

PLANNING APPLICATIONS COMMITTEE
10 October 2013

Item No:12

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	13/P0260	03.05.2013

Address: 18 and 18A Oakwood Road, SW20 0PN

Ward Proposal Raynes Park
Application to extend the time to implement planning permission 08/P1522 for the demolition of 2 houses and the erection of a new two storey building comprising 5 2 bedroom flats.

Drawing No's See Appendix 1.

Contact Officer Jonathan Lewis (020 8545 3287)

RECOMMENDATIONS:

- A That members agree to additional reasons for refusal.**
- B That members agree reasons for not following the officer's recommendation.**
- C. That in the event of the applicant lodging an appeal and submitting a unilateral undertaking addressing the requirements of adopted planning policy, as described in the July report to PAC, that officers not be required to report the application back to Committee in order to seek further authority to vary the basis on which the Council would contest the appeal.**

1. INTRODUCTION

- 1.1 At the meeting of the Planning Applications Committee on 18th July, members resolved to defer determination of the above application. Members' reason for deferral are recorded as "to allow officers to negotiate with the applicant for a different internal configuration for the proposed development which meets the current London Plan policies for minimum space standards".
- 1.2 The item was brought back to Committee in August (Appendix 2). Members were advised that the applicant wished the application to be determined on the basis of the previously approved plans. At that meeting members resolved to refuse planning permission to extend the period of time to implement planning permission 08/P1522.

Grounds for refusal: Refuse permission on grounds of a failure to provide a satisfactory standard of accommodation for future occupants, arising from units that fail to meet London Plan minimum space standards and that the proposals are not demonstrably of exemplary design such that they contribute to the achievement of other objectives of the London Plan to justify relaxing these standards. The proposals would therefore be

contrary to policy 3.5 of the London Plan (2011) and CS.14 of the Merton Unitary Development Plan (2011).

- 1.3 This supplementary report sets out officer advice on whether to attach additional reasons for refusal and the need for PAC to confirm their reasons for not following officer advice.

2. POLICY CONTEXT

2.1 London Plan [July 2011].

The relevant policies in the London Plan are: 3.11 (Affordable housing) 3.12 (Affordable housing), 3.13 (Affordable housing thresholds),

2.2 Merton LDF Core Planning Strategy [July 2011]

The relevant policies within the Council's Adopted Core Strategy [July 2011] are; CS.8 [Housing choice]; CS.9 [Housing provision]; CS.11 (Infrastructure).

2.3 Merton UDP (October 2003).

The relevant policies in the UDP include C.13 (Planning obligations for schools).

3. PLANNING CONSIDERATIONS

Affordable housing and Education Contributions

- 3.1 The earlier report to Committee (Appendix 1) highlighted the key changes to planning policies since the 2008 application was approved not least of which is securing of off-site financial contributions towards affordable housing for schemes of under 10 new dwellings (LDF policy CS.8). In addition the Council has been pursuing a more rigorous application of UDP policy C.13 which seeks contributions towards education where schemes are likely to generate increased pressure and demand on education provision.

- 3.2 While a letter on the file indicate a willingness on the part of the applicant to meet all necessary planning obligations including financial payments this was never formalised by way of a unilateral undertaking setting out the scope and size of affordable housing and education contributions.

- 3.3 The consideration of an appeal against the Council's refusal of planning permission for a separate site in Cannon Hill Lane is considered relevant to the current application for 18 and 18A Oakwood Road. In September 2012 members overturned an officer recommendation to approve a new single end of terrace dwelling in Cannon Hill Lane. While design and garden space formed the basis of the Council's reasons for refusal, a failure to provide contributions towards affordable housing and education provision did not.

- 3.4 At the subsequent appeal the Council indicated that they required a planning obligation to secure a contribution towards affordable housing and education provision. However, the Inspector noted that the lack of an obligation did not form a reason for refusal of the appeal scheme and in this case the lack of an obligation was not considered by the Inspector as weighing against the proposal.

- 3.5 The applicant has confirmed in an e-mail that if the scheme is refused then an appeal will be lodged. In the event of an appeal the Council would be expected to fully justify the basis on which the proposals failed to meet adopted policies. For the time being the only reasons cited focus on the standard of accommodation and not the absence of affordable housing or education contributions.
- 3.6 In advance of an appeal being lodged Council officers may engage in discussions with the applicant highlighting that the Council would expect a Unilateral Undertaking to be submitted addressing the affordable housing and education contribution issues.
- 3.7 However, it is considered that for the Council to introduce what might be construed as new grounds at appeal, essentially highlighting shortcomings in the scheme, regarding the absence of financial contributions to address affordable housing policies and education, would place the Council at a disadvantage. Planning advice contained in Circular 03/2009 at Part B – Awards of costs for unreasonable behaviour in planning and planning related appeals considers the following to unreasonable behaviour “prolonging the proceedings by introducing a new ground of appeal or issue or reason for refusal”.
- 3.8 In the event that an appeal is lodged and the applicant submits a Unilateral Undertaking meeting the Council’s S106 requirements then, following good practice, the Council should review its position regarding the additional reasons for refusal set out in this. Provided this is done promptly, and the appellant and Inspectorate are informed of any decision arising from review, officers consider that this would reduce the Council’s exposure to an application for costs.

4. CONCLUSION

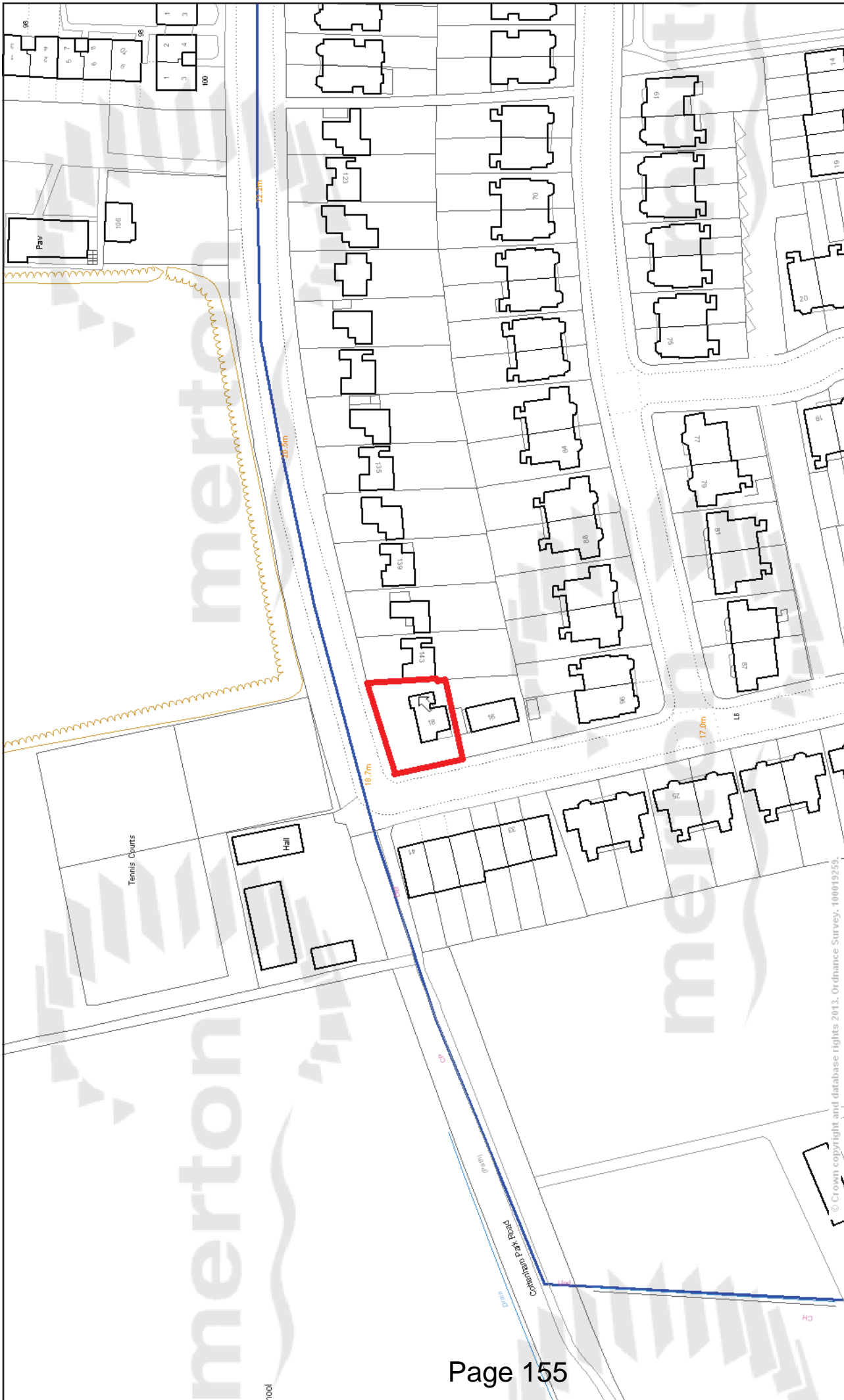
- 4.1 There is a sound policy basis for seeking financial contributions towards education, and, on a scheme of less than 10 dwellings, off site contributions towards affordable housing. In the absence of a Unilateral Undertaking confirming the provision of financial contribution towards affordable housing and education, officers consider it to be prudent to add further reasons for refusal.

RECOMMENDATION

A. That members add further reasons for refusal as follows:

- The proposed development would fail to contribute to meeting affordable housing targets and in the absence of a legal undertaking securing a financial contribution towards the delivery of affordable housing off-site would be contrary to policy CS.8 of the Merton LDF Core Planning Strategy (2011).
- The proposed development would generate additional pressure on educational facilities in the area and in the absence of a legal undertaking securing a financial contribution toward education provision locally would fail to offset its impact within these identified areas, and would be contrary to policy C.13 of the Merton Unitary Development Plan (October 2003) and the Council’s Supplementary Planning Guidance: Planning Obligations (2006).

- B.** That members agree that the reasons for not following the officers' recommendation are: The Committee considered that officers attached insufficient weight to the changed policy circumstances regarding standards of accommodation since the proposals were first considered.
- C.** That in the event of the applicant lodging an appeal and submitting a unilateral undertaking addressing the requirements of adopted planning policy, as described in the July report to PAC, that officers not be required to report the application back to Committee in order to seek further authority to vary the basis on which the Council would contest the appeal.



