

**PLANNING APPLICATIONS COMMITTEE
17 NOVEMBER 2016**

APPLICATION NO. **DATE VALID**
15/P4601 16/12/2015

Address/Site 6 Beltane Drive, Wimbledon, SW19 5JR

Ward Village

Proposal: **DEMOLITION OF EXISTING HOUSE AND THE ERECTION OF
A NEW 5 BED DWELLINGHOUSE**

Drawing Nos 106_D_01_ Location plan, site plan and topography survey.
 106_D_02_ Existing plans and elevations
 106_D_03_ Proposed plans
 106_D_04_ Proposed elevations and sections
 106_05 Material/finishes board

RECOMMENDATION Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- Heads of agreement – N/A.
- Is a screening opinion required: No.
- Is an Environmental Impact Statement required: No.
- Press notice: Yes.
- Site notice: Yes.
- Design review panel consulted: No.
- Number of neighbours consulted: 20.
- External consultations: No
- Archaeology: Not in a Priority Zone.
- Flooding: In flood zone 1.
- PTAL Score – 1b (poor).
- CPZ – Yes (Zone VNE).

Contact Officer: Tim Lipscomb (020 8545 3496)

1. INTRODUCTION

1.1 The matter is brought before the Planning Applications Committee due to the number of objections received.

2. SITE AND SURROUNDINGS

2.1 The site comprises a detached, two-storey dwellinghouse located at the furthest end of the cul de sac forming Beltane Drive. It has a freestanding double garage sitting forward of the main house and facing directly into the cul de sac with the main house sat behind the front garden at right angles to it,

partially screened from public view by trees and landscaping within the front garden area.

- 2.2 The existing dwelling has a gabled roof with a shallow pitch, with the gable ends facing the side boundaries and has a similar architectural form to other detached dwellings in the street, having been constructed at a similar time.
- 2.3 5 Beltane Drive, opposite the site on the other side of the cul de sac, has been recently demolished and a replacement house constructed. To the south, the neighbouring house, no 7, is a detached L-shaped house. As no 6 is at the end of the cul de sac, its other boundaries are with the gardens of properties in neighbouring roads.
- 2.4 The long northern side garden boundary abuts the end of the rear gardens of 3 / 4 storey townhouses fronting on to Queensmere Road. The existing house at no 6 Beltane Drive sits in a slightly elevated position above the rear ground floor level of these properties, due to the change of levels between the site and the rear gardens of these dwellings, as the land slopes down away from the site from south to north.
- 2.5 The rear boundary of the site adjoins the curtilage of Queensmere House. The rear boundary with Queensmere House is screened by trees. There are a number of mature trees within the site and in neighbouring gardens. Although there is little screening of the flank of no 6 directly along the rear boundaries with houses in Queensmere Road, there is a very significant oak tree within the garden of 46 Queensmere Road, in line with the flank of no 6.
- 2.6 The area has a suburban character and the immediate environs of the site is of a spacious layout of dwellings with generous plots, although the character to the north is markedly changed with taller dwellings (townhouses) arranged in terraced rows.
- 2.7 The site is not located within a Conservation Area. The building is not locally or statutorily listed. The site is adjacent to an Archaeological Priority Zone (beyond the eastern boundary of the site). The site is within Flood Zone 1 (low probability of flooding).

3. CURRENT PROPOSAL

- 3.1 The application is for the demolition of the existing house and the erection of a replacement five bedroom dwelling. It would have the appearance of a two-storey dwelling when viewed from the front and a three storey dwelling from the rear, utilising the change in levels and partially excavating into the slope.
- 3.2 The proposed dwelling would therefore have a part basement/lower ground floor sitting under the rear portion of the ground floor footprint only, opening onto a rear terrace with a small change in levels up to the main garden area. The lower ground floor would contain a living area and swimming pool. The ground floor would be partially elevated at the rear and would comprise the main living space with a rear balcony sitting over part of the lower ground floor. The first floor would contain 4 bedrooms.

