

## PLANNING APPLICATIONS COMMITTEE

17 March 2016

		Item No:
UPRN	APPLICATION NO.	DATE VALID
	16/P0104	23.12.2015
<b>Address/Site</b>	8 Hazelbury Close, Merton Park, London, SW19 3JL	
<b>(Ward)</b>	Merton Park	
<b>Proposal:</b>	Application for variation of condition 2 (approved plans) and the variation of condition 7 (code for sustainable homes) attached to LBM planning permission 14/P3132 (dated 27/08/2014) relating to the demolition of existing bungalow and the erection of a new two storey 4 x bedroom dwelling house.	
<b>Drawing No's</b>	Site location plan, drawings; HC 02 Rev F, HC03 Rev C & HC 08.1 Rev A	
<b>Contact Officer:</b>	Leigh Harrington (020 8545 3836)	

---

### RECOMMENDATIONS

Grant variation of Conditions 2 and 7 attached to LBM planning permission 14/P3132 (dated 27/08/2014).

### CHECKLIST INFORMATION.

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No,
- Number of neighbours consulted: 27
- Press notice – No
- Site notice – Yes
- External consultations: No
- Archaeological Priority Zone – No
- Controlled Parking Zone - No
- Number of jobs created: N/A

## **1 INTRODUCTION**

- 1.1 The application has been brought before the Committee due to the level of public interest and the committee's involvement in the original applications for a new replacement house on the site.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site is a detached bungalow located at the Cul de sac end of Hazelbury Close in Merton Park. The site benefits from a large rear garden, off street parking and detached garage to the front of the site. The bungalow has a conservatory at the rear but it is not known if this was an original feature. A large Beech tree subject to a Tree Preservation Order is located in the rear garden of 53A Dorset Road, within 1m of the site boundary.
- 2.2 Hazelbury Close was built after permission was granted in 1987 in a country vernacular style with the houses having a mixture of mock Tudor gables, tile hung two storey bays and plain exposed brick upper floors with lighter render ground floors.

## **3. CURRENT PROPOSAL**

- 3.1 The proposal to vary Condition 2 relates to amendments to the plans approved by the Planning Inspector when determining the appeal for application 14/P3132 and involves the following changes;
- Replacement of the timber cladding on the single storey element with brick.
  - Replacement of the timber cladding on the lower floor of the main structure with a continuation of the approved render finish.
  - Changes to the roof of the single storey element by replacing the clerestory windows in the approved scheme with a standard pitched roof.
  - Removal of the rear canopy.
  - Replacing the approved render finish on the rear dormer with a zinc effect finish.
  - Alterations to the positioning of windows (No new additional fenestration is proposed).
- 3.2 The proposal also included the removal of Condition 7 which related to a requirement to comply with the building standards associated with Code for Sustainable Homes Level 4. The applicants have stated an intention to accord with PassivHaus standards but offered no alternative conditions. Following the involvement of the Council's Climate Change Officer condition 7 would now be varied to a 2 part condition that stated 'Part 1, 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 (2010). 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' and 'Part 2, 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 the sustainability objectives identified in the applicant's Design and access statement (dated: August 2014). This should include all post-construction certificates for the sustainable design and construction standards (domestic) discussed in the approved Design and Access statement which should be returned to the council within six months of occupation.' The reason for the varied condition would be 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 and Policy DM H4 Sites and policies.

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

- 4.1 Site built as part of a redevelopment of a former playing field to provide 13 houses and a bungalow in 1987.
- 4.2 14/P0176: Application refused and appeal dismissed for the demolition of the existing bungalow and the erection of a new two-storey 4 bedroom dwelling house with accommodation in the loft space.  
Reason for refusal; The proposed house by reason of size, design including materials, siting and bulk would represent an overly dominant and visually intrusive form of development that would: a) fail to complement, respond to and reinforce the character and local distinctiveness of the adjoining townscape, c) detract from the existing suburban character and sense of openness of Hazelbury Close; to the detriment of the visual amenities of the area. The proposals would be contrary to London Plan (2011) policy 7.6, Merton LDF Core Strategy (2011) policy CS14, Merton UDP (2003) policies BE 15, BE16 and BE 22
- 4.3 14/P3132 Application refused by members but allowed on appeal for the demolition of existing bungalow and the erection of a new two storey 4 x bedroom dwelling house.
- 4.4 15/P3908 Lawful development certificate issued for installation of solar panels on garage roof.

#### **5. CONSULTATION**

- 5.1 The application has been advertised by means of a site notice and letters to 27 neighbouring occupiers. In response to the consultations 13 objections were received raising the following concerns:
  - Grey bricks will not harmonise with the rest of the Close

- Lead or zinc not appropriate for the roof
- The proposed materials will do nothing to make the proposed building fit within the street
- The standard pitch of the single storey roof adds to its overall overbearing bulk
- Removing condition 7 would undermine the sustainability credibility of the development, the Inspector allowed the design to be different to the other houses because it was compensated by being very sustainable, if this is not the case then the Council's design policies should be taken back into account.

5.2 The Council's Climate Change officer confirmed that the proposed variations to Condition 7 would satisfactorily address the requirements for high sustainability.

## **6 POLICY CONTEXT**

6.1 Relevant policies in the London Plan 2015 are; 3.5 (Quality and design of housing developments), 5.1 (Climate change mitigation), 5.2 (Minimising carbon dioxide emissions), 5.3 (Sustainable design and construction), 5.9 (Overheating and cooling) & 7.6(Architecture).

