PLANNING APPLICATIONS COMMITTEE
21st April 2016

Item No:

UPRN	**APPLICATION NO.**	**DATE VALID**
	15/P1506	13/05/2015

Address/Site	34 Leopold Road, Wimbledon Park, London, SW19 7BD
Ward	Wimbledon Park
Proposal:	Conversion of the existing two storey dwelling to provide 1 x 3 bedroom ground floor flat with access to own rear garden and 2 x 1 bedroom flats including the erection of a two storey rear extension, rear dormer roof extensions and two roof lights to front roof slope
Drawing Nos	LP-002 Rev A, 100 Rev H, 101 Rev G, 102 Rev F, 103 Rev D, 200 Rev H, 201 Rev D, 300 Rev C & 400 Rev B
Contact Officer:	Stuart Adams (0208 545 3147)

RECOMMENDATION

GRANT Planning Permission subject a S106 agreement and conditions.

CHECKLIST INFORMATION.

- Heads of agreement: - Permit Free Development & Affordable Housing
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted – No
- Press notice – No
- Site notice – Yes
- Design Review Panel consulted – No
- Number of neighbours consulted – 18
- External consultations – No.
- Number of jobs created – N/A
- PTAL score – 5
- CPZ – P2 (s)

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1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

2.1 The application site comprises a two storey detached period house split into 2 x 2 bedroom flats, located in Leopold Road, Wimbledon Park. The existing building has a hipped roof and has a two storey rear extension across over half of the rear elevation. The ground floor flat is accessed from the front door and the first floor flat has an external rear staircase accessed via the side driveway to the right of the building.

2.2 Beyond the side driveway and to the rear of the application site is a detached building known as 34a Leopold Road (Coach House). This neighbouring property is orientated towards the application site. This flat roofed building has accommodation at ground and first floor level and has been recently been extended with a single storey front extension. The Coach House has its amenity space at the front of the building.

2.3 To the west of the application site is a two storey detached building split into flats known as 36 Leopold Road. The building includes accommodation at roof level also and has a single storey extension and detached single storey garage building to the rear. The flank wall of this neighbouring property and its rear boundary wall forms the western site boundary of the application site.

2.4 The adjacent three storey terrace to the east of the application site fis part of the Leopold Road shopping parade, with commercial units at ground floor and residential above. The application site is separated from the terrace by the existing side driveway.

2.5 The application site is not located within a conservation area but adjoins the Kenilworth Avenue and Leopold Road Conservation Areas (side access located within the Leopold Road Conservation Area).

3. **CURRENT PROPOSAL**

3.1 The proposal is to convert and extend the existing building from 2x 2 bedroom flats to 1x 3 bedroom ground floor flat with access to own rear garden and 2x 1 bedroom flats at first floor and roof level including the erection of a two storey rear extension and rear dormer windows. It has been amended from the original proposal, which was to create 4 new units – 2x1bed and 2x 2bed – to 3 units.

3.2 The existing single storey rear extension would be demolished and rear external stair case removed. The proposed two storey rear extension would infill the L shape to extend the existing 3.9m deep two storey rear addition across the whole width of the rear elevation and would therefore be the same depth. The proposed extension would be in brickwork and tiles to match the main building and the first floor windows would be reconfigured on the new rear elevation resulting in two traditional timber sash windows replacing the four existing first floor windows. At ground floor level, the rear extension would have a timber door, timber sash window and bi-folding doors onto the rear garden.

3.3 The rear dormer windows would be of timber fame and would be obscure glazed up to 1.7m above internal floor level. Two conservation roof lights are proposed on the front roof slope of the building.

3.4 Timber clad bike and bin stores are proposed within the front garden behind new front boundary planting.

3.5 The floorspace of the flats compared to London Plan standards is as follows:

Unit	Dwelling type (bedroom (b)/ persons-bedspaces (p)	GIA (sq m)	London Plan
Flat 1	3b5p	108.8	50(1 storey)
Flat 2	1b2p	63.3	58 (2 storey)
Flat 3	1b2p	61.1	58 (2 storey)

4. PLANNING HISTORY

4.1 14/P4435 - Conversion to provide 2 x 1 bedroom flats, 2 x 2 bedroom flats including the erection of a two storey side extension (with undercroft), rear dormer roof extensions, roof lights and alterations to existing fenestration – Refused on 29/01/2015 for the following reasons:

> The proposed two storey side/rear extension by reason of its design, height, massing and siting would be an overly dominant and un-neighbourly form of development that would fail to respect (or conserve) the visual amenities of the street scene and the Leopold Road Conservation Area and would lead to sense of enclosure and loss of outlook to the detriment of the amenities of the occupiers of Coach House, 34a Leopold Road, contrary to policies DM D2 Design Considerations in all developments, DM D3 Alterations and extensions to existing buildings and DM D4 Managing heritage assets of Merton's Adopted Sites and Policies

Plan (July 2014), and CS14 - Design of Merton's adopted Core Planning Strategy (July 2011).