- 3.3 The proposed dwelling would have a ridge height of 7.7m, when viewed from the front elevation. The proposed dwelling would have a maximum depth of 13.8m at first floor level and a maximum depth including single storey elements of 18.28m and a width of 13.2m.
- 3.4 The dwelling would have glazed gable features to the front and rear elevations with a crown flat roof at ridge level, which would accommodate PV solar panels. PV solar panels would also be incorporated into the roofslope of the south facing elevation. The main materials are brickwork and slate tiles.
- 3.5 Refuse and recycling stores are shown to the northern side of the dwelling.
- 3.6 Access and parking arrangements would remain unchanged.
- 3.7 Amended plans were submitted on 13/06/2016. These revised plans showed a proposed dwelling with a shorter first floor flank wall to the north elevation, reduced from a depth of 14.016m to 12.5m along with a greater separation to the boundary at first floor level, increased from 1.25-1.9m to 2.9-3.5m.

4. PLANNING HISTORY

- 4.1 There have been a number of applications for works to at and around the site. In addition, the site has the following planning history:
- 4.2 09/P0917 - ERECTION OF A TWO STOREY EXTENSION AT THE SIDE AND FRONT OF THE EXISTING HOUSE INVOLVING REMOVAL OF THE EXISTING GARAGE, UTILITY ROOM AND STORE ROOM. Refused 22/06/2009.
- 4.3 09/P0921 - ERECTION OF NEW DETACHED BUILDING WITH GROUND FLOOR GARAGE AND GAMES ROOM AT FIRST FLOOR LEVEL ANCILLARY TO RESIDENTIAL USE OF 6 BELTANE DRIVE. Grant Permission subject to Conditions 18/06/2009.

5. POLICY CONTEXT

- 5.1 London Plan (2015) policies (as amended by Minor Alterations to the London Plan March 2016):
 - 3.4 Optimising housing potential
 - 3.5 Quality and design of housing developments
 - 3.8 Housing choice
 - 5.1 Climate change mitigation
 - 5.2 Minimising carbon dioxide emissions
 - 5.7 Renewable energy
 - 5.13 Sustainable drainage
 - 6.3 Assessing effects of development on transport capacity
 - 6.9 Cycling
 - 6.13 Parking
 - 7.2 An inclusive environment
 - 7.4 Local character
 - 7.6 Architecture
 - 7.14 Improving air quality
 - 7.19 Biodiversity and access to nature

7.21 Trees and woodlands

5.2 LDF Core Planning Strategy (July 2011)

| | |
|------|--|
| CS6 | Wimbledon Sub-Area |
| CS8 | Housing Choice |
| CS11 | Infrastructure |
| CS14 | Design |
| CS15 | Climate Change |
| CS16 | Flood Risk Management |
| CS18 | Active Transport |
| CS20 | Parking, Servicing and Delivery |
| CS21 | Open Space, Nature Conservation, Leisure and Culture |

5.3 Sites and Policies Plan and Policies Map (July 2014)

| | |
|--------|--|
| DM H4 | Demolition and redevelopment of single dwelling house |
| DM O2 | Nature Conservation, Trees, hedges and landscape features |
| DM D1 | Urban design and the public realm |
| DM D2 | Design considerations in all developments |
| DM D4 | Managing heritage assets |
| DM EP4 | Pollutants |
| DM F1 | Support for flood risk management |
| DM F2 | Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure |
| DM T1 | Support for sustainable transport and active travel |
| DM T2 | Transport impacts of development |
| DM T3 | Car parking and servicing standards |
| DM T5 | Access to the Road Network |

5.4 Other guidance:

Mayor's Housing SPG March 2016
DCLG: Technical housing standards – nationally described space standard March 2015
Merton's New Residential Development SPG 1999
Merton's Design SPG 2004

6. CONSULTATION

6.1 Standard 21-day site notice procedure and individual letters to neighbouring occupiers. Letters of representation have been received from 14 addresses, 2 from neighbours in Beltane Close and 12 from townhouses in Queensmere Road who face towards the side boundary and side flank wall of 6 Beltane Drive, objecting on the following grounds:

Original proposal:

- The proposed house is too large and would not be in keeping with the character of the area, does not respect the siting, rhythm, scale or massing of surrounding properties.
- The boundary with the gardens of Queensmere Road is not well screened as implied in the application.
- Overbearing and visually intrusive, loss of daylight, sunlight and privacy to rear facing rooms and gardens, perception of being overlooked,

obstruction of view/loss of outlook/sense of enclosure when viewed from the neighbouring gardens to the north in Queensmere Road.

