

## PLANNING APPLICATIONS COMMITTEE 18 JANUARY 2018

<b><u>APPLICATION NO.</u></b>	<b><u>DATE VALID</u></b>
17/P3976	31/10/2017
<b>Address/Site</b>	High Range, 2 Lansdowne Road, West Wimbledon
<b>Ward</b>	Raynes Park
<b>Proposal:</b>	Erection of 2 x 2 bed flats at rooftop level
<b>Drawing Nos</b>	P-Si-D-009, P-Si-D-010, P-05-D-011, P-06-D-012, E-W-D-013, E-E-D-014, E-N/S-D-015, X-AA-D-016, X-BB-D-017 and D-018
<b>Contact Officer:</b>	Tim Lipscomb (0208 545 3496)

---

### **RECOMMENDATION**

**Grant Permission subject to s.106 legal agreement and conditions.**

---

### **CHECKLIST INFORMATION**

- Heads of Agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 164
- External consultations: No
- Controlled Parking Zone: W7

#### **1.0 INTRODUCTION**

- 1.1 The application is brought before the Committee due to the number of objections.

## **2.0 SITE AND SURROUNDINGS**

- 2.1 The site comprises a three storey block of flats with brick and tile hanging features, typical of 1960s-70s architecture, to the northern side of South Park Road. The block is one of four similar blocks (4-10 South Park Road). Opposite is residential housing, generally two storeys in height.
- 2.2 To the western boundary of the site is a high brick wall (approximately 3m in height) and beyond this is a yard serving Wimbledon Police Station.
- 2.3 To the immediate north of the site is a parking area to serve the flats and beyond this are the back gardens of properties along Princes Road, which generally comprise two storey residential dwellings.
- 2.4 The site is not within a Conservation Area but adjoins the boundary of the South Park Gardens Conservation Area (to the north of the site).
- 2.5 The site is adjacent to the Wimbledon Town Centre boundary, to the west of the site. The site has a PTAL of 6a. The site is within Controlled Parking Zone W3.

## **3. CURRENT PROPOSAL**

- 3.1 The proposal is for the erection of one additional floor of accommodation, to provide two additional flats, to stand at roof level, adjacent to the existing rooftop flat.
- 3.2 The proposed flats would be setback from the footprint of the building in a penthouse style. The proposed additional floor would be set back from the front of the main building by 1.8m, set in from the rear by 1.6m and set in from the sides of the main building by 1.3m.
- 3.3 The proposed additional floor would have the same height as the existing rooftop flat.
- 3.4 The proposed flats would feature large areas of glazing, with aluminium curtain walling and cladding with glazed balustrades to the balconies. The balcony enclosures to existing flats would be redecorated in brown, green and yellow pastel colours.
- 3.5 The proposal would provide the following unit sizes:

Unit	Number of bedrooms/people	GIA (sqm)	External amenity space (sqm)
A	2 bed/4 person	78.5	18.5
B	2 bed/4 person	70	18.5

- 3.6 The application submission indicates that the proposed works are necessary to secure refurbishment works to the existing building (including redecorating the balconies, replacing the broken panes in the vertical glazing to the front elevation and landscaping of the communal areas). (However, it is noted that the building is not a heritage asset and the proposal is not put forward as an ‘enabling development’).
- 3.7 Four cycle parking spaces would be provided to the rear of the site within a 1.5m high enclosure.
- 3.8 No additional car parking spaces would be provided on site. The application is not accompanied by vehicle parking details.

