

PLANNING APPLICATIONS COMMITTEE
27 March 2014

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	14/P0126	23/01/2014
Address:	Layton House, 152-154 Worple Road, SW20 8QA	
Ward:	Hillside	
Proposal:	The demolition of the existing vacant building that previously provided a 25 bedroom hostel and the erection of new part four, part five storey building comprising 18 self-contained flats (10 one bedroom, 7 two bedroom and 1 three bedroom) with car parking at the rear of the site and adjacent to the front boundary providing a total of 11 car parking spaces and 19 cycle parking spaces.	
Drawing No's:	1214 100; 102S; 103R; 104C; 105Q; 106N; 107P; 113B; 114A; 115E; 117N; Design and Access Statement; Initial Bat Survey; Arboricultural Implications Report; Extended Habitat Survey; CGI 'View South from the Downs'; CGI 'View along the street from the North East'; CGI 'View along the street from the North West'.	
Contact Officer:	Tony Ryan [020 8545 3114]	

RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions and a S106 legal agreement or a Unilateral Undertaking submitted by the applicant.

CHECKLIST INFORMATION.

- S106: Education, sustainable transport, permit free and Affordable Housing;
 - Is an Environmental Statement required: No;
 - Has an Environmental Impact Assessment been submitted: No;
 - Press notice: Yes;
 - Site notice: Yes;
 - Design Review Panel: Yes meeting on the 29 May 2013 [Pre-application];
 - Archaeological Priority Zone: No;
 - Area at risk of flooding: No [Zone 1];
 - Controlled Parking Zone: Yes [Zone W7];
 - Conservation Area: No;
 - Trees: No Tree Preservation Orders;
 - Number of neighbours consulted: 113;
 - External consultations –Secured by Design Officer and Thames Water;
 - PTAL: 3 [TFL Planning Information Database];
 - Density – 281 habitable rooms per hectare [site area of 0.16 hectares 45 habitable rooms];
 - Number of jobs created: N/A [7 staff for previous residential use].
-

1. INTRODUCTION

- 1.1 This application is brought before Committee for Members' consideration due to the level of interest shown in the application as a result of public consultation and following a request from Councillor David T Williams and Councillor David Simpson that the Planning Applications Committee consider this planning application.

2. SITE AND SURROUNDINGS

- 2.1 The application site covering 0.16 hectares, is located on the south east side of Worple Road (B235). The adjacent building at 156 Worple Road separates the application site from the traffic light controlled road junction with Lower Downs Road. The road junction with The Downs is located opposite the application site.
- 2.2 The application site is currently occupied by a detached, red brick building called Layton House. This building has been vacant since November 2011 and was last used as specialist sheltered living accommodation [25 bedrooms] for residents with mental health problems. The building has accommodation over two floors with additional floor space within the building roof space. The layout of the existing building includes communal kitchens, living rooms and showers, a laundry and an office.
- 2.3 The existing building on the application site has a 'T' shape footprint with a rear building wing extending into the rear garden. The site has a large open area of garden to the rear. There is a fall in ground level towards the rear of the site, and this includes a two metre level change between the front boundary and the rear elevation of the existing building and half a metre level change between the rear elevation of the building and the rear boundary.
- 2.4 Two sets of external steps provide access from the terrace immediately at the rear of the building to the main part of the rear garden. An existing vehicular crossover from Worple Road provides access to a parking area to the front of the building that provides six informal off street car parking spaces
- 2.5 The front elevation of the existing building on the application site is set back behind the front elevation of the adjacent four storey residential building called Nasonhall Court at 150 Worple Road, and slightly forward of the three storey residential building called Greener Court at 156 Worple Road [located at the corner of Lower Downs Road]. This existing stepped building layout follows the general pattern of development along this side of Worple Road.
- 2.6 The area surrounding the application site is residential in character with buildings of up to 4 storeys in height found along Worple Road. Surrounding development is built in a broad mixture of design and styles and includes detached and terraced buildings. Residential buildings in Ethelbert Road border the proposal site to the rear with

these buildings providing residential accommodation on three levels [ground, first floor and in the roof space].

- 2.7 The submitted Arboricultural Implications Report identifies 24 trees actually on the application site or on neighbouring land close to the boundary with the application site. A weeping willow tree is located in the centre of the rear garden with other trees located close to the application site boundaries. There are no Tree Preservation Orders present on the site.

