Agenda Item 8

PLANNING APPLICATIONS COMMITTEE 7 November 2013

Item No:

<u>UPRN</u>	APPLICATION NO.	DATE VALID
	13/P0952	10/04/2013
Address/Site	247 The Broadway, Wimbledon SW19 1SD	
(Ward)	Abbey	
Proposal:	Demolition of existing office building and construction of a new five storey building for flexible office/health use (Class B1/D1) and 9 x 2 bedroom flats in adjoining three storey block	
Drawing Nos	518/462/P4, 463/P4, 464P4, 465P3, 466/P3, 468/P3, 469/P4, 480/P4, 481/P3, 482/P3, 483/P4, 484/P3, 501/P2, Planning Statement, Daylight and Sunlight Report, Design and Access Statement and Transport Statement	
Contact Officer:	Richard Allen (8545 3621)	

RECOMMENDATION

GRANT Planning Permission subject to completion of a S.106 Agreement and conditions

CHECKLIST INFORMATION

- Heads of agreement: Yes Contribution to Public Transport Initiatives and the residential units be designated 'permit free'.
- Is a screening opinion required: No
- Is an Environmental Impact Statement required: No
- Press Notice: Yes
- Site notice: Yes
- Design Review Panel consulted: Yes
- Number of neighbours consulted: 37
- External consultants: None
- Density: N/a
- Archaeology: N/a

1. **INTRODUCTION**

1.1 This application is being brought before the Planning Applications Committee due to the number of representations received and the requirement for a S.106 Agreement.

2. SITE AND SURROUNDINGS

2.1 The application site is located on the south side of The Broadway and is currently occupied by a three storey office development constructed in the 1980's. Opposite the site is the Holy Trinity Church and the Polka Theatre. To the south of the site are two storey houses in Griffiths Road. The site is flanked by a three storey Victorian villa converted into offices to the west and to the east by the Antoinette Hotel dating from the 1970's. The application site is not within a conservation area. A Controlled Parking Zone (CPZ W3) operates in The Broadway and in adjoining streets.

3. CURRENT PROPOSAL

- 3.1 The current proposal involves the demolition of the existing office buildings and the redevelopment of the site by the construction of a new five storey building for flexible office/health use (B1/D1 use) and 9 x 2 bedroom flats within and adjoining three storey building.
- 3.2 The existing building provides approximately 1,007m2 of office accommodation (class B1) set within a landscaped hard standing with 28 car parking spaces. Access to the building is not up to current standards and there are no lifts. Options for extending and refurbishing the building have been examined however the existing structure is not sufficient to add accommodation above. The proposed redevelopment would provide 1,564m2 of high quality office space (B1/D1 use), 9 flats, 14 car parking spaces and 26 cycle spaces.
- 3.3 The proposed development would have a five storey building fronting The Broadway with the smaller, three storey residential block of 9 flats located at the centre and south of the site. The flats and offices would form an L shaped development enclosing a semi-public courtyard space from which the buildings are entered. The proposed office building would have an overall height of 20 metres (to the top of the plant room that would be set back from the front elevation of the building) with the main elevation being 18 metres in height. The office building would be 16.5 metres in width and 23 metres in length and would be setback from the footway on The Broadway by 1.2 metres. The residential block would be constructed at the rear of the site and would be 12 metres in height. The front elevation of the residential block would be set back from the site frontage by 18.5 metres. The building would be 20 metres in length and 30 metres in width and would form an 'L' shaped development with the offices on the site frontage and a side courtyard. Parking would be provided at the rear of the site within the undercroft (14 car parking spaces including two disabled spaces and 26 secure cycle parking

spaces). It is also proposed to undertake tree planting at the rear of the site by planting 8 Hornbeam trees along the rear boundary.