#### 4. **PLANNING HISTORY**

- 4.1 WIM6120 - TO RETAIN PERMANENTLY THE USE AS THREE FLATS AND ONE MAISONETTE. Grant Permission subject to Conditions 20-02-1962.
- 4.2 WIM6121 - OUTLINE: APPLICATION TO ERECT A RANGE OF 6 LOCK UP GARAGES AT REAR OF SITE. Grant Permission subject to Conditions 20-02-1962.
- 4.3 MER148/68 - OUTLINE: ERECTION OF A FOUR STOREY BLOCK OF 20 FLATS AND THE PROVISION OF 20 GARAGES AT 2 - 3 LANSLOWNE ROAD INVOLVING DEMOLITION OF EXISTING PROPERTIES ON THE SITE. Grant Permission subject to Conditions 21-03-1968.
- 4.4 MER422/69 - ERECTION OF FIVE STOREY BLOCK OF 20 FLATS IN TWO STAGES ON SITES OF 2-3 LANSLOWNE ROAD TOGETHER WITH 18 GARAGES AND PROVISION OF SIX PARKING SPACES INVOLVING DEMOLITION OF EXISTING PROPERTIES ON SITE. Grant Permission subject to Conditions 01-07-1969.
- 4.5 MER96/69 - ERECTION OF FIVE STOREY BLOCK OF 24 FLATS AT NO 2 AND 3 LANSLOWNE ROAD INVOLVING DEMOLITION OF EXISTING PROPERTIES AND THE ERECTION OF 18 GARAGES TOGETHER

- WITH THE PROVISION OF SIX CAR PARKING SPACES. Refuse Permission 31-03-1969. Appeal Withdrawn 31-12-1969.
- 4.6 MER647/71 - ADDITION OF A PENTHOUSE FLAT ON THE ROOF OF A PREVIOUSLY APPROVED FIVE STOREY BLOCK OF FLATS. Refuse Permission 02-09-1971. Appeal Allowed 01-03-1973.
- 4.7 06/T1746 - FRONT GARDEN NO 2 LANSDOWNE ROAD, LEYLAND CYPRESS:REDUCE HEIGHT BY 50%. PURPLE PLUM: REDUCE THE CROWN TO THE PREVIOUS PRUNING POINTS. REPOLLARD 3 LIME TREES. FRONT GARDEN OF NO 3 LANSDOWNE ROAD: REPOLLARD 3 LIME TREES. Tree Works Approved 29-08-2006.
- 4.8 09/T2625 - FRONT OF PROPERTY - 2NO. LEYLAND CYPRESS - PRUNE TO CONTAIN SHAPE. PURPLE LEAF PLUM - REDUCE THE CROWN BY 25%, THIN AND REMOVE DEAD WOOD. 5NO. LIME TREES - REPOLLARD. CRAB APPLE - PRUNE TO CLEAR THE ACCESS ROAD. LIME TREE - THIN THE CROWN BY 20%, REMOVE DEAD WOOD, REMOVE EPICORMIC GROWTH ON THE MAIN STEM AND RAISE THE CROWN TO 4.5 METRES FROM GROUND LEVEL. Tree Works Approved 12-01-2010.
- 4.9 13/T2789 - NEAR GARAGES: 2 X SYCAMORE TO HAVE CROWN LIFT TO 6M AND THIN CROWNS BY 25%. 2 X CRAB APPLE TREE TO HAVE CROWN REDUCTION BY 35%. LIME TREE TO HAVE CROWN LIFT TO 6M. Tree Works Approved 16-10-2013.
- 4.10 17/P2349 - DEMOLITION OF EXISTING ROOFTOP FLAT AND ERECTION OF ADDITIONAL TWO STORIES TO PROVIDE 4 X 2 BED FLATS ALONG WITH ERECTION OF CYCLE STORE & BIN ENCLOSURE. Refuse Permission 20-09-2017 for the following reason:
1. The proposed development, by virtue of its height, fenestration, layout of balconies and proximity to neighbouring properties would result in material harm to the residential amenities of neighbouring occupiers by way of loss of light to the ground floor living room window of No.19 Lansdowne Road (Flat 9) and overlooking to Lansdowne Cottage (rear garden) and No.4 Lansdowne Road (windows in the north elevation), contrary to Policy DM D2 of the Council's adopted Sites and Policies Plan 2014.
  2. The proposal would, by reason of the position of the proposed refuse/recycling store and distance between the refuse/recycling store and the highway, fail to provide integrated, well-designed waste storage, in conflict with Policy CS17 of the Core Planning Strategy 2011.

