

PLANNING APPLICATIONS COMMITTEE
19 October 2017

APPLICATION NO.

DATE VALID

17/P2332

14/06/2017

Address/Site Belvedere Court, 1A Courthope Road, Wimbledon Village SW19 7RH

Ward Village

Proposal: Demolition of the existing building and erection of a three storey building (with accommodation at basement level and within the roof space) comprising 9 x 2 bedroom flats together with associated car parking and landscaping.

Drawing Nos 525 1, 2, 3F, 4F, 6, 7, 8C, 9 and Design and Access 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: No
- Is a screening opinion required: No
- Is an Environmental impact statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice-Yes
- Site notice-Yes
- Design Review Panel consulted-No
- Number neighbours consulted - 29
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone:

1. **INTRODUCTION**

- 1.1 Planning permission has previously be granted by the Planning Applications Committee for the demolition of the existing building and erection of a three storey building comprising 9 x 2 bedroom flats (LBM Ref.16/P0298). The planning permission was subject to the development being 'permit free' secured through a S.106 Agreement. The current application seeks revisions to the approved scheme, increasing the parking provision and removal of the 'permit free' requirement. There are no proposed changes to the approved building. The application has been brought to the Planning Applications Committee due to the number of objections received.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a detached building containing eight flats situated on the south west side of Courthope Road. The building is set well back from the site frontage and has rear access and off street parking accessed from High Street. Courthope Road is residential in character with mixed commercial , with some residential above commercial premises in the High Street, which back onto High Street Mews at the rear of the site. The application site is within the Merton (Wimbledon North) Conservation Area. The Wimbledon North Conservation Area Assessment – (Sub Area 4 Belvedere) states that the building is an uncharacteristic block of flats set well back form the road. The application site is within a Controlled Parking Zone (CPZ Von).

3. CURRENT PROPOSAL

- 3.1 The current application involves the demolition of the existing building and the erection of a three storey building (with accommodation at basement level and within the roof space) comprising 9 x 2 bedroom self-contained flats together with associated car parking and landscaping.
- 3.2 The proposed building would be 14.5 metres in length, 13.5 metres in width and the proposed building would be set back from the Courthope Road frontage by between 20 and 22 metres. The rear elevation of the building would be set back 2.5 metres from the High street Mews frontage. The building would be set off the boundary with 3 Courthope Road by 2.5 metres and by between 1.5 and 3 metres from the boundary with 1 Courthope Road. The building would have an eaves height of 10 metres and have a hipped roof with an overall height of 13 metres.
- 3.2 Internally, at lower ground floor level 2 x two bedroom flats would be formed, each flat having a combined kitchen/living room. Light would be provided by light wells to the front and side elevations of the building. Each flat would have a gross internal floor area of 70m² and 71.4m² respectively. Each flat would have a rear garden of 26m² and 32.7m². At upper ground floor level 2 x 2 bedroom flats would be formed with a gross internal floor area of 70.2m². At first and second floor levels 2 x 2 bedroom flats would be formed (with an identical footprint⁰, the flats on each floor having a gross internal floor area of 64.8m² and 70.6m² respectively. The flats on the upper ground, first and second floor levels would each have a rear balcony. At third floor level a two

bedroom flat would be formed within the roof space (Gross internal floor area of 92m²). The third floor flat would have a roof terrace of 10m².

- 3.3 Off street car parking for 7 cars would be provided. Six spaces within the front curtilage and one space provided at the rear of the building. A traditional design approach has been adopted for the proposed building which would be constructed in handmade Flemish brick, cast stone detailing, painted stucco bay windows, painted timber sash windows and a clay tiled roof.

4. **PLANNING HISTORY**

- 4.1 In May 2017 planning permission was granted by the Planning Applications Committee for the demolition of the existing building and erection of a three storey building (with accommodation at basement level and within the roof space) comprising 9 x 2 bedroom self-contained flats together with associated car parking and landscaping (LBM Ref.16/P0298). The planning permission was subject to the development being designated 'permit free'.