3. CURRENT PROPOSAL

- 3.1 The current application involves the demolition of the existing vacant building and the redevelopment of the site with a part four, part five storey flat roof building that will provide 18 flats.
- 3.2 These 18 flats include ten one bedroom, two person units, 8 two bedroom, four person units and a three bedroom six person unit. The development includes 19 covered cycle parking spaces and the formation of an undercroft vehicle access to the rear of the site that will enable provision of 11 car parking spaces [including 2 disability spaces].
- 3.3 With the pronounced drop in ground level at the rear of the application site the proposed development includes semi basement/ lower ground floor accommodation facing the rear of the application site. The semi basement area provides three flats [listed as flats 1, 2 and 3 in the table on the next page] with a further four flats provided at ground floor level [flats 4, 5, 6 and 7 in the table].
- 3.4 The ground floor of the building also provides internal storage for 19 cycles with four visitor cycle parking spaces provided adjacent to the front boundary. The revised arrangements for the storage of refuse and recycling include three new enclosures, the first behind the front elevation of Nasonhall Court and the second and third adjacent to the boundary with Greener Court.
- 3.5 At first floor level the proposed building provides four flats [flats 8, 9, 10 and 11 on the next page], five flats at second floor level [flats 13, 14, 15, 16 and 17 in the table] with flat 18 at third floor level. All of the flats are provided with private external amenity space with access to the shared rear garden.
- 3.6 The existing site includes vehicle access from the front car parking area on to Worple Road. The current proposal will provide two vehicle access points on the application site. The first providing access to a disabled parking space and the second to the undercroft access to the rear of the application site.

3.7 The following table provides details of the floor areas and external space that the development will provide and a comparison to the relevant policy open space and amenity space standards.

Table 1: Bedrooms, bed spaces, areas and amenity space.

Unit	Bedrooms	Bed spaces	Floor area [Sq. M]	London Plan standard [Sq. M]	External amenity space [Sq. M]	UDP standard [Sq. M]	Sites & Policies DPD [Emerging]
1	1	2	56	50	8 and 450 shared space	20	5
2	1	2	55	50	19 and 450 shared space	20	5
3	1	2	55	50	19 and 450 shared space	20	5
4	2	4	79	70	8 and 450 shared space	30	7
5	1	2	55	50	5 and 450 shared space	20	5
6	1	2	55	50	6 and 450 shared space	20	5
7	1	2	51	50	6 and 450 shared space	20	5
8	1	2	55	50	13 and 450 shared space	20	5
9	1	2	54	50	6 and 450 shared space	20	5
10	2	4	76	70	7 and 450 shared space	30	7
11	2	4	83	70	8 and 450 shared space	30	7
12	2	4	80	70	14 and 450 shared space	30	7
13	1	2	55	50	6 and 450 shared space	20	5
14	1	2	54	50	6 and 450 shared space	20	5
15	2	4	76	70	7 and 450 shared space	30	7
16	2	4	83	70	8 and 450 shared space	30	7
17	2	4	80	70	14 and 450 shared space	30	7
18	3	6	136	95	60 and 450 shared space	40	9

4. PLANNING HISTORY.

- 4.1 Planning permission was approved in 1957 [LB Merton reference WIM3368] for a change in the use of the building at 154 Worple Road to allow use as a residential hostel for 14 former hospital patients. Planning permission was approved in 1960 [LB Merton reference WIM5380] for a change in the use of the adjacent building at 152 Worple Road to allow use as a residential hostel for 15 former hospital patients and staff by the Cheshire Foundation Trust.
- 4.2 Planning permission was approved in 1979 [LB Merton reference MER836/78] for the erection of part single, part two and part three storey building with single storey annexe at rear. Planning permission was approved in 1982 [LB Merton reference MER121/82] for a two-storey change rehabilitation hostel for the Cheshire Foundation Housing Association, involving demolition of the existing houses

