

PLANNING APPLICATIONS COMMITTEE
27th March 2014

Item No:

| <u>UPRN</u> | <u>APPLICATION NO.</u> | <u>DATE VALID</u> |
|-------------------------|---|--------------------------|
| | 13/P3169 | 06/12/2013 |
| Address/Site: | 7-9 Florence Road, South Wimbledon, SW19 8TH | |
| (Ward) | Trinity | |
| Proposal: | Demolition of existing building comprising Class B1 Office Space at ground floor level and self-contained flat at first floor level and erection of 3 x 3-bed terrace houses. | |
| Drawing Nos: | 001, 004, 006, 008, Block Plan & Site Location Plan received 14/03/2014. | |
| Contact Officer: | David Gardener (0208 545 3115) | |

RECOMMENDATION

Grant Planning Permission subject to conditions

CHECKLIST INFORMATION

- 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
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 94
- External consultations: None

1. INTRODUCTION

- 1.1 The applications have been brought before the Planning Applications Committee because it has been called in by Councillor Holmes.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a two storey terraced building with Class B1 (Office) on the ground floor, and Class C3 (Residential) above fronting Florence Road. A single storey building, which provides further office

accommodation, and a double garage, which is accessed through an undercroft from Florence Road are located to the rear of the site.

- 2.2 The existing building, which features a flat roof, is principally arranged over two floors, although there is a small utility room, which enables access to the existing flat roof, at second floor level.
- 2.3 The property is located on the northern side of Florence Road, close to the junction with Trinity Road. The adjoining properties either side, as well as the immediate surrounding area are residential, with commercial uses located further to the south along The Broadway. The site is not within a conservation area.

3. CURRENT PROPOSAL

- 3.1 The applicant seeks planning permission to demolish the existing building, which comprises Class B1 Office use at ground floor level and a three-bed self-contained flat at first floor level, and erect 3 x 3-bed terrace houses.
- 3.2 The proposed houses would have a traditional style appearance featuring two-storey front bays and sash windows. The ridge and eaves height of the houses would match No.11. Facing materials would comprise London stock brickwork and artificial slate.
- 3.3 The existing single storey rear outbuilding would be demolished and replaced with storage outbuildings for each of the proposed houses at the rear of the garden. The outbuildings would feature a monopitched roof and measure between 2.4m and 2.7m in height.
- 3.4 The proposal does not include off-street parking, with the existing undercroft between No.9 and 11, which allows car access to a garage behind No.11 replaced with a single storey element with pedestrian door. The garage would be converted into ancillary space.

4. PLANNING HISTORY

The following planning history is relevant:

- 4.1 MER593/66 - Outline - Erection of extension to existing office at ground floor level and a self contained unit of residential accommodation at 1st floor level and single storey toilet at rear. Provision of 2 off-street parking spaces. Granted, 30/12/1966.
- 4.2 MER593/66(D) - Details - Erection of extension to existing office at ground floor level, and a new self contained residential unit at 1st floor level and single storey toilet at rear. Provision of 2 off-street parking spaces. Granted, 07/03/1967.

- 4.3 MER327/67 - Revised detailed plans for extension to existing offices at ground floor level, self-contained unit of residential accommodation at first floor level, W.C at rear and 2 off-street parking spaces. Granted, 22/05/1967.
- 4.4 MER959/72 – Three-storey extension at rear of office/residential building to provide office extension at ground floor, a bedroom on the 1st floor, and a store on the 2nd floor. Granted, 09/11/1972.
- 4.5 MER80/73 - Erection of a first floor side extension connecting no. 9 to no. 11, to provide enlarged lounge and a study with an access way below at ground floor level. Granted, 23/03/1973.
- 4.6 MER795/75 - Single storey rear extension to existing offices to provide further office accommodation. Granted, 12/12/1975.
- 4.7 11/P2561 - Change of use of ground floor (including single storey building at rear), from class B1 (offices) and first floor from class C3 (residential) to a 40 space children’s day nursery (Class D1). new two-bedroom flat at second floor level, involving reconfiguration of existing flat roof to a pitched roof and two rear dormer windows. Alterations to fenestration on front elevation. Refused, 20/04/2012, for the following reasons:

“The proposed development would be unsuitable for use as a children’s day nursery due to - (a) its adverse effect on residential amenity (b) its adverse effect on road safety and traffic flows in the locality; and (c) the concentration of similar facilities in the surrounding area; all contrary to Policy C.7 – Sections (iv), (v) & (vi) of the Adopted Merton Unitary Development Plan (October 2003).”