5. **CONSULTATION**

- 5.1 The application has been advertised by Conservation Area site and press notice procedure and letters of notification to occupiers of neighbouring properties. In response 8 objections have been received. The grounds of objection are set out below:-

-The owners of 1 Courthope Road object to the proposed increase in parking bays in front of the property from five to six and to provide a new parking space at the rear of the property and to remove one or maybe more on-street parking spaces and to remove the S.106 restriction of the flats being 'permit free'. The proposal would exacerbate parking problems in the road.

-The Council should keep to its original decision and keep the S.106 restriction that the development be 'permit free'

-There is no capacity for additional parking in Courthope Road and the nature and scale of the development means that it is likely that car ownership will be higher than at present.

5.2 The Wimbledon Society

The Wimbledon Society state that the site is within the Wimbledon north Conservation Area, and the adjoining building (1 Courthope Road) is a Locally Listed building. The Council's Conservation Area Character Assessment describes the building as a 'less attractive, uncharacteristic form of development' and of 'high density'. The new building would have nine two bedroom flats and is a significant increase in density to the eight one bedroom flats in the existing building. The proposal is regarded as one storey too high and out of scale with Courthope Road, which is predominately 2 and 3 storeys high. The proposed eaves line is well above that of other local buildings. An increase in parking spaces from 5 to 7 spaces results in a loss of greenery in the local street scene. As the site is with an Archaeological Priority Zone, any permission for the development should include conditions safeguarding archaeological aspects. Trees should also be protected during construction.

5.3 Belvedere Estates Residents Association

The street scene could be improved by moving the building forward more in line with the houses along Courthope Road and keeping the parking spaces to the rear of the building so as not to add to congestion at this end of Courthope Road. This would allow for more greenery at the front of the building. If any trees are removed then replacement trees should be planted. The current proposal looks like a boring urban car park and will detract from the street scene. The application should be refused until a more considerate parking solution is considered and adopted.

5.4 Transport Planning

The scheme put forward with this application reflects that for a separate nine unit scheme permitted under LBM Ref.16/P0298, other than with the level of off-street parking provision increased from five spaces to seven spaces with one of these spaces located to the rear. The application also seeks to not have a restriction put on the scheme restricting access to on-street parking permits, unlike with the consented scheme. Against this background of this assessment it is considered that there is no reason why residents of the proposed nine two bed units should not have the same access to parking permits as that available to the residents of the existing eight one bedroom units.

6. **POLICY CONTEXT**

6.1 The relevant planning policy contained within the Adopted Merton Core Strategy (July 2011) are CS8 (Housing Choice), CS9 (Housing Provision), CS.14 (Design) and CS15 (Climate Change).

6.2 The Relevant Policies contained within the Merton Site and Policies Plan (July 2014) DM O1 (Nature Conservation, Trees, Hedges and Landscape Features), DM D1 (Urban Design and Public Realm), DM D2 (Design Considerations in all Developments), DM D3 (Alterations to Existing Buildings) and DM D4 (Managing Heritage Assets).

6.3 The relevant policies contained within the London Plan (July 2011) are 3.3 (Increasing London's Supply of Housing), 3.4 (Optimising Housing Potential), 3.5 (Quality and Design of Housing), 3.8 (Housing Choice), 7.4 (Local Character) and 7.6 (Architecture).

6.4 Mayor of London's London Plan Housing Supplementary Planning Guidance (March 2016) and Housing Standards, Minor alterations to the London Plan (March 2016).

7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern design and conservation issues, standard of residential accommodation, neighbour amenity, basement construction, trees, parking, sustainability and developer contribution issues.

7.2 Design and Conservation Issues

The existing building is an unattractive building that does not make a positive contribution towards the character of the conservation area and there are no objections to the demolition of the existing building. The design of the proposed building is the same as that previously approved by LBM planning permission Ref.16/P0298 (Dated 23 May 2017) and the proposed building is considered to be acceptable in design terms and the proposal would preserve the character and appearance of the Merton (Wimbledon North) Conservation Area and accord with policies CS14 and DM D4.

7.3 Standard of Residential Accommodation

The proposed development would comprise 9 x two bedroom flats. The gross internal floor area of each flat is set out below together the minimum standard requirement as set out in the London Plan.