London Borough of Merton
 100 London Road
 Morden
 Surrey
 SM4 5DX

Scale 1/1250

Date 24/9/2013

18-18A Oakwood Road

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DEVELOPMENT CONTROL

PLANNING APPLICATIONS COMMITTEE #####appendix#####
15th August 2013

Item No: 07

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	13/P0260	03.05.2013
Address/Site	18 and 18A Oakwood Road, West Wimbledon, SW20 0PN	
(Ward)	Raynes Park	
Proposal:	Application to extend the time to implement planning permission 08/P1522 for the demolition of 2 existing houses and erection of a new 2 storey building with rooms in the roof, comprising 5 x 2 bedroom flats, with 5 off street car parking places.	
Drawing No's	Site location plan, J 86/01, 2, 3, 4, 5, 6, Arboricultural Report rec'd 28/5/2008.	
Contact Officer:	Jean Bennett (020 8545 3300)	

RECOMMENDATION

GRANT PERMISSION subject to planning conditions and the completion of a Section 106 Obligation.

1. INTRODUCTION

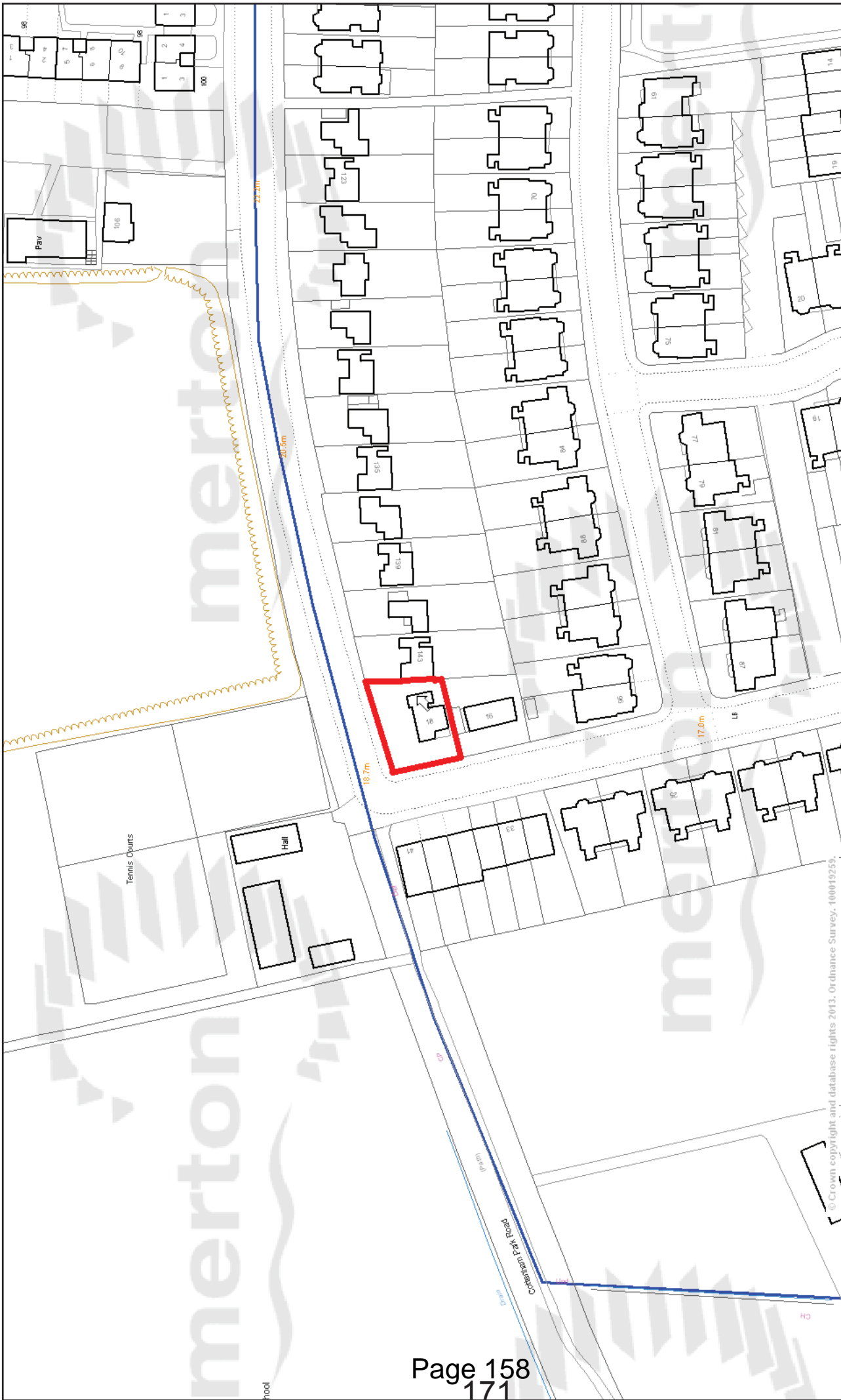
- 1.1 An application for an extension of time to implement and extant planning permission was considered at the meeting of the Council's Planning Applications Committee on 18th July (report attached as an Appendix).
- 1.2 Members resolved that consideration of the application be DEFERRED so as to allow officers to negotiate with the applicant for a different internal configuration for the proposed development which meets the current London Plan policies for minimum space standards.
- 1.3 Minutes from the meeting note the following:
 - (i) this was an application to extend the time to implement the planning permission 08/P1522 (granted in 2008) for redevelopment of the site to provide 5 x 2 double bedroom flats;
 - (ii) the application in 2008 had met the then Council policies on minimum room sizes and internal layout;
 - (iii) these Council policies had since been superseded by new London Plan policies for minimum space standards and the current application did not meet these new standards;

- (iv) the current application included a financial contribution towards affordable housing; and
- (v) officers were recommending approval of the current application.

- 1.4 On the issue of room sizes various members expressed concerns at the room sizes proposed and that they did not meet the current London Plan policies for minimum space standards. Officers advised that if the London Plan standards were to be applied rigorously to the current application, then it was possible that financial contribution towards affordable housing would be reduced or lost.
- 1.5 In terms of progressing proposals to develop the site officers suggested, that if the scale and bulk of the proposed development were considered to be acceptable but Members were concerned about room sizes, then consideration of the application be deferred so as to allow officers to discuss with the applicant the possibility of the same number of units but a smaller number of bedrooms. The Committee agreed to this suggestion.

2. PLANNING CONSIDERATIONS AND RECOMMENDATION.

- 2.1 Officers have since discussed the issue of the numbers of bedrooms in each flat and the concerns that had been raised by Committee regarding shortfalls in relation to London Plan (2011) standards. The applicant has commented to the effect that:
 - The application includes considerable contribution towards affordable housing which the applicant was happy to make.
 - Changing to one bed flats makes the project financially non viable and much needed extra housing will be lost.
 - The actual sizes of the proposed flats are 69,57,57,56 and 53 square metres compared to the London plan suggestion of a 2b 3 p flat of 61 square metres (Officers would note that the flats have 2 double bedrooms and that the minimum recommended floorspace for 4 bedspace units is 70 sq.m GIA).
 - There were no objections to the application.
- 2.2 The applicant does not wish to amend the plans. Notwithstanding the recommendation to Committee set out in the officers' report from the meeting on 18th July, members are therefore requested to determine the application on the basis of the submitted plans.