5. CONSULTATION

- 5.1 Prior to the submission of the current planning application the applicant carried out a public consultation event. This event took place between 4pm and 7.30pm on Tuesday 5 November 2013 at The Sacred Heart Roman Catholic Church in Edge Hill.
- 5.2 Invitations were sent to 43 nearby properties, as well as ward councillors and local residents groups. The public consultation event generated 6 written responses. The views expressed in written responses and verbally at the consultation event have been reported by the applicant as follows followed by the applicant's response summarised from the submitted Design and Access Statement:
- Concern about a loss of privacy to Nasonhall Court from the development and specifically a proposed roof terrace located close to the boundary.
 - In response to these concerns the design of the development has been amended to remove the terrace adjacent to the boundary. Obscured glass has been introduced used to prevent potential overlooking from other balconies and roof terraces.
 - Disturbance caused by noise and smoking generated by people using the roof terraces and balconies.
 - In response to these concerns the applicant has stated that it is considered that the separation distance between the roof terraces and balconies will ensure that no nuisance would be caused.
 - Loss of sunlight to windows in Nasonhall Court.
 - In response to these concerns the applicant has stated that due to the nature of the windows the impact of the development is considered acceptable.
 - Disturbance from the refuse storage area adjacent to the front of Nasonhall Court.

- In response to these concerns the applicant has stated that the arrangements for the storage of refuse have been amended.
- The development will provide insufficient off street car parking.
 - In response to these concerns the applicant has stated that it is considered that the development achieves the correct balance between the retention of external amenity space and off street car parking in this location that has 'strong transport links'.

5.3 The submitted planning application was publicised by means of a site notice, and individual consultation letters sent to 113 neighbouring properties. As a result of this consultation, responses have been received from thirteen neighbours objecting to the proposal on the following grounds:

Neighbour amenity

- There is a concern about generation of noise, disruption and mess;
- Assurance is required that the flats will be occupied by decent people i.e. owner occupiers and not let to people on benefits;
- The development will have a 'great impact on the daylight' received by Lantern Court;
- The development will lead to a loss of privacy for the residents of Nasonhall Court;
- The use of balconies and roof terraces will cause disturbance to adjacent occupiers in terms of noise and cigarette and barbeque smoke;
- The development will lead to a loss of light to the bedrooms at the rear of Nasonhall Court;
- The location of the bin store adjacent to the frontage of Nasonhall Court will lead to nuisance from smells;
- The kitchen smells from the development will cause nuisance to adjacent occupiers;
- The clerestory windows in the flank elevation of Nasonhall Court contrary to the applicant's submission do provide daylight and sunlight to lounges.
- The layout of the development should match Nasonhall Court in terms of the location of bedrooms and living areas to avoid noise disturbance.
- The development should be no higher than adjacent buildings;
- The development should not extend past the rear elevation of the existing building;
- There is a concern about the bulk and massing of the proposed building;

Traffic and transport

- The development will lead to overspill on street car parking on neighbouring roads;
- There is a concern about the impact of refuse vehicles on Worple Road;

- The development will place further strain on the locality in terms of traffic generation;
- The vehicle entrance to the development site is poorly designed and will impact upon highway safety
- If any off street car parking is to be allowed on this site it should be underground.
- The development will further stretch 'resources of the locality' in terms of traffic, and car parking;

Bulk, layout, scale and design

- The proposed building is too large for the site;
- The proposed building extends too far into the rear garden;
- The proposed building sits in the middle of the site like 'an ugly carbuncle'.
- The development fails to respect neighbouring development;
- The proposal is an overdevelopment of this site;
- The development seeks to cram 18 flats into a small area;

Trees

- The development will have a negative impact on trees.
- The arboricultural assessment of trees on the site as category c is disputed;
- The loss of 25 trees is a high number given the pollution in the area, are these trees going to be replaced?
- The trees on the boundary of the site should be retained;

Other matters

- The development will place further strain on the locality in terms of the impact on drainage;
- The applicant has considered resident's concerns expressed at the pre-application stage in 'a rather superficial manner'.
- The development may make Lantern Court 'weaker' structurally;
- The development will adversely impact upon the rental value of flats in Nasonhall Court;

5.4 Wimbledon Society The excavation of the basement will require a hydrological study and a management plan to ensure that the disposal of spoil will not impact upon amenity. The existing accommodation on the site provides 'social housing' and it unclear how this provision will now be met. The current site and others in the area include planting on the front boundary and it is unclear how this will be met and new landscaping should be a condition of any planning permission.

5.5 Thames Water There is no objection to the development with informatives and conditions suggested in relation to any groundwork located close to a sewer, impact piling and water pressure.

5.6 LB Merton Transport Planning There is no objection to the development subject to planning conditions relating to the submission

of further details of cycle parking, the provision of off street car parking an informative relating to the need for separate approval for any works affecting the public highway and a planning obligation preventing future residents from obtaining an on street car parking permit.