The application was subsequently allowed at appeal on 25th April 2013.

5. POLICY CONTEXT

- 5.1 The relevant policies in the Adopted Unitary Development Plan (October 2003) are:

BE.15 (New Buildings and Extensions; Daylight, Sunlight, Privacy, Visual Intrusion and Noise), BE.16 (Urban Design), BE.24 (Roof Extensions and Dormer Windows), BE.25 (Sustainable Development), E.6 (Loss of Employment Land Outside the Designated Industrial Areas), HS.1 (Housing Layout and Amenity)

- 5.2 The relevant policies in the Adopted Core Strategy (July 2011) are:

CS.14 (Design)
CS.20 (Parking, Servicing and Delivery)

- 5.3 The relevant policies in the London Plan (July 2011) are:

3.3 (Increasing Housing Supply)

- 3.5 (Quality and Design of Housing Developments)
- 3.8 (Housing Choice)
- 5.3 (Sustainable Design and Construction)

5.4 The following Supplementary Planning Guidance (SPG) are also relevant:
New Residential Development (September 1999)

6. CONSULTATION

- 6.1 The application has been publicised by means of a site notice and letters to individual properties. In response, three letters of support have been received.
- 6.2 Transport Planning – Despite the fact that the site is located in a CPZ, it is considered that it is not necessary to make the development permit free. This is because the site already contains a 2 / 3 bedroom unit along with an office use that have the potential to generate parking demand. In addition, the reinstatement of the existing crossover will provide up to 2 new on-street car parking spaces. It is therefore considered that the development will have a neutral impact on existing on-street car parking levels in this instance.

7. PLANNING CONSIDERATIONS

The main planning considerations concern the loss of the existing office use, the design and standard of accommodation of the proposed houses, and impact on residential amenity and traffic/parking.

7.1 Loss of Office Use

7.11 Policy E.6 of the UDP still applies and states that outside of industrial areas, development which results in the loss of employment land, will only be acceptable under the following circumstances:

- If the land is in a predominantly residential area and the development proposed will provide a local community or cultural facility
- If the land is in a predominantly residential area, residential use will be permitted provided that:
The size, configuration, access arrangements or other characteristics of the site make it unsuitable and financially unviable for any employment or community use as confirmed by full and proper marketing of the site for 5 years for employment or community uses.

7.12 The proposed loss of Class B1 Office accommodation at ground floor level would not comply with policy E.6 of the UDP as the development will not provide a local community/cultural facility nor has the office accommodation been marketed for a period of 5 years. However, it is a material consideration noted that a number of changes and additions to the rights to carry out works or change the use of land or buildings without needing planning permission have recently been made. This includes allowing buildings in B1(a) office use

to be used for C3 residential purposes. The new permitted development right is temporary, and the change must take place on or before 30th May 2016, but can then remain. This is subject to a prior approval process, but the Council can only consider issues relating to transport and highways, contamination and flooding. Given this change to permitted development rights, which is a strong material consideration, it is considered that the loss of the office use to residential is acceptable in this instance. If the proposal is approved and implemented, it would supplant the current extant permission for nursery use allowed on appeal and the subject of widespread local opposition.

7.2 Visual Amenity

7.21 Policy BE.22 of the UDP states that new development should have a high standard of design that will complement the character and local distinctiveness of the adjoining townscape/and or landscape, or of a high standard of design that will enhance the character of the area, where local distinctiveness or attractiveness is lacking.