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Scale 1/1250
 Date 2/7/2013

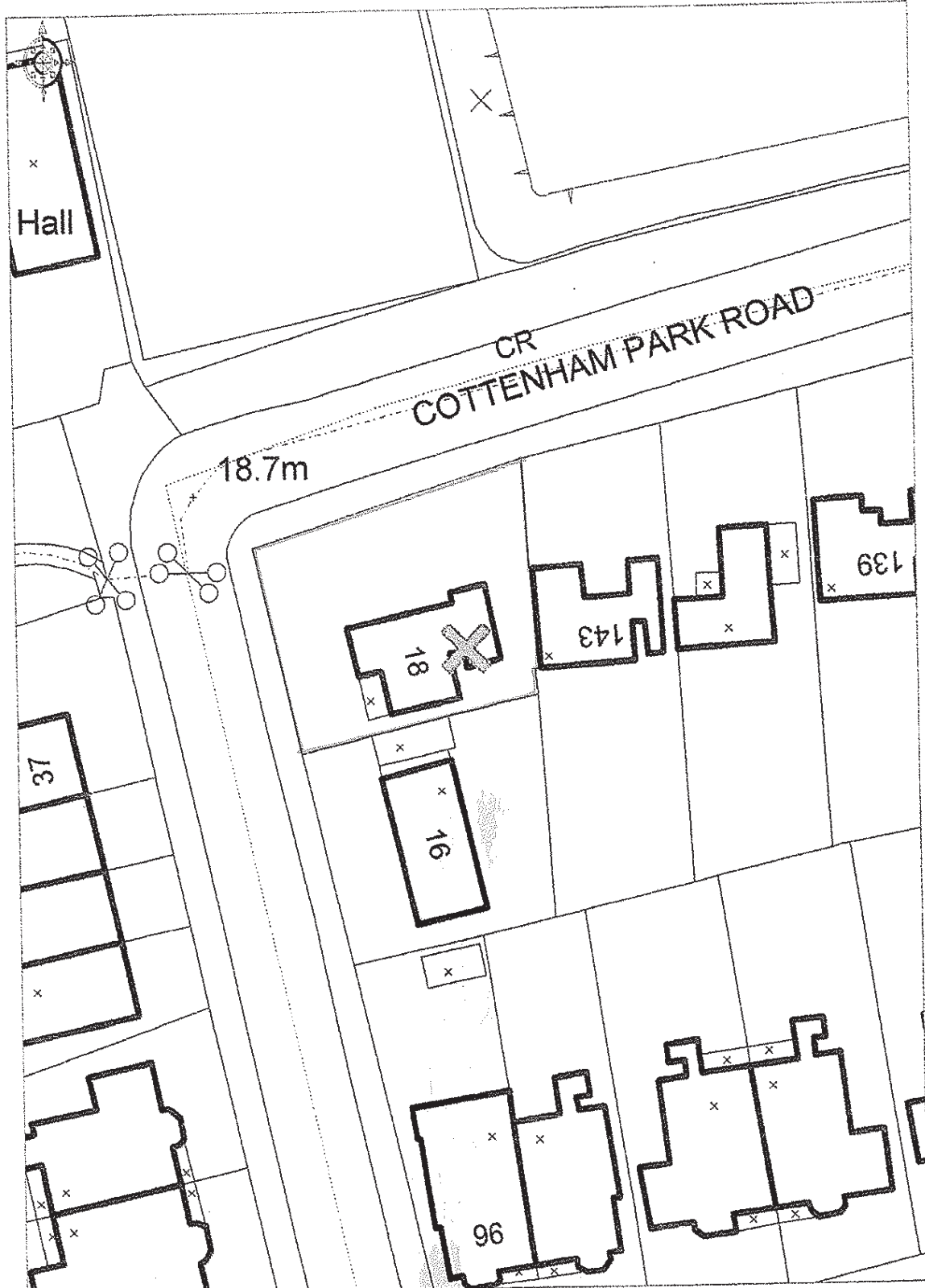
18/18A Oakwood Road

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DEVELOPMENT CONTROL

LOCATION PLAN

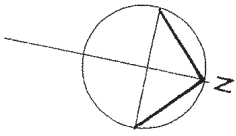
28 MAY 2008



Ordnance Survey

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18 OAKWOOD ROAD SW20 0PN

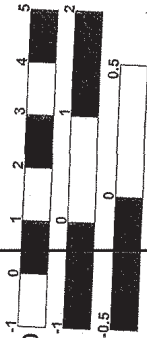


New crossover for flat 2

Scale: 1:100

Scale: 1:50

Scale: 1:20

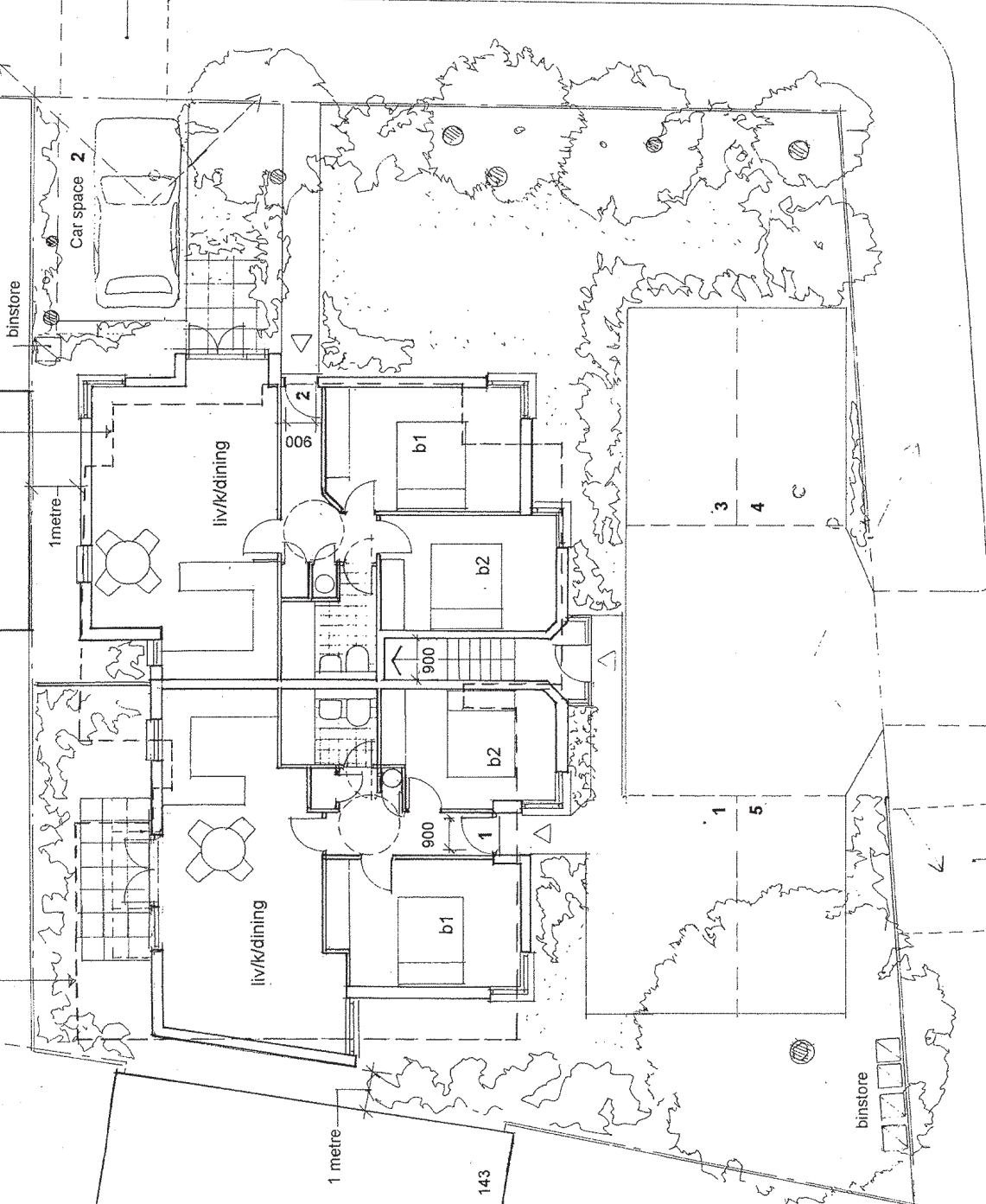


LONDON BOROUGH OF MERTON

28 MAY 2008

OAKWOOD ROAD

dotted line denotes footprint of existing building



SCHEDULE OF ACCOMMODATION FOR 18 OAKWOOD ROAD

FLAT NO.	Area in square metres		BED.2	TOTAL FLOOR AREA
	LIVING, KITCHEN DINING	BED.1		
1	26.45	11	10.5	57
2	25.45	11	10.5	57
3	26.65	11	10.5	56
4	21.51	11	10.6	53
5	31.75	11	13.8	69

Stairs and balconies not included

GROUND FLOOR PLAN
OAKWOOD ROAD SW 20

David York B.A. Arch.(Hons.), Dip. Arch. RIBA
Chartered Architect

128 Lambton Road
West Wimbledon SW20 0TJ 020 8946 1865
020 8947 2072 FAX

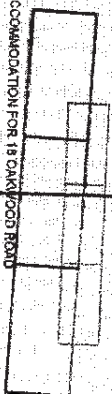
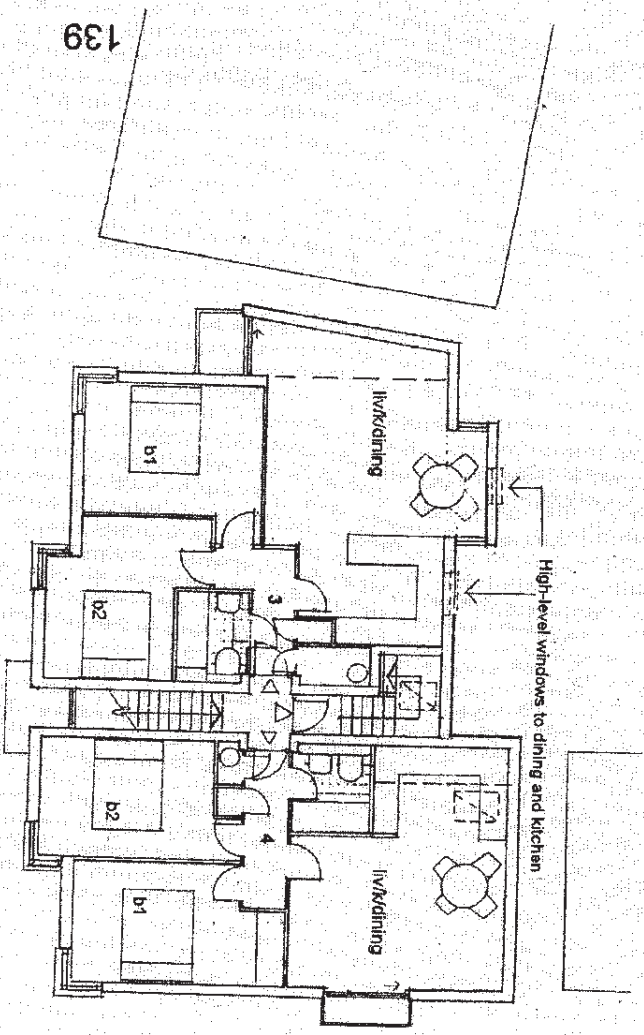
Scale 1:100

March 2008

Dwg No. J 86/01

Cottenham Park Road

existing crossover repositioned.



16 JUL 2008

LONDON BOROUGH OF MERTON
LONDON BOROUGH OF MERTON

SCHEDULE OF ACCOMMODATION FOR 13 OAKWOOD ROAD

FLAT NO.	Area in square metres		TOTAL FLOOR AREA
	LIVING, KITCHEN, DINING, BED.1	BED.2	
1	28.46	11	39.46
2	25.45	11	36.45
3	26.66	11	37.66
4	21.51	11	32.51
5	31.75	11	42.75