4. PLANNING HISTORY

- 4.1 In July 1984 planning permission was granted for the redevelopment of the site by the erection of a three storey office building (Ref.MER536/84).
- 4.2 In December 2010 a pre- application submission was made in respect of the redevelopment of the site involving the erection of a five storey building (LBM Ref.11/P0128/NEW).
- 4.3 The plans submitted for pre-application discussions were considered by the Design Review Panel at thier meeting on 24 July 2012. The Panel were impressed by the amount of development that was being proposed on the site, but felt that there were a few areas of concern that might suggest that a little too much was being proposed, or that some issues were being given too much weight at the expense of others, this being evident in the architectural approach taken for the rear of the building in particular. This led the Panel to question whether the site layout and massing approach taken was the best one, but felt that it was up to the applicant to justify their approach in this respect. From an architectural point of view the Panel were very supportive particularly with respect to the offices and their environmental credentials. Regarding the flats, there were concerns regarding the design, where on one side the flats were overlooked by the offices in a small light well; and on the other there were full room height solid balcony walls, giving the flats an exceptionally constrained and hemmed in feel, with little in the way of views or prospect.
- 4.4 On this south elevation, it was felt guite strongly by the Panel that the applicant was being over cautious about the perceived (rather than actual) overlooking of houses and gardens of properties in Griffiths Road. Given the relatively generous building to building distances, it was felt that there was considerable scope to improve the quality of light and views from the flats without unduly prejudicing the amenities and rights of adjacent gardens. The Panel also noted there was no external amenity space for the flats other than the balconies, which made it all more important these were of a high quality environment. It was felt that the rear landscaping strip was effective a privacy tool for the rear gardens and this role should be maximised. The Panel felt that there was no particular design precedent for a courtvard on the street but that it could be made to work well. The Panel advised that it's design should bleed out onto the footway to feel inclusive, and that the groundscape should be kept free from clutter, such that it feels like a pedestrian place, even though vehicles need to cross it to access the parking.
- 4.5 It was felt that the parking area was too cramped, that some spaces were unworkable and that this needed to be reduced to make it work efficiently. This would help in achieving a better layout for the route across the courtyard and the planting of trees and having a dedicated pedestrian space. It would

also help in improving the quality of the access to the residential entrance. These improvements would give the courtyard more identity and meaning. Overall the Panel appreciated the complexities of the site in achieving an intensified development, but felt enough further work was required to make the proposal successful, such that it did not yet warrant a Green verdict. It was felt that the overall balance of various aspects of the proposal had not yet been got right and this was probably achievable and had the potential to get a Green verdict. Verdict: <u>Amber</u>

5. CONSULTATION

5.1 Major site and press notice procedure and letters of notification to occupiers of neighbouring properties. In response 14 letters of objection and a petition of 38 signitures has been received. The grounds of objection are set out below:-

-The balconies would overlook properties in Griffiths Road.

-The buildings will result in loss of light to properties in Griffiths Road. -The proposed flats lack amenity space and parking. There are 24 parking spaces at present and the new scheme proposes only 14 spaces.

-The proposals represent over developmet on the site.

-The proposal would affect light to the engineer's offices at 241 The Broadway.

-The building has a larger footprint than the existing building and is closer to the boundaries.

-The bulk of the building would be overbearing on properties in Griffiths Road. -The proposed building would be closer to the rear boundary than the existing buildings on the site.

-The present use of the site is offices that are occupied from 09.00-17.00 Monday to Friday. The proposal introduces residential use to the rear of the site close to the boundary with residential properties in Griffiths Road.

-The proposed development is similar in theme to the redevelopment of 153-161 The Broadway above 'Henry J Beans' bar which has been rejected by the Council (LBM Ref.11/P3437). If both schemes went ahead it would severely impact upon residential properties in Griffiths Road and overpower other building in this part of the Town Centre.

-The proposed building is out of scale and would be taller than the adjacent Antoinette Hotel and would overpower 241 The Broadway and the Holy Trinity Church.

-The design of the building is unsympathetic and less attractive than the existing buildings on the site.

-The residential part of the development makes no provision for low cost or affordable housing.

-The proposal will result in noise and disturbance.

-It is unsustainable to demolish a building that was only built in the 1980's. -The mature Cedar tree was removed prior to the application being submitted. Replacement tree planting should be required as part of any redevelopment proposal.

