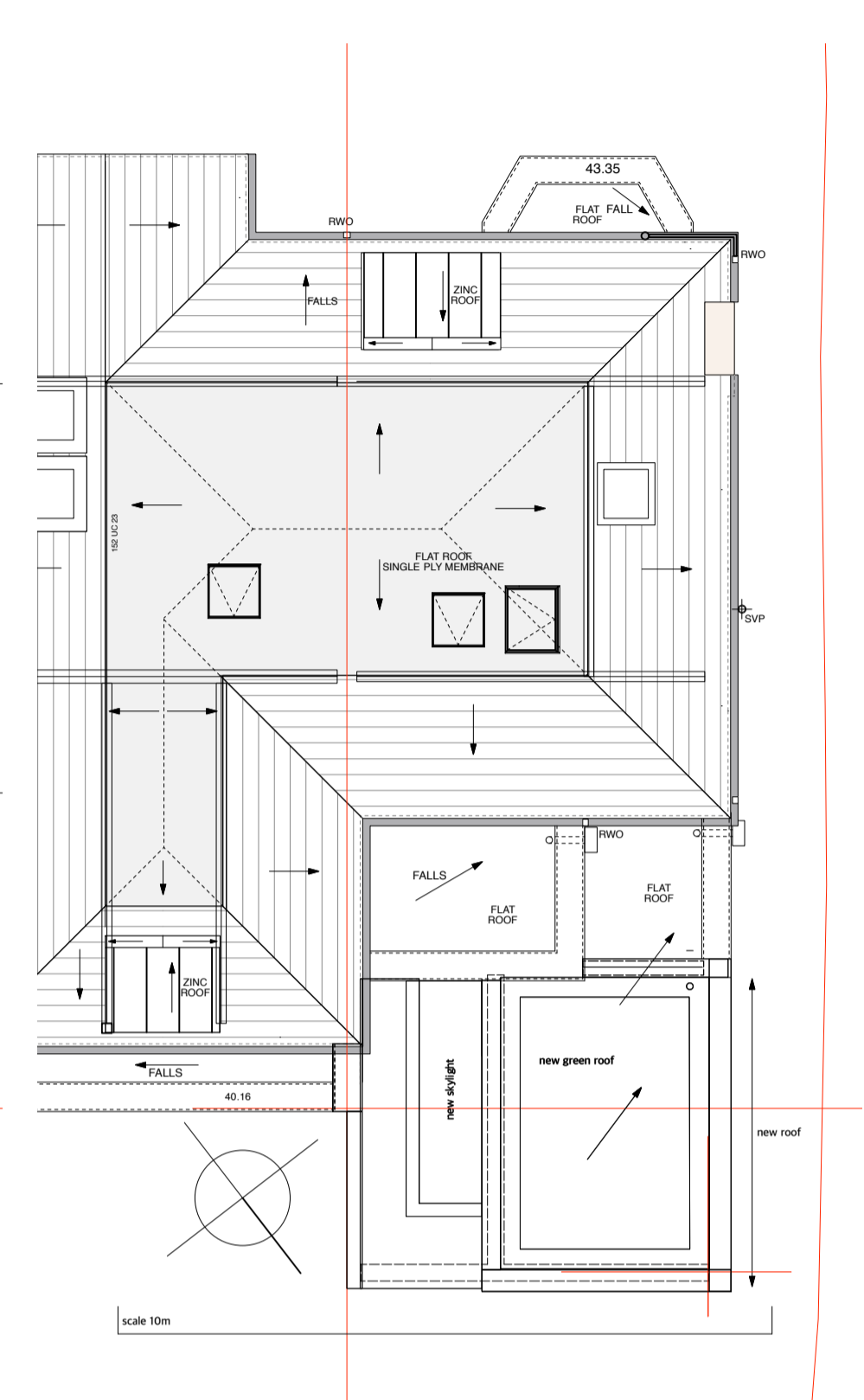
LOWER GROUND



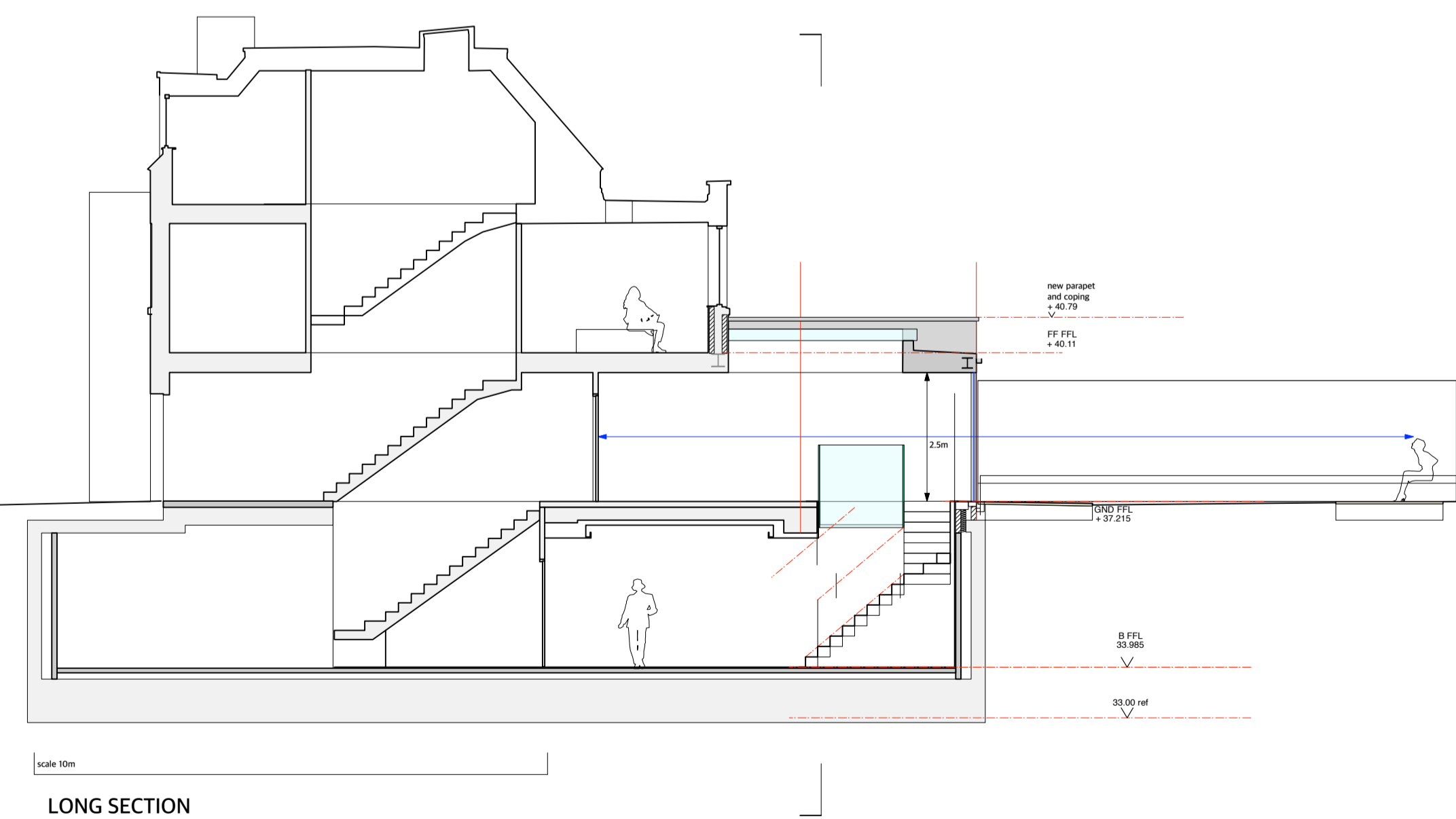
GROUND



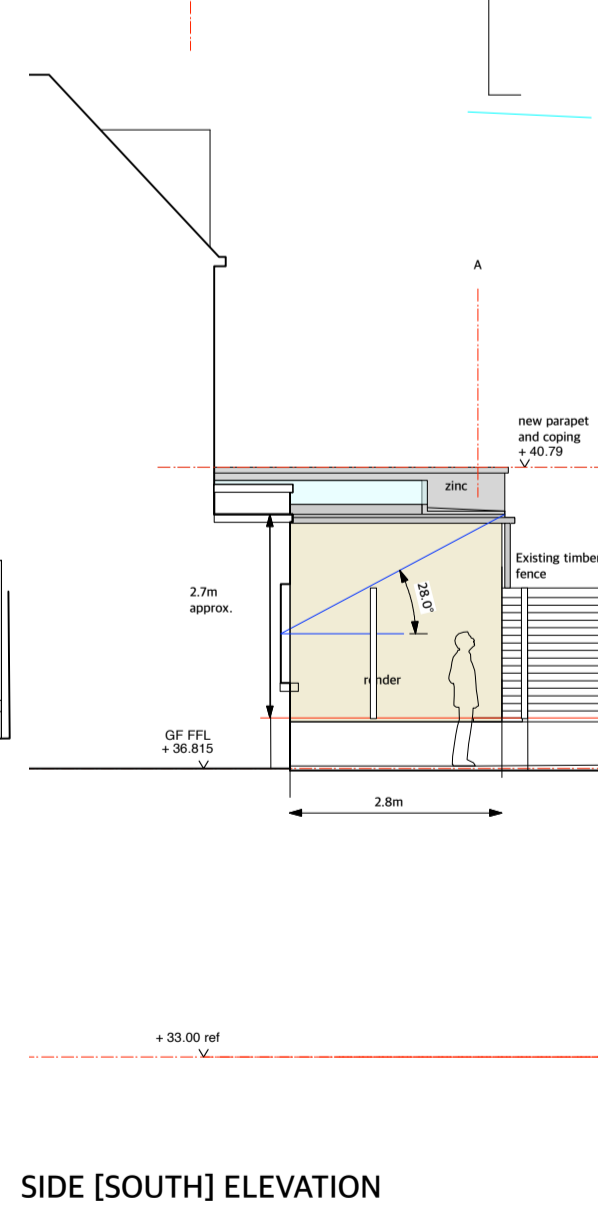
FIRST  
SECOND FLOOR - NO CHANGE



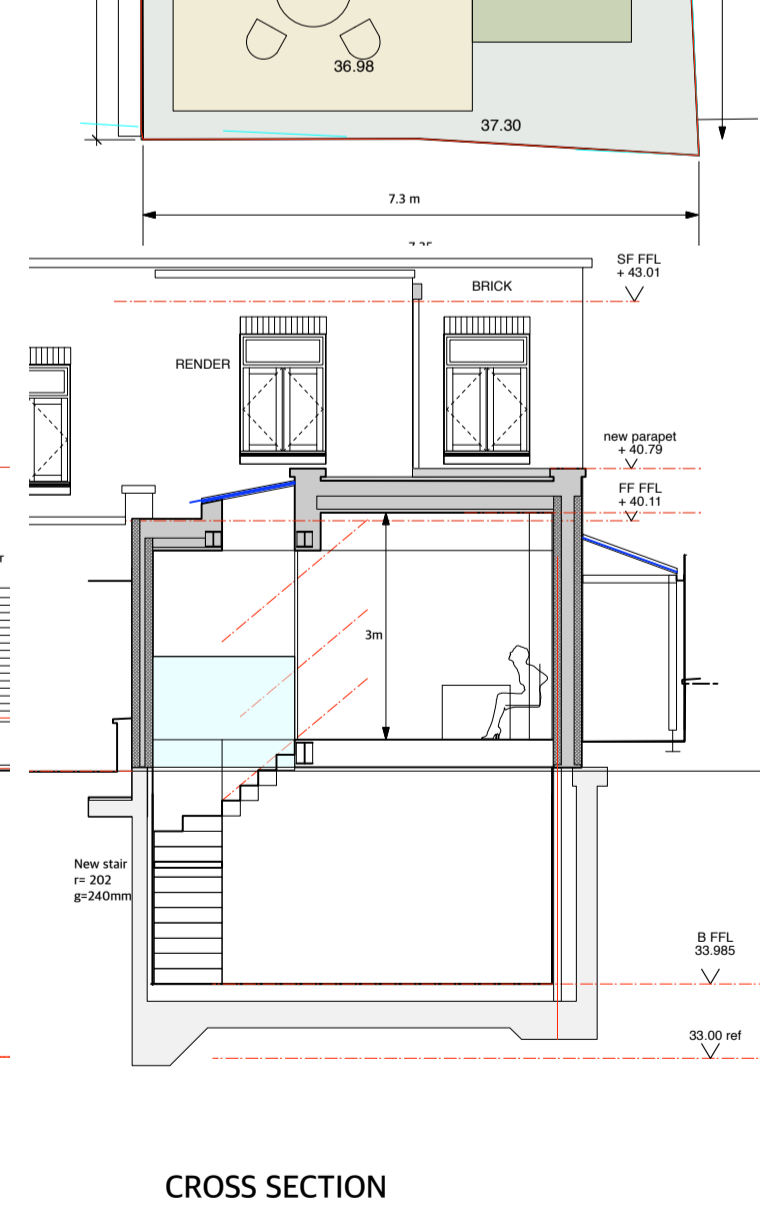
ROOF PLAN



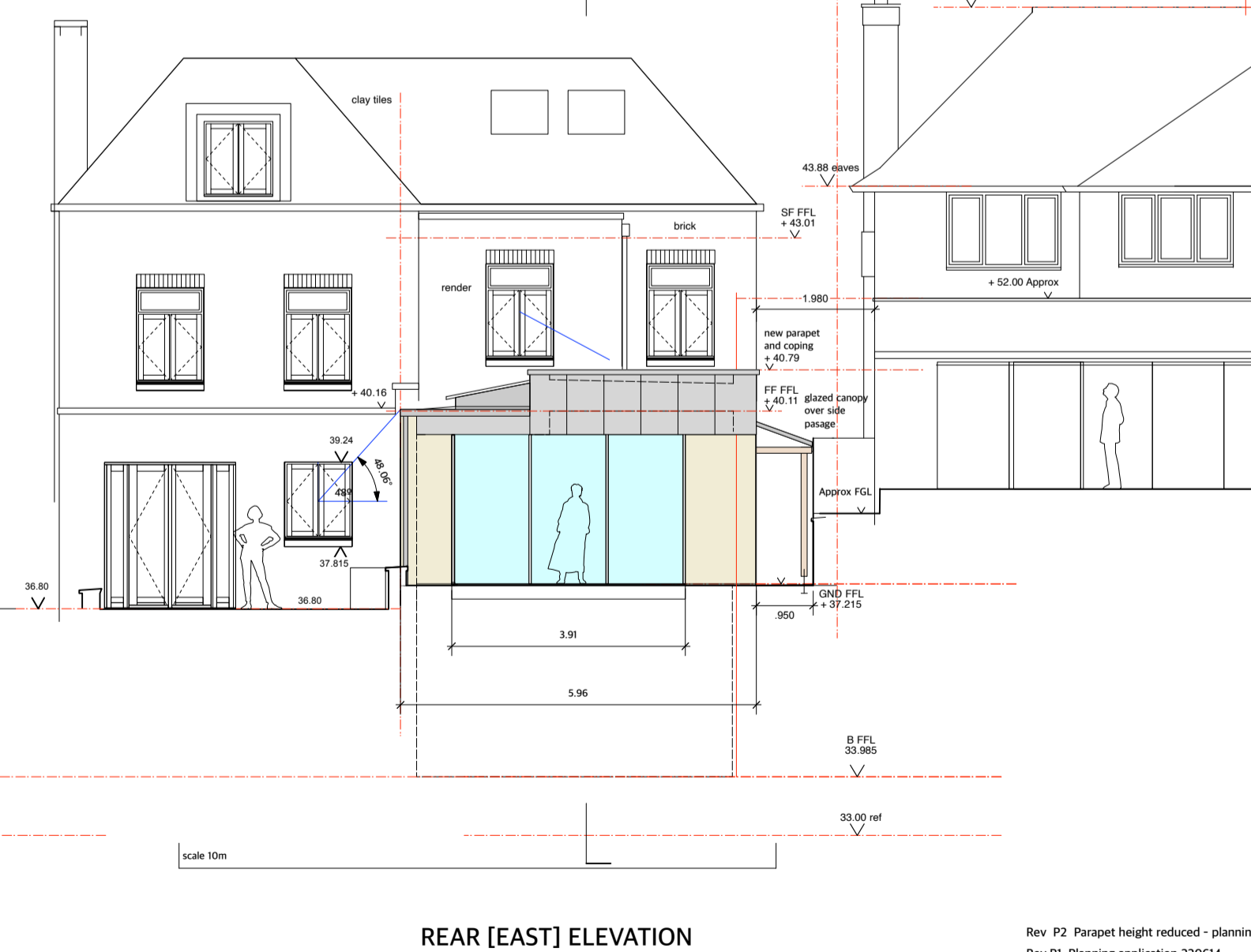
LONG SECTION



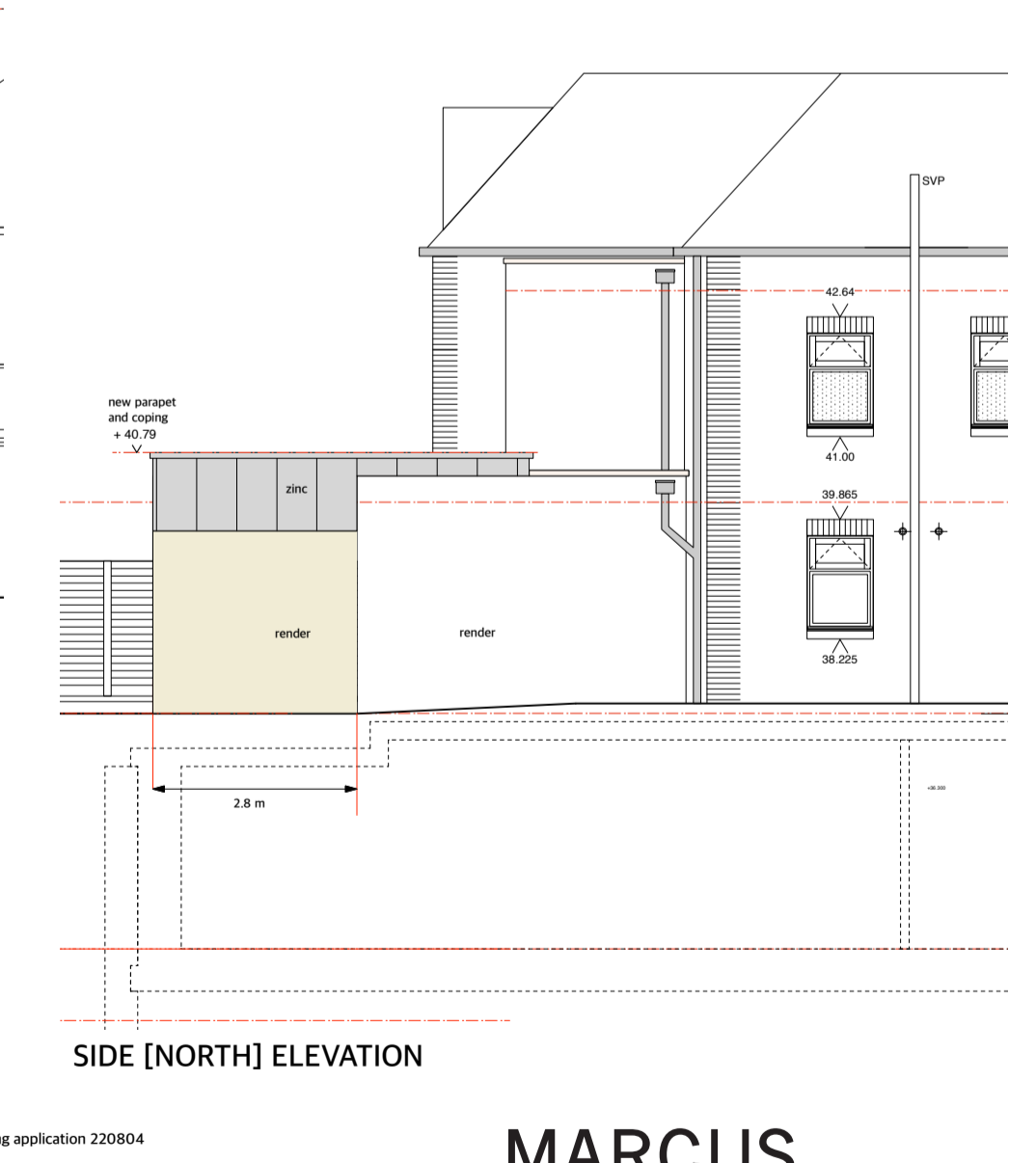
SIDE [SOUTH] ELEVATION



CROSS SECTION



REAR [EAST] ELEVATION

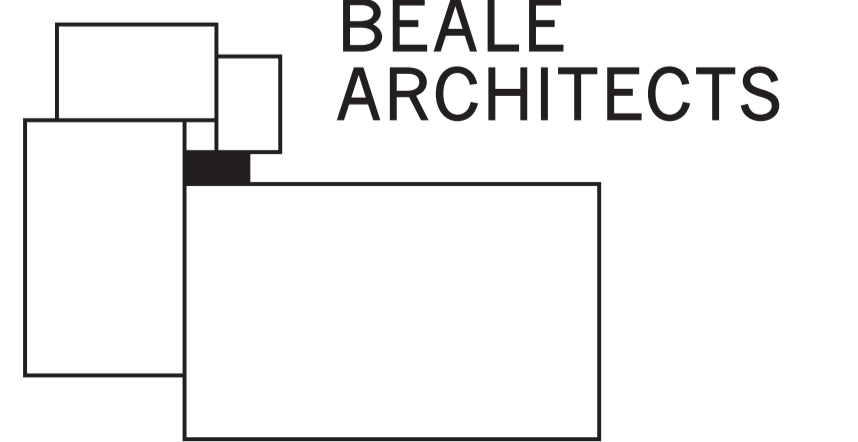


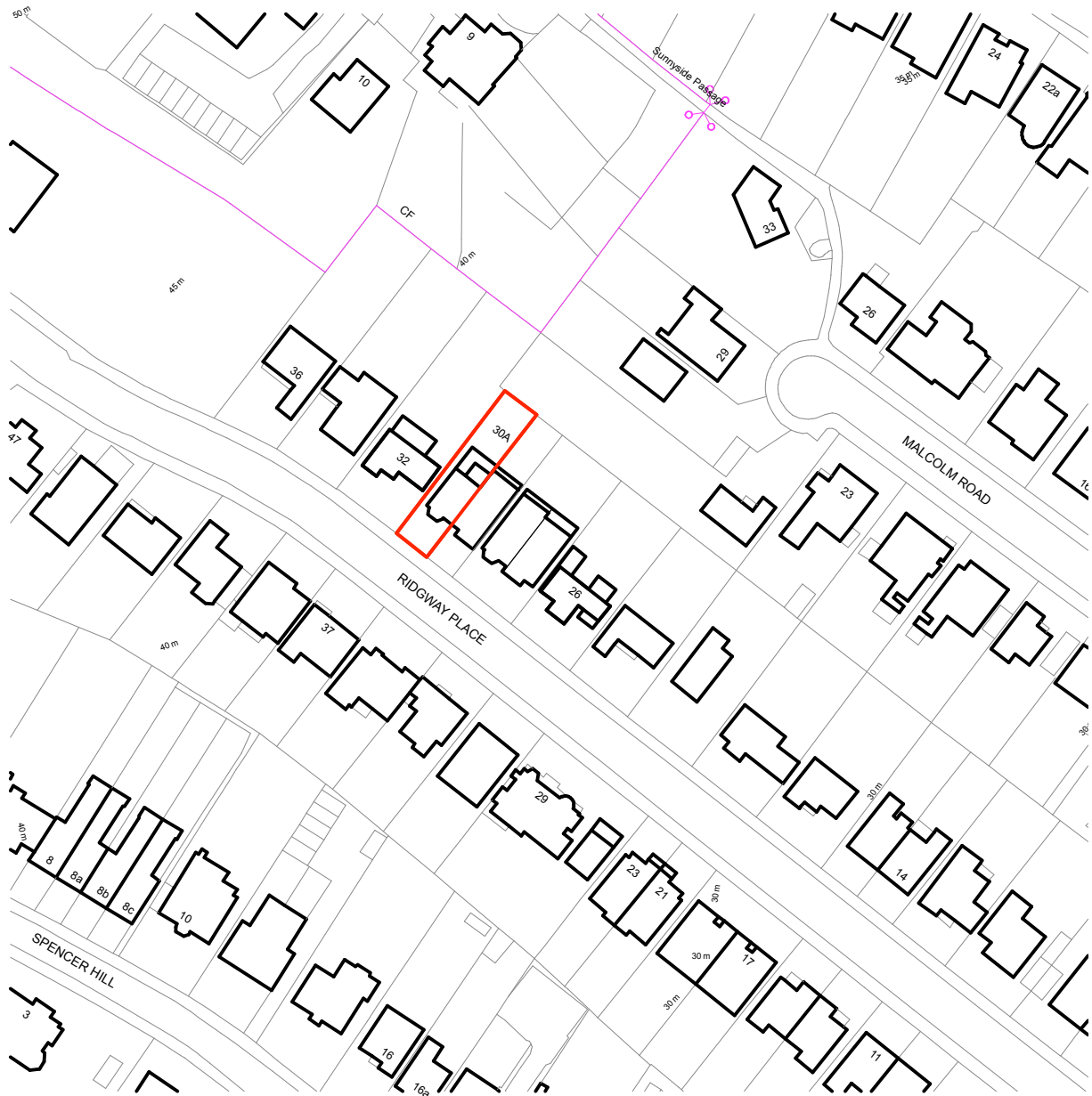
SIDE [NORTH] ELEVATION

Rev P2 Parapet height reduced - planning application 220804  
