

PLANNING APPLICATIONS COMMITTEE
17 March 2016

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	15/P3653	06/11/2015
Address/Site:	27 Cannon Hill Lane Raynes Park SW20 9JY	
Ward:	Cannon Hill	
Proposal:	Conversion of dwelling into 5 flats, including two storey side extension with living space at roof level, excavation of basement, single storey rear extension, rear roof extension, roof lights to front roof slope, replacement of rear windows and parking for 4 cars and 9 cycles.	
Drawing No.'s:	001G, 002D, 003D, 004B, 'Block Plan', 'Site Location Plan', 'Design, Planning & Access Statement', 'Proposed basement at 27 Cannon Hill Lane Anticipated Ground Conditions and Outline Construction Method Statement' and 'Assessment of effects of basement construction on Groundwater and Hydrology & Construction Method Statement'.	
Contact Officer:	Jock Farrow (020 8545 3114)	

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- S106: N/A
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 20
- External consultations: 2
- Controlled Parking Zone: No
- Flood zone: No
- Conservation Area: No
- Listed building: No
- Protected Trees: 0
- Public Transport Access Level: 3

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number and nature of objections received. It is further noted that this is a resubmission of a scheme that was previously refused by the Planning Applications Committee.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises an end-terrace dwelling situated at the junction of Cannon Hill Lane and Springfield Avenue, which is on the eastern side of Cannon Hill Lane. The site is characterised by a triangular plot with a generous garden to the side and rear. The site has an area of approximately 468sq.m.
- 2.2 The existing dwelling is characterised by a hipped end roof, a two storey bay window with a hipped roof, ground and first floor oriel windows to the front and a first floor oriel window on the flank elevation. The existing dwelling has 4 bedrooms.
- 2.3 The dwelling immediately to the south has an existing rear roof extension and a 2m deep single storey rear extension. The area is characterised by terrace rows of varying architectural styles.

3. CURRENT PROPOSAL

- 3.1 This application seeks planning permission for the conversion of a 4 bed dwelling into 5 flats (1x1 bed, 2x2 bed & 2x3 bed), including a two storey side extension with living space at roof level, the excavation of a basement, a single storey rear extension, a rear roof extension, roof lights to the front roof slope, the replacement of the rear windows and parking provisions to the front.
- 3.2 The proposed two storey side extension would be integrated into the design of the existing dwelling; matching the height and form of the main roof slope and incorporating a hipped end, the front façade would be flush with the façade of the host dwelling and the main architectural features, including the two storey bay window and main entrance door, would be replicated. The proposed extension would be set back from the boundary by approximately 1m. The width of the side extension would be analogous to that of the host dwelling, albeit the flank elevation would be oblique, maintaining a consistent separation distance from the boundary. The single storey rear extension would have a flat roof with two lantern style roof lights. The rear roof extensions would be in the form of dormer rooms, set in from the edges of the roof slope. The proposed basement level would match the foot print of the two storey side extension and would include of 5 light wells, being spread around the west, north and east elevations.
- 3.3 The proposed extensions would have the following key dimensions:
- Two storey side extension: 7.6m wide, 8.9m maximum height, 5.7m high to the eaves and 8.6m deep (9.4m deep including the bay window).
 - Single storey rear extension: 4m deep, 2.65m high and 11.1m wide.
 - Dormer (roof) extensions: 3.26m deep, 2.2m high and 5.4m wide and 2.8m wide for the dormers to the south and north respectively.
 - Basement: excavated to a depth of 2.55m.
- 3.4 The site would be arranged to provide 4 on site vehicle parking spaces to the front of the property serviced by two vehicle crossings, 9 cycle storage spaces would be provided to the front along with 5 bin stores. The rear garden would be divided in to provide private amenity space for flats 1 and 4, with flats 2, 3 and 5 sharing communal amenity space. The proposed flats would be set out as follows:
- Flat 1 would be 5 person with 3 beds and would located on the basement and

ground floor levels.