- 5.7 Councillor David Williams This planning application should be refused on the basis that it is unacceptable for future residents of this development that is outside a town centre or close to a transport hub to be both denied on street residential parking permits and have under provision of off street car parking as part of the development.
- 5.8 Councillor David Simpson This planning application should be refused on the basis that it is unacceptable for future residents of this development that is outside a town centre or close to a transport hub to be both denied on street residential parking permits and have under provision of off street car parking as part of the development.
- 5.9 Designing out Crime Officer Metropolitan Police There is no objection to the development subject to the incorporation of Secured By Design Principles as a minimum security standard and that full Secured By Design accreditation is sought.
- 5.10 Design Review Panel. At the pre-application stage the Council's Design Review Panel considered the proposed development on the 29 May 2013. The comments from the panel are provided below in italics and are followed by a response to them
- 5.11 Design Review Panel comment: *"The Panel felt that generally the form and massing of the proposed building was appropriate, and had no particular objections to the relatively simple approach to the architecture. They felt however, that it did run a risk of becoming a little bald like the adjacent buildings and it therefore needed a finer grain of detail added to it in some way. A better transition from the urban scale to the fine detail was needed"*.
- 5.12 Response: In response to the comments from the Design Review Panel the applicant has amended the design to articulate the front and rear elevations with balconies that include reference to the bay windows on nearby Victorian villas. The revised design includes considerably more articulation to the top floor design and "this finishes off the building's design in a contemporary manner that is a lively alternative to a conventional pitched roof".
- 5.13 Design Review Panel comment: *"There was a general concern that the applicant was trying to put too much development on the site and that this was apparent in a number of ways. It was felt that the garden space was suffering greatly, with the great majority of it taken up for parking. Adjacent developments had far less parking and public transport was good on Worple Road"*.

- 5.14 Response: The panel in earlier comments confirmed their opinion that generally the form and massing of the proposed building were considered appropriate for this location.
- 5.15 Design Review Panel comment: *“Given the sloping nature of the site and the already proposed semi-basement, it was strongly recommended that undercroft/basement parking was provided and/or parking numbers were substantially reduced/arranged more efficiently”.*
- 5.16 Design Review Panel comment: *“A good quality landscaping scheme that was not dominated by parking was more important than saving the willow tree, and it should not unduly dictate the rear planning of the site”.*
- 5.17 Response: The open areas of the site and the level of car parking at the rear of the site has been reconsidered following the comments from the Design Review Panel. As a result the rear of the site has been reconfigured with the removal of the Willow Tree and a more efficient car parking layout.
- 5.18 Design Review Panel comment: *“Internally, the Panel were very concerned at the high numbers of single aspect flats, a number of which faced north, and many of which were particularly narrow and deep in plan. Particular reference was made to living rooms that could only be accessed by passing through kitchen areas. It was felt that there was scope to widen the building at the rear to widen these units and satisfactorily resolve this issue”.*
- 5.19 Response: Following the Design Review Panel comments the internal layout of the accommodation has been reconfigured. The flats have been widened and all the flats apart from a single flat at lower ground floor level now have a dual aspect. The internal layout has been revised with improvements to the relationship between kitchens and living areas.
- 5.20 *Concerns were also raised about the access undercroft. It was felt to be quite narrow. This meant the direct access from the cycle store onto this was not satisfactory for safety reasons. Cycle parking numbers also needed to be increased. The pedestrian route from the cycle store to the main entrance was also not very easy – the disabled parking space meant that vehicles would block a convenient route. This whole access and undercroft area therefore needed further design development.*
- 5.21 Response: The position of the vehicle undercroft access to the rear of the site has been relocated during the design development and this has allowed pedestrian access arrangements and cycle storage to be improved.

5.22 *Overall the Panel felt there were sufficient key issues that needed further development that warranted the given verdict, and urged the applicant to follow these through even if they became quite difficult to resolve. VERDICT: **AMBER***

5.23 Response: In providing the 'Amber' verdict it is considered that the points raised by the Design Review Panel have been satisfactorily resolved in the amendments to the design of the development.

6 POLICY CONTEXT

The London Plan [July 2011].