- Loss of light and overshadowing to 7 Beltane Drive
- Impact of basement and swimming pool on ground conditions, flooding and drainage concerns, land and structural stability, lack of SUDS information.
- .Smell of chlorine/ noise from plant.
- Traffic generation during construction, concerned that working hours will cause unacceptable disturbance, extent of excavation and vehicle movements required to dispose of the excavated material, dust generation, precedent of basement swimming pool an issue for integrity of the clay basin and water drainage from Beverley Brook.
- The house would be even larger if extensions were added in the future.
- Impact on trees and concerns that arboricultural information submitted is not accurate.
- No contact has been made with the occupiers of No.44 Queensmere Road in relation to the need for a Party Wall Act Agreement.
- Lack of archaeological report - site within Archaeological Priority Zone
- Impact on bats in relation to proposed removal of Tree T2, concerns regarding bats occupying the loft space of the existing dwelling.
- Concern that detached garage constructed under 09/P0921 is larger than was permitted and therefore this development should be scrutinised at every stage.

Amended proposal:

Amended plans submitted on 13/06/2016 – 16 additional letters of objection (29 in total from 14 addresses, on the following grounds:

- The revised plans show an increase in size of the structure to the rear part of the proposed house, side elevation is too big and would be visually intrusive, proposed trellis would provide inadequate screening.
- Concerns regarding loss of outlook, loss of daylight and sunlight, overbearing form and loss of privacy to neighbouring properties.
- Object to the proposed pool – noise, heat, air pollution and smell.
- Concerns regarding the impact on the tree (T5) at No.44 Queensmere Road, Tree No.5 should be protected, Oak Tree T2 should not be removed.
- Light pollution.
- Concerns as the garage built in 2009 was supposed to have the same eaves height as the garage a No.5 but when built, was larger than this garage. Similar issues may occur with this application.
- Concerns regarding disruption throughout construction process (noise, dust, pollution, traffic, access and parking), construction works should not be allowed on Saturdays, no construction management plan.
- Request noise impact assessment report and a foul sewage and utilities assessment
- The proposed dwelling would be much larger than others in the area, design would not blend in with the street.
- Concerns regarding drainage.
- Concerns over precedent of swimming pool.

- Concern regarding structural stability of basement due to underlying soft ground.

6.2 Highways:

Original and amended proposal:

There are no highways comments on this development except the general INF 8, INF 9, INF 12, H9 and H12.

6.3 Tree and Landscape Officer:

The submitted arboricultural report has been amended to a satisfactory level and I would expect the information shown concerning the protection of trees to be re-produced in a more detailed document (see below). I would recommend attaching the following planning conditions:

F5D - Tree Protection

F8 – Site Supervision – change to monthly reports.

Foundations/Basement; No work shall be commenced until details of the method of excavation, proposed design, materials and method of construction of the basement have been submitted to and approved in writing by the LPA and the work shall be carried out in accordance with the approved details. Such details shall have regard to the BS 5837:2012 and shall be referred to in the Arboricultural Method Statement and Tree Protection Plan.

6.4 Sustainable Merton:

No objection, subject to a condition to ensure that the proposed development achieves CO2 reductions and internal water usage standards equivalent to Level 4 of the Code for Sustainable Homes level.

6.5 Flood Risk/Drainage Engineer:

A Desk Study Assessment has been undertaken by AF Howland Associates Ltd (ref: CPJS/16.147 dated 18th May 2016). This is based on a Groundsure study, existing available historic borehole records and site inspection and survey. No intrusive site specific ground investigation has been undertaken to date and this is recommended to be undertaken before commencement of development.

The building would need to be designed to resist pressures arising from the assumed 'perched' groundwater regime. This should assume full hydrostatic pressure to ground level. The proposed structure should be designed to resist any potential hydrostatic uplift forces which may be imparted by the presence of groundwater. The basement should be designed as a watertight element.