- Flat 2 would be 2 person with 1 bed and would be located on the first floor level.
- Flat 3 would be 4 person with 2 beds and would be located within the roof space.
- Flat 4 would be 5 person with 3 beds and would be located on basement and ground floor levels.
- Flat 5 would be 3 person with 2 beds and would be located on first floor level.

- 3.5 This application is a resubmission of application 14/P2373. Application 14/P2373 was recommended for approval by officers; however, it was refused by the Planning Applications Committee due to poor stacking, as noise sensitive rooms of one flat were located next to/above/under noise generating rooms of another flat. In addition, the basement bedrooms in flats 1 and 4 were not separated by doors from internal circulation areas, failing to mitigate the transmission of noise. This resubmission has been designed to overcome the previous reasons for refusal by adding internal doors and revising the stacking. Furthermore, following discussions with council officer's, further amendments were received to improve the scheme which include increasing the size of the lightwells, thus increasing light to the basement, increasing the internal floor to ceiling heights at roof level to meet minimum standards and reducing the onsite vehicle parking arrangements from 5 spaces to 4, thus ensuring relevant transport and safety standards are satisfied. Stacking considerations are discussed further in the following sections of this report.

4. PLANNING HISTORY

11/P3172: Planning permission refused for the ERECTION OF A TWO-STOREY END-OF-TERRACE 4-BED DWELLINGHOUSE ON LAND TO THE SIDE OF 27 CANNON HILL LANE INCORPORATING 1 OFF-STREET PARKING SPACE – Refused.

Reasons:

- 1) **The proposed single storey back addition to the new dwelling by reason of its design, size and siting would be visually intrusive and result in a loss of outlook to the detriment of the amenity of the occupiers of 27 Cannon Hill Lane and would be contrary to policy BE.15 of the Merton Unitary Development Plan (2003).**
- 2) **The proposed new dwelling, by reason of the proposed site layout plan, would fail to provide adequate private rear garden space to meet the likely needs of future occupiers to the detriment of their amenities and would be contrary to policy HS.1 of the Merton Unitary Development Plan (2003).**
- 3) **The proposed dwelling by reason of its design, siting, height, bulk and massing would fail to respond to, or reinforce the locally distinctive pattern of development, resulting in a new dwelling with a frontage that would significantly exceed that of adjoining properties; the proposed building projecting significantly forward of neighbouring terraces in Springfield Avenue and resulting in the loss of a visual gap on the Springfield Road boundary would have a detrimental impact on the visual amenities of the Cannon Hill Lane street scene; on local suburban character and on the local distinctiveness of the adjoining townscape. The proposals would therefore be contrary to policies BE 16, BE.18 & BE 22 of the Unitary Development Plan (2003) and Core Strategy Policy CS.14 (2011)**

12/P1430: ERECTION OF A TWO-STOREY END-OF-TERRACE 4-BED DWELLINGHOUSE ON LAND TO THE SIDE OF 27 CANNON HILL LANE INCORPORATING ALTERATIONS TO THE ROOF AT NO 27 & 1 OFF-STREET PARKING SPACE – Refused contrary to officer

recommendation by Planning Committee - allowed on appeal.

14/P2373: ERECTION OF PART SINGLE, PART DOUBLE STOREY END OF TERRACE BUILDING TO THE SIDE OF 27 CANNON HILL LANE WITH ACCOMMODATION IN THE ROOF SPACE AND BASEMENT WITH A SINGLE STOREY REAR EXTENSION AND REAR ROOF EXTENSION CONSTRUCTED TO THE EXISTING DWELLING HOUSE AND PROVISION WITHIN THE EXISTING AND PROPOSED FLOOR SPACE OF FIVE FLATS [A SINGLE THREE BEDROOM FLAT, A SINGLE ONE BEDROOM FLAT AND 3 TWO BEDROOM FLATS] WITH OFF STREET PARKING SPACES ACCESSED FROM CANNON HILL LANE – Refused.