6.1 The relevant policies in the London Plan [July 2011] are 3.3 [Increasing housing supply]; 3.4 [Optimising housing potential]; 3.5 [Quality and design of housing developments]; 3.6 [Children and young people's play and informal recreation facilities]; 3.8 [Housing choice]; 3.9 [Mixed and balanced communities]; 3.11 [Affordable housing targets]; 3.17 [Health and social care facilities]; 5.1 [Climate change mitigation]; 5.2 [Minimising carbon dioxide emissions]; 5.3 [Sustainable design and construction]; 5.7 [Renewable energy]; 5.10 [Urban greening]; 5.13 [Sustainable drainage]; 6.3 [Assessing effects of development on transport capacity]; 6.9 [Cycling]; 6.10 [Walking]; 6.11 [Smoothing traffic flow and tackling congestion]; 6.12 [Road network capacity]; 6.13 [Parking]; 7.2 [An inclusive environment]; 7.3 [Designing out crime]; 7.4 [Local character]; 7.5 [Public realm]; 7.6 [Architecture]; 7.14 [Improving air quality]; 7.15 [Reducing noise and enhancing soundscapes]; 7.21 [Trees and woodlands] and 8.2 [Planning obligations].

Mayor of London Supplementary Planning Guidance

6.2 The following supplementary planning guidance is considered relevant to the proposals: The Housing Supplementary Planning Guidance (2012).

Policies retained in Adopted Unitary Development Plan [October 2003]

6.3 The relevant planning policies retained in the Adopted Unitary Development Plan [October 2003] are BE.14 [Archaeological evaluation]; BE.15 [New buildings and extensions; daylight; sunlight; privacy; visual intrusion and noise]; BE16 [Urban design]; BE.21 [Important local views, panoramas and prospects]; BE22 [Design of new development]; BE25 [Sustainable development]; C1 [Location and access of facilities]; C13 [Planning obligations for educational facilities]; E2 [Access for disabled people]; F2 [Planning obligations]; HS1 [Housing layout and amenity]; L9 [Children's play facilities]; NE11 [Trees protection]; PE7 [Capacity of water systems]; PE.9 [Waste minimisation and waste disposal]; PE.11 [Recycling points]; PE.12 [Energy generation and energy saving] and RN3 [Vehicular access].

Merton Supplementary Planning Guidance

6.4 The key supplementary planning guidance relevant to the proposals includes New Residential Development [1999]; Design [2004] and Planning Obligations [2006].

- Policies within Merton LDF Core Planning Strategy [adopted July 2011]
- 6.5 The relevant policies within the Council's Adopted Core Strategy [July 2011] are CS.8 [Housing choice]; CS.9 [Housing provision]; CS.13 [Open space; nature conservation; leisure and culture]; CS.14 [Design]; CS.15 [Climate change]; CS.18 [Active transport]; CS.19 [Public transport]; and CS.20 [Parking; servicing and delivery].

- National Planning Policy Framework [March 2012]
- 6.6 The National Planning Policy Framework [NPPF] was published on the 27 March 2012 and replaces previous guidance contained in Planning Policy Guidance Notes and Planning Policy Statements. This document is a key part of central government reforms '...to make the planning system less complex and more accessible, and to promote sustainable growth'.

- 6.7 The NPPF supports the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, and not to hinder or prevent development.

- 6.8 The NPPF states that planning policies should avoid the long-term protection of sites allocated for employment use where there is no reasonable prospect of a site being used for that purpose. Land allocations should be regularly reviewed. Where there is no reasonable prospect of a site being used for the allocated employment use, applications for alternative uses of land or buildings should be treated on their merits having regard to market signals and the relative need for different land uses to support sustainable local communities.

- 6.9 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively. Local planning authorities should look for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.

- Emerging policies within the Draft Sites and Policies Plan.
- 6.10 Paragraph 216 of the National Planning Policy Framework advises that a decision maker may give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan and the extent to which there are unresolved objections to relevant policies.

- 6.11 The London Borough of Merton draft 'Sites and Policies Plan' was submitted to the Secretary of State in September 2013. The independent Planning Inspector appointed by the Secretary of State considered the Sites and Policies Plan at a public hearing held between 21 and 29 January 2014..
- 6.12 The other relevant policies within the Draft Sites and Policies Plan are as follows: DMD1 [Urban design and the public realm]; DMD2 [Design considerations and the public realm]; DME1 [Employment areas in Merton]; DMEP2 [Reducing and mitigating against noise]; DM T1 [Support for sustainable travel and active travel]; DM T2 [Transport impacts from development]; DM T3 [Car parking and servicing standards].
- 6.13 The Inspector did not raise and concerns in relation to these policies, or make any indication that the submitted Plan was not sound. On this basis it is considered that these policies use should be given significant weight in determining the current planning application.