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The proposed ground floor flats by reason of their design and layout would be a unsatisfactory standard of residential accommodation due to poor outlook, limited natural light and poor quality amenity space would fail to meet the likely needs of future occupiers, and would be contrary to policy contrary to policies DM D2 Design Considerations in all developments of Merton's Adopted Sites and Policies Plan (July 2014) and CS14 - Design of Merton's adopted Core Planning Strategy (July 2011).

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The proposed development would generate additional pressure on parking in the area, and in the absence of a legal agreement securing a car free agreement, the proposal would be contrary to policy CS20 of the Adopted Core Planning Strategy (July 2011).

4.2 13/P2363 - Application for a lawful development certificate for the proposed conversion of two flats into a single dwellinghouse – Issue - 17/10/2013

4.3 13/P2242 - Conversion of the two existing flats into 3, one bedroom flats and 1, two bedroom flat including the part demolition of the two storey rear addition and erection of single storey side/rear extension with rear roof terrace and creation of new flat entrances on the flank elevation – Refused on 13/12/2013 for the following reasons:

The proposed single storey rear extension by reason of its height, depth, massing and siting would be an overly dominant and un-neighbourly form of development that would lead to sense of enclosure and loss of outlook to the detriment of the amenities of the occupiers of Coach House, 34a Leopold Road, contrary to policies BE.15 (New Buildings and Extensions: Daylight, Sunlight, Privacy, Visual Intrusion and Noise) of the Council's adopted Unitary Development Plan (October 2003).

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The proposed flat no 1 by reason of its design and layout would be a unsatisfactory standard of residential accommodation due to poor outlook, limited natural light and poor quality amenity space would fail to meet the likely needs of future occupiers, and would be

contrary to policy HS.1 of the Adopted Unitary Development Plan (October 2003) and to the Council's Supplementary Planning Guidance for Residential Alterations, Extensions and Conversions.

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The proposed flats (2, 3 and 4) by reason of its size, design and layout, would be a cramped and unsatisfactory standard of residential accommodation due to the poor layout of the flat with limited circulation and floor space for furniture and fittings, poor outlook, limited natural light and poor quality amenity spaces would fail to meet the likely needs of future occupiers, and would be contrary to policy HS.1 of the Adopted Unitary Development Plan (October 2003) and to the Council's Supplementary Planning Guidance for Residential Alterations, Extensions and Conversions.

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The proposed balcony due to its design, size and location adjacent to the boundary with Coach House, 34a Leopold Road would result in increased noise and disturbance to the detriment of the occupiers of neighbouring properties, most notably Coach House, 34a Leopold Road. The proposed development would therefore be contrary to policy BE.15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise) of the London Borough of Merton UDP - October 2003, and the Council's Residential Extensions, Alterations and Conversions - SPG (2001).

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All sites capable of providing between 1-9 units (net) are required to include affordable housing provision equivalent to that provided on-site as a financial contribution. In the absence of a legal agreement securing a financial contribution towards affordable housing or viability appraisal to justify that the scheme would be unviable with the inclusion of an affordable housing contribution, the proposal would be contrary to policies CS.8 of the Adopted Core Planning Strategy (July 2011) and Supplementary Planning Guidance: Planning Obligations (2006).

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The proposed development would generate additional pressure on parking in the area, and in the absence of a legal agreement securing a car free agreement, the proposal would be contrary to policy CS20 of the Adopted Core Planning Strategy (July 2011).

4.4 10/P1289 - Conversion of the existing ground floor flat into 3 x self contained flats, involving erection of side & rear extensions, and the formation of new side entrances – Refused on 07/04/2011 for the following reasons:

1. The proposed studio flat by reason of its size, design and layout, would be a cramped and unsatisfactory standard of residential accommodation due to the poor layout of the flat with limited circulation and floor space for furniture and fittings, which would fail to meet the likely needs of future occupiers, and would be contrary to policy HS.1 of the Adopted Unitary Development Plan (October 2003) and to the Council's Supplementary Planning Guidance for Residential Alterations, Extensions and Conversions.