5.2 <u>Support</u>

The Prince's Road Surgery state that the development would provide flexible space for healthcare use and is potential location for a Doctor's surgery. The existing surgery in Prince's Road operates from an outdated building with no lift and limited facilities. The existing premises do not conform to the Disability Discrimination Act (DDA), lack the flexibility to deliver modern services or is large enough for patients, visitors or staff. The Prince's Road Surgery would be keen to relocate to The Broadway subject to funding.

5.3 <u>Crime Prevention Officer</u>

The Crime Prevention officer has examined the proposal and has stated that the Secured by Design principles should be incorporated as a minimum requirement for the development. Following discussions with the developer the Crime Prevention Officers comments were taken on board.

5.4 Design Review Panel

The proposal was considered at the Design Review Panel meeting on 29 May 2013. The Panel were generally positive about the proposals and felt they were an improvement on the previous review of this scheme, which received an amber verdict. Whilst it was felt that the applicant was trying to put a lot of development on the site, it was felt that overall, the massing, form and height of the development was acceptable. It was clear that a lot of work had gone into how the site could be successfully redeveloped and intensified. Particular positive elements noted were the retention and development of the courtyard and the responsiveness of the elevations to the different environmental conditions found on each side of the site. It was felt the architectural solution was quite robust and that the office block looked good - notably the corner facing west and the courtyard setting.

- 5.5 The fact that there were no single flats was noted and welcomed. Also considered an improvement were changes to the balcony screens, which were lower and created a lighter and more open feel to the balconies but retained privacy in both directions by use of the proposed fritted (opaque) glass. The panel raised a couple of points of concern where it felt more work would be beneficial. However, even combined, it was felt they did not warrant a less positive verdict. Whilst noting the improvements to the rear and balconies it was felt that the proposed tree boundary could be made more easily manageable from within the site by use of a more vertiginous tree species.
- 5.6 It was also noted that the balconies on the west elevation were where the density of development was most obvious and less well resolved. Here the balcony glazing was still very high, enclosed and very restrictive in view. This was less to do with it not meeting standards relating to amenity and light, but more with the quality of the outlook from the flats. This would benefit from further work. A question was also raised regarding how side windows to the development may affect future redevelopment of adjacent sites. Secondly, the Panel commented on the design of the courtyard and felt strongly that more work was needed to ensure that its design was robust to potential anti-social behaviour. His meant that it had to feel like a courtyard rather than an access route to the car park. Getting the lighting, vegetation and materials right was

considered very important, and that in this case quality maybe paramount over some environmental factors such as paving porosity. The gate needed to be positioned so as to prevent people entering the undercroft. It was also considered that the cycle parking was substandard and needed to be increased in quality and possibly quality as well. The Panel noted the applicant's willingness to make further changes and felt that it was a good quality proposal. <u>Verdict: Green</u>

5.7 Amended Plans

Following the Design Review Panels meeting on 29 May 2013, further revisions were made to the proposed design:-

-planting buffer against the south elevation widened to improve screening. -cycle parking increase to provide 2 spaces per flat.

-courtyard paving amended to stone paving.

-security screen to car park moved forwards to minimise depth of publicly accessible undercroft.

-undercroft to be well lit.

-refuse stores to be accessed directly from courtyard.

-fixed louvered screens have been omitted to the flats south facing windows and fritted glass aprons installed to improve the quality of light to the new residences whilst maintaining privacy and security.

-balustrades to residential terraces have been amended to improve light and openness, by lowering the solid balcony elements to 800affl at first floor and 500affl on second and third floor levels. Frittered glass balustrades are installed over for light and security.

-west elevation balconies at second and third floor have been reduced, to maintain bigger sky views from the adjacent engineers office, whilst maintaining privacy for the flats above and the engineers office.

5.8 Amended Plans

Following the submission of the application and discussions with officer's further revisions were made to the design of the rear elevation of the proposed building to increase the separation distance between the rear elevation of the proposed flats and the rear boundary of the site. A reconsultation has been undertaken and any further representations will be reported to committee.