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include assessing the principle residential accommodation, the design and appearance of the proposed buildings, the standard of the residential accommodation, the impact on residential amenity and the impact on car parking, traffic generation and highway safety.

Loss of the existing residential accommodation

- 7.2 The proposal site currently provides a two-storey residential building and adjacent car parking area with adjacent development comprising of buildings of between two and four storeys in height. The site is located in a sustainable location benefiting from good public transport accessibility and pedestrian access to the various goods and services available locally. In this context an increase in the development density on this site has "in principle" support subject to consideration of the standard and appearance of the proposed development and the potential impact on the local area.
- 7.3 Retained Policy HP.2 of the adopted Unitary Development Plan [October 2003] states that planning permission will not be granted for a proposal that would lead to the loss of existing residential use except in various circumstances including where the proposal would lead to a net increase in housing accommodation on a site. The current proposal involves the loss of a 25 bedroom hostel that was previously occupied by residents that suffered from mental illness and the provision of 18 self contained flats.
- 7.4 The applicant, Ability Housing Association, is a 'Registered Provider' of affordable housing and of the type of specialist residential accommodation that was previously provided on the application site. The applicant has stated that the existing does not provide

accommodation that meets current standards for those with specialist needs. The alteration and renovation of the building has also been considered but it was found that due to the level of work that was required this was unviable.

- 7.5 In conclusion it is considered that with the poor standard of existing accommodation within this vacant building and the proposed provision of 18 flats, the current proposal is in line with retained Policy HP.2 of the adopted Unitary Development Plan [October 2003]

Need for additional housing, residential density and housing mix.

Need for additional housing

- 7.6 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.
- 7.7 Policy CS. 9 within the Council's Adopted Core Strategy [July 2011] and policy 3.3 of the London Plan [July 2011] state that the Council will work with housing providers to provide a minimum of 4,800 additional homes [320 new dwellings annually] between 2011 and 2026. This minimum target that should be exceeded where possible includes a minimum of 500 to 600 homes in the Raynes Park sub area where the proposal site is located. It is also highlighted that the housing delivery trajectory set out in the latest Council's Annual Monitoring Report has identified future challenges in ensuring an adequate supply of housing is delivered in the borough to meet the minimum targets in the Core Strategy and the London Plan.
- 7.8 The Core Strategy states that the Council will encourage housing in 'sustainable brownfield locations'. The Core Strategy states that that it is expected that the delivery of new housing in the borough will be achieved in various ways including the development of 'windfall sites'. The current application site is a 'windfall site' and is on brownfield land in a sustainable location adjacent to other existing residential properties and benefiting from good access to public transport and other local facilities.
- 7.9 In conclusion the provision of additional residential accommodation on this site in a sustainable location is considered acceptable in principle subject to other considerations including matters of design, bulk, scale and layout, the standard of accommodation and the impact on amenity.

Residential density

- 7.10 Comments received as a result of public consultation have suggested that the submitted proposal represents an over development of the application site.
- 7.11 The London Plan states that in areas such as the application site with a Public Transport Accessibility Level of 3, the residential density should

be within a range of 200 to 450 habitable rooms per hectare. With the application site covering a site area of 0.16 hectares and provision of 45 habitable rooms the residential density of the development is 281 habitable rooms per hectare.

- 7.12 The development is considered in keeping with the nature of the surrounding area that includes several flatted blocks on comparable sites including Beaufort House, 2A Lower Downs Road [18 flats]; Copperfield Court, 146 Worple Road [15 flats]; Lantern Court, 99 Worple Road [23 flats], Ranmore Court, 101 Worple Road [15 flats]. With the residential density also within the middle of the density range that is set out in the London Plan, it is considered that the residential density of the development is acceptable.

Housing mix

- 7.13 Policy CS. 8 within the Council's Adopted Core Strategy [July 2011] states that the Council will seek the provision of a mix of housing types sizes and tenures at a local level to meet the needs of all sectors of the community. This includes the provision of family sized and smaller housing units.