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2. The proposed flat number 1 would fail to provide a satisfactory standard of accommodation and would result in sub-standard unit by failing to provide suitable amenity/garden space for the proposed flat. The development would therefore be contrary to Policy HS.1 of the Adopted Merton Unitary Development Plan (October 2003) and to the Council's Supplementary Planning Guidance for Residential Alterations, Extensions and Conversions.

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3. The proposed side extension, by reason of its height, depth and siting would lead to loss of light, outlook and ventilation to the flank window and would create a sense of enclosure to the detriment of the amenities of the occupiers of ground floor flat, 36 Leopold Road, contrary to policies BE.15 and BE.23 of the Council's adopted Unitary Development Plan (October 2003) and to the Council's Supplementary Planning Guidance for Residential Alterations, Extensions and Conversions.

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4. The proposed development would generate additional pressure on parking in the area, and in the absence of a legal agreement securing a car free agreement, the proposal would be contrary to policies PK.3 and PK.6 of the Adopted Unitary Development Plan (October 2003) and Supplementary Planning Guidance: Planning Obligations (2006).

4.5 08/P0475 - Conversion of the existing first floor flat into two self contained

flats, (one flat split level) involving hip to gable roof extension incorporating rear mansard roof extension and alterations to rear elevation to form rear roof terrace at second floor level – Refused on 10/09/2008for the following reasons: (and dismissed at appeal)

1. The proposed roof extensions would by reason of its design, bulk, massing and siting result in an unduly dominant and inappropriate form of development, unsympathetic to and harmful to the appearance of the existing building and the Leopold Road street scene, and would appear unduly intrusive to the detriment of the amenities of neighbouring occupiers contrary to policy BE.3, BE.15, BE.23 and BE.24 of the Adopted Unitary Development Plan (October 2003) and the Council's Supplementary Planning Guidance on Residential Extensions, Alterations and Conversions (November 2001).

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2. The proposed upper floor flat would fail to provide an adequate standard of residential accommodation that would meet the needs of future occupiers by having inadequate outlook from habitable rooms contrary to Policy HS.1 of the Adopted Unitary Development Plan (October 2003) and the Council's Supplementary Planning Guidance on Residential Extensions, Alterations and Conversions (November 2001).

5. **CONSULTATION**

5.1 The application has been advertised by conservation area site and press notice procedure and letters of notification to the occupiers of neighbouring properties.

5.1.1 Initial Consultation based on 4 unit scheme

5 letters of objection were received (one letter included 5 addresses) raising the following points:

- Located only three metres away from the neighbouring property (Coach House), the development will be over imposing, would be a cramped development, would result in loss of privacy and make outside space very claustrophobic.
- Increased pressure on parking. If the scheme is considered acceptable then the development should be permit free.
- Overcrowding & overdevelopment.
- Loss of light to the bathroom facing the alleyway between number 34 and number 36.

- Dispute over land ownership of the land between 34 and 36 Leopold Road. Incorrect certificate signed on application form makes the application invalid.
- Proposed extensions would fail to respect the form of development in the locality due to the low pitch of the roof and would detract from views into and out of the Kenilworth Avenue Conservation Area. It would be a stark contrast against the steep pitched roofs of the traditional Victorian development in the CA.
- Proposed cycle store along the front boundary would be highly prominent in the Leopold Road street scene and views to and from Leopold Road CA.
- Noise and disturbance from increased number of flats and amenity spaces.
- Loss of family sized accommodation.
- Concern with the quality of accommodation for the future occupiers. Single aspect bedroom at rear with outlook onto a fence at a short distance away (sense of enclosure). The front amenity space for units 3 and 4 is not private and would be unattractive with bins being stored in these areas.

5.1.2 Re-consultation based on the second set of amendments for a 3 unit scheme(see section 7.2 below)
4 letters of objection, mainly reiterating the concerns expressed above and in addition raising the following points with egards to the amendments:

- Overlooking – Use of obscured glazing on sash windows is useless as they can be opened.
- Concern with building works and vehicles impacting on the adjoining commercial trading during construction. Suggested condition that no skips are to be placed or other such tasks that would interfere with shopping parking bays.