Rev P1 Planning application 220614  
Rev B Minor updates 220608 and issued as A4  
Rev A Minor updates 220608 and issued as A4

640.2 01 Rev P2

30A RIDGWAY PLACE  
June 2022  
PLANS, ELEVATIONS  
AS PROPOSED





Marcus Beale Architects  
 July 2022  
 30A RIDGWAY PLACE SW19  
 LOCATION PLAN



## **Committee:** Planning Applications Committee

**Date:** 8<sup>th</sup> December 2022

**Agenda item:** Enforcement Report

**Wards:** All

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

**Lead officer:** **HEAD OF SUSTAINABLE COMMUNITIES**

**COUNCILLOR Aidan Mundy, CHAIR of PLANNING APPLICATIONS COMMITTEE**

**Contact Officer** Raymond Yeung: 0208 545 4352  
Raymond.Yeung@merton.gov.uk

### **Recommendation:**

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That Members note the contents of the report.

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

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

<b>Current Enforcement Cases:</b>	<b>343</b>	<b>New Appeals:</b>	<b>2</b>
<b>New Complaints</b>	<b>47</b>	<b>Instructions to Legal</b>	<b>3</b>
<b>Cases Closed</b>	<b>50</b>	<b>Existing Appeals</b>	<b>3</b>
<b>New Enforcement Notices Issued</b>		<b>TREE ISSUES</b>	
Breach of Condition Notice:	0	<b>Tree Applications Received</b>	<b>100</b>
New Enforcement Notice issued	1	<b>% Determined within time limits:</b>	<b>95%</b>
S.215: <sup>3</sup>	0	<b>High Hedges Complaint</b>	<b>0</b>
Others (PCN, TSN)	1	<b>New Tree Preservation Orders (TPO)</b>	<b>1</b>
Total	2	<b>Tree Replacement Notice</b>	<b>0</b>
<b>Prosecutions:</b> (instructed)	<b>0</b>	<b>Tree/High Hedge Appeal</b>	<b>0</b>
		<b>5-Day notice</b>	<b>5</b>

Note (**figures are for the period from (from 10<sup>th</sup> October 2022 to 28<sup>th</sup> November 2022).**)

<sup>1</sup> Totals in brackets are previous month's figures

<sup>2</sup> confirmed breach but not expedient to take further action.

<sup>3</sup> S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

It should be noted that due to the pandemic the Planning Inspectorate have over a year's backlog of planning enforcement appeals to determine. The Planning Inspectorate have recently stated that they are concentrating on the larger complexed schemes which take priority over householder and smaller cases.