- 7.14 The application site is located in an area, where there is currently a mixture of housing types and the proposed development will provide 10 one bedroom flats, 7 two bedroom flats and 1 three bedroom flat.

- 7.15 It is considered that the proposed accommodation will provide units of various sizes and increase the number of residential accommodation available locally. It is considered that the current proposal will contribute towards the creation of a socially mixed and sustainable neighbourhood in accordance with Core Strategy policy CS8.

Design, bulk, scale and layout.

- 7.16 The London Plan policy 7.4 requires, amongst other matters, that buildings, streets and open spaces should provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including that buildings should be of the highest architectural quality, be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, comprises details that complement, not necessarily replicate the local architectural character, do not cause unacceptable harm to the amenity of surrounding land and buildings, particularly residential buildings, in relation to privacy, overshadowing, wind and microclimate.
- 7.17 Retained UDP policies BE.16 and BE.22 require proposals for development to compliment the character and appearance of the wider setting. This is achieved by careful consideration of how the density, scale, design and materials of a development relate to the urban setting in which the development is placed. Policy CS14 of the adopted

Core Strategy states that all development needs to be designed to respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. This will be achieved in various ways including by promoting high quality design and providing functional spaces and buildings.

- 7.18 The application site is located on the south east side of Worple Road opposite the road junction with The Downs. The surrounding area is residential in character with some variety in terms of the design and appearance of buildings. Lantern Court [23 flats] is located opposite the site at 99 Worple Road and consists of a four storey red brick building of a contemporary design with prominent structures resembling chimneys dominating the Worple Road elevation. Swinburn Court at 97 Worple Road is a two storey, red brick building of a simple design with a pitched roof providing 6 flats. Further to the north east there are Victorian villas [including 95, 142, 144 Worple Road] that have accommodation over four levels including in the roof space and a semi basement. In this context and the variety that currently exists locally the general design approach that has been taken is considered acceptable.
- 7.19 On the opposite side of Worple Road to the application site is the four storey building called Lantern Court that provides 23 flats. The building immediately to the south west of the application site is Greener Court [at the junction of Lower Downs Road] and this building is a three-storey building with a flat roof proving six flats. To the north east is a four storey building with a pitched roof at 150 Worple Road called Nasonhall Court [8 flats]. The proposed building will be higher then Greener Court but lower then Nasonhall Court and in this context the height of the building stepping up from three storeys to four storeys on the Worple Road frontage is considered acceptable.
- 7.20 The existing building on the application site is located behind the front elevation of Nasonhall Court and slightly forward of Greener Court with a parking area located to the front of the site. This general development pattern is repeated with adjacent buildings along Worple Road and with the majority of the proposed building set back behind Nasonhall Court with this pattern of development is maintained as part of this development.
- 7.21 The section of the proposed building adjacent to Nasonhall Court will be visible for some distance as it is located opposite the road junction with The Downs. It is considered that the design of the front elevation with the location of the main entrance to the new building, the four storey bay and the use of materials is of a suitable design and appearance in this prominent location at the end of this vista and provides legibility for visitors to the building. As part of the submitted planning application the applicant has provided computer generated images. It is considered that these help to demonstrate that the

proposed development would be of a height and scale that reflects nearby development.

- 7.22 The Design and Access Statement submitted with the planning application lists the proposed facing materials for the new building. The building will be constructed of yellow London Stock brick with detailing provided by light cream coloured melamine panels. The front entrance door will be hardwood and of a dark plum colour. The window frames, sunscreen louvres and the handrail above the glazed balconies and terraces will be powder coated dark graphite grey aluminium. The proposed materials are considered in keeping with the surrounding area whilst also reflecting the contemporary design of this development.
- 7.23 In conclusion the design, scale, layout and appearance of the proposed development complements the local context and respects the local pattern of development in accordance with policy BE.16, policy BE.22 Unitary Development Plan, policy CS14 of the Core Strategy and policy 3.5 of the London Plan. It is considered that the applicant has satisfactorily addressed the points that were raised by the Council's Design Review Panel when this proposal was considered.

Neighbour amenity.