Stairs and balconies not included

NOT TO SCALE

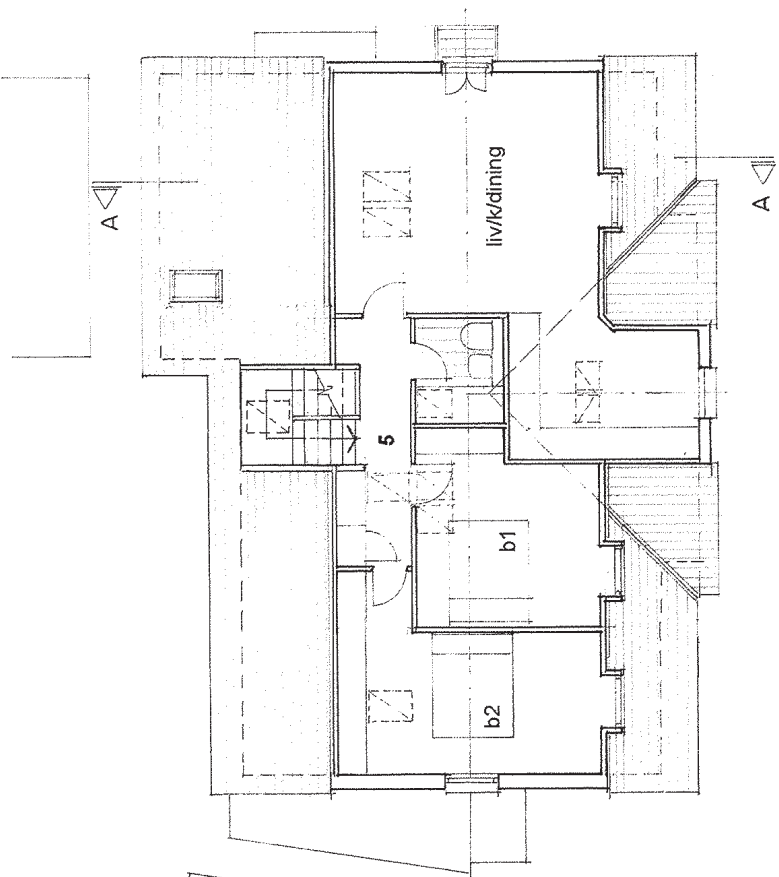
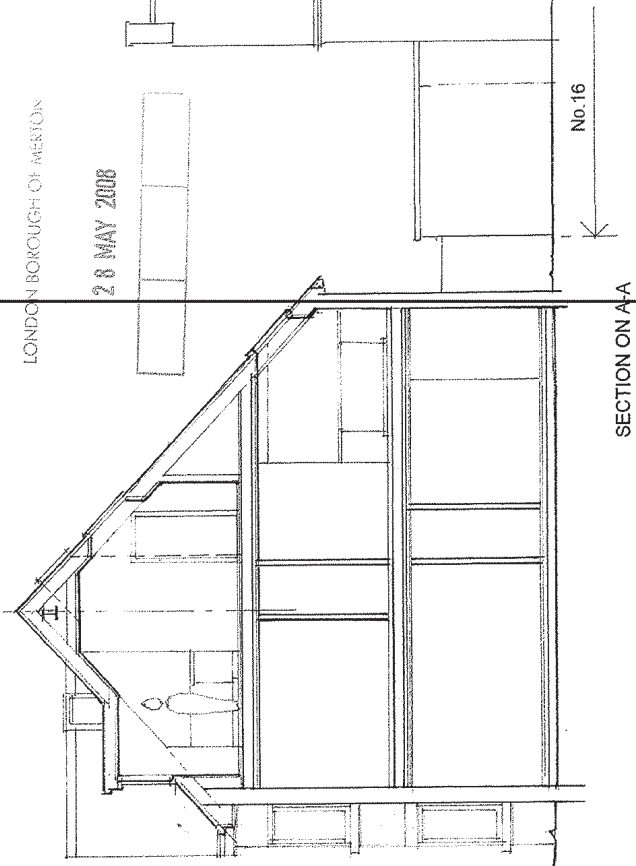
A note added re high-level windows to dining and kitchen July 08 REVISIONS

AMENDED

FIRST FLOOR PLAN	
OAKWOOD ROAD SW 20	
David York B.A. Arch. (Hons.), Dip. Arch. RIBA, Chertsey Architect	
128 Larnblen Road West Wimbledon SW20 0TU	020 8946 1865 020 8947 2072 FAX
Scale: 1:100	March 2008
Dwg No. J 86/02 A	

Scale: 1:100
 Scale: 1:50
 Scale: 1:20

LONDON BOROUGH OF AMERTON
 28 MAY 2008



SECOND FLOOR PLAN AND SECTION A-A
 OAKWOOD ROAD SW 20

David York B.A. Arch. (Hons.), Dip. Arch. RIBA
 Chartered Architect

128 Lambton Road
 West Wimbledon SW20 0TJ
 020 8947 1865
 020 8947 2072 FAX

Scale 1:100
 March 2008

Dwg No. J 86/03

SCHEDULE OF ACCOMMODATION FOR 18 OAKWOOD ROAD

FLAT NO.	Area in square metres			TOTAL FLOOR AREA
	LIVING, KITCHEN	DINING	BED.1	
1	26.45	11	10.5	57
2	25.45	11	10.5	57
3	26.65	11	10.5	56
4	21.51	11	10.6	53
5	31.75	11	13.8	69

Stairs and balconies not included

outline of nos.31-37 Oakwood Road

red/brown clay plain tiles

Lead covered dormer

smooth white render
existing trees to remain

red facing bricks

Oakwood Road

No. 143

Cottam Park Road

NORTH ELEVATION

LONDON BOROUGH OF MERTON

28 MAY 2008

timber windows with grey aluminium facing

WEST ELEVATION

No.16

Scale: 1:100

Scale: 1:50

Scale: 1:20

NORTH AND WEST ELEVATIONS
OAKWOOD ROAD SW 20

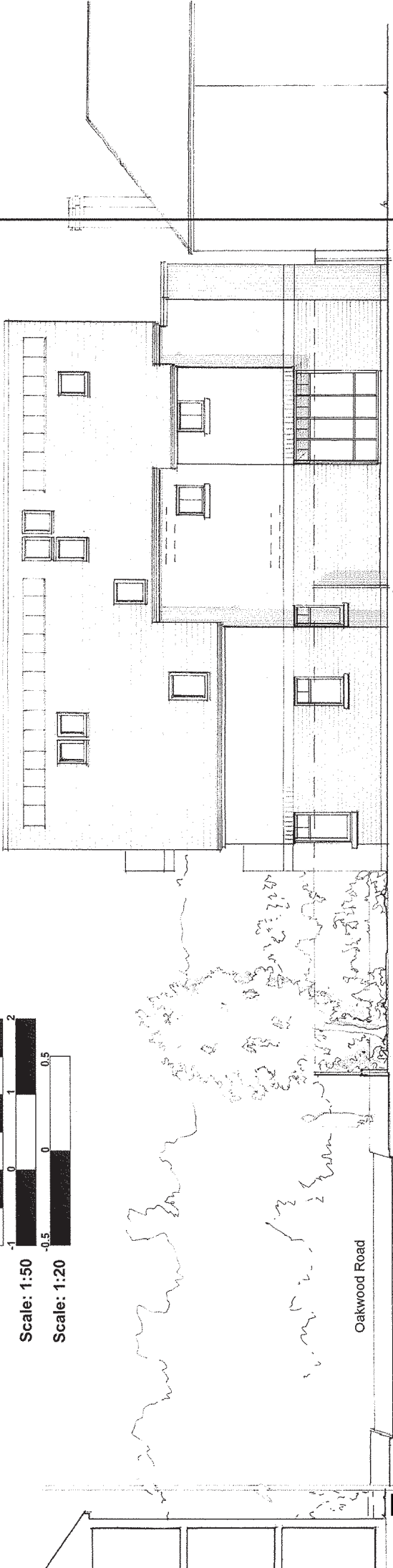
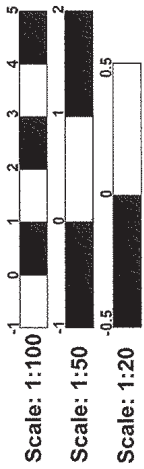
David York B.A. Arch.(Hons.),Dip. Arch. RIBA
Chartered Architect

128 Lambton Road
West Wimbledon SW20 0TJ 020 8946 1865
020 8947 2072 FAX

Scale 1:100

Dwg No. J 86/04

March 2008



SOUTH ELEVATION

No. 143

outline of nos. 31-37 Oakwood Road

LONDON BOROUGH OF MERTON

28 MAY 2008

existing trees to remain

red/brown clay plain tiles

smooth white render

timber windows with grey aluminium facing

red facing bricks

Cottenham Park Road

SOUTH AND EAST ELEVATIONS
 18 OAKWOOD ROAD SW20

David York B.A. Arch. (Hons.), Dip. Arch. RIBA
 Chartered Architect

128 Lambton Road
 West Wimbledon SW20 0TJ

020 8946 1865
 020 8947 2072 FAX

Scale 1:50

May 2008

Dwg no. J86/05

EAST ELEVATION

No.16

PLANNING APPLICATIONS COMMITTEE
18 July 2013

Item No: 10

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	13/P0260	03.05.2013
Address/Site	18 and 18A Oakwood Road, West Wimbledon, SW20 0PN	
(Ward)	Raynes Park	
Proposal:	Application to extend the time to implement planning permission 08/P1522 for the demolition of 2 existing houses and erection of a new 2 storey building with rooms in the roof, comprising 5 x 2 bedroom flats, with 5 off street car parking places.	
Drawing No's	Site location plan, J 86/01, 2, 3, 4, 5, 6, Arboricultural Report rec'd 28/5/2008.	
Contact Officer:	Jean Bennett (020 8545 3300)	

RECOMMENDATION

GRANT PERMISSION subject to planning conditions and the completion of a Section 106 Obligation.

CHECKLIST INFORMATION.

- S106 Heads of agreement: Affordable Housing, Education.
 - 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 – 7
 - Press notice – No
 - Site notice – Yes
 - External consultations: n/a
 - Number of jobs created: n/a
-

1. INTRODUCTION

- 1.1 The application is referred to PAC due to requirement for S106 legal agreement.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a 0.042 hectare plot, located on a 90 degree bend in the road where Cottenham Park Road meets Oakwood Road. The site is currently occupied by a detached building comprising 2 dwelling houses, 1 x 3 and 1 x 2 bed. Much of the garden fronting Cottenham Park Road has hard surfacing for car parking.
- 2.2 Land on the opposite side of Cottenham Park Road is designated as Metropolitan Open Land (MoL) and Copse Hill conservation area, being part of the playing fields attached to the former Atkinson Morley site. The site is not within an area designated by the Environment Agency as being at significant risk of flooding and is not in an Archaeological Priority Zone (APZ).
- 2.2 Neighbouring properties in Cottenham Park Road are varied in design, height and appearance, while the build pattern in nearby Melbury Gardens, Laurel Road and Cambridge Road is more regular.
- 2.3 The site has a public transport accessibility (PTAL) level of 2, rated as poor and is not located in a CPZ.

3. CURRENT PROPOSAL

- 3.1 The current application is for an extension of time to implement planning permission ref 08/P1522 for the demolition of 2 existing houses and erection of a new 2 storey building with rooms in the roof, comprising 5 x 2 bedroom flats, with 5 off street car parking places. The application was submitted in January 2013, a month before the 2008 permission lapsed.
- 3.2 The proposal involves the demolition of the existing structure and erection of a new building with a similar footprint (131.2 sq m proposed/ 138 sq m existing), with building lines broadly in line with those of neighbouring dwellings at 143 Cottenham Park Road and 16 Oakwood Road.
- 3.3 The proposed building has been designed with a modest projecting front wing to the Cottenham Park Road frontage, incorporating a gabled roof feature with centrally located glazed panels rising from ground level to just below the ridge. External materials include red face bricks at ground floor with smooth white rendered finish above. Windows are timber framed with lead covered dormers and red/ brown clay tiles to the roof area.
- 3.4 Four off street car parking spaces are to be provided at the front of the building, involving re-positioning the existing crossover, with a new crossover from Oakwood Road, leading to a fifth space, adjacent to the front garden of 16 Oakwood Road.