## 2.0 Recent Enforcement Actions

### **391 Cannon Hill Lane Raynes Park London SW20 9HH**

An enforcement notice was served the unauthorised installation of solar panels raised above the ridgeline of the roof of the property on the Land. The requirements are to Completely remove the solar panels from the roof; Or (b) Reconfigure the solar panels to lay flat on the roof below the ridgeline And (c) Remove from the Land all materials, fixtures, fittings and debris associated with compliance with the works in (a) or (b) above.

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

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

The council are looking to re-serve a notice but to reinstate the garage and rear boundary adjacent to Acacia Road.

The planning enforcement team have been working with the police and anti-social behaviour team to find a solution to board up the site, the process is ongoing.

### **31 Dundonald Road, Wimbledon, London, SW19 3QH**

An enforcement notice has been served to remove the front, ground floor single storey extension from the front of the shop unit. This came after 2 retrospective planning applications and 2 refusals.

The unauthorised ground floor single storey extension from the front of the shop unit would fail to relate positively and appropriately to the rhythm, siting and scale of the building and existing pattern of development along the street to the detriment of the character and appearance of the building, street and surrounding area.

The requirement is to return the ground floor shop front to its former unaltered state before the unauthorised front, ground floor single storey extension.

## **28 Oakleigh Way, Mitcham, CR4 1AL**

This notice is intended to resolve the breach of planning control relating to the unauthorised conversion of the rear extension into a self-contained unit and rear canopy.

The conversion of rear extension to a self-contained unit would deliver one additional residential unit within the borough, which is a strategic objection of the Council. However, the local development framework also requires that development have a high quality design and form that responds to the local area, parking provisions should maintain the safe and efficient operation of the highway, and proposals should not adversely impact adjoining neighbours. Weighing up the merits of the scheme the proposal is considered unacceptable due to the standard of accommodation, impact on the local highway and absence of cycle and refuse storage.

The rear canopy is not be sympathetic in terms of massing, form or overall design. Although it is at the rear, it is assessed not to be sympathetic to its surroundings. It is inappropriate in terms of scale and design. Therefore it is considered expedient to issue the notice. The notice requires to cease the self-contained residential unit and to remove the canopy.

## **8 Dahlia Gardens**

On 16<sup>th</sup> August 2022 the Council issued an enforcement notice re unauthorised construction of an upper-floor extension to an existing detached outbuilding without the benefit of planning permission. This came immediately after the refusal of planning application for the same under ref no. 22/P1540.

What was single storey outbuilding was altered into a two storey outbuilding, and by reason of its design and form fails to blend and integrate well with its surroundings, is considered to be unduly dominant and visually intrusive, having a negative impact on the character and appearance of Dahlia Gardens and Hadley Road. It created unacceptable loss of light, privacy and outlook toward the adjoining properties along Dahlia Gardens and Hadley Road.

## **LAND AT 8A-F SOUTH PARK ROAD, WIMBLEDON, LONDON, SW19 8ST**

### **Breach of condition notice following Temporary Stop Notice**

On 12th July 2022, the Council has issued this temporary stop notice alleging that there has been a breach of planning control on the land described in paragraph 4 below.

This temporary stop notice is issued by the Council, in exercise of their power in section 171E of the Act, because they think that it is expedient that the activity specified in this notice should cease on the land described. The Council now prohibits the carrying out of the activity specified in this notice.

A breach of planning control has taken place as a result of the commencement of development works on the Land carried out prior to the discharge of condition 6 (Construction management plan) of planning permission granted by the Council bearing reference number 21/P3487 for the erection of an additional floor comprising 3 x self-contained residential flats.

The commencement of development works creates an amenity harm to the neighbouring occupiers with regards to noise, dust and general safety, the pedestrians and traffic flow on the highway, the appearance of the property and adjacent highway is a detriment to the visual appearance of the property and streetscene as a result of the commencement of works. For the reasons above it is considered expedient to serve a Temporary Stop Notice to remedy the breach of planning control identified.

Following the temporary stop notice, the construction management plan, was approved and works commenced.

However works were continuing but were contrary of conditions 4 and 6;

Condition 4- No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Condition 6-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. The details shall include how any adverse impact of noise, dust, vibration and traffic on occupiers of the building and adjoining owners or occupiers will be mitigated.

A site visit/meeting with the planning officer, residents, councillor and MP on 8th July 2022, confirmed that works had commenced prior to the discharge of condition 6 ref:22/P1840 and safety measures to mitigate dust had not been put in place. Dust mitigation had not been implemented - polythene dust sheets around the scaffolding had not been put on, and therefore there is no dust barrier between the site and surrounding properties. Debris from the construction works are not confined, posing a danger to the public and residents. Site Access and Hoarding requirement – hoarding to be constructed and all works are to be within the hoarding line. Hoarding around the building has not been erected.

### **310 & 372 Grand Drive SW20 9NQ – Untidy land**

**Before**

**After**



An unannounced visit was made by the council as shown in the photograph on the left, soon after the investigation by an enforcement officer and making contact to the property owners, the land was cleared soon after.

### **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.

### **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.

**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.

The owner has not complied with the notice following a compliance site visit check. A letter of alleged offence was served at the beginning of August.

**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.

**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 28<sup>th</sup> March 2022, the Notice will take effect on 2<sup>nd</sup> 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.

**Successful Prosecution case-update**

7 Streatham Road, Mitcham, CR4 2AD

The Council served two enforcement notices on 6th June 2019, requiring the outbuilding to be demolished and to clear debris and all other related materials.

To date the notice still has not been complied with, in September 2022, talks has taken place with contractors in consideration of direct action and to get quotes. A letter has been written to the land owner to state that The Council is minded to take direct action 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.

Approaches to firms for quotes for Direction action have started with regards to complying

**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.



**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

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## 32 Glossary of terms

### Glossary of Terms:

A complete glossary of planning terms can be found at the Planning Portal website: <http://www.planningportal.gov.uk/> The glossary below should be used as a guide only and should not be considered the source for statutory definitions.