3. The application, by virtue of the lack of supporting information relating to sustainable policy objectives, has failed to demonstrate compliance with policy 5.3 of the London Plan 2015 and policy CS15 of the Core Planning Strategy 2011.
4. The proposed development, by virtue of its height, form, design and lack of refuse/recycling facilities in close proximity to the highway, would result in material harm to the character and appearance of the existing building, the wider streetscene and the setting of the adjacent West Wimbledon Conservation Area contrary to Policy CS14 of the Council's adopted Core Planning Strategy 2011 and Policies DM D2, DM D3 and DM D4 of the Council's adopted Sites and Policies Plan 2014.
5. The proposed development, by virtue of the loss of trees to the frontage and rear of the site and the lack of information regarding retained trees on site, would result in material harm to the character of the area, contrary to Policy 7.1 of the London Plan 2015, Policy CS14 of the Council's adopted Core Planning Strategy 2011 and Policies DM D2, DM D3, DM D4 and DM O2 of the Council's adopted Sites and Policies Plan 2014.
6. The proposed development, by virtue of the lack of a s.106 agreement to preclude future occupiers from obtaining parking permits, would result in unacceptable increase in parking demand, contrary to Policy CS21 of the Core Planning Strategy 2011 and Policy DM T3 of the Sites and Policies Plan 2014.

4.11 Upton Court, 2 The Downs, West Wimbledon (to the rear of the site):

4.12 14/P0615 - ERECTION OF ADDITIONAL STOREY ON ROOFTOP OF UPTON COURT TO CREATE NEW 2 BED FLAT. Grant Permission Subject to Section 106 Obligation or any other enabling agreement. 09-09-2015.

## 5. **CONSULTATION**

5.1 21-day site notice procedure, individual letters to neighbouring occupiers and Press Notice. Five letters of representation have been received, objecting on the following grounds:

- There has been continuous development in the vicinity in the last few years and we have been unable to enjoy our property.
- The much needed refurbishment of the block should not be reliant on the planning application.
- Setting a precedent of rooftop flats in the area.

- Overdevelopment
- Visually intrusive
- Cramped appearance
- Would unduly dominate neighbours.
- Parking problems and congestion.
- Noise from building works.
- Loss of light to neighbouring properties.
- Intrusion on privacy of neighbouring occupiers.
- Concern regarding impact on trees.
- Request tree protection condition be imposed.

5.2 Two letters of representation has been received, expressing support for the following reasons but one also raises concern relating to parking problems:

- Please to see that proposal is amended to just a single floor.
- I would support subject to the proviso that the flat is refurbished.
- There would be no adverse impact on light as it is smaller than the footprint of the building below.
- Fire doors would be installed in the building which is a benefit.
- The appearance of the block would be improved.

5.3 Climate Change Officer:

- No SAP calculations have been submitted but the energy statement indicates measures that should achieve the required 19% improvement in CO2 emissions on Part L 2013. I am satisfied the development will meet minimum sustainability requirements of Merton's Core Planning Strategy Policy CS15 (2011).
- The internal water consumption calculations submitted for the development indicates that internal water consumption should be less than 105 litres per person per day.
- I am therefore content that the proposed energy approach to the development is policy compliant and recommend that Merton's Standard Sustainable Design and Construction (New Build Residential- Minor) Pre-Occupation Condition is applied to the development:

**CONDITION:**

'No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water usage rates of not more than 105 litres per person per day.'