	Layout	GFI	London Plan Standard
Flat 1	2 bed/three person	71.4m ²	61m ²
Flat 2	2 bed/three person	70m ²	61m ²
Flat 3	2 bed/three person	71.5m ²	61m ²
Flat 4	2 bed three person	70m ²	61m ²
Flat 5	2 bed/three person	70.6m ²	61m ²
Flat 6	2 bed/three person	64.8m ²	61m ²
Flat 7	2 bed/three person	70.6m ²	61m ²
Flat 8	2 bed/three person	64.8m ²	61m ²
Flat 9	2 bed/three person	92.2m ²	61m ²

The proposed amenity space provision is set out below:-

	Amenity Space Provision	London Plan Standard
Flat 1	26m ² garden	5m ² + 1m ²
Flat 2	32.7m ² garden	5m ² + 1m ²
Flat 3	6m ² balcony	5m ² + 1m ²
Flat 4	6m ² balcony	5m ² + 1m ²
Flat 5	6m ² balcony	5m ² + 1m ²
Flat 6	6m ² balcony	5m ² + 1m ²
Flat 7	6m ² balcony	5m ² + 1m ²
Flat 8	6m ² balcony	5m ² + 1m ²
Flat 9	10m ² roof terrace	5m ² + 1m ²

The London Plan requires that 2 bedroom flat developments provide a minimum of 5m² amenity space for each flat with an additional 1m² for a three person unit. Flats 3 to 8 have 6m² amenity space which is the minimum requires for a three person unit. However, it should be noted that the existing flats have no private amenity space albeit that they benefit from a communal front garden. The existing flats are single bedroom units despite having a floor area of 60m² with an alcove that could accommodate a single bed. The existing building does not have a lift. The proposed flats are all two bedroom units and the internal layout and gross internal floor area of each flat is acceptable. In terms of amenity space each flat would have access to a balcony or in the case of flats 1 and 2, a garden. The amenity space provision is therefore considered to be acceptable in terms of policy CS8 and DM D2.

7.4 Neighbour Amenity

A number of representations suggest that the proposed building should be sited further forward to align with neighbouring houses in Courthope Road. However, if the building were positioned further forward on the site, this would have an adverse impact upon existing windows within the side elevation of 1 Courthope Road. The proposed building would not therefore be sited any further forward than the existing building and the front elevation would be constructed in the same position as the existing building. The proposed building would however, have a larger footprint due to the rear elevation of the building projecting 3.5 metres rearward than the existing building (occupying the space occupied by the existing external staircase. This projection was approved by the previous decision. The proposed building would be no higher than the existing building. Indeed the proposed building would be slightly lower than the upper section of the existing building, albeit with a larger roof form due to the proposed pitched roof. The lower ground floor flats would each have a garden accessed via patio doors, whilst the upper ground, first, second and third floor flats would each have a balcony or a terrace. The balconies and terrace would face onto the rear elevation of commercial properties in High Street Mews. Balcony screening to a height of 1.7 metres would mitigate any potential problems of overlooking. A planning condition regarding balcony screening is therefore considered to be appropriate in this instance. To the south of the site is an electricity sub-station building and the side elevation of 3 Courthope Road. Given the separation distance between properties, the position of the balconies and terrace is acceptable with adequate balcony/terrace screening secured through a planning condition. The proposal is therefore considered to be acceptable in terms of policy DM D2.

7.5 Basement Construction

A number of representations have been received concerning the provision of a basement. However, the extant planning permission (LBM Ref.16/P0298) included a basement and as part of the previous planning application a basement construction method statement was submitted and a ground survey undertaken. The Council's structural engineer examined the reports submitted with the previous application (and resubmitted with the current application) and Council's Flood Risk Engineer has raised no objections to the proposal

subject to conditions being imposed requiring the submission of a detailed basement construction method statement and details of a sustainable drainage scheme in accordance with policy DM F2.

7.6 Trees

There is a mature Beech tree on the site frontage. However, soft landscaping would be retained beneath the canopy of the Beech tree. The Council's tree officer has confirmed that excavations for the basement and foundations would be in close proximity to the Beech tree. Therefore tree protection conditions would be required to be imposed on any grant of planning permission in accordance with policy DM O1.