4. PLANNING HISTORY

- 4.1 MER 128/74 - Approved – Conversion of dwelling into 2 self contained flats.

- 4.2 MER 1016/82 – Approved – First floor front
- 4.3 MER 1166/85 – Approved – Construction of porch
- 4.4 88/P1193 - Approved – Alterations and conversion to granny flat and garage at 18a to form a 1 bed self contained unit, involving replacement and extension of part of existing single storey rear extension, together with addition of conservatory and porch at 18.
- 4.5 08/P1522 – Approved at PAC 17/7/2008 - Demolition of 2 existing houses and erection of a new 2 storey building with rooms in the roof, comprising 5 x 2 bedroom flats, with 5 off street car parking places.

5. CONSULTATION

- 5.1 The proposal was publicised by means of a site notice and letters to 7 neighbouring occupiers, to which there has been no response.

6. POLICY CONTEXT

6.1 National Planning Framework [March 2012]

The National Planning Framework was published on the 27 March 2012. This document is put forward as a key part of central government reforms “to make the planning system less complex and more accessible, and to promote sustainable growth’. On matters of housing, the framework looks to local authorities to boost significantly the supply of housing and to deliver a wide choice of high quality homes. The framework reiterates the plan led system stating that the primary objective of development management should be to foster the delivery of sustainable development, not to hinder or prevent development.

London Plan (July 2011)

- 6.2 Relevant policies in the London Plan (July 2011) are: 3.3 (Increasing Housing Supply), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 5.3 (Sustainable Design and Construction).

Merton LDF Core Planning Strategy (July 2011)

- 6.3 Relevant policies in the Core Strategy (July 2011) are: CS8 (Housing Choice), CS9 (Housing Provision), CS11 (Infrastructure), CS18 (Active Transport), CS19 (Public Transport), CS20 (Parking, Servicing and Delivery).

Merton Unitary Development Plan (October 2003)

- 6.4 Relevant policies in the Adopted Unitary Development Plan (October 2003) are: HS.1 (Housing Layout and Amenity), BE.15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise), BE.16 (Urban Design), BE.22 (Design of New Development), C13 (Planning Obligations for Educational Provision).

7. PLANNING CONSIDERATIONS

- 7.1 In October 2009, the government introduced provisions to extend the time limit for implementing a planning permission. The measure was introduced in order to make it easier for developers and local planning authorities to keep planning permission “alive” for longer during the economic downturn. “In current circumstances, LPAs should take a positive and constructive approach towards applications which improve the prospect of sustainable development being taken forward quickly...LPAs should, in making their decision focus on development plan policies and other material considerations (including national planning policies on matters such as climate change) which may have changed significantly since the original grant of planning permission.
- 7.2 The government also advises that “this process is not a rubber stamp”. LPAs may refuse such applications where changes in the development plan or other material considerations indicate the proposal should no longer be treated favourably. If appropriate conditions could be imposed or some conditions removed for example in order to make the scheme acceptable in the light of new policies.
- 7.3 Principle of Development
Policy CS9 of the Core Strategy states that the Council will work with housing providers to achieve a minimum 4,800 additional homes between 2011 and 2016. The proposal will provide 5 residential units in place of the 2 existing units, thus helping to assist in meeting this target. The site is in a residential area and is considered to be of sufficient size to accommodate the new flats.
- 7.4 The proposal would not result in the loss of land safeguarded for other purposes by the Council’s planning policies. The principle of a new building comprising 5 flats was established in 2008 following the grant of planning permission and there are no changes to policy that would require a change in approach now.
- 7.5 Design/Scale/ Siting
Core Strategy policy CS9 states that development proposals must be well designed, while policy CS14 states that development should respect, reinforce and enhance local character and contribute to Merton’s sense of place and identity. UDP policies BE.16 and BE.22 both require proposals for development to complement the character and appearance of the wider setting. This is achieved by careful consideration of how the density, scale, design and materials of a development relate to the urban setting in which the development is placed.
- 7.6 The scheme was approved in 2008 and the PAC report noted that “the proposal would largely replicate the existing building ground floor area, but would introduce a high standard of design, thereby enhancing the appearance of the immediate area at this prominent corner site”. Also noting “the exterior of the building had been designed to address equally the live frontages, ie those facing Cottenham Park Road and Oakwood Road”. The proposal is

considered to achieve acceptable design, scale and siting, respecting the character of the area, therefore in compliance with current adopted policies.

7.7 Standard of Accommodation

Adopted UDP policy HS1, supported by Supplementary Planning Guidance [SPG] relating to New Residential Accommodation had provided detailed guidance on minimum room sizes and the previous approved scheme was therefore assessed against the SPG, with all rooms and internal layouts found to be satisfactory. The 5 proposed 2 double bedroom flats provided gross internal areas of 57 sqm; 57sqm; 56sqm; 53 sqm and 69 sqm.

7.8 It is noted that these standards have now been superseded by new London Plan policies, setting out recommended minimum space standards for new build units, according to the numbers of bedrooms and persons within different dwelling types. For example in the case of a 1 bed, 2 person flat, the minimum gross internal floor area must meet 50 sq m and in the case of a 2 bedroom, 4 person unit 70 sq m is required as a minimum.

7.9 However, in the light of government guidance on such applications, it is considered that greater weight should be attached in this instance to the provision of new housing, despite the shortfall in space and that it would therefore be unreasonable to refuse the application.

7.10 Amenity Space

Adopted UDP policy HS1 requires that 10 square metres of amenity space should be provided on-site, per habitable room, for the communal use of occupiers of new flats and this standard is still applied. The approved scheme included 100 sq m of communal amenity space in addition to 95 sq m of on-site space for car parking. The application of garden space standards was applied flexibly in 2008 and it is considered that the proximity of the newly developed public open space on the opposite side of the road, (formerly Atkinson Morley sports fields) would assist in adequately offsetting any on-site shortfall. There has been no subsequent change in policy or circumstance since 2008 that would warrant taking a different approach, or to an extent that would justify refusal of this application.

7.11 Trees

The previous report was submitted with an Arboricultural Report, which noted that the proposal would allow retention of the majority of existing mature trees and shrubs on the site, most of which were found around the front site boundary. This 2008 report recorded that none of the trees had TPO status and the condition of the trees was found to be either "fair" or "poor". The applicant had previously agreed to provide suitable replacement tree planting to maintain and enhance the visual amenities of the appearance of the streetscene. Where necessary, the existing boundary fence had been approved to be replaced with a 2m high close boarded fence to provide a secure and private gardens. Appropriate conditions will therefore again be imposed in respect of these matters.

- 7.12 Neighbour Amenity
UDP Policy BE.15 requires that the orientation and design of new development provides adequate levels of sunlight / daylight to adjoining buildings; ensures good levels of privacy; protects amenities from visual intrusion and ensures that living conditions are not diminished by increased noise or disturbance.
- 7.13 The previous PAC report noted as follows: "The main elevations of the proposed building will broadly follow the existing lines, thus resulting in minimum visual intrusion and impact for neighbouring occupiers. The roof heights would increase: eaves, existing 5.4m/ proposed 6m; ridge, existing 7.1m/ proposed 10m. As the new building is to the south and west of the immediate neighbours, the proposed increase in roof heights would not harm existing sunlight levels for neighbouring occupiers. All first floor and roof level, window openings which face directly towards 16 Oakwood Road have been designed to be smaller and high level, thus removing potential overlooking and loss of privacy between the buildings". There has been no significant change to the siting of immediate neighbouring buildings and no fresh issues are raised in this regard.
- 7.14 Traffic and Parking
Core Strategy policy CS19 states that the Council will support and enhance the public transport network by encouraging developers to demonstrate that proposals will not have an adverse impact on transport within the vicinity of the site. The site has poor access to public transport (PTAL level 2) and Transport Planning Officers confirmed previously that the provision of 5 on-site car parking spaces was acceptable with no anticipated adverse impacts on highway safety.
- 7.15 Planning Obligations
Since approval of the scheme in 2008, the Council has reviewed the application of policy C13, which recognises that new residential development, especially family accommodation, increases pressure and demand on local schools. This policy supports requesting financial contributions based on the likely number of children, the size of the unit and cost of education provision for a pupil. In contrast to the Council's position in 2008, it now seeks full education contributions in respect of secondary education in accordance with the adopted SPD Planning Obligations. The current contribution is £857 for each new 2 bedroom unit of accommodation, therefore a total amount of £4,285 is sought.
- 7.16 The adopted Supplementary Planning Document on Planning Obligations, guided by central government planning circular 05/2005, sets out the Council's approach to obtaining obligations designed to offset the impact of new development. The London Plan 2011 and Core Strategy 2011 both provide further policies in respect of provision of affordable housing. In order to meet the aims of Core Strategy policy CS8 which requires that appropriate on-site affordable housing must be provided, the applicant has submitted estate agent valuations for each new unit and the appropriate contributions will be calculated on this basis.

- 7.17 The calculation is based on the median value of 3 local agents and these are £350,000 for Flat 1, £350,000 for Flat 2, £360,000 for Flat 3, £350,000 for Flat 4 and £425,000 for Flat 5. The contributions are £31,073, £31,073, £31,961, £31,073 and £37,732 respectively and the total sum to be sought is therefore £162,911.
- 7.18 **Planning Obligations for Sustainable Transport**
 While the Mayor's London Plan recognises the importance that planning obligations can make towards improvements in the provision of sustainable transport modes, again this must be measured in terms of identified local projects and whether measures are necessary to mitigate any direct impacts of the development. The Council's Placemaking and Public Realm Project Officer in the Future Merton team has confirmed that contributions are routinely sought towards initiatives for improvements to walking and cycling strategy, but has confirmed that there are currently no identified projects for any such highway works in this part of the borough.
- 7.19 **Local Financial Considerations**
 The proposal would be liable for the Mayor of London's Community Infrastructure Levy, the funds for which will be applied for by the Mayor towards the Crossrail project. The CIL amount is non negotiable and planning permission cannot be refused for failure to pay the CIL.
- 8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**
- 8.1 Policy CS15 of the Core Strategy states that proposals will be required to demonstrate how resources have been used effectively. Policy 5.2 of the London Plan 2011 states that development proposals should make the fullest contribution to minimising carbon dioxide emissions. Merton's approach to sustainable design and construction has moved from the time of the 2008 application towards energy efficient design rather than focusing on renewable energy. To meet current policy targets, the scheme must now incorporate sufficient elements of renewable energy in order to achieve Code Level 4 of the Code for Sustainable Homes and suitable planning conditions will therefore be imposed .
- 8.2 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of an Environmental Impact Assessment (EIA).
- 9. CONCLUSION**
- 9.1 The proposal to redevelop the site is in accordance with London Plan 2011 and Adopted UDP policies and Government Guidance as set out in NPPF, which seek to make more effective use of land for housing.
- 9.2 The proposals would make a contribution towards meeting the Council's housing targets, with acceptable design, scale and appearance and no adverse impacts on neighbour amenity or local character. The new units will provide a modest but satisfactory standard of living space and there are no

anticipated adverse impacts on highway safety. The proposal is therefore recommended for approval subject to appropriate conditions and a planning obligation.