### **INFORMATIVE:**

Carbon emissions evidence requirements for Post Construction stage assessments must provide:

- Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); **OR**, where applicable:
- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; **AND**
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

Water efficiency evidence requirements for post construction stage assessments must provide:

- Documentary evidence representing the dwellings 'As Built'; detailing:
- the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; **AND:**
- Water Efficiency Calculator for New Dwellings; **OR**
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

### **REASON:**

To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011

## **6. POLICY CONTEXT**

### **6.1 London Plan (2016)**

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.9 Mixed and balanced communities
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions

- |      |  |
|------|--|
| 5.3  | Sustainable design and construction                    |
| 5.7  | Renewable energy                                       |
| 5.13 | Sustainable drainage                                   |
| 6.3  | Assessing effects of development on transport capacity |
| 6.9  | Cycling  |
| 6.13 | Parking  |
| 7.2  | An inclusive environment                               |
| 7.3  | Designing out crime                                    |
| 7.4  | Local character  |
| 7.6  | Architecture   |
| 7.8  | Heritage assets and archaeology                        |
| 7.14 | Improving air quality                                  |
| 7.19 | Biodiversity and access to nature                      |
| 7.21 | Trees and woodlands                                    |
- 6.2 Adopted Merton Core Planning Strategy (July 2011)
- |      |                                 |
|------|---------------------------------|
| CS6  | Wimbledon Sub-Area              |
| CS8  | Housing Choice                  |
| CS9  | Housing Provision               |
| CS11 | Infrastructure                  |
| CS14 | Design                          |
| CS15 | Climate Change                  |
| CS16 | Flood Risk Management           |
| CS17 | Waste Management                |
| CS18 | Active Transport                |
| CS19 | Public Transport                |
| CS20 | Parking, Servicing and Delivery |
- 6.3 Sites and Policies Plan and Policies Map (July 2014)
- |       |   |
|-------|---|
| DM H2 | Housing mix   |
| DM O2 | Nature Conservation, Trees, hedges and landscape features                             |
| DM D1 | Urban design and the public realm   |
| DM D2 | Design considerations in all developments   |
| DM D4 | Heritage considerations   |
| DM F2 | Sustainable urban drainage systems (SuDS) and;<br>Wastewater and Water Infrastructure |
| DM T1 | Support for sustainable transport and active travel                                   |
| DM T2 | Transport impacts of development  |
| DM T3 | Car parking and servicing standards   |
- 6.4 Other guidance:
- Merton's New Residential Development SPG 1999
  - Merton's Design SPG 2004
  - DCLG Technical Housing Standards - Nationally Described Space Standard 2016



- Mayor's Housing SPG 2016
- The National Planning Policy Framework 2012

## 7. **PLANNING CONSIDERATIONS**

7.1 The main planning considerations concern the principle of the extension to the existing block of flats, the visual impact of the proposed addition and other alterations, together with neighbouring amenity, impact on trees, standard of accommodation, biodiversity issues, drainage considerations, highway considerations and sustainability issues.

### 7.2 Principle of development

7.2.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

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

7.2.3 The proposal is a revision of refused application ref. 17/P2349. The current application must overcome the previous reasons for refusal and be acceptable in its own right.

7.2.4 The key differences between the previously refused scheme and the current scheme are as follows:

- The previous scheme proposed two new floors of accommodation incorporating 4 flats.
- The previous scheme had alternative refuse storage.
- The previous scheme did not show cycle parking.
- The current application is accompanied by sustainability details.

### 7.3 Provision of housing and mix

7.3.1 The National Planning Policy Framework (March 2012) requires the Council to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.