**Affordable Housing** - Affordable Housing addresses the needs of eligible households unable to access or afford market housing. Affordable housing includes social rented and intermediate housing and excludes low cost market housing. Affordable housing should be available at a cost low enough for eligible households to afford, determined with regard to local incomes and local house prices. Provision of affordable housing should remain at an affordable price for future eligible households or if these restrictions are lifted, for the subsidy to be recycled for alternative affordable housing provision. Further information can be found in Planning Policy Statement 3 (Housing)

**Area Action Plan (AAP)** – Area action plans are part of the Local Development Framework. They should be used when there is a need to provide the planning framework for areas where significant change or conservation is needed. Area action plans should deliver planned growth areas, stimulate regeneration, protect areas particularly sensitive to change, resolve conflicting objectives in areas subject to development pressures or focus the delivery of area based regeneration initiatives.

**Area for Intensification (AFI)** – As defined in the London Plan. Areas that have significant potential for increases in residential, employment and other uses through development of sites at higher densities with more mixed and intensive use.

**Brownfield land** - Previously developed land is that which is or was occupied by a permanent structure (excluding agricultural or forestry buildings), and associated fixed-surface infrastructure. The definition covers the curtilage of the development. Planning Policy Statement Note 3 (Housing) has a detailed definition

**Community Plan** – refer to Sustainable Community Strategy (SCS).

**Comparison Retailing** - Comparison retailing is the provision of items not obtained on a frequent basis. These include clothing, footwear, household and recreational goods.

**Convenience Retailing** - Convenience retailing is the provision of everyday essential items, including food, drinks, newspapers/magazines and confectionery.

**Conservation Area** - An area of special architectural and historic interest, the character or appearance of which it is desirable to preserve or enhance.

**Core Strategy (CS)** - The Core Strategy is the key plan within the Local Development Framework. Every local planning authority should produce a core strategy which includes:

- an overall vision which sets out how the area and the places within it should develop;
- strategic objectives for the area focusing on the key issues to be addressed;
- a delivery strategy for achieving these objectives. This should set out how much development is intended to happen where, when, and by what means it will be delivered. Locations for strategic development should be indicated on a key diagram; and
- clear arrangements for managing and monitoring the delivery of the strategy.

**Development Plan Documents (DPD)** – The statutory component parts of the [local development framework](#). Core strategies, area action plans and site-specific allocations are all DPDs. The procedure for their creation is set out in [Planning Policy Statement 12](#).

**District Centre** – District centres comprise groups of shops often containing at least one supermarket or superstore, and a range of non-retail services, such as banks, building societies and restaurants, as well as local public facilities such as a library.

**Floodplain** - Generally low lying areas adjacent to a watercourse, tidal lengths of the river or sea, where water flows in times of flood or would flow but for the presence of flood defences.

**Floorspace (gross)** - all floorspace enclosed within the building envelope

**Floorspace (net - for retail purposes)** - area of a shop that is accessible to the public: sales floor, sales counters, checkouts, lobby areas, public serving and in-store cafes. Excludes goods storage, delivery, preparation area, staff offices, staff amenity facilities, plant rooms, toilets and enclosed public stairwells and lifts between floors.

**Historic environment** – All aspects of the environment resulting from the interaction between people and places through time, including all surviving physical remains of past human activity, whether visible, buried or submerged, and landscaped and planted or managed flora. Those elements of the historic environment that hold significance are called heritage assets.

**Independent Examination** - The process by which a planning inspector may publicly examine a [development plan document](#) before issuing a binding report.

**Intermediate Housing** – housing at prices and rents above social rent but below market price or rents. This includes various forms of shared equity products. Homes provided by the private sector or without grant funding may be included for planning purposes as affordable housing, providing these homes meet the affordable housing definition as set out in Planning Policy Statement 3 (Housing).

**Issues, Options and Preferred Options** - The pre-submission/ pre-production consultation stages on a [development plan document \(DPD\)](#) with the objective of gaining public consensus before submission of documents for [independent examination](#).

## 32 Glossary of terms

**Listed Buildings** - These are buildings or other built structures included in the statutory list of buildings of special architectural or historic interest of national significance, which is compiled by the Secretary of State for Culture, Media and Sport. Buildings are graded and are protected both internally and externally. [Listed building consent](#) is required for almost all works to a listed building.

**Local Area Agreement (LAA)** - Local Area Agreement is normally a three year agreement, based on the Sustainable Community Strategy vision that sets out improvement targets for the priorities of a local area. The agreement is made between central government and local authorities and their partners on the Local Strategic Partnership.

**Local Centre** - Local centres include a range of small shops of a local nature, serving a small catchment. Typically, local centres might include services such as a small supermarket, a newsagent, a sub-post office and a pharmacy. Other facilities could include a hot-food takeaway and launderette.

**Local Development Framework (LDF)** - The Local Development Framework is the collection of local development documents produced by the local planning authority which collectively delivers the spatial planning strategy for its area.

**Local Development Scheme (LDS)** - This is the business plan for production of the [local development framework](#) (LDF). It identifies and describes the [development plan documents](#) (DPDs) and when they will be produced. It covers a three-year timespan and is subject to updating following production of an annual monitoring report to check progress.

**Local Planning Authority (LPA)** - The statutory authority (usually the local council) whose duty it is to carry out the planning function for its area.

**Local Strategic Partnerships (LSP)** - Local Strategic Partnerships are not statutory bodies, but they bring together the public, private and third sectors to coordinate the contribution that each can make to improving localities.