Reason: The proposals by reason of the design and layout of the units which places noise generating and noise sensitive rooms of different flats above and below one another and which fails to provide separation in the form of doors between the circulation areas to flats 1 and 4 and basement level bedrooms, would fail to achieve a satisfactory quality of environment for future occupiers in terms of limiting the transmission of noise, contrary to policy 3.5 of the London Plan (2011), policy CS.14(d) of the Merton LDF Core Planning Strategy (2011) and Annex 1 of the London Plan Housing Supplementary Planning Guidance (2012).

5. CONSULTATION

5.1 Public consultation was undertaken by way of site notice and letters to xx neighbouring addresses. 7 representations were received, the summary of objections is as follows.

- Precedent [every planning application is assessed on its own merits]
- Increased demand on local services eg. Schooling [mitigated by community infrastructure levy]
- Sewer located within proximity of basement [to be discussed with Thames Water]
- Unlikely to meet requirements of building regulations [not a material planning consideration]
- Exhaust fumes may spill down into basement bedroom to front [Merton Council Environmental Health Officer advised any fumes would be negligible]
- Basement construction may affect other houses and water table
- Damage to other properties from construction
- Increased level of light
- Impact upon character and appearance of the area
- Excessive scale
- Overdevelopment
- Issues with parking and access
- Road safety.
- Telephone pole in close proximity to crossover
- Converting to flats deprives the area of family housing
- Poor access to rear gardens

5.2 LBM Transport Planning: No objection. Advised that 5 parking spaces along with the extended crossover would be excessive. Following the receipt of amended plans which removed one vehicle parking space and revised the crossover to two smaller crossovers, the Transport Planner has raised no objection from the perspective of highway safety or parking pressure.

5.3 LBM Structural Engineer: No objection. Advised that prior to the commencement of the works the following documents would need to be submitted to and approved by

Merton Council:

- Full Geotechnical Site Investigation Report
- Detailed Basement Method Statement
- Detailed design data, including but not limited to, soil parameters, ground water level, and dead and live loading used in the design of retaining walls (both temporary and permanent).
- Annotated construction method sequence drawings, including temporary works.

5.4 LBM Flood Risk Engineer: No objection. Concurred with the advice provided by the Structural Engineer. Advised that the Council would support the use of attenuation measures and permeable paving in accordance with London Plan policy 5.3 and Merton's Sites and Policies Plan DMF2. Confirmed there is a sewer in the immediate vicinity of the proposed works and Thames Water approval will be required.

5.5 LBM Waste Management: No objection.

5.6 Raynes Park & West Barnes Resident's Association: No objection.

5.7 Resident's Association of West Wimbledon: No objection.

6. POLICY CONTEXT

6.1 NPPF - National Planning Policy Framework (2012):

- 6. Delivering a wide choice of quality homes.
- 7. Requiring good design.

6.2 London Plan (2015)

Relevant policies include:

- 2.6 Outer London: Vision and strategy
- 2.8 Outer London: Transport
- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 3.11 Affordable housing targets
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.10 Urban greening
- 5.13 Sustainable drainage
- 5.17 Waste capacity
- 6.3 Assessing the effects of development on transport capacity
- 6.5 Funding Crossrail and other strategically important transport infrastructure
- 6.9 Cycling
- 6.11 Smoothing traffic flow and easing congestion
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An Inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.14 Improving air quality
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes

8.2 Planning obligations

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

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 14 Design
- CS 15 Climate change
- CS 17 Waste management
- CS 18 Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM D1 Urban Design
- DM D2 Design considerations
- DM EP2 Reducing and mitigating noise
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

6.5 Supplementary planning considerations

London Housing SPG – 2012

Merton Design SPG – 2004

7. **PLANNING CONSIDERATIONS**

7.1 Key planning considerations:

- Principle of development
- Density
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Basement construction method and flooding
- Transport and parking
- Refuse storage and collection
- Cycle storage
- Sustainability
- Developer contributions

Principle of development

7.2 Policy 3.3 of the London Plan 2015 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher densities.

7.3 Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The proposed development includes the provision of a three bedroom family unit in accordance with Core Strategy policy CS14.