As the basement may be at risk from flooding from groundwater and localised surface water accumulations, therefore, it is recommended that it is designed to minimise any ingress of groundwater. It is recommended that it is designed in accordance with BS8102:2009.

A series of flood risk reduction mitigation measures should be incorporated into the final design and these could include a pump system to remove excess water should the basement of the property flood. Additional mitigation measures will include:

- Fixtures and fittings for the basement will be located to ensure that if any flood water does enter the building, the impact of floodwater on the property will be minimal;
- Electricity sockets for the basement will be 600mm above the finished floor level and wired from the ceiling down;
- Non return valves will be employed in the drainage design for the basement, to prevent back up of flow;
- Water resistant paint to be used for internal walls.
- The basement will have an internal staircase to upper floors, to a safe place of refuge.

I would recommend that the above measures as set out in the FRA are implemented by way of appropriate condition. This could be worded as follows:

Condition:

No development approved by this permission shall be commenced until a scheme to reduce the potential impact of groundwater ingress both to and from the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall address the risks both during and post construction as highlighted in the submitted Geotechnical Report.

Reason:

To ensure the risk of groundwater ingress to and from the development is managed appropriately and to reduce the risk of flooding in compliance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policies, DM D2 and DM F2 of Merton's Sites and Policies Plan 2014.

Furthermore, please see below a recommended condition regarding surface water drainage scheme:

No development approved by this permission shall be commenced until a detailed scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The final drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:

- provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site at a maximum rate of 5 l/s. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;*
- include a timetable for its implementation; and*

iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

6.6 Structural Engineer:

I have reviewed the outline CMS and I am happy with the submitted info. The below documents have to be submitted before any works commence on site.

- a) Demolition Method Statement - prepared by the Contractor undertaking the demolition works. A survey has to be conducted to identify any hazardous materials such as materials containing asbestos, lead etc. The method statement should include the management, handling and safe disposal of such materials.
- b) Construction Method Statement – prepared by the Contractor undertaking the trench sheeting/piling works which is reviewed and agreed by the Structural Engineer.
- c) Construction and temporary work drawings.
- d) Detailed drawing of the basement retaining wall and slab.

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the principle of the demolition of the existing building and its replacement, the design of the replacement house including provision of basement level accommodation, together with neighbouring amenity, impact on trees, biodiversity, parking and sustainability issues.

7.2 **Principle of development**

7.2.1 The site is a brownfield site within a residential area and as such the principle of replacement housing development in this location is acceptable in land use terms, subject to the policies of the Development Plan.

7.2.2 The existing dwelling house is not within a conservation area, not locally listed and not statutorily listed. Therefore, there is no in principle objection to the demolition of the existing building subject to a satisfactory replacement building.

7.3 **Character of the Area**

7.3.1 Policy DMD2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports this SPP Policy. Policy DMD2 also seeks to ensure that trees are protected from adverse impacts from development.

7.3.2 The proposed replacement dwelling would have a similar ridge height to the existing dwelling and when viewed from the front, the bulk and mass of the proposed replacement dwelling would fit comfortably into the streetscene and the detailed design would add a degree of variety into the locality. Although its

flank walls are relatively deep, they would not be visually prominent from the public realm.

7.4 Lower Ground/Basement Accommodation

7.4.1 The proposed development includes a lower ground/basement below the rear part of the ground floor footprint. In relation to policy DM D2, the proposed basement would be wholly confined within the curtilage of the application property and does not exceed 50% of either the front, rear or side garden of the properties and result in the unaffected garden being a usable single area.

The design of the light wells has ensured that any harmful impact on visual amenity is avoided, as they would be modest and visually unobtrusive.

7.4.2 The Council's Flood Risk Engineer has commented on the scheme and raises no objection subject to conditions to secure the provision of surface and foul water drainage and a scheme to reduce the potential impact of water ingress both to and from the proposed development. The Council's Structural Engineer has commented on the proposals and raises no objection subject to the submission of additional information relating to the detailed construction of the proposed basement, which can be secured by way of condition. A sustainable urban drainage scheme would be required to be provided.