**London Plan** - the London Plan is the Spatial Development Strategy for London. Produced by the Mayor of London, it provides the overall spatial vision for the entire region, identifying the broad locations for growth, often by identification of sub-regions, and major infrastructure requirements, together with the housing numbers to be provided for in boroughs' LDFs. It is part of the development plan for Merton together with the borough's LDF documents and should be used to guide planning decisions across London. All LDF documents have to be in general conformity with the London Plan

**Major Centre** – Major Centres normally have over 50,000 square metres of retail floorspace and their retail offer is derived from a mix of both comparison and convenience shopping. Some Major Centres, which have developed sizeable catchment areas, also have some leisure and entertainment functions.

**Neighbourhood parades:** convenience shopping and other services easily accessible to those walking or cycling or those with restricted mobility.

**Planning Application** - Administrative process by which permission to carry out development is sought from the [local planning authority](#). The form and content of the application is laid down in guidance. Application can be made in outline or detailed form for some categories of development.

**Planning Permission** - The consent given by the [local planning authority](#) for building operations as defined in the Town and Country Planning Act that do not constitute permitted development as defined in the general permitted development order (GPDO) or uses permitted by the use classes order. Usually subject to conditions and sometimes a legal agreement.

**Planning Policy Guidance Notes (PPG)** - Former central government guidance on a range of topics from transport to retail policy giving advice to regional and local policy makers on the way in which they should devise their policies in order to meet national planning goals. Most PPGs have now been replaced by [Planning Policy Statements](#).

**Planning Policy Statements (PPS)** - Planning Policy Statements set out the government's policies on different aspects of spatial planning in England.

**Public realm** - This is the space between and surrounding buildings and open spaces that are accessible to the public and include streets, pedestrianised areas, squares, river frontages etc.

**Spatial Development Strategy** - (see London Plan)

**Registered Social Landlords (RSLs)** - Technical name for independent, not-for-profit organisations registered with and regulated by the Housing Corporation. These organisations own or manage affordable homes and are able to bid for funding from the Housing Corporation.

**Sequential Test** - A planning principle that seeks to identify, allocate or develop certain types or locations of land before others.

**Scattered Employment Sites** - An employment site that is not a designated employment site (a site that is not a Strategic Industrial Location or Locally Significant Industrial Site) as detailed in Merton's adopted Proposals Map (as amended).

**Sites of Importance for Nature Conservation (SINC)** - Locally important sites of nature conservation adopted by local authorities for planning purposes and identified in the local development plan.

**Site of Special Scientific Interest (SSSI)** – A site identified under the Wildlife and Countryside Act 1981 (As amended by the Countryside and Rights of Way Act 2000) as an area of special interest by reason of its plants, animals and natural features relating to the earth's structure.

**Socially Rented Housing** - Planning Policy Statement 3 (Housing) states that this is rented housing owned and managed by local authorities and registered social landlords for which guideline target rents are determined through the national rent regime. It may also include rented housing owned or managed by other persons and provided under equivalent rental arrangements (specified in Planning Policy Statement Note 3 ) as agreed with the local authority or the Housing Corporation as a condition of grant.

**Statement of Community Involvement (SCI)** - This sets out how, when and where the council will consult with local and statutory stakeholders in the process of planning for the local authority area, both in producing development plan documents and in carrying out the development control function.

**Strategic Environmental Assessment (SEA)** - A process of environmental assessment of certain plans and programmes which are likely to have significant effects on the environment. It is required by European Directive 2001/42/EC (the Strategic Environmental Assessment or SEA Directive)

**Supplementary Planning Documents (SPDs)** - Supplementary planning documents (SPDs) give further guidance on specific policy topic areas such as [affordable housing](#) provision, that have been identified in core policy in the [local development framework](#) (LDF), or to give detailed guidance on the development of specific sites in the form of a [master plan](#) framework plan or [development brief](#).

**Sustainability Appraisal (SA)** - A form of assessment used in the UK, particularly for regional and local planning, since the 1990s. It considers environmental, social and economic effects of a plan and appraises them in relation to the aims of sustainable development. Sustainability appraisals that fully incorporate the requirements of the [SEA Directive \(2001/42/EC\)](#) are required for [local development documents](#) and [regional spatial strategies](#) in England under the Planning and Compulsory Purchase Act 2004.

**Sustainable Community Strategy (SCS)** – The overarching strategy for the local area, which sets out of the overall direction and vision for the borough over the next 10 years. It tells the story of a place, and what needs to be achieved for the local area and its residents, based on what is most important to them. It is also known as the Community Plan.

**Sustainable development** - Development which meets the needs of the present generation without compromising the ability of future generations to meet their own needs.

**Town centre type uses** – In accordance with PPS4 Planning for Sustainable Economic Development, the main uses to which town centres policies can apply are:

- retail development (including warehouse clubs and factory outlet centres)

- leisure, entertainment facilities, and the more intensive sport and recreation uses (including cinemas, restaurants, drive-through restaurants, bars and pubs, night-clubs, casinos, health and fitness centres, indoor bowling centres, and bingo halls)
- offices, and arts, culture and tourism development (including theatres, museums, galleries and concert halls, hotels and conference facilities)

**Unitary Development Plan (UDP)** - This is the former statutory development plan system and contains the framework to guide development in local areas. Under the Planning and Compulsory Purchase Act 2004 it was replaced by Local Development Frameworks. UDP policies will continue to operate for a time after the commencement of the new development plan system in 2004, by virtue of specific transitional provisions, though they should all be eventually superseded by LDF policies

**Use Classes Order** – Schedule of class of use for land and buildings under Town and Country Planning (Use Classes) Order 1987 as amended 2005:

A1	Shops
A2	Financial and Professional Services
A3	Restaurants and Cafés
A4	Drinking Establishments
A5	Hot Food Take-away
B1	Business
B2	General Industrial
B8	Storage or Distribution
C1	Hotels
C2	Residential Institution
C2A	Secure Residential Institution
C3	Dwelling Houses
D1	Non-residential Institutions
D2	Assembly and Leisure
Other	Sui Generis