7.3.2 Policy 3.3 of the London Plan 2015 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at

- higher densities and that the Council will work with housing providers to provide a minimum of 4,107 additional homes (411 new dwellings annually) between 2015 and 2025. Merton LDF Core Strategy policies CS8 & CS9 also seek to encourage proposals for well-designed and located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space.
- 7.3.3 LB Merton's housing target between 2011 and 2026 is 5,801 (Authority's Monitoring Report 2014/15, p8). While a robust five years supply has been identified, the housing need is increasing in London. The borough's Core Planning Strategy states that it is expected that the delivery of new residential accommodation in the borough will be achieved in various ways including development in 'sustainable brownfield locations' and "ensuring that it is used efficiently" (supporting text to Policy CS9). The application site is on brownfield land and is in a sustainable location adjacent to other existing residential properties.
- 7.3.4 The benefit of providing one additional unit must be weighed against the planning merits of the proposal.
- 7.3.5 The London Plan provides a density matrix to act as a guide indicating suitable levels of density depending on the characteristics of the area. The current proposal intends to add to the existing building and the resultant density is not the overriding factor in the assessment. As the proposal is an extension to an existing flatted block it is considered that the resultant density would not render the application unacceptable.
- 7.3.6 Policy DM H2 sets out a requirement for housing mix based on the housing needs of the borough. The policy requires an even proportion of one, two bed and three bedroom units. Historically there has been an under provision of family sized units (3 beds and above). The scheme proposes 2 x 2 bed units. This mix of units is considered to be acceptable on this small scale scheme, as there is only a limited opportunity to achieve a mix of unit sizes
- 7.3.7 The proposal is considered to be acceptable in terms of density and housing mix.
- 7.4 Character of the Area
- 7.4.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The regional planning policy advice in relation to design is found in the London Plan (2015), in Policy 7.4 - Local Character and 7.6 - Architecture. These policies state that Local Authorities should seek to ensure that

developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.

7.4.2 Policies DM D2 and DM D3 seek to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Policy DM D2 also seeks to ensure that trees are protected from adverse impacts from development. Policy DM D4 seeks to ensure that development which affects the setting of Conservation Areas either preserves or enhances the character and appearance of the Conservation Area. Core Planning Policy CS14 supports these SPP Policies.

7.4.3 The immediate area comprises a significant number of purpose built apartment blocks and generally the predominant building height is 4 storeys. Due to the nature of Lansdowne Road which has been the subject of incremental infill development over the years the building heights are varied and range from 2 up to 5 storeys. There is no obvious pattern or symmetry in the building heights which reflects the relatively 'ad hoc' nature of the development which has been undertaken on Lansdowne Road. The result is a varied urban form and the variety in building heights and scale adds interest to the street scene and is considered to be an attractive feature which adds to the quality of the overall character and appearance of the area.

7.4.4 Planning permission was refused and subsequently allowed at appeal for the existing penthouse flat under application ref. MER647/71. Whilst this is a historic decision, it is a material consideration in the current assessment. The key findings of the Inspector were as follows:

- The proposed penthouse would not overlook neighbouring properties to an unacceptable degree.
- The proposed penthouse would not adversely affect the appearance of the block of flats as a whole.
- The proposed penthouse would not have any adverse effect on the appearance of Lansdowne Road for there is no uniformity of design or style or height in the dwellings in that road.

7.4.5 The principle of providing an additional floor of accommodation above the main flatted building is supported, as this is an efficient way to provide additional units and the subordinate nature of a recessed top floor can achieve additional units in a visually unobtrusive manner.

- 7.4.6 Whilst the proposed flats would project closer to the edges of the building than the neighbouring penthouse flat, it would assist in bringing visual balance to the building. The proposed addition would be no higher than the adjacent penthouse flat and would provide a degree of coherency to the existing building. Along with the refurbishments proposed it is considered that the proposal would be acceptable in terms of the impact on the character of the area.
- 7.4.7 The cycle parking area would be located to the rear of the site and would not be in a visually intrusive position and as such no objection is raised on this basis.
- 7.4.8 The proposal is considered to complement the character and appearance of the streetscene and would comply with Policies DM D2, DM D3 and DM D4 in terms of visual amenity.
- 7.4.9 The proposal is considered to have overcome the previous reason for refusal in this relation to visual impact.