7.4.3 The proposal is considered to comply with the specific requirements of Policy DM D2 in relation to basements.

7.4.4 A condition would be imposed in relation to noise from plant or machinery relating to the basement and swimming pool use.

7.5 Neighbouring Amenity

7.5.1 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.

7.5.2 Impact on Queensmere Road :

7.5.3 The proposed dwelling would result in a north facing flank wall measuring 12.5m (at first floor level), as opposed to the existing flank wall which measures 7.6m in depth at first floor level. The flank wall would therefore be 4.9m wider than existing. At first floor level, the proposed dwelling would be sited 2.9m to 3.5m away from the boundary with Queensmere Road compared to the existing separation distance of 1.25-1.9m.

7.5.4 The Council's SPG on New Residential Development (1999) states that where a flank wall is proposed adjacent to the ends of gardens of existing dwellings, a 4m separation for 2 storey buildings would be sought between the flank wall and the curtilage of the garden of the existing dwelling.

7.5.5 There is a gap of over 30m between the northern boundary of the site and the rear of properties along Queensmere Road, with a gap of 2.9-3.5m between the proposed dwelling and the boundary. This is marginally less than the 4m separation distance advised by the SPG. It is noted that the house would sit in an elevated position compared to the houses in Queensmere Road with little or

no screening from vegetation other than the oak tree within the garden of no 46. However, the distance between the boundary and the rear of these properties is substantial. In addition, the existing two storey flank wall sits gable end on to the boundary in closer proximity than the first floor element of the proposed house whereas the proposed first floor would stand further from the boundary, and would have a roof that slopes away from the boundary rather than a gable end.

7.5.6 Although the flank wall is substantially wider than the existing, it is further away than the existing house. Combined with the other factors outlined above, on balance, officers consider that there would be insufficient impact on outlook to warrant refusal.

7.5.7 The separation distances are such that there would be no grounds for refusal based on impact on daylight or sunlight.

7.5.8 The ground floor windows and door are all obscure glazed and would be largely screened by boundary fencing. The two first floor windows are to bathrooms and are both high level and obscure glazed. The four rooflights are shown as high level windows to the first floor bathrooms and bedrooms. In order to avoid any future potential overlooking, it is nonetheless considered that they should be conditioned to be obscure glazed. The proposed fenestration is not considered to have an unacceptable impact on privacy subject to a condition for obscured glazing and a condition to preclude the insertion of additional windows to this elevation.

7.5.9 Impact on No.7 Beltane Drive

7.5.10 The neighbouring property, No.7 Beltane Drive, has a side facing bedroom window at first floor level to the north facing elevation. Having regard to the separation distance (5.6m), it is considered that the impact on light to this window would not be materially harmful. The windows in the south facing flank of the proposed house would all be conditioned to be obscure glazed to avoid impact on privacy.

7.5.11 The proposed dwelling would project beyond the rear building line of No.7 by some 2.1m at upper levels, with a separation distance to the boundary of 1.5m. There would be some impact on outlook from the rear of No.7, but officers consider that this would be insufficient to warrant refusal. The site is to the north of 7 Beltane Drive and as such there would be no overshadowing or loss of sunlight.

7.5.12 The proposed balcony to the front elevation, whilst limited in depth, has the potential to result in overlooking to the side. Having regard to the separation distance to the northern boundary, it is considered that there would not be material overlooking. However, the balcony is significantly closer to the southern boundary and, as such, a condition to secure screening to this side of the balcony is recommended. Screening would also be required to the rear terrace.

7.5.13 The issues raised in objection letters have been carefully considered. However, the application is for a replacement dwelling which has been amended to be reduced in size from the original submission. Whilst the replacement dwelling

would be larger than the existing, it is considered that it would not result in material harm to residential amenity for the reasons set out in this report.