7.4 Given the property is currently in residential use and as this application seeks to

increase density, the principle of development is considered to be acceptable, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

Density

7.5 The area has a Public Transport Accessibility Level (PTAL) of 3 which is considered to be a moderate level of accessibility. It is considered that the site is located within an urban area.

7.6 The resultant density is calculated to be as follows:

Units per hectare:

$1 / 0.0468 \text{ ha (site area)} \times 5 \text{ (number of units)} = 106 \text{ units per hectare}$

Habitable rooms per hectare:

$1 / 0.0468 \text{ ha (site area)} \times 16 \text{ (habitable rooms)} = 342 \text{ habitable rooms per hectare}$

7.7 Table 3.2 of the London Plan 2015 provides that sites with a PTAL rating of 3 within an urban setting should provide for a density of between 55-145 units/ha and 200-450 habitable rooms/ha.

7.8 The figures above illustrate that the proposed development would provide for a density that is in accordance with the recommended density range provided in the London Plan, for both units and habitable rooms.

7.9 While density is a material consideration it is not the critical factor as to whether development is acceptable. The potential for additional residential development is better considered in the context of its bulk, scale, design, sustainability, amenity, including both neighbour and future occupier amenity, and the desirability of protecting and enhancing the character of the area along with the relationship with neighbouring sites, these matters are discussed below.

Design and impact upon the character and appearance of the area

7.10 London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policy DMD2 require well designed proposals that will respect the appearance, materials, scale, bulk, proportions and character of the original building and their surroundings.

7.11 The principle of the design and the impact upon the character and appearance of the area was deemed acceptable in the previous scheme, which was refused only on grounds of stacking and the omission of internal doors to bedrooms. The presence of an extant planning permission for a two storey four bedroom end of terrace property on the application site is also highlighted. The extensions proposed under this application is similar to the extant planning permission for a new house in terms of external appearance, building footprint, building width and notwithstanding the addition of a rear roof extension the overall building height.

7.12 The area surrounding the application site is residential in character with housing predominantly in the form of two storey terraced dwellings. The properties on the same side of Cannon Hill Lane as the application site generally have regular plot widths and well defined building lines with greater variety in building design on the opposite side of Cannon Hill Lane.

7.13 The design of the proposed building reflects the height, width, scale and design of properties in the adjoining terrace and maintains the building line along Cannon Hill

Lane. With regard to building on garden land, this land has not been safeguarded for any other use and the size of the plot is considered sufficient for the purposes of the proposal. Notwithstanding the tapered shape of the dwelling, the layout and alignment of the development is considered to make good use of the land on this site and is in keeping with the overall character of the surrounding area. It is noted that the proposed two storey side extension would maintain a set back from the boundary of approximately 1m; this set back in conjunction with the hipped roof would ensure the proposal is not overly dominant to the streetscene.

7.14 Given the scale of the host dwelling in conjunction with the two storey side extension, it is considered the roof extensions and single storey rear additions would be acceptable in scale and design, being sympathetic to the character and appearance of the area.

7.15 The proposal includes the provision of 4 vehicle parking spaces to the front of the property. The front garden is generous in size and can comfortably accommodate 4 vehicle parking spaces. In addition, onsite parking to the front of dwellings along Cannon Hill Lane is prevalent. It is considered the parking provisions are in keeping with the character of the area.

7.16 In conclusion, the design, scale, layout and appearance of the proposed Development is complementary to the local context and respects the local pattern of development.

Impact upon neighbouring amenity

7.17 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.

7.18 All windows are directed towards the rear of the property, overlooking the rear garden of the application site, or toward the road. Given the above, it is not considered the proposal would result in any undue overlooking or loss of privacy for neighbouring properties. It is further noted that any overlooking would be analogous to the existing dwelling.

7.19 There is only one dwelling adjoining the application site, which is to the south, this dwelling has an existing 2m single storey rear extension. The building line at the upper levels would remain in alignment with the prevailing building line. However, at ground floor, the development would incorporate a 4m rear extension – extending 2m beyond the building line established by the dwelling to the south. Given the scale, positioning and orientation of the proposed development, it is not considered to result in any undue loss of sunlight or daylight or to appear overbearing to the neighbouring property.