## 7.5 Trees

- 7.5.1 There are a number of significant trees in and around the site, which contribute to the character of the area. The application submission is unclear in terms of the intention for existing trees, as the existing and proposed site layout plans differ in this regard.
- 7.5.2 However, the development itself would not necessitate the need to remove any trees on site. A suitably worded landscaping condition will ensure that any proposed landscaping is agreed by the Council prior to its implementation.
- 7.5.3 The previous application showed the street frontage trees to be removed, whereas the current application shows them to be retained. Subject to condition, it is considered that the proposal has overcome the previous reason for refusal in relation to trees and the current proposal is considered to be acceptable in this regard.

## 7.6 Standard of accommodation

- 7.6.1 London Plan Policy 3.5, as amended by Minor Alterations to the London Plan (March 2016) states that all new housing developments should be of the highest quality internally, externally and in relation to their context. In order to ensure that such development provide an adequate level of internal amenity, Table 3.3 of the London Plan sets out the minimum floor areas which should be provided for new housing. The DCLG publication: "Technical housing standards - nationally described space standard"

(2016) provides further guidance, which has been adopted by the Mayor for London.

7.6.2 Sites and Policies Plan Policy DM D2 seeks to ensure good quality residential accommodation with adequate levels of privacy, daylight and sunlight for existing and future residents, the provision of adequate amenity space and the avoidance of noise, vibration or other forms of pollution.

7.6.3 The scheme proposes the following unit sizes:

Unit	Unit type	Overall GIA (sqm)	London Plan requirement for overall GIA (sqm)
A	2 bed/4 person	78.5	70
B	2 bed/4 person	70	70

7.6.4 All the units proposed would meet the minimum space standards in terms of overall GIA and provision of external amenity space.

7.6.5 The proposal meets the minimum requirements of the London Plan in terms of the internal GIA and external amenity space and no objection is raised in this regard.

## 7.7 Neighbouring Amenity

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

### 7.7.2 Lansdowne Cottage

The two-storey dwelling to the immediate north of the site has two ground floor clear glazed windows. The submitted Daylight and Sunlight Report indicates that light levels to these windows would be acceptable and no objection is raised in regards to light.

7.7.3 There would be some limited increase in terms of a sense of enclosure and overbearing form. However, due to the setback of the upper levels it is considered that the impact would not be materially harmful to residential amenity.

7.7.4 The balconies to the proposed flats would provide views down in to the garden of Lansdowne Cottage. Currently the only side facing windows are high level and as such there is very limited overlooking. However, the

proposed layout would result in direct overlooking of the garden of Lansdowne Cottage to the extent that it would result in a material loss of privacy. However, this matter can be resolved with the imposition of a condition to ensure that there are screens to the terrace and that the area of flat roof between the flats and the flank wall of the main building is not used as a terrace. The balconies to the proposed flats would provide views down in to the garden of Lansdowne Cottage. Currently the only side facing windows are high level and as such there is very limited overlooking. However, the proposed layout would result in direct overlooking of the garden of Lansdowne Cottage to the extent that it would result in a material loss of privacy. However, this matter can be resolved with the imposition of a condition to ensure that there are screens to the terrace and that the area of flat roof between the flats and the flank wall of the main building is not used as a terrace.

7.7.5 The impact on Lansdowne Cottage is considered to be acceptable.

7.7.6 Wimbledon Close and Upton Court

The separation distance between the proposed development and the four-storey blocks of flats to the rear is such that there would not be material harm caused by way of loss of light or overlooking.

7.7.7 4 Lansdowne Road

The separation distance to No.4 is such that there is considered to be no harmful impact.

7.7.8 17-19 Lansdowne Road

To the opposite side of Lansdowne Road include No.17, a three storey house, 1-3 Aston Court, a three storey flatted building, 4-11 Aston Court (Aston Court is No.19), a two-four storey block of flats and No.19, a two-storey house.

7.7.9 In terms of overlooking, there would be no increased overlooking over and above the existing situation as the proposed flats would be no closer to these properties than the existing flats.