7.6 Standard of accommodation

- 7.6.1 London Plan Policy 3.5 states that all new housing developments should be of the highest quality internally, externally and in relation to their context. In order to ensure that such development provide an adequate level of internal amenity, Table 3.3 of the London Plan sets out the minimum floor areas which should be provided for new housing.
- 7.6.2 The detailed design of the proposed development must have regard to the requirements of the London Plan (2015), as amended by Minor Alterations to the London Plan March 2016, the Mayor's Housing SPG 2016 and the DCLG publication: Technical housing standards – nationally described space standard March 2015, in terms of unit and room sizes and provision of external amenity space.
- 7.6.3 Sites and Policies Plan Policy DM D2 seeks to ensure good quality residential accommodation with adequate levels of privacy, daylight and sunlight for existing and future residents, the provision of adequate amenity space and the avoidance of noise, vibration or other forms of pollution.
- 7.6.4 The proposal includes basement accommodation. However, the main primary habitable living space would be provided at ground and first floor levels. Therefore, whilst the area annotated as 'basement living' would appear to receive sufficient light levels, it is not relied upon to provide the primary habitable areas for the occupants.
- 7.6.5 The proposed development would comfortably satisfy the requirements of the London Plan in terms of unit and room sizes and amount of external amenity space and the proposal is considered to be acceptable in terms of the standard of accommodation.

7.7 Highway, traffic and parking considerations

- 7.7.1 Core Strategy Policy CS 20 considers matters of pedestrian movement, safety, servicing and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection.
- 7.7.2 Core Strategy Policy CS 18 promotes active means of transport and the gardens of the houses provide sufficient space for the storage of cycles without the need to clutter up the front of the development with further cycle stores.
- 7.7.3 The proposal involves the replacement of a single family dwellinghouse and as such the increase in traffic generation would be minimal.
- 7.7.4 The proposal provides for the parking of several cars on the driveway and garage and it is considered that adequate space for parking is provided. In addition, there is sufficient storage space to accommodate bicycle storage on site.

7.7.5 A condition to secure details of a Working Method Statement is recommended to ensure that the impacts on neighbouring properties and the wider area throughout the construction process are limited.

7.8 Refuse and recycling

7.8.1 A space for refuse and recycling storage is shown adjacent to the proposed dwelling. There would be sufficient space to accommodate the storage area and the positioning, next to the dwelling, would ensure that the refuse and recycling storage would not appear overly prominent when viewed from the street.

7.9 Biodiversity

7.9.1 Policy DMO2 seeks, amongst other things, to protect land of ecological value. The NPPF has a presumption in favour of sustainable development, seeking positive improvements in the quality of the built, natural and historic environment including moving from a net loss of biodiversity to achieving net gains for nature.

7.9.2 A number of neighbouring occupiers have made representations on the application and have stated that there are bats living in the oak tree to the frontage of the site and in the roof of the existing dwelling.

7.9.3 Section 40 of the Natural Environment and Rural Communities Act 2006 places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. In addition, bats are a European Protected Species and are protected under the Wildlife and Countryside Act 1981.

7.9.4 As the possible presence of bats has been raised by third parties it suggests that there is a reasonable likelihood of bats being present on the site.

7.9.5 The applicant has submitted a Bat Survey - Preliminary Roost Assessment, carried out by a suitably qualified person. This survey concludes that the main dwelling has a negligible habitat value for roosting bats, as such there is a likely absence of bats and no further surveys are required. The survey goes on to conclude that the Oak tree to the frontage of the site (T2) could provide a roosting habitat for bats and may be affected by pollarding on safety grounds. Therefore, further survey works would be needed prior to any works to this tree. The submitted amended Arboricultural Report makes reference to this tree and sets out that this tree is not intended to be removed, despite its U category rating.

7.9.6 Therefore, it is considered that the application has sufficiently demonstrated that there would be no be an adverse impact on protected species or biodiversity and the proposal is considered to comply with SPP Policy DMO2.

7.10 Trees

7.10.1 Core strategy Policy CS13 expects development proposals to incorporate and maintain appropriate elements of open space and landscape features such as trees which make a positive contribution to the wider network of open spaces

whilst SPP Policy DMO2 seeks to protect trees that have a significant amenity value as perceived from the public realm. Policy DMD2 also seeks to ensure that trees are protected from adverse impacts from development.