7.22 The existing building has been remodelled and extended, has a poorly designed front elevation, which is a confusion of different styles, and detracts from the Florence Road street scene. The proposed houses would result in a vastly improved streetscene as they are designed to mirror the traditional style of houses located along Florence Road, featuring two-storey front bays with traditional style sash windows. To extend the line of continuity along the terrace the eaves and ridge height would match the eaves and ridge height of No.11. The proposal would therefore overall accord with policy BE.22 of the UDP and is acceptable in terms of its visual appearance.

7.3 Standard of Accommodation

7.31 The London Plan was published in July 2011 and sets out a minimum gross internal area standard for new homes as part of policy 3.5. Previously, details on Merton's space standards for residential development were set out in Merton's New Residential Development SPG 1999. As the London Plan is part of Merton's development plan and is more up to date, the most appropriate minimum space standards for Merton are now found in the London Plan (July 2011), policy 3.5.

7.32 In addition, adopted policy CS.14 of the Core Strategy and HS.1 of the UDP encourages well designed housing in the borough by ensuring that all residential development complies with the most appropriate minimum space standards and provides functional internal spaces that are fit for purpose. New residential development should safeguard the amenities of occupiers by providing appropriate levels of sunlight & daylight and privacy for occupiers of adjacent properties and for future occupiers of proposed dwellings. The living conditions of existing and future residents should not be diminished by increased noise or disturbance.

7.32 The proposed houses would have a GIA of between 102sq.m and 107sq.m which meets the minimum standard of 102 sq. m for a 3 bed 5 person house

set out in Policy 3.5 of the London Plan. Each house would feature a private rear garden area of 46 sq. m. The gardens are regularly shaped and although there would be a shortfall of 4 sq. m of the minimum 50sq.m required by policy HS.1 of the UDP, it is considered that this would not warrant a refusal of the application in this instance given the shortfall is quite marginal. It should also be noted that the size of the measured garden area does not include an outbuilding, which is located at the rear of each garden. Each house would also have a high quality layout with well proportioned rooms, good outlook, light and circulation space.

7.4 Residential Amenity

- 7.41 Policy BE.15 of the UDP requires extensions to protect amenities from visual intrusion and ensure good levels of privacy for occupiers of adjoining properties.
- 7.42 It is not considered that the proposed houses would be visually intrusive or overbearing when viewed from neighbouring properties. With regards to No.5, the flank wall of the rear outrigger of the closest house is currently stepped in 1m off the side boundary at first floor level. Revised plans have been requested increasing the gap to 1.4m which is considered to be sufficient to ensure that it would not be visually intrusive or overbearing when viewed from this property. Whilst the single storey rear element would project 5.3m from the rear wall of No.5, it is considered that given this element would have a very modest eaves and ridge height of 2.2m and 2.9m respectively that this is acceptable in this instance.
- 7.43 With regards to No.11, the closest of the proposed houses would project approx. 2.3m beyond the rear wall of this property at first floor level and 3m at ground floor level. This is considered acceptable given there is a sizeable gap of approx. 1.3m between the house and the flank wall of No.11.
- 7.44 The existing outbuilding would be demolished to make way for a row of three outbuildings (one for each house). The garage would also be replaced with an outbuilding given the existing car access would be closed off and replaced with a single storey link building between the proposed terrace and No.11. It is not considered that the outbuilding would have an unacceptable impact on neighbour amenity given the outbuildings would be lower in height than the existing outbuilding and only marginally taller than the garage, in addition to the fact that they are located behind the rear gardens of houses located on Clarence Road. Overall, it is considered that the proposal would accord with policy BE.15 of the UDP and is acceptable in terms of residential amenity.

7.5 Parking and Traffic

- 7.51 Florence Road is a predominantly residential road within the South Wimbledon area of Merton. It is located in a Controlled Car Parking Zone (CPZ) – Zone 3E and has on-street car parking along its entirety. The site is an existing office and residential building. The existing site has a PTAL rating of 4 which indicates that it has good access to public transport services.