7.7.10 The submitted Daylight and Sunlight Report indicates that one ground floor window at No.18 (Aston Court) would suffer a loss of light. It is noted that this window is already obscured by a porch canopy and it is considered that the limited impact of the extension would not result in material harm to residential amenity.

7.7.11 Therefore, for the reasons set out above the proposal would be acceptable in terms of residential amenity and has overcome the previous reason for refusal in this regard and would comply with Policy DM D2 in this regard.

## 7.8 Highway, traffic and parking considerations

- 7.8.1 Core Strategy Policy CS 20 considers matters of pedestrian movement, safety, servicing and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection.
- 7.8.2 Core Strategy Policy CS 18 promotes active means of transport and the gardens of the houses provide sufficient space for the storage of cycles without the need to clutter up the front of the development with further cycle stores.
- 7.8.3 Currently there are 28 car parking spaces on site. No parking spaces are proposed for the two flats. There are currently 21 flats on the site, following the proposed development there would be 23 flats served by 28 parking spaces, which is within still above the maximum parking standards set out in the London Plan.
- 7.8.4 Whilst the concerns raised in objection letters regarding parking are noted, the overall level of car parking provided for the existing and proposed flats would be in line with relevant planning guidance and parking standards and as such, no objection is raised on this basis. However, to ensure that there is no displacement parking the application must be controlled by a s.106 agreement to ensure that the occupiers of the new units are not eligible for parking permits in the future.
- 7.8.5 Cycle parking would be provided on site and this would represent an improvement over the existing situation and as such no objection is raised on this basis.

## 7.9 Refuse and recycling

- 7.9.1 Policy CS20 of the Core Strategy (2011) states that the Council will seek to implement effective traffic management by requiring developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway.
- 7.9.2 The additional refuse storage requirements for the two flats would be limited and can be amalgamated into the refuse storage that currently serves the flats.
- 7.9.3 The proposal would therefore, comply with Policy CS17 of the Core Planning Strategy 2011.

## 7.10 Drainage

7.10.1 The site is not within Flood Zone 2 or 3 and not within an area identified as being prone to flooding.

7.10.2 No drainage details have been submitted. There would be a slight increase in non-permeable surfacing (due to the refuse/recycling and bicycle stores) and therefore the application should demonstrate that the proposal would not increase surface water run-off.

7.10.3 The Council would seek the implementation of a SuDS system on the site in order for the development to be acceptable. This has not been included in the application but can be secured by way of condition.

## 7.11 Biodiversity

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

7.11.2 There is no indication that the existing site has a significant bio-diversity value and as such it is not necessary to submit an ecology report. The proposal is considered to be acceptable in terms of the impact on bio-diversity.

## 7.12 Sustainable design and construction

7.12.1 New buildings must comply with the Mayor's and Merton's objectives on carbon emissions, renewable energy, sustainable design and construction, green roofs, flood risk management and sustainable drainage. The most relevant London Plan policies are 5.1 (Climate Change Adaptation), 5.2 (Minimising Carbon Dioxide Emissions) and 5.3 (Sustainable Design and Construction) which seek to minimise energy usage and reduce carbon dioxide emissions.

7.12.2 Policy CS15 sets out minimum sustainability requirements for development proposals.

7.12.3 On 25 March 2015 the Government issued a statement setting out steps it is taking to streamline the planning system. Relevant to the proposals, the subject of this application, are changes in respect of sustainable design and construction, energy efficiency and forthcoming changes to the Building Regulations. The Deregulation Act was given the Royal Assent



on 26 March 2015. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.

7.12.4 Until amendments to the Building Regulations come into effect the government expects local planning authorities not to set conditions with the requirements of Code Level 4. Where there is an existing plan policy which references the Code for Sustainable Homes, the Government has also stated that authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard.

7.12.5 The application is accompanied by supporting information in relation to sustainable construction.

7.12.6 The Council's Climate Change Officer has commented on the application and subject to condition raises no objection, as the proposal would meet the relevant sustainability objectives.