7.20 Increased levels of light as a result of the development were raised as a concern in the objections. It is considered that any light spill from windows would be analogous to any other dwelling within the area. However, a planning condition is recommended to ensure that any external security lighting to the development is angled to prevent nuisance to adjacent occupiers.

Standard of accommodation

7.21 Policy 3.5 of the London Plan 2015 states that housing developments should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in table 3.3 of the London Plan (table 3.3). Annex 4 of the London Plan

Housing SPG (Annex 4) provides a more comprehensive categorisation of minimum space standards for new development; therefore, any new development is expected to meet the standards outlined in Annex 4, which in turn would meet the standards of table 3.3. The table below provides a comparison between the standards of Annex 4 and the proposed development.

7.22 Table 1: GIA of proposed units compared to London Plan requirements

Unit No.	Persons	Beds	Levels	GIA Proposed	GIA Required	Compliant
1	5	3	2	96	96	Yes
2	2	1	1	66	50	Yes
3	4	2	1	70	70	Yes
4	5	3	2	100	96	Yes
5	3	2	1	72	61	Yes

7.23 As shown in table 1 above, all units meet the minimum floor area requirements as set out in the London Plan 2015.

7.24 All habitable rooms are serviced by windows which are considered to offer suitable outlook and natural light; in addition, all units are dual aspect. Bedroom 2 of Flat 3 (roof level) is serviced by roof lights as opposed to traditional windows; however, the roof lights are appropriately positioned, with the glazing ranging between heights of 1.4m – 2m above the internal floor level, thus offering optimum outlook potential. The basement level rooms are serviced by extensive lightwells which are considered to be sufficient – it is noted that the lightwells have been increased following the previous application. In addition, the units which have rooms at basement level (Flats 1 and 4) are appropriately supplemented by ground floor living space and private outdoor amenity space.

7.25 In accordance with London Plan Housing SPG standards, all floor to ceiling heights are a minimum of 2.5m.

7.26 In accordance with the London Housing SPG, the Council's Sites and Policies Plan states that there should be 5sq.m of external space provided for 1 and 2 bedroom flats with an extra square metre provided for each additional bed space. Flats 1 and 4 are provided with private outdoor amenity spaces of 40.6sq.m and 54.3sq.m respectively. Flats 2, 3 and 5 are provided with shared outdoor amenity space of 54.2sq.m; the shared area would be accessed via the street through a number coded gate. Therefore, all units are considered to be provided with adequate outdoor amenity space.

7.27 The previous application on this site was refused on grounds of stacking and the omission of internal doors to bedrooms. It is evident in the revised scheme that careful consideration has been given to the proposed stacking, thus addressing the previous reason for refusal. Bedrooms and living areas are stacked as to avoid noise sensitive rooms (bed rooms) being located above or below noise generating rooms (living rooms). There are two points which should be addressed in relation to the proposed stacking. Bedrooms 2 & 3 of flat 1 (to the rear at basement level) are below the ground floor living area of flat 1 – it is noted that this is a split level flat so the bedrooms and living room would belong to the same occupants. Bedroom 1 of flat 3

(to the rear at roof level) is above the living area of flat 2 – it is noted that flat 2 is a 1 bed flat which is unlikely to generate undue levels of noise. In addition, all rooms are enclosed by doors. Given the above, it is considered the previous reasons for refusal have been overcome.

- 7.28 Concerns were raised in an objection regarding the potential for exhaust fumes from cars to descend into the basement bedroom via the lightwell; this was discussed with Merton Council Environmental Health Officers who advised any impact from fumes would be negligible.
- 7.29 It is considered that all units would offer a high standard of living for any future occupants.