5.1.3 Transport Planning – No objection subject to S106 agreement (permit free)

6. RELEVANT PLANNING POLICY

6.1 Adopted Merton Site and Policies Plan (July 2014):
DM H2 Housing mix
DM H3 Support for affordable housing
DM D2 Design Considerations in all developments
DM D3 Alterations and Extensions to Buildings
DM D4 Managing heritage assets
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development

DM T3 Car parking and servicing standards

6.2 Merton Supplementary Planning Guidance
New Residential Development (December 1999)
Planning Obligations (July 2006)

6.3 Adopted Merton Core Planning Strategy (July 2011)
CS8 – Housing Choice
CS9 - Housing Provision
CS14 - Design
CS18 – Active Transport
CS19 – Public Transport
CS20 - Parking, Servicing and Delivery

6.4 London Plan (2015) and Minor Alterations to the London Plan (March 2016)
3.3 (Increasing Housing Supply),
3.4 (Optimising Housing Potential),
3.5 (Quality and Design of Housing Developments),
3.8 (Housing Choice),
5.1 (Climate Change Mitigation),
5.3 (Sustainable Design and Construction).

7. PLANNING CONSIDERATIONS

7.1 The principal planning considerations in this case relate to the principle of development, including design of the extensions, impact on neighbouring amenity, standard of residential accommodation, traffic and parking.

7.2 Amendments

7.2.1 The first set of amendments replaced the existing fenestration at the rear of the building with two smaller timber framed sash windows at first floor with timber door, sash window and bi-folding doors at ground floor level. The size of the rear dormers were also reduced in size and changed to a more traditional design with part obscure glazing.

7.2.2 The second set of the revised plans has reduced the number of flats within the scheme from 4 to 3 flats. The amended layout of the accommodation has resulted in a three bedroom flat at ground floor with a private rear garden and two, one bedroom spilt level flats at first and roof level. Two roof lights have also been inserted into the front roof slope.

7.3 Comparison to 14/P4435

7.3.1 In comparison to the previous refusal, LBM ref - 14/P4435, the number of

the current application has sought to overcome the reasons for refusal in a number of ways. The number of proposed units has been reduced from 4 to 3, the two storey side extension forming part of refused application14/P4435 has been removed and the proposed rear extension has been amended from a flat roof to a lower pitched roof design to marry in with the roof form of the existing two storey rear addition and the rear fenestration has been amended to be more sympathetic to the original building.

7.4 Principle of Development

7.4.1 The London Plan and both the Council's adopted Core Planning Strategy and Sites and Policies Plan seeks to increase housing provision where it can be shown that an acceptable standard of accommodation will be provided and provide a mix of dwelling types. The London Plan published in July 2011 sets Merton with a minimum ten year target of 3,200 dwellings within the borough between 20111 - 2021. The proposed development of the site would create a net increase of one new flat. The principle of development is therefore considered acceptable, making a modest contribution towards meeting housing choice and housing targets.

7.5 Design and Impact on Streetscene

7.5.1 The two storey rear extension would have a traditional design approach that follows the eaves line and sloping roof form of the existing two storey rear extension, in materials to match. The reconfiguration of the windows across the whole rear elevation, with a reduction in number of first floor windows and their replacement with two sliding sash windows would be an improvement to its appearance, albeit not visible from the public realm. The proposed rear dormer windows are modest in size, sit comfortably within the rear roof slope and do not appear overly dominant, responding to the siting and design of the proposed fenestration on the floor below. The proposed extensions are therefore considered to be acceptable, respecting the design of the original building.

7.5.2 The cycle and bin stores within the front garden area have been modified and reduced in size at the planning officer’s request and would sit behind a front boundary hedge treatment. The proposed appearance of the front curtilage is considered to be acceptable.

Neighbour Impact

32 Leopold Road

7.5.2 The proposed two storey rear extension would be sited behind the flank of the existing two storey rear extension and would therefore have no

impact on the amenity of the occupiers of no.32.

34a Leopold Road (Coach House)

7.5.3 As noted by the planning inspector in relation to the dismissed appeal on 08/P0475, the relationship between the application site and this neighbouring property at the rear of the site is a sensitive one. Careful consideration has been given to limiting the impact of the development upon this neighbours amenity. Unlike a number of the previously refused applications, there is no proposed side extension or major increase in the bulk and massing of the main roof form. The two storey rear extension would sit adjacent to the existing two storey rear addition and would be no greater in height or rearward projection relative to the boundary with the Coach House. This neighbouring property has a single storey extension that directly abuts the boundary, and the first floor windows are at a sufficient distance that there would not be an unacceptable impact on light and outlook.

7.5.4 In terms of impact on privacy, there are four existing first floor windows within the rear elevation of 34 Leopold Road and an external rear staircase entrance to the upper floor flat. The four existing windows would be replaced with two timber sash windows and the external rear staircase would be removed. In addition, the windows would be obscure glazed up to 1.7m above finished floor level and can also be conditioned to have a fixed bottom pane. The main habitable rooms to the upper flats are on the front elevation, benefitting from the outlook from the large bay windows.