7.52 Despite the fact that the site is located in a CPZ, it is considered that it is not necessary to make the development permit free. This is because the site already contains a 2 / 3 bedroom unit along with an office use that have the potential to generate parking demand. In addition, the reinstatement of the existing crossover will provide up to 2 new on-street car parking spaces. It is therefore considered that the development will have a neutral impact on existing on-street car parking levels in this instance.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

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

9. LOCAL FINANCIAL CONSIDERATIONS

9.1 The proposed houses would be liable to pay the Mayoral Community Infrastructure Levy, the funds for which will be applied by the Mayor towards Crossrail.

10. MERTON'S COMMUNITY INFRASTRUCTURE LEVY

10.1 Merton's Community Infrastructure Levy will be implemented on 1st April 2014. This will enable the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL will replace Section 106 agreements as the principal means by which developer contributions towards providing the necessary infrastructure should be collected.

10.2 The application will be subject to either the completion of a Unilateral Undertaking covering the S106 heads of terms listed in the next section, or if the Unilateral Undertaking is not completed and a final decision is not issued prior to 1st April 2014, the application would instead be subject to a S106 on affordable housing only and Merton's Community Infrastructure Levy.

11. SECTION 106 LEGAL AGREEMENT

11.1 Education

11.11 Adopted UDP Policy C.13 states that where new housing development will lead to a need for improved or additional educational provision, such provision, or financial contributions towards the facility, will be sought. The Supplementary Planning Document provides a formula for these obligations based on the likely number of children, supply and demand figures for each ward and the cost of education provision. There is an identified shortfall in funding of secondary and primary education provision in the borough and in the light of the type of accommodation proposed and the location of the

application site, an education contribution would be required in this instance. In this case the proposal would result in two additional units of three-bedrooms or more, which would be capable of accommodating a child likely to require educational provision. After applying this formula a figure of £6,619 would be sought as a S106 planning obligation.

11.2 Affordable Housing

11.21 In terms of affordable housing, Policy CS.8 of the Core Strategy requires developments of 1 – 9 units to make an off-site financial contribution for provision of affordable housing in the borough. The affordable housing contribution is calculated based on a formula using the median open market valuation of the completed development based on three independent valuations. The proposal would result in a net increase of two residential units in this instance. After applying the formula a figure of £141,160 would be sought as a S106 planning obligation.

12. CONCLUSION

12.1 It is considered that the proposed loss of Class B1 Office space is acceptable given the changes to permitted development rights to carry out works or change the use of land or buildings without needing planning permission have recently been made. This includes allowing buildings in B1(a) office use to be used for C3 residential purposes. It is also considered that the proposed houses are acceptable in terms of their appearance, and would not have an unacceptable impact on neighbour amenity or traffics and parking.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the completion of:

Either a Unilateral Undertaking covering the following heads of terms:

1. Financial contribution for affordable housing (£141,160)
2. Financial contribution for education (£6,619)
3. The developer agreeing to meet the Council's costs of monitoring the Unilateral Undertaking.

Or a S106 agreement/unilateral undertaking covering the following heads of terms:

1. Financial contribution for affordable housing (£141,160)

And the following conditions:

1. A.1 (Commencement of Development)

2. B.1 (Materials as per forms)
3. B.4 (Details of Site/Surface Treatment)
4. B.5 (Details of Walls/Fences)
5. B.6 (Levels)
6. C.1 (No Permitted Development (Extensions))
7. C.2 (No Permitted Development (Windows and Doors))
8. C.8 (No Use of Flat Roof)
9. E.6 (Ancillary Residential Accommodation)
10. D.11 (Construction Times)
11. F.3 (Tree Survey Required)
12. F.5 (Tree Protection)
13. The development shall not be occupied until the existing redundant crossovers have been removed by raising the kerb, reinstating the footway and extending the on-street parking bay in accordance with the requirements of the Highway Authority.

Reason: To ensure a satisfactory level of parking.

14. J.1 (Lifetime Homes)
15. L.2 (Code for Sustainable Homes – Pre-Commencement (New Build Residential))
16. L.3 (Code for Sustainable Homes – Pre-Occupation (New Build Residential))
17. 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 application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.