- 7.10.2 An amended Arboricultural report has been submitted and it is considered to represent a fair assessment of the trees on site. Two trees are intended to be removed (T1 and T7), a Cypress and a Hawthorn. Both these trees have a C category rating. In addition, pruning and reducing works are advised for trees T6 and T8.
- 7.10.3 The loss of trees T1 and T7 is not objectionable as they have a limited amenity value. The submitted information shows that the retained trees on site would not be harmed. The amended arboricultural report confirms that Tree T2 is to be retained.
- 7.10.4 The Council's Tree and Landscape Officer has commented on the proposal and does not raise objection in relation to the impact on trees, subject to conditions to ensure that trees are not damaged throughout the construction process. In particular, subject to appropriate conditions, she is happy that tree T5 Common Oak, in the garden of the adjoining property should not be adversely affected.
- 7.10.5 The application is considered to have sufficiently demonstrated that the impact on important trees would be acceptable and therefore the proposal complies with Policies DM D2 and DMO2 of the Sites and Policies Plan.

7.11 Sustainable design and construction

- 7.11.1 New buildings must comply with the Mayor's and Merton's objectives on carbon emissions, renewable energy, sustainable design and construction, green roofs, flood risk management and sustainable drainage. The most relevant London Plan policies are 5.1 (Climate Change Adaptation), 5.2 (Minimising Carbon Dioxide Emissions) and 5.3 (Sustainable Design and Construction) which seek to minimise energy usage and reduce carbon dioxide emissions.
- 7.11.2 Policy DMH4 requires applications for replacement dwellinghouses that they have exceeded the minimum sustainability requirements outlined in Core Planning Strategy CS15.
- 7.11.3 On 25 March 2015 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 2015. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.
- 7.11.4 Until amendments to the Building Regulations come into effect the government expects local planning authorities not to set conditions with the requirements of Code level 4. 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.

7.11.5 The application is accompanied by an Energy and Sustainability Statement. The Council's Climate Change Officer has commented on the proposals and is satisfied that the proposals would meet Merton's policy requirements, subject to a condition to ensure that the proposed development achieves CO2 reductions and internal water usage standards equivalent to Level 4 of the Code for Sustainable Homes.

7.11.6 Therefore, the proposal is considered to be acceptable in terms of sustainable design and construction and would comply with Policy DMH4 in this regard.

7.12 Community Infrastructure Levy

7.12.1 The proposed development would be subject to the Community Infrastructure Levy (CIL), as there is an increase in floor area of over 100sqm. This would require a contribution of £220 per additional square metre of floorspace to be paid to Merton Council and an additional £35 per additional square meter to be paid to the Mayor.

7.13 SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

7.13.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of an Environmental Impact Assessment (EIA).

7.14 Other matters

7.14.1 The majority of issues raised in the objection letters are addressed in the body of this report. However, in addition, the following response is offered:

- The requirement for a Party Wall Act Agreement is a private, civil matter between landowners and does not affect the acceptability of the proposed development in planning terms.
- The site is not within an Archaeological Priority Zone and as such there are no archaeological requirements.
- The garage permitted under 09/P0921, is not part of the current application and it would be a matter for Planning Enforcement as to whether it has been constructed in accordance with the approved plans.
- The submitted arboricultural report confirms that no works are proposed to Tree T2.
- It is considered to not be reasonable or necessary to impose a requirement for a noise impact assessment or acoustic assessment for this application for a single replacement dwelling. The use of the site for a single family residence would not result in significant noise levels over and above the existing. If permitted a condition would be imposed to limit hours of construction and to control the parking of contractors vehicles in order to minimise effects during the construction.
- It is considered to not be reasonable or necessary to request that a foul sewage and utilities assessment be submitted as this is only a requirement for proposed developments which would require a large capacity of waste disposal.