7.7 Parking

A number of representations have been received concerning parking provision for the development and problems of parking in the area. The previously approved scheme (LBM Ref.16/P0298) provided five off-street parking spaces involving the formation of a new vehicular access onto Courthope Road. The current application would provide seven parking spaces, six within the front curtilage and one space at the rear and the removal of the requirement for the development to be designated 'permit free' that formed part of the previous planning permission (LBM Ref.16/P0298). The Councils Transport Planning section has examined the current proposal and with the increased parking provision there is no reason for the 'permit free' requirement given that the existing eight flats have access to parking permits. The proposal is therefore considered to be acceptable in terms of policy CS20.

7.8 Sustainability Issues

On 25 March 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. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.

7.9 Until amendments to the Building Regulations come into effect the government expects local planning authorities not to set conditions with requirements above Code level 4 equivalent. 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.

7.10 In light of the government's statement and changes to the national planning framework it is recommended that if planning permission were to be granted, conditions are not attached requiring full compliance with Code Level 4 but are attached so as to ensure that the dwelling is designed and constructed to achieve CO2 reduction standards and water consumption standards equivalent to Code for Sustainable Homes Level 4.

7.11 Developer Contributions

The council is not currently seeking affordable housing onsite or financial contributions for affordable housing (under Policy CS8 of Merton's adopted Core Planning Strategy (July 2011)) from developments of 10 dwellings or less and no more than 1000 sqm of residential floor space. This follows a Court of Appeal decision supporting the retention of government policy set out at paragraph 31 (Reference ID: 23b-031-20160519) of the government's Planning Practice Guidance that seeks an exemption from affordable housing contributions for such developments. The council's position on this will be reviewed following any successful legal challenge to this decision or a judgement in support of local authority affordable housing policy for such a development. The council's policy will continue to be applied to developments of 11 units or more and developments involving more than 1000 sqm of residential floor space. However, the Mayor of London's and Merton's CIL would still apply.

9. **ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

9.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly there is no requirement for an EIA submission.

10. **CONCLUSION**

Planning permission has previously been approved for the demolition of the existing building and the erection of a new building comprising 9 flats (LBM Ref.16/P0298). The increase in on-site parking provision and the removal of the requirement for the development to be designated 'permit free' is considered to be acceptable given that seven off street parking space are now proposed. Accordingly, it is recommended that planning permission be granted.

RECOMMENDATION

GRANT PLANNING PERMISSION

And subject to the following conditions:-

1. A.1 Commencement of Development
2. A.7 Approved Plans
3. B.1 External Materials to be Approved
4. C.2 No Additional or Enlarged Window or Door Openings
5. C.4. Obscure Glazing (Bottom sashes to Bathroom and Kitchen windows as Shown on drawing numbers
6. C.6 Refuse and Recycling (Details to be Submitted)

7. C.9 Balcony Screening
8. D.10 External Lighting
9. D.11 Hours of Construction
10. F.1 Landscaping Scheme
11. F.2 Landscaping
12. F.5 Tree Protection
13. F.8 Site Supervision - Trees
14. Design of Foundations (6 Metres radius of existing Beech tree)
15. F.9 Hardstanding
16. H.1 New Vehicular Access
17. H6P Details of Cycle Parking
18. H9P Construction Vehicles
19. Prior to commencement of development a Basement Construction Method Statement shall be submitted to and be approved in writing by the Local Planning Authority. The basement shall be constructed in accordance with the approved details unless otherwise approved in writing by the Local Planning Authority.

Reason for condition: In the interest of neighbour amenity and to comply with policy DMN D2.

20. No development approved by this permission shall be commenced until a 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. Before these details are submitted an assessment shall be carried out of the potential for disposing 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 5.13 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 (attenuation provision of no less than 15m³ of storage) and control the rate of surface water discharged from the site to no greater than 5l/s and the measures taken to prevent pollution of the receiving groundwater and/or surface waters;
 - ii. include a timetable for its implementation;

iii. include a CCTV survey of the existing surface water outfall and site wide drainage network to establish its condition is appropriate.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply 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 policy DM F2 of Merton's Sites and Policies Plan 2014.

INFORMATIVES:

21. 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).
22. INF1 Party Wall Act
23. INE7 Hardstandings
24. INF8 Construction of Vehicle Access

[Click here](#) for full plans and documents related to this application.

Please note these web pages may be slow to load