RECOMMENDATION

GRANT PERMISSION subject to planning conditions and the completion of a **Section 106 Obligation** covering the following heads of terms:

1. Provision of financial contribution towards affordable housing (£162,911).
2. Provision of financial contribution towards education (£4,285).
3. The developer agreeing to meet the Council's costs of preparing, drafting and monitoring the Section 106 obligations.

And the following conditions:-

1. A.1 Commencement of development for full application
2. A.7 Approved Plans Site location plan, J 86/01, 2, 3, 4, 5, 6, Arboricultural Report rec'd 28/5/2008.
3. B.3 External materials as specified (dwg nos J 86/04, 05)
4. B.4 Details of surface treatment
5. B.5 Details of wall/fences
6. C.6 Refuse and re-cycling (details to be submitted)
7. D.11 Construction Times
8. F.1 Landscaping/ Planting Scheme
9. F.2 Landscaping (Implementation)
10. F.5 Tree Protection
11. F.9 Hardstandings
12. H.1 New Vehicle Access – details to be submitted
13. H.2 Vehicle Access to be provided
14. H.4 Provision of Vehicle Parking
15. H.5 Visibility Splays
16. H.6 Cycle Parking – Details to be submitted
17. H.7 Cycle Parking to be implemented
18. H.9 Construction Vehicles

- 19. J.1 Lifetime Homes
- 20. J.3 Level Access
- 21. L.2 Code for Sustainable Homes Pre Commencement
- 22. L.3 Code for Sustainable Homes Pre Occupation

Informatives

- 1) Lifetime Homes Details of Lifetime Homes Standards can be found at www.lifetimehomes.org.uk
- 2) Wheelchair Accessible Standards - Details of wheelchair accessible standards can be found in 'Wheelchair Housing Design Guide' (Second Edition, 2006) by Stephen Thorpe.
- 3) Code for Sustainable Homes - The applicant is advised that further details regarding the Code for Sustainable Homes are available at the following link: http://www.planningportal.gov.uk/uploads/code_for_sust_homes.pdf
- 4) BREEAM - Details of the BREEAM assessment and a list of approved assessors can be found at www.breeam.org
- 5) Advice regarding permeable and porous hardstandings can be found in the document 'Guidance on the Permeable Surfacing of Front Gardens': <http://www.communities.gov.uk/documents/planningandbuilding/pdf/pavingfrontgardens.pdf>.
- 6) Construction of Accesses - 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.
- 7) Works on the Public Highway - 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.
- 8) Drainage - It is the responsibility of the developer to make proper provision for drainage to ground, watercourses or a suitable sewer. In respect of surface water it is recommended that the applicant should ensure that storm flows are attenuated or regulated into the receiving public network through on or off-site

storage. When it is proposed to connect to a combined public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Connections are not permitted for the removal of ground water. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no. 0845 850 2777).

- 9) Community Infrastructure Levy - The development hereby approved is likely to be liable to the Community Infrastructure Levy (CIL) upon the date that the final approval, required by condition before the development hereby approved commences, is given. The chargeable amount of CIL that is likely to be payable (subject to any successful applications for relief, surcharges, inflation or late payment interest charges) is £<<insert amount>>. Note that this amount has been calculated using information provided by the applicant during the course of the application and could be subject to revision when liability is confirmed. To avoid substantial surcharges an Assumption of Liability Notice and a Commencement Notice must be submitted to the Local Planning Authority prior to commencement of the development hereby approved. A Liability Transfer Notice can be submitted prior to the day the final payment falls due should parties who will be liable to pay change. These notices can be found on the planning portal at www.planningportal.gov.uk <<http://www.planningportal.gov.uk>>. For more information regarding CIL visit www.merton.gov.uk/CIL or email cilevy@merton.gov.uk or new
- 10) NOTE to Applicant 1 - 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:
- Offering a pre-application advice and duty desk service.
 - Where possible, suggesting solutions to secure a successful outcome.
 - As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.
- In this instance:
- The applicant/agent was provided with pre-application advice.
 - The application was considered by the Planning Committee.