7.12.7 The proposal complies with Policy CS15 of the Core Planning Strategy 2011 and Policy 5.3 of the London Plan.

#### 7.13 Community Infrastructure Levy

7.13.1 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

#### 7.14 Response to representations

7.14.1 The majority of issues raised by objectors are addressed in the body of this report. However, in addition, the following comments are offered:

- There would be a degree of disturbance and disruption throughout the construction process. However, it would not be reasonable to refuse the application on this basis. If permitted, a condition for a Construction Method Statement would be imposed to ensure that the disruption is minimised as far as reasonably possible.
- The increase in traffic from the additional two units would not be so significant that a refusal could be justified on this basis.
- Whilst the use of the proposed balconies could result in additional noise, it is considered that in this developed area, with communal gardens, the resultant noise disturbance would not be unacceptable in planning terms. If specific occupiers cause excessive noise this would be a matter for Environmental Health legislation.

## **8.0 SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

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

## **9.0 CONCLUSION**

- 9.1 The principle of development is considered to be acceptable.
- 9.2 The impact on the character of the area and neighbouring amenity is considered to be acceptable.
- 9.3 The scheme would assist in visually balancing the building and would result in an improvement to the character of the area.
- 9.4 The proposal is considered to have overcome the issues previously raised and would be acceptable in planning terms.

## **RECOMMENDATION**

1. The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the following approved plans: P-Si-D-009, P-Si-D-010, P-05-D-011, P-06-D-012, E-W-D-013, E-E-D-014, E-N/S-D-015, X-AA-D-016, X-BB-D-017 and D-018.

Reason: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the external construction of the development hereby permitted shall be as specified in the application form and approved plans.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. Access to the flat roof of the development hereby permitted, other than the areas specifically shown in the approved plans to be roof terraces, shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

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

5. No development shall take place until a scheme of details of screening of the roof terraces have been submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied unless the scheme has been approved and implemented in its approved form and those details shall thereafter be retained for use at all times from the date of first occupation.

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

6. No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

7. Development shall not commence until a working method statement has been submitted to and approved in writing by the Local Planning Authority to accommodate:
  - (i) Parking of vehicles of site workers and visitors;
  - (ii) Loading and unloading of plant and materials;
  - (iii) Storage of construction plant and materials;
  - (iv) Wheel cleaning facilities
  - (v) Control of dust, smell and other effluvia;
  - (vi) Control of surface water run-off.

No development shall be carried out except in full accordance with the approved method statement.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

8. No development approved by this permission shall be commenced until a detailed scheme for the provision of surface water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The final drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) to ground, watercourse or sewer in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards. Where a sustainable drainage scheme is to be provided, the submitted details shall:
- i. provide information about the design storm period and intensity, the method employed to delay (attenuate) and control the rate of surface water discharged from the site at a maximum rate of 5 l/s. Appropriate measures must be taken to prevent pollution of the receiving groundwater and/or surface waters;
  - ii. include a timetable for its implementation; and
  - iii. provide a management and maintenance plan for the lifetime of the development which shall include the arrangements for adoption and any other arrangements to secure the operation of the scheme throughout its lifetime.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

9. No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water usage rates of not more than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: policy 5.2 of the London Plan 2015 and policy CS15 of Merton's Core Planning Strategy 2011.

## INFORMATIVES:

1. Carbon emissions evidence requirements for Post Construction stage assessments must provide:
    - Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); **OR**, where applicable:
    - A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; **AND**
    - Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation.
  2. Water efficiency evidence requirements for post construction stage assessments must provide:
    - Documentary evidence representing the dwellings 'As Built'; detailing:
    - the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
    - the size and details of any rainwater and grey-water collection systems provided for use in the dwelling; **AND**:
    - Water Efficiency Calculator for New Dwellings; **OR**
    - Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'.
- 

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

Please note these web pages may be slow to load

This page is intentionally left blank