7.5.6 In regards to the two rear dormer roof extensions, these are small in size and serve the bedrooms within the roof space. They will also be obscure glazed up to 1.7m above finished floor level and would be conditioned to have a fixed bottom pane to avoid impact on the privacy of the Coach House. The upper parts of the windows can be opened for ventilation purposes and provide clear outlook for the proposed bedrooms which also have rooflights on the front elevation for additional light and outlook.

36 Leopold Road

7.5.6 The proposed rear extension would be set away from the boundary with this neighbouring property, in line with the existing main side wall and would not project beyond its rear elevation. The flank window of this neighbouring property serves a bathroom and although there may be a degree of loss of light to this window from the extension , this is a non-habitable room, and would be insufficient grounds for refusal.

7.6 Standard of Accommodation

7.6.1 The proposal provides a 3-bedroom family sized unit at ground floor with direct access to a private garden space with a floorspace well in excess of London Plan Gross Internal Area minimum standards and private amenity space in excess of Merton's guidelines.

7.6.2 Whilst the 2x 1-bed upper floor flats do not have direct access to amenity space, they are not family sized units and it is preferable for the larger ground floor family sized unit to have private garden space. The existing arrangement with the external staircase impacts on the privacy of ground floor windows as well as neighbouring properties and on balance the proposed arrangement is considered to be acceptable. The upper floor flats both exceed the London Plan GIA minimum requirements.

7.7 Traffic and Parking

7.7.1 This site has a PTAL rating of 5 and is located in Controlled Parking Zone PS (2). Leopold Road operates as a local distributor road and is reasonable heavily trafficked. The proposed development only involves a net increase of 1 residential unit. To offset the additional demand in an area well served by public transport, it is proposed that the development be subject to a S106 agreement whereby the occupiers of the one of the upper floor flats would not be entitled to a car parking permit. This would ensure that there is no additional pressure on the controlled parking zones in the vicinity. As part of the planning application submission the applicant has confirmed that they agree with the permit free development.

7.7.2 The objection from a local business regarding parking of skips and construction vehicles during the construction of the development have been noted. The proposed development is modest in scale with only a small two storey rear extension being proposed. Therefore it is not expected that the construction period would cause long term impact upon the surrounding highway network. A separate skip license would be required from the Councils Highway Section and existing parking controls along Leopold Road restrict parking to a maximum of 1 hour. Therefore the proposed development is not considered to cause adverse impact upon the highway network for the reasons stated above.

7.8 Affordable Housing

7.8.1 Planning policy CS8 (Housing Choice) of Merton's Core Planning Strategy states that the Council will seek provision of an affordable housing equivalent to that provided on-site as a financial contribution on sites where there is a net increase of between 1-9 units. The building currently contains two flats; therefore there is a net increase of 1 unit for the

purposes of the affordable housing contribution. In line with the above requirement, the affordable housing contribution in this instance would be £47,497.

7.9 Local Financial Considerations

7.9.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton's Community Infrastructure Levy was implemented on 1st April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which pooled developer contributions towards providing the necessary infrastructure should be collected.

8.0 **CONCLUSION**

8.1 Following a number of refused applications for more ambitious proposals to extend the existing property and increase the number of residential units, a more modest development proposal has been submitted. The extension to the property is now limited to a continuation of the existing two storey extension across the remainder of the rear elevation. The proposed roof level windows are modest in size and other than these windows, the main roof form is unaltered. A good quality family sized unit is provided at ground floo and there is only 1 net additional unit of residential accommodation. The proposed extension would respect the original building, general pattern of development in the area and would have no undue impact on neighbouring amenity subject to suitable conditions being imposed. The proposed development is modest in scale and subject to a permit free development would have no undue impact upon highway conditions. The proposal is generally in accordance with development plan policies and is therefore recommended for approval subject to conditions and S106 agreements.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the completion of a Section 106 Agreement covering the following heads of terms:-

1. Designation of the development as permit-free and that on-street parking permits would not be issued for future residents of

the proposed development.

2. That the developer makes an on-site contribution towards Affordable housing (£47, 497).

3. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of Development (full application)

2. A7 Approved Plans

3. B3 Matching materials (including conservation area roof lights)

4. Obscured glazed windows and fixed shut up to 1.7m above internal floor level (first floor and dormers)

5. C06 Refuse and Recycling (Details to be submitted)

6. C07 Refuse and Recycling (Implementation)

7. Cycle Parking

8. D11 Construction Times

9. F01 Landscaping/Planting Scheme

10. F02 Landscaping (Implementation)