Basement construction method and flooding

- 7.30 Policy DM D2 of the adopted Sites and Policies Plan states that proposals for basements should be wholly confined within the curtilage of the application property and be designed to maintain and safeguard the structural stability of the application building and nearby buildings. Basements should not harm heritage assets and should not exceed 50% of either the front, rear or side garden of the property.
- 7.31 Policy DM D2 states that basements should not cause loss, damage or a long term threat to trees of townscape or amenity value. Proposals for basements should ensure that any externally visible elements such as light wells, and roof lights are sensitively designed and sited to avoid any harmful visual impact on neighbour or visual amenity. Proposals should make the fullest contribution to mitigating the impact of climate change by meeting the carbon reduction requirements of the London Plan.
- 7.32 The current proposal includes the construction of a basement under the proposed extension. It is highlighted that the basement does not extend under the existing building or any proposed garden area - it is no larger than the footprint of the proposed extension. The application site is not located in a conservation area, it is not on the local or national list of historically important buildings and the proposal will not harm any heritage assets.
- 7.33 There are no trees on the application site that will be affected by the proposed development and it is considered unlikely that the development will have any impact on the small existing street tree in Springfield Avenue. The proposed basement includes the excavation of light wells to the front, side and rear of the new building. These light wells due to their location at ground level and boundary fencing will have no impact on residential amenity. A planning condition is recommended to ensure that the development will meet the equivalent of the Code for Sustainable Homes Level 4 in terms of CO2 reductions and water efficiency.
- 7.34 In support of the planning application the applicant has provided a statement in relation to the potential impact of the basement on groundwater and hydrology and a construction method statement. The application site is not in an area at risk from flooding or a Groundwater Source Protection Zone as defined by the Environment Agency.
- 7.35 Merton Council engineers are comfortable in principle with the construction of a basement at this location and with the general construction method; however, a more detailed construction method statement would need to be submitted to, and approved by, Merton Council prior to the commencement of development; as such, a condition is recommended to this effect.

- 7.36 Subject to a satisfactory construction method statement being submitted to, and approved by, Merton Council, the basement is considered to be acceptable.

Transport and parking

- 7.37 Core Strategy policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, on street parking or traffic management.
- 7.38 The parking arrangements proposed provide for 4 off street parking spaces, this provides for 4 out of the 5 flats with a parking space which equates to 0.8 spaces per flat. This level of parking provision is considered to be acceptable and is in accordance with London Plan standards. The forecourt has ample space to allow easy and safe manoeuvrability for 4 parking spaces. In addition, the plans have been amended to provide 2 vehicle crossings as opposed to 1 extended crossing. Following the revision of the plans, Merton Council Transport Planner has advised they have no concerns with the proposal.

Refuse storage and collection

- 7.39 Appropriate refuse storage has been proposed to Cannon Hill Lane which is considered to be in accordance with policy 5.17 of the London Plan and policy CS 17 of the Core Strategy. Merton Council Waste Management has raised no objection to the proposal.

Cycle storage

- 7.40 Cycle storage is required for new development in accordance with London Plan policy 6.9 and table 6.3 and Core Strategy policy CS 18. Cycle storage should be secure, sheltered and adequately lit; for a development of the nature proposed, 9 cycle storage spaces would be required.
- 7.41 9 cycle storage spaces have been proposed to the front garden; it is considered that cycle storage at this location could reasonably meet the aforementioned criteria. However, to ensure the proposal relevant criteria is met, it is recommended to include a condition requiring details of cycle storage to be submitted to, and approved by, Merton Council prior to the commencement of development.

Sustainability

- 7.42 On 25 March the Government issued a statement setting out steps it is taking to streamline the planning system. Relevant to the proposals, the subject of this application, are changes in respect of sustainable design and construction, energy efficiency and forthcoming changes to the Building Regulations. The Deregulation Act was given the Royal Assent on 26 March. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.
- 7.43 Until amendments to the Building Regulations come into effect the Government expects local planning authorities to not to set conditions with requirements above Code level 4 equivalent compliance. Where there is an existing plan policy which references the Code for sustainable Homes, the Government has also stated that authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard.
- 7.44 In light of the Government's statement and changes to the national planning framework it is recommended that conditions are not attached requiring full compliance with Code Level 4 but are attached so as to ensure that the dwelling is

designed and constructed to achieve CO2 reduction standards and water consumption standards equivalent to Code for Sustainable Homes Level 4.