London Borough of Merton
 100 London Road
 Morden
 Surrey
 SM4 5DX

Scale 1/1250
 Date 27/2013

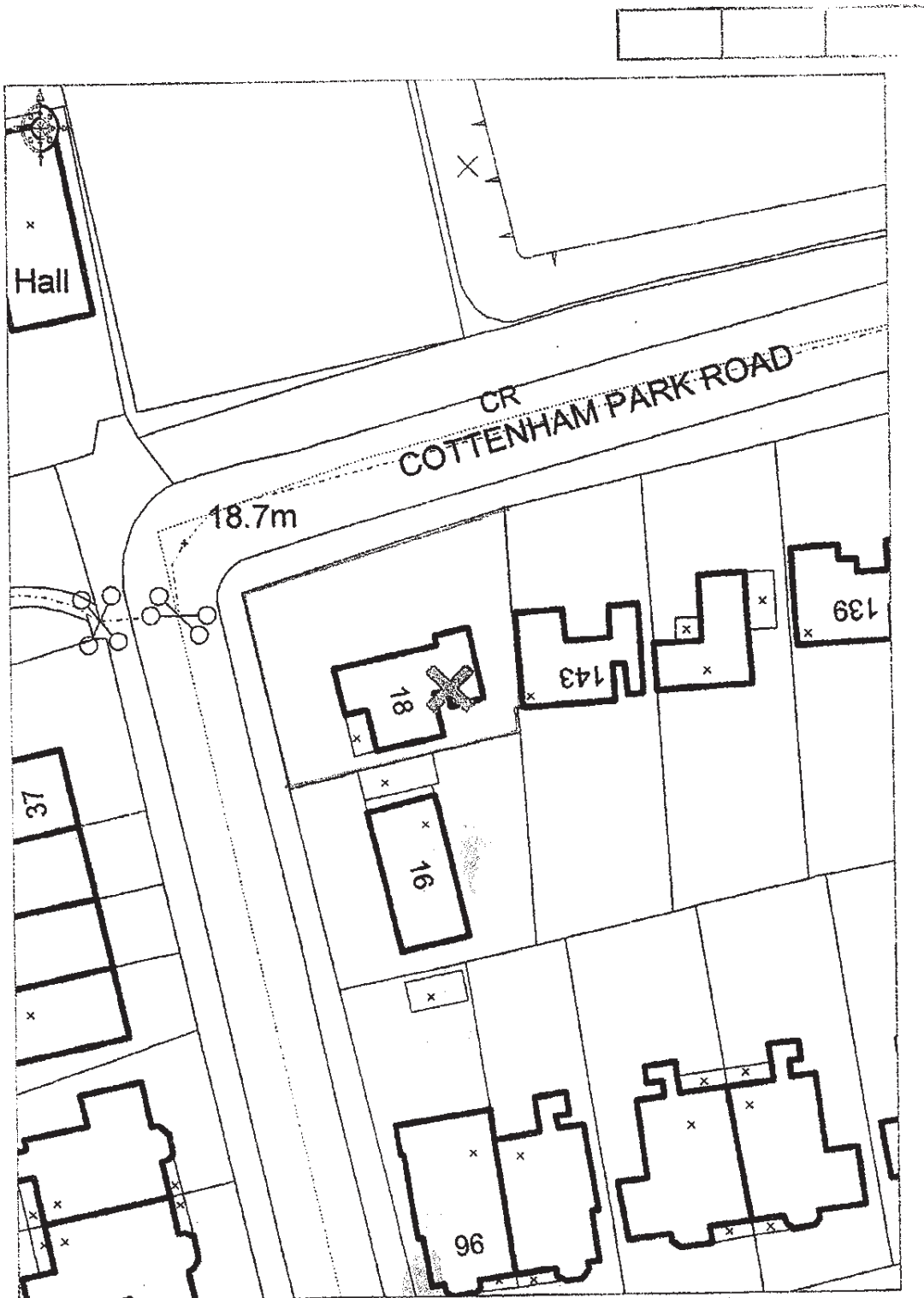
18/18A Oakwood Road

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DEVELOPMENT CONTROL

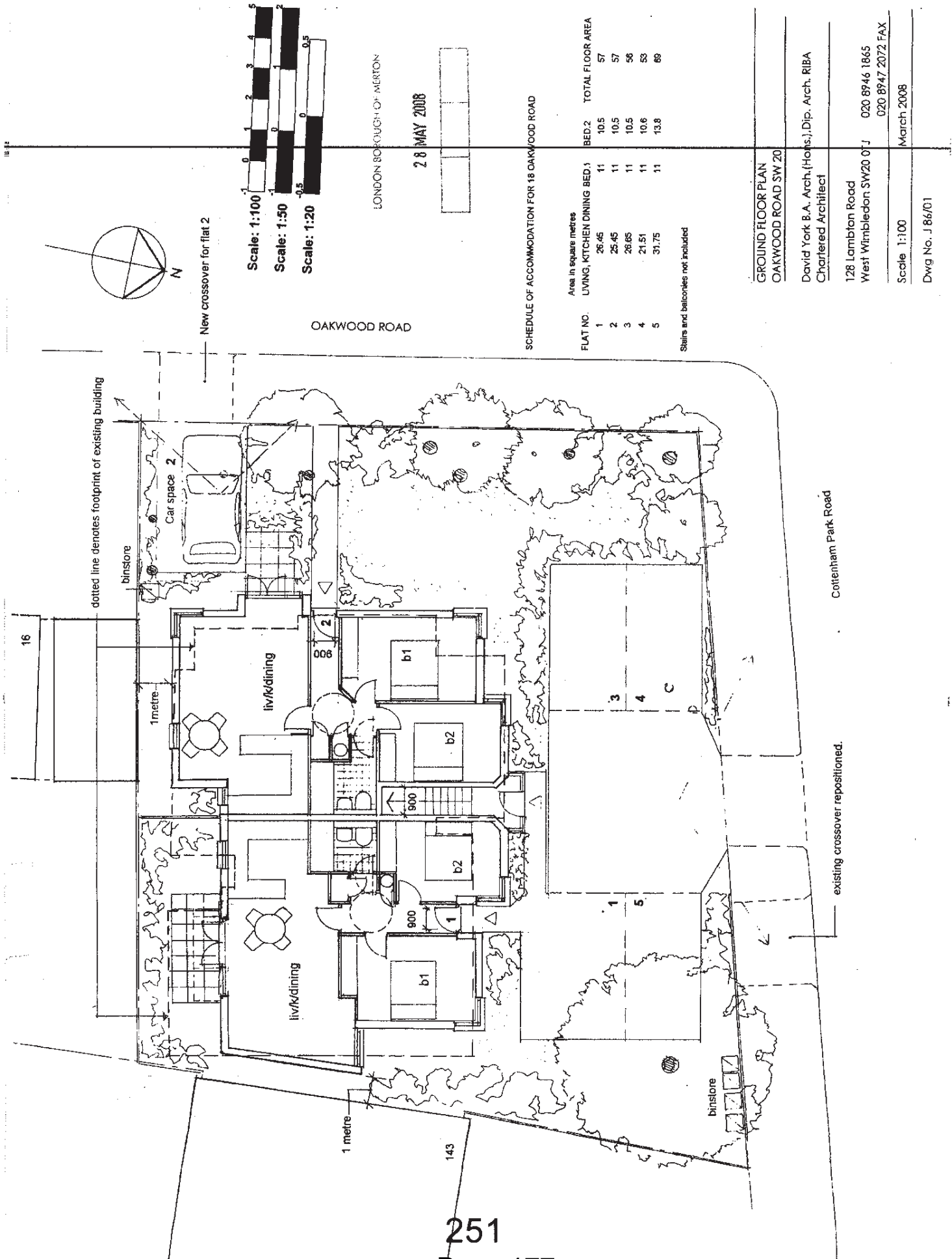
LOCATION PLAN

28 MAY 2008



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18 OAKWOOD ROAD SW20 0PN



LONDON BOROUGH OF MERTON

28 MAY 2008

SCHEDULE OF ACCOMMODATION FOR 18 OAKWOOD ROAD

FLAT NO.	Area in square metres		TOTAL FLOOR AREA
	LIVING, KITCHEN DINING	BED 2	
1	26.45	11	37.45
2	25.45	11	36.45
3	26.65	11	37.65
4	21.51	11	32.51
5	31.75	11	42.75

Stairs and balconies not included

GROUND FLOOR PLAN
OAKWOOD ROAD SW 20

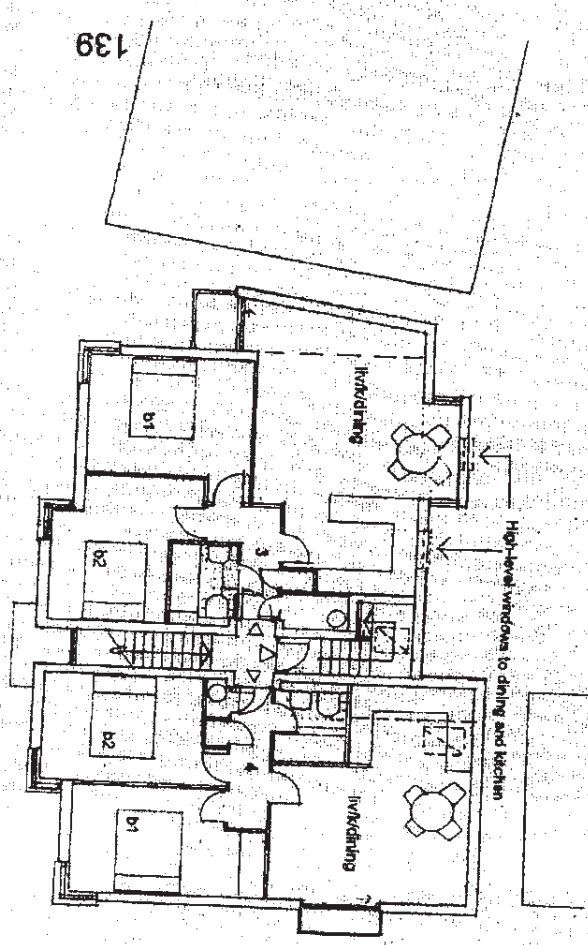
David York B.A. Arch.(Hons.), Dip. Arch. RIBA
Chartered Architect

128 Lambton Road
West Wimbledon SW20 0TJ
020 8946 1865
020 8947 2072 FAX

Scale 1:100

March 2008

Dwg No. J 86/01



139

AMENDED

NOT TO SCALE

A note added re. high-level windows to dining and kitchen July 08
REVISIONS



SCHEDULE OF ACCOMMODATION FOR 18 DAYTON ROAD

15 JUL 2008

LONDON BOROUGH OF MERTON
LONDON BOROUGH OF MERTON

Area in square metres

FLAT NO.	LIVING	KITCHEN	DINING	BED 1	BED 2	TOTAL FLOOR AREA
1	28.46	11	11	10.5	57	
2	25.42	11	10.5	10.5	57	
3	26.88	11	10.5	10.5	58	
4	21.81	11	10.5	53	55	
5	31.75	11	10.5	58	61	

Stairs and balconies not included

FIRST FLOOR PLAN
OAKWOOD ROAD SW 20

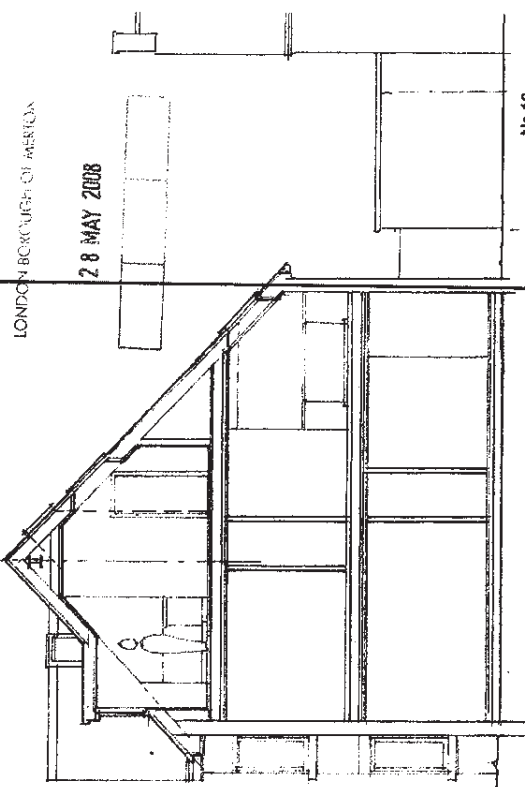
David York, B.A. Arch, U.N.I.T.S., Dip. Arch, RIBA,
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Scale: 1:100
March 2008

DWG No. J 86/02 A

Scale: 1:100
 Scale: 1:50
 Scale: 1:20



LONDON BOROUGH OF AMERICA

2 8 MAY 2008

SECTION ON A-A

No. 16

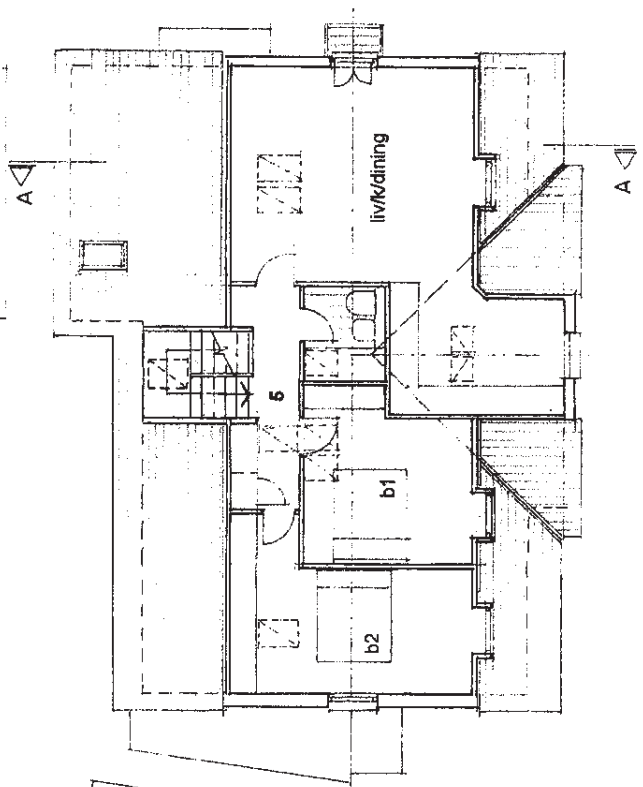
SECOND FLOOR PLAN AND SECTION A-A
 OAKWOOD ROAD SW 20