6. **POLICY CONTEXT**

- 6.1 The relevant policies within the Adopted Merton Core Strategy (July 2011) are CS6 (Wimbledon Town Centre), CS7 (Centres), CS8 (Housing Choice), CS9 (Housing Provision), CS12 (Economic Development), CS14 (Design), CS15 (Climate Change) and CS20 (Parking, Servicing and Delivery).
- 6.2 The retained policies within the Adopted Merton UDP (October 2003) are TC.1 (Promoting Development in Town Centre), E.1 (General Employment Policy), E.2 (Access for Disabled People), HS.1 (Housing Layout and Amenity), BE.15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise), BE.16 (Urban Design), BE.17 (Urban Design-Application of Standards) and BE.22 (Design of New Development).

6.3 The Policies contained within the London Plan (July 2011)
2.15 (Town Centres), 3.3 (Increasing Housing Policy), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing), 3.8 (Housing Choice), 3.10 (Definition of Affordable Housing), 3.11 (Affordable Housing), 3.17 (Health and Social Care Facilities), 4.1 (Developing London's Economy), 4.3 (Mixed Use Development and Offices), 5.1 (Climate Change Mitigation), 5.3 (Sustainable Design and Construction), 7.5 (Public Realm) and 7.6 (Architecture).

7. PLANNING CONSIDERATIONS

7.2 The principal planning considerations concern employment issues, together with design, neighbour amenity, parking and tree issues and planning obligations.

7.3 Employment Issues

The existing office accommodation makes poor use of the site providing 1,005m2 of (B1) office floorspace on a site of approximately 0.13ha. The proposed scheme would provide 1,564m2 of floorspace for flexible use within a modern building in addition to 9 new residential units. The existing building was built in the 1980's and does not make the best use of the site and does not have any lifts. The proposed redevelopment would provide 1,564m2 of quality office accommodation within a new building and seeks a flexible B1/D1 use. A local Doctor's surgery has already expressed interest in relocating the development (subject to funding). The proposal is therefore considered to be acceptable in terms of retained UDP policy E.1.

7.5 Design Issues

Adopted Core Strategy policy CS14 relates to design matters and paragraph 22.20 of the Core Strategy specifically refers to high buildings and states that tall buildings of exceptional architectural quality may be appropriate for town centres. It is noted that a number of objections have been received from local residents concerned about the height of the proposed buildings. The proposed office building would comprise a five storey block 20 metres in height (to top of the plant room). However, the height of the building is considered to be acceptable for this part of The Broadway and the proposal is considered to be acceptable in terms of retained UDP policy BE.16.

7.6 Neighbour Amenity Issues

A number of representations have been received from occupiers of residential properties at the rear of the site in Griffiths Road concerned about the impact of the development upon their properties. The closest part of the rear elevation of the proposed building would be 23 metres from the rear elevation of properties in Griffiths Road. The ground and first floor level of the building would be 3.875 metres from the rear boundary with properties in Griffiths Road with the separation distance between the rear elevation and the boundary increasing as the height of the building increases with the third floor

being set back 5.750 metres from the rear boundary to give a separation distance of 29 metres from the rear elevation of the third floor to the rear elevations of properties in Griffiths Road. Although balconies would be provided to flats facing properties in Griffiths Road, the balconies would have a 700mm high obscure glazed screen mounted above the 800mm balcony parapet which would limit downward views towards gardens of properties in Griffiths Road. It is also proposed to plant a row of eight semi-mature trees along the rear boundary that will further screen the development from properties in Griffiths Road. It is therefore considered that these measures would prevent overlooking and/or loss of privacy to properties in Griffiths Road. The concerns of the occupiers of the offices at 241 The Broadway regarding overlooking are noted. However, the balcony screening measures outlined above would also apply to balconies on the side elevation. The proposal is therefore considered to be acceptable in terms if retained UDP policy BE.15.