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

Scale 1/1250

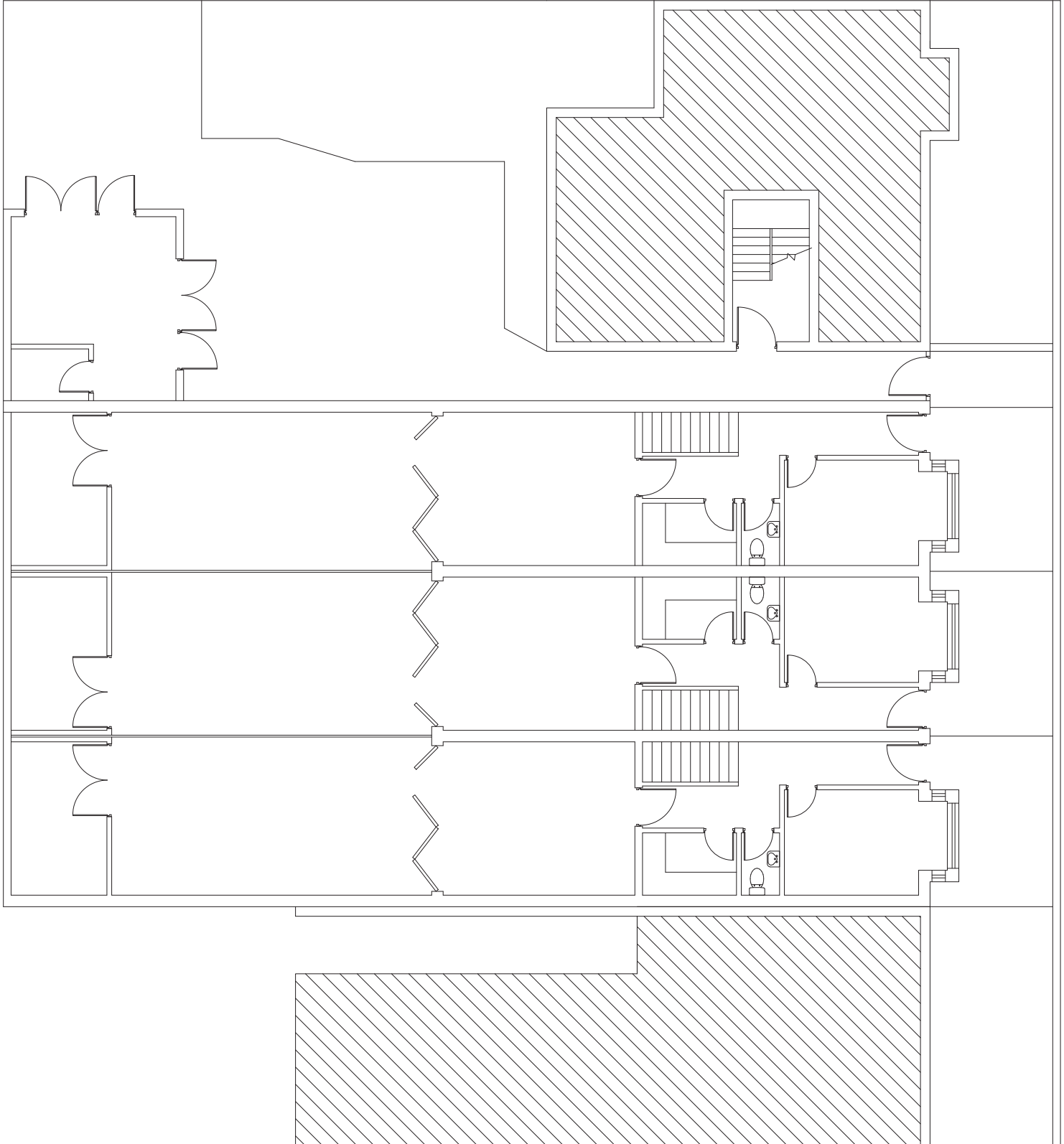
Date 11/3/2014


7-9 Florence Road

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DEVELOPMENT CONTROL

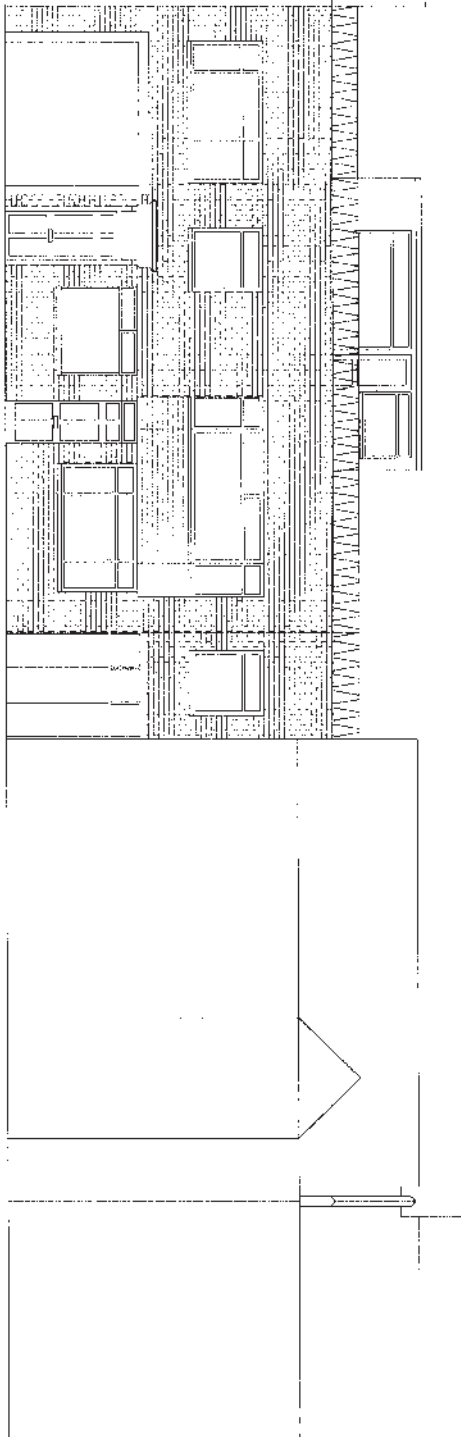
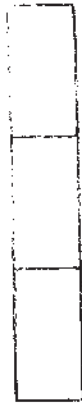
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| Revision | Description | Date |
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| Client: | | |
| Architect: | | |
| Project: | FLORENCE ROAD WIMBLEDON | |
| Title: | PROPOSED GROUND FLOOR LAYOUT | |
| Drawn: | A.J.O. | Check/Approved: N.W. |
| Date: | AUG'13 | |
| Scale: | 1:50@A1 | |
| Drawn File: | 01 | |
| Drawing Number | 001 | |
| Revision | | |

LONDON BOROUGH OF MERTON

25 NOV 2013



FRONT ELEVATION

This drawing was prepared
by the Architect
on 25 NOV 2013

| | | | |
|----------------|----------------------------|----------|-------------|
| Client | Merton Council | Drawn | |
| Project | FLORENCE ROAD WIMBORTON | Checked | |
| Drawn | FRONT ELEVATION AYOUT | Scale | 1:500 |
| Client Ref | A10 | Date | 25 NOV 2013 |
| Project Ref | 03 | Sheet | 1 OF 1 |
| Drawing Number | 03 | Revision | |


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FRONT ELEVATION



REAR ELEVATION

| Revision | Description | Date |
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| Drawing Status: | | |
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| Client: | | |
| Architect: | | |
| Project: | FLORENCE ROAD WIMBLEDON | |
| Title: | PROPOSED ELEVATION LAYOUT | |
| Drawn: | A.J.O. | Check/Approved: N.W. |
| Date: | DEC'12 | |
| Scale: | 1:50@A1 | |
| Code File: | 004 | |
| Drawing Number | 004 | |
| Revision | | |