NPPF 2012

6.2 Relevant policies in the Core Strategy 2011 are; CS 9 (Housing provision), CS 14 (Design) & CS 15 (Climate change)

6.3 The relevant policies in the Sites and Policies Plan 2014 are DM D1 (Urban Design and the public realm), DM D2 (Design considerations in all developments), DM H4 (Demolition and redevelopment of a single dwellinghouse)

## **7. PLANNING CONSIDERATIONS**

7.1 The main planning considerations in this case relate to the impact of the changes in design and materials on the appearance of the new house and its wider setting and the impact of the changes to the wording of Condition 7 upon the sustainability of the new development.

### **7.2 Impact on the new house and wider streetscene.**

London Plan 2015 policy 7.6, Core Strategy policy CS14 and SPP policies DM D1 and DM D2 require well designed proposals to utilise materials and design that will respect the siting, rhythm, materials and massing of surrounding buildings as well as complementing, responding to and reinforcing, local architectural character, locally distinctive patterns of development as well as the character and local distinctiveness of the adjoining townscape.

### 7.3 The replacement of the timber cladding

Although timber cladding has become a fashionable material for the exterior of residential properties it can be prone to uneven fading and staining which can have a negative impact on the appearance of a property within a relatively short period of time. The impact of the replacement of timber cladding as a material for the main part of the house with an extension of the STO 31337 rendered finish is considered negligible and has not been raised as a concern by neighbours. Its replacement with Hoskins Lithium Code 45 bricks on the single storey element would be a more noticeable change from the approved drawings. However, whilst the application original simply stated 'grey bricks' the applicants have now proposed Hoskins Lithium Code 45 bricks to demonstrate the 'domestic' nature of the bricks which have a shade of grey to reflect the weathered nature of the timber cladding, rather than simply grey industrial bricks that might be more commonly found on the walls of a supermarket. Officers consider that the use of bricks instead of timber would be more in keeping with Hazelbury Close and would weather and be more sustainable than timber cladding and thereby improve the overall appearance of the development.

### 7.4 Changes to the single storey roof.

The proposed changes to this roof have resulted from further work on the design which has shown that although the clerestory windows provide extra light they provide lower solar gain than was envisaged because of the small glazing area and issues with thermal bridging. By reducing the surface area it allows the proposal to improve the sustainability of the structure because it is more compliant with PassivHaus requirements. The changes would have a slight increase in the bulk and volume of the single storey element although this is considered minimal when compared with the overall property. The ridge line would reflect that of the existing garage and the standard pitch would be more in keeping with the established streetscene than the clerestory windows approved by the Inspector. The roof of this part of the house would also be finished in slate/slate effect tiling.

### 7.5 Removal of the rear canopy.

The canopy would have been located at the rear of the building and barely visible from the public domain. Further modelling showed the canopy offered little shading and increased thermal bridging and the house would perform better without it. There were no objections to its removal.

### 7.6 Zinc dormer.

The dormer was approved with a light coloured rendered finish. The proposal would replace this render with a VM Zinc Pigmento Rouge finish which would be more in keeping with the darker colour of the slate/slate effect roof tiles and has a tendency to weather better than render. It is worthy of note that in terms of permitted development for roof extensions the materials should be in keeping with those of the main roof and therefore a zinc finish would be supported in preference to a rendered finish.

## 7.7 Fenestration changes;

The number and position of the windows have been altered to minimise thermal loss and cold bridging and to make the most of thermal gains. No new windows are proposed and there have been no concerns raised in relation to fenestration which would be triple glazed units set within 'Internorm' dark grey aluminium faced timber frames.

## 7.8 Condition 7

The applicant acknowledges that an application to 'remove' this condition would have benefitted from being accompanied by replacement wording such that it was effectively an amendment/variation to the condition rather than a removal as there was no intention on their part to reduce the sustainability of the development. This is vindicated by the reasoning behind most of the changes outlined above and was submitted because of the abolition of the Code for Sustainable Homes criteria.

7.9 Following consultation with the Council's Climate Change Officer the wording for an amended Condition 7 has been formulated into a new two part condition that is considered to satisfactorily ensure that the proposal will achieve the very high standard of sustainability that the Inspector cited as reasoning for allowing for a design and appearance that varied so much from other houses in the Close

## 8. **CONCLUSION**

8.1 Officers consider that much of the objection to this application was partly generated by a lack of clarity in the application. The proposals involve no reduction in the sustainability of the development and the intention remains to achieve as close as possible to PassivHaus standards, which exceed CSH Level 4 and this can be ensured through the new two part replacement to condition 7.

The changes to the design and appearance of the development are largely a response to needs to make small changes to improve energy efficiency and sustainability in the new house while officers consider that the removal of the timber cladding and the render on the dormer will actually result in improvements to the appearance of the house and its wider setting.

In view of these considerations officers are of the opinion that allowing these variations of conditions will not have a negative impact on the local area and will still ensure an above average standard of sustainability for the development and consequently the application is recommended for approval.

## 9 **RECOMMENDATIONS**

Grant variation of conditions;

- 1 Condition 2 of Planning permission 14/P3132 to read 'The development hereby permitted shall be carried out in accordance with the following approved plans: site location plan and drawings HC 02 Rev F, HC03 Rev C & HC 08.1 Rev A
- 2 Condition 7 of Planning permission 14/P3132 to read ' Part 1, 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 (2010). 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'

And

'Part 2, 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 the sustainability objectives identified in the applicant's Design and access statement (dated: August 2014). This should include all post-construction certificates for the sustainable design and construction standards (domestic) discussed in the approved Design and Access statement which should be returned to the Council within six months of occupation.'

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 and Policy DM H4 Sites and policies.

This page is intentionally left blank