7.7 Parking

The existing development has 24 off street parking spaces and the proposal would reduce the number of spaces to 14 spaces (including two disabled spaces). The application site is within a Controlled parking Zone (CPZ W3) and the site has good public transport accessibility. The proposal is therefore considered to be acceptable in terms of policy CS20.

7.8 <u>Trees</u>

Until last year there was a mature Cedar tree located on the site frontage and this has been removed. The developer is proposing to plant three trees within the proposed courtyard.

7.9 Sustainability

It is proposed to create an extremely low-energy building, using natural lighting and ventilation wherever possible supplemented by heat exchange ventilation in winter mode. The buildings have been designed to maximise the use of natural light will come from efficient low energy lighting with lower background light levels to office areas and local task lighting. Artificial lighting will be controlled by daylight occupancy sensors. Acoustically attenuated vents to north and west elevations will provide natural ventilation whilst reducing traffic noise and will provide solar shading to the glass in the west elevation. Renewable energy will be provided photovoltaic's on the roofs. The energy use will be well below the Building Regulations 2010 requirements. The target for office development is BREEAM Excellent, and for the residential Code for Sustainable Homes level 4 minimum.

7.10 Planning Obligations

The proposal involves a residential development of 9 residential units and Core Strategy Policy CS8 (Housing Choice) requires the developer to make a financial contribution towards affordable housing in the borough. The developer has undertaken a financial appraisal of the development and the report concluded that the development could not support a financial contribution towards affordable house. The developer's financial appraisal has been independently reviewed and the consultant has confirmed that the developer's financial appraisal is comprehensive and generally base on reasonable assumptions. However the construction costs is unrealistically high, and there are a few anomalies and the overall development timetable is unnecessarily long resulting in excessive financing costs. However, the independent consultant concluded that having made appropriate adjustments to the calculations using the Arugs Development Model, the consultant concluded that the development could not support a financial contribution towards off-site affordable housing provision in the borough. However, the consultant notes that given the volatility of the housing market and the anticipated increase in residential values that seems certain to follow from the introduction of the Government's enhanced Help to Buy scheme, the consultant would recommend that the Council considers the inclusion of review clauses within a Section 106 Agreement associated with any planning approval.

- 7.11 The proposal involves the redevelopment of the site for a mixed use development. A financial contribution towards sustainable transport initiatives in the borough would be required.
- 7.12 <u>Local Financial Considerations</u> The proposed development is liable for the Mayoral Community Infrastructure Levy, the funds of which will be applied by the Mayor towards the Crossrail project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to agree to pay the CIL.

8. <u>SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT</u> <u>REQUIREMENTS</u>

8.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms on EIA submission.

9. CONCLUSION

9.1 The design of the proposed buildings is considered to be acceptable and the proposed development would not affect neighbour amenity. The proposal would provide new high quality office space and nine flats in a town centre location with good public transport accessibility. Accordingly, it is recommended that planning permission be granted.

RECOMMENDATION

GRANT Planning Permission

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

1. The developer making a financial contribution to sustainable transport initiatives in the area (£TBC).

2. The residential units hereby permitted be designated 'permit free'.

3. The developer paying the Council's legal and professional costs in drafting, completing and monitoring the agreement (\pounds 500).

and subject to the following conditions:-

- 1. A.1 <u>Commencement of Development (5 Years)</u>
- 2. B.1 (Approval of Facing Materials)
- 3. B.4 (Details of Site Surface Treatment)
- 4. C.6 (Refuse and Recycling Details to be Submitted)
- 5. C.7 (Refuse and Recycling Implementation)
- 6. D.1 (Hours of Construction)
- 7. D.5 (Soundproofing of Plant and Machinery)
- 8. D.9 (No External Lighting)
- 9. H.4 (Provision of Parking)
- 10. H.6 (Cycle Parking)
- 11. H.9 (Construction Vehicles Major Sites)
- 12. H.12 (Delivery and Servicing Plan to be Submitted)
- 13. INF12 (Works Affecting the Public Highway)