Developer contributions

- 7.45 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).
- 7.46 Policy CS8 of the Core Strategy requires developments of 1 – 9 units to make an off-site financial contribution for provision of affordable housing in the borough, subject to viability. The affordable housing contribution is calculated based on a formula using the median open market valuation of the completed development based on 3 independent valuations.
- 7.47 The applicant has stated that a S106 for affordable housing contribution would make the development unviable. An independent appraisal has therefore been carried out which corroborated the applicants findings. On this basis, the scheme as proposed would be unable to deliver both the affordable housing contribution and a reasonable target profit margin. In this instance, the affordable housing contribution will need to be waived to offer the developer a profit margin even markedly below an acceptable margin.

8. CONCLUSION

- 8.1 It is considered that this resubmission has overcome the previous reasons for refusal. In addition, it is considered that the proposal is of a suitable layout, height, scale and design which would not harm the amenities of neighbouring residents or the character and appearance of the area. The development would provide good quality living accommodation for future occupants. The proposal would not have a detrimental impact on highway safety or parking pressure. The proposal would result in additional residential units and increased density in line with planning policy. The proposal would accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations, which would warrant a refusal of the application.

The application is therefore recommended for approval subject to appropriate conditions.

RECOMMENDATION

Grant planning permission
subject to the following conditions:

- 1. A1: Commencement of Development (full application).
- 2. A7: The development hereby permitted shall be carried out in accordance with the following approved plans: 001G, 002D, 003D, 004B, 'Block Plan', 'Site Location Plan', 'Design, Planning & Access Statement', 'Proposed basement at 27 Cannon Hill Lane Anticipated Ground Conditions and Outline Construction Method Statement' and 'Assessment of effects of basement construction on Groundwater and Hydrology & Construction Method Statement'.

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

- 3. B2: Matching Materials.
- 4. B5: Details of Walls/Fences.

5. C07: Refuse & Recycling (Implementation).
6. C08: No Use of Flat Roof.
7. F09: Hardstandings.
8. D10: External Lighting.
9. H06: Cycle Parking – Details to be Submitted.
10. H03: Redundant Crossovers.
11. H04: Provision of Vehicle Parking.
12. H09: Construction Vehicles.
13. D11: Construction Times.
14. Non-Standard Condition: No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes Level 4.

Evidence requirements are detailed in the "Schedule of Evidence Required" for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide (2013). Evidence to demonstrate a 19% reduction compared to 2013 part L regulations and internal water usage rates of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.

15. H17: Drainage.
16. H18: Sustainable Drainage.
17. Non-Standard Condition: The new dwelling unit/s shall be constructed to Lifetime Homes Standards, and shall not be occupied until the applicant has provided written evidence to confirm this has been achieved based on the relevant Lifetime Homes Standards criteria.

Reason: To meet the changing needs of households and to comply with the following Development Plan policies for Merton: policy 3.8 of the London Plan 2015, policy CS8 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Polices Plan 2014.

18. Non-Standard Condition: Prior to the commencement of development, the following shall be submitted to, and approved by, the Local Planning Authority:
 - Full geotechnical site investigation report

- Design data which includes, but is not limited to, soil parameters, groundwater levels dead and live loading used in the design of retaining walls (temporary and permanent)
- Detailed Construction Method Statement from the contractor and reviewed by a chartered structural engineer
- Any temporary work drawings including annotations
- Construction method sequence drawings including annotations

Reason: To safeguard the built and natural environment and local amenity and to comply with policy DM.D2 of the Sites and Policies Plan (2014).

Informatives:

- a) It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.
- b) You are advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.
- c) Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.
- d) In accordance with paragraphs 186 and 187 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:
 - i) Offering a pre-application advice and duty desk service.
 - ii) Where possible, suggesting solutions to secure a successful outcome.
 - iii) As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- i) The applicant was offered the opportunity to submit amended plans in order to make the proposal acceptable in planning terms.
- ii) The application was determined without delay.
- iii) The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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