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 020 8947 2072 FAX

Scale: 1:100
 March 2008

Dwg No. J 86/03



A

liv/dining

b1

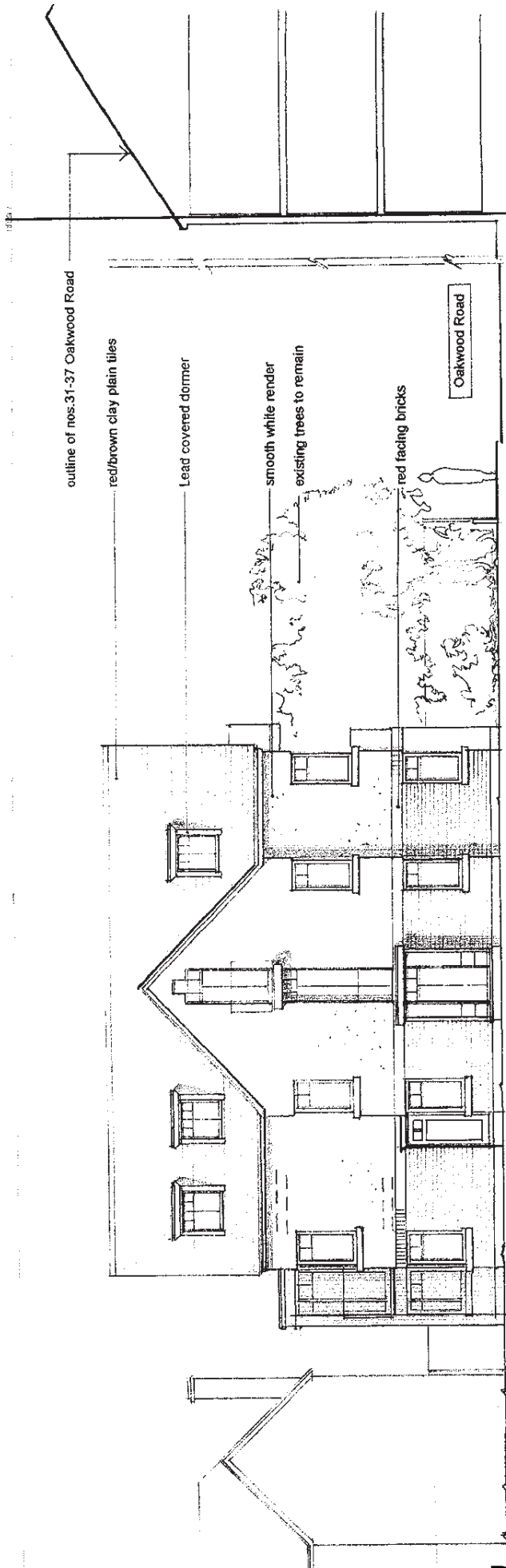
b2

A

SCHEDULE OF ACCOMMODATION FOR 18 OAKWOOD ROAD

FLAT NO.	Area in square metres			TOTAL FLOOR AREA
	LIVING, KITCHEN DINING	BED.1	BED.2	
1	26.45	11	10.5	57
2	25.45	11	10.5	57
3	26.65	11	10.5	58
4	21.51	11	10.6	53
5	31.75	11	13.8	69

Stairs and balconies not included

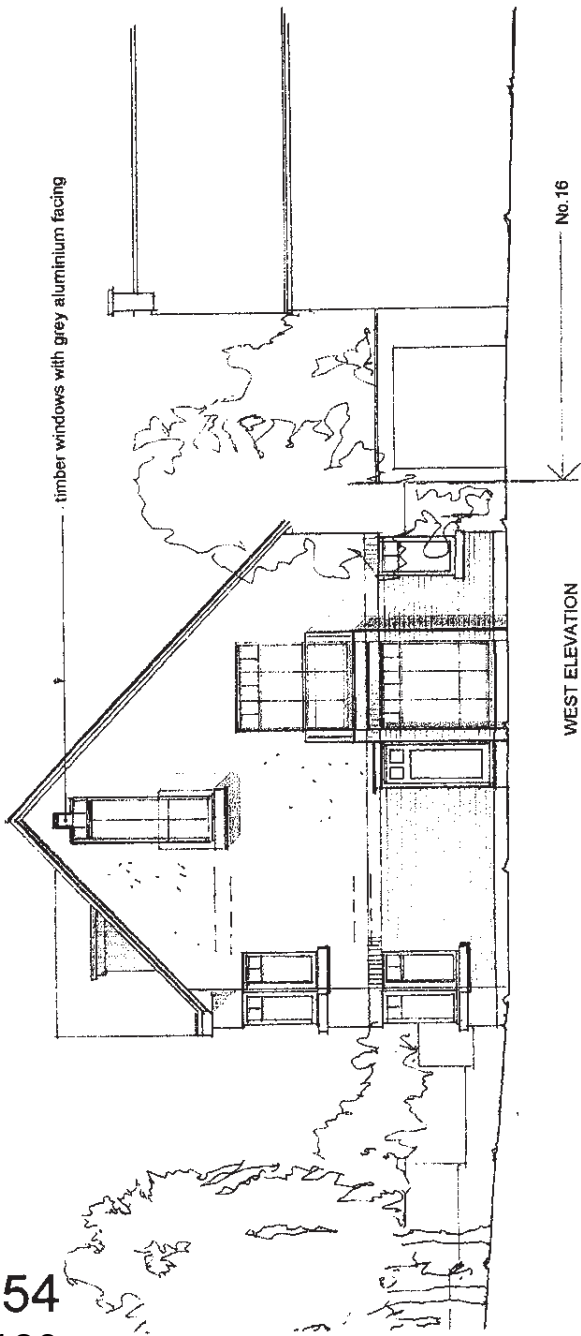


NORTH ELEVATION

28 MAY 2008

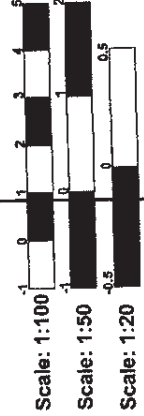
No. 143
Coffenham Park Road

254
Page 180
193



WEST ELEVATION

No. 16

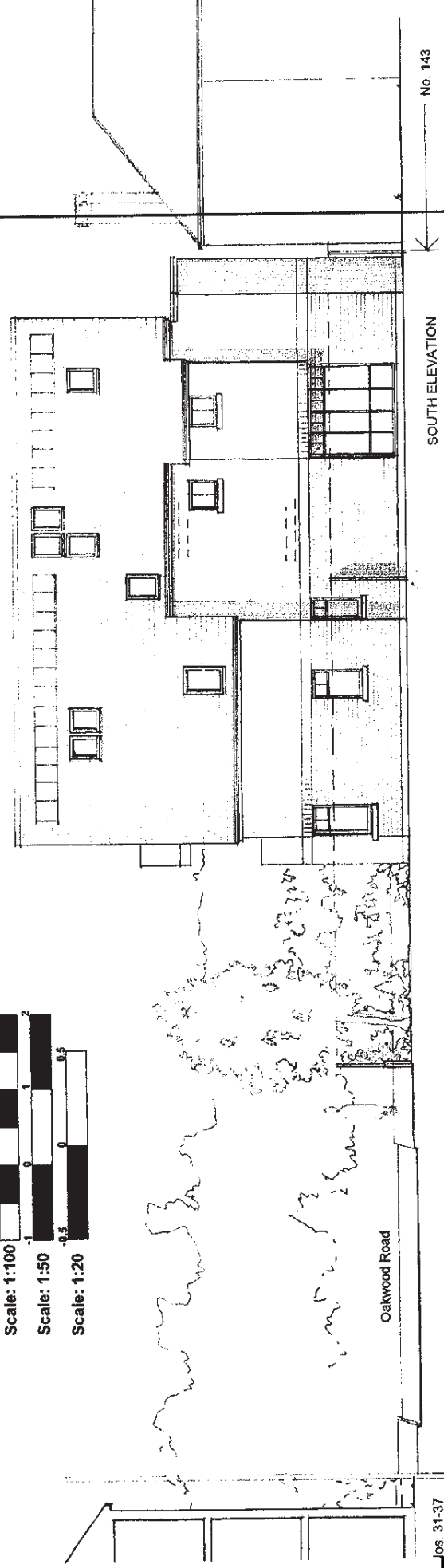


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NORTH AND WEST ELEVATIONS OAKWOOD ROAD, SW 20	
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Scale 1:100	March 2008
Dwg No. J 86/04	



No. 143

outline of nos. 31-37 Oakwood Road
 LONDON BOUNDARY FACILITY

28 MAY 2008

- existing trees to remain
- red-brown clay plain tiles
- smooth white render
- timber windows with grey aluminium facing
- red facing bricks

Cottentham Park Road

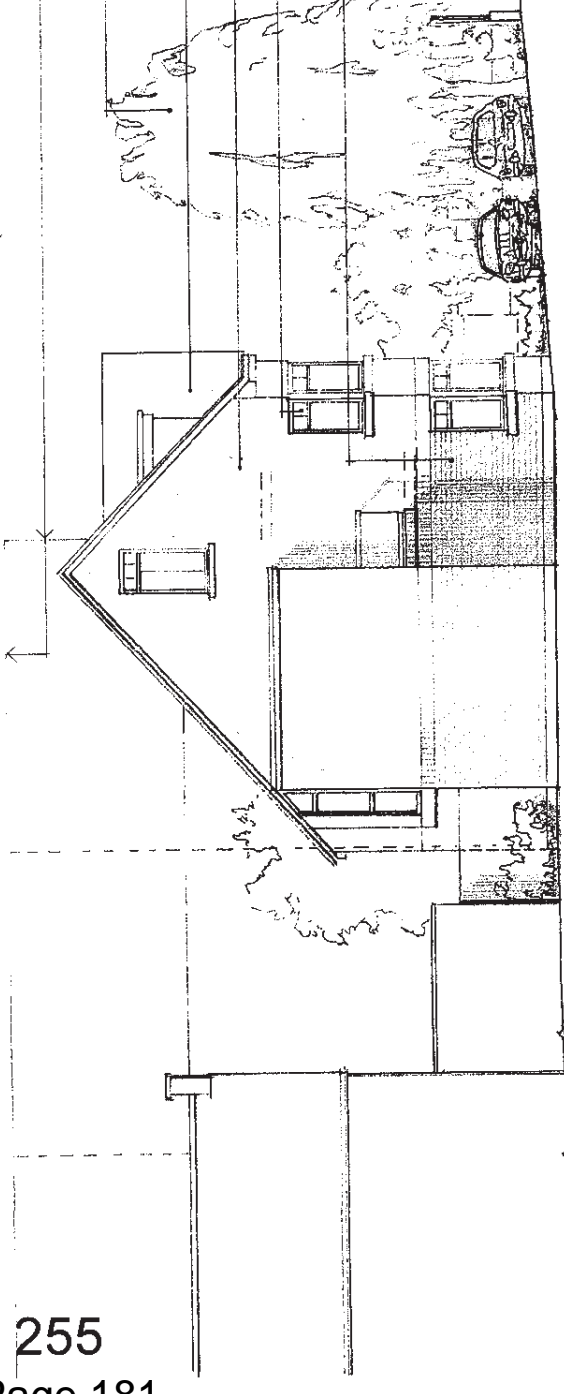
SOUTH AND EAST ELEVATIONS
 18 OAKWOOD ROAD SW20

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 May 2008

Dwg no. JB6/05



No. 16

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