8. CONCLUSION

8.1 The principle of redevelopment is acceptable. The proposed replacement dwelling would be larger than the existing but it would stand further from the boundary with a roof sloping away from the boundary. On balance, the impact on outlook is considered to be acceptable and any impact on daylight and sunlight would be within acceptable limits, given the siting and separation distances involved. Any potential impact on privacy can be controlled through the imposition of suitable conditions. The design would add variety to the streetscene. The impact on trees is considered to be acceptable following amendment to the scheme and it has been demonstrated that the proposal would be acceptable in terms of biodiversity. The Council's Structural and Flood Engineers are happy with the information provided subject to suitable conditions.

9. Recommendation:

9.1 Grant planning permission subject to conditions.

9.2 Conditions:

1. A.1 Commencement of development for full application
2. A.7 Approved plans: 106_D_01_, 106_D_02_, 106_D_03_, 106_D_04_ and 106_05.
3. B3 External Materials as Specified
4. B4 Details of surface treatment
5. B5 Details of Walls/Fences
6. C01 No Permitted Development (Extensions)
7. C07 Refuse & Recycling (Implementation)
8. C08 No Use of Flat Roof
9. C04 Obscured Glazing (Opening Windows). Before the development hereby permitted is first occupied, the en-suite bathroom windows in the first floor of the north facing elevation, the master bedroom windows in the first floor of the south facing elevation and the rooflights in both north and south elevations shall be glazed with obscured glass and shall be maintained as such thereafter.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

10. C02 No Permitted Development (Windows and Doors).

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

11. Front Balcony and rear terrace(screening details to be provided).
12. D10 External Lighting
13. D11 Construction Times
14. F01 Landscaping/Planting Scheme
15. F05 – Tree Protection
16. F08 - Site Supervision
17. Foundations/Basement. No development shall be commenced until details of the method of excavation, proposed design, materials and method of construction of the basement have been submitted to and approved in writing by the LPA and the work shall be carried out in accordance with the approved details. Such details shall have regard to the BS 5837:2012 and shall be referred to in the Arboricultural Method Statement and Tree Protection Plan.

Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.

18. F09 Hardstandings
19. H02 Vehicle Access to be provided
20. H04 Provision of Vehicle Parking
21. H05 Visibility Splays
22. H12 – Delivery and Servicing Plan to be submitted
23. H10 Construction Vehicles, Washdown Facilities etc (major sites)
24. A Non Standard Condition. No development approved by this permission shall be commenced until a detailed scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The final drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:
 - i. provide information about the design storm period and intensity, the method

employed to delay (attenuate) and control the rate of surface water discharged from the site at a maximum rate of **5 l/s**. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;

- ii. include a timetable for its implementation; and
- iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

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 5.13.

25. A Non Standard Condition. No development approved by this permission shall be commenced until a scheme to reduce the potential impact of groundwater ingress both to and from the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall address the risks both during and post construction as highlighted in the submitted Geotechnical Report.

Reason: To ensure the risk of groundwater ingress to and from the development is managed appropriately and to reduce the risk of flooding in compliance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policies, DM D2 and DM F2 of Merton's Sites and Polices Plan 2014.

26. L2 Code for Sustainable Homes - Pre-Commencement (New build residential).

27. A Non Standard Condition. No development, including ground works and site preparation works shall commence until the following documents have been submitted to and approved in writing by the Local Planning Authority:

- a) Demolition Method Statement - prepared by the Contractor undertaking the demolition works. A survey has to be conducted to identify any hazardous materials such as materials containing asbestos, lead etc. The method statement should include the management, handling and safe disposal of such materials.
- b) Construction Method Statement – prepared by the Contractor undertaking the trench sheeting/piling works which is reviewed and agreed by the Structural Engineer.
- c) Construction and temporary work drawings.
- d) Detailed drawing of the basement retaining wall and slab.

The development shall be carried out in accordance with the approved details.

Reason: In order to comply with the requirements of Policy DM D2 of the Adopted Merton Sites and Policies Plan 2014.

28. Plant and machinery

INFORMATIVES

1. INF 15 Discharge conditions prior to commencement of work

2. INF 01 Party Walls Act
 3. INF 07 Hardstandings
 4. INF 08 Construction of Accesses
 5. INF 09 Works on the Public Highway
 6. INF 00 Non-Standard/ Blank Informative
 7. INF 11 Drainage
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