- 7.24 Policy HS.1 of the adopted Unitary Development Plan [October 2003] states that all proposals for residential development should safeguard the residential amenities of occupiers of nearby properties in terms of maintaining adequate daylight and sunlight and the protection of privacy.
- 7.25 Policy BE15 of the Unitary Development Plan states that new buildings will be expected to maintain sunlight and daylight levels to adjoining buildings and gardens; ensure the privacy of neighbours; protect from visual intrusion and not result in harm to living conditions through noise or disturbance.
- 7.26 The adjacent flatted blocks at 150 and 156 Worple Road and residential buildings in Ethelbert Road border the application site. The potential impact of the proposed development on the amenity of residents of these buildings is considered below.

Residential properties to the rear in Ethelbert Road

- Privacy and overlooking.
- 7.27 In seeking to minimise the impact of new development on the privacy of existing adjacent residential occupiers the Council's Supplementary Planning Guidance sets out minimum separation distances for main habitable room windows. This includes a recommended minimum separation distance of 20 metres between directly opposing habitable room windows located on the upper floor levels of residential accommodation.

7.28 At the closest point a distance of 36 metres will separate habitable room windows on the rear elevation of the proposed building from the windows on the rear elevation of properties at the rear of the site in Ethelbert Road. On this basis it is considered that the proposed development will not result in any loss of privacy to these neighbouring properties.

- Visual intrusion, loss of outlook, loss of daylight and sunlight.

7.29 The proposed new building will be seen from residential accommodation in Ethelbert Road in the context of the higher building at 150 Worple Road [Nasonhall Court]. In this context and the separation distance of 36 metres it is not considered that the proposed development will lead to any visual intrusion or loss of outlook, daylight or sunlight.

- Noise and disturbance

7.30 The proposal includes the demolition of the existing building that was previously used as a 25-bedroom hostel for residents with mental illness and which is likely to have caused an associated level of noise and disturbance.

7.31 The current proposal includes the introduction of car parking on land at the rear of the site. In the context of existing car parking and garages located to the rear of both neighbouring buildings this proposed car parking is considered acceptable.

7.32 The application site is surrounded by residential buildings and the current proposal involves the construction of a replacement domestic residential building. The use of the garden area at the rear of the site by future residents may result in noise generation however there is nothing to suggest that this would be greater than any other residential development and therefore this is considered acceptable.

Residential building at 150 Worple Road [Nasonhall Court].

- Privacy and overlooking.

7.33 The side elevation of the neighbouring building at 150 Worple Road includes both a bathroom window and a high level clerestory secondary lounge window on each of the four storeys of the building.

7.34 The proposed building provides kitchen windows at ground, first and second floor levels and a bathroom window at third floor level to the main side building elevation. A planning condition is recommended to ensure that that these windows are fitted with obscured glass and fixed shut up to 1.7 metres above internal finished floor level. The rear wing of the building also includes secondary lounge windows facing towards the side garden boundary with 150 Worple Road. With the presence of windows in the rear wing of the existing building and the distance from the boundary [8 metres] it is considered that these lounge windows are acceptable.

- 7.35 The proposed building includes roof terraces at first, second and third floor levels to the rear elevation and terraces to the front elevation. In order to avoid overlooking or a loss of privacy from these terraces a planning condition is recommended to ensure that there is suitable privacy screening in place prior to the first occupation of the units and that other areas of flat roof at third floor level are not used as external amenity areas.
- 7.36 After considering the location and nature of the windows on 150 Worple Road, the separation distances from the boundary and the use of planning conditions the impact of the development is considered acceptable in terms of loss of privacy and overlooking.
- 7.37 It is highlighted that the existing building on the application site could be lawfully occupied and operate as a 25 bedroom hostel without any further need for planning permission. The existing building has two first floor windows and a door currently facing towards the side elevation of 150 Worple Road.
- Visual intrusion, loss of outlook, loss of daylight and sunlight.
- 7.38 The existing building is set back 6 metres behind the front elevation of 150 Worple Road. Whilst the front elevation steps forward towards the middle of the site, the proposed building will be set back behind the front elevation of 150 Worple Road by a distance of 4 metres at the closest point to the site boundary.
- 7.39 The side elevation to the main part of the existing building is separated from the neighbouring building at 150 Worple Road by a distance of 2.5 metres. The main part of the proposed building will maintain the existing separation distance [2.5 metres] from the side elevation of 150 Worple Road. The side elevation of 150 Worple Road includes both a bathroom window [non habitable room and windows fitted with obscure glass] and a high level clerestory secondary lounge window on each of the four storeys of the building.
- 7.40 The existing building on the application site has a 'T' shape footprint with the rear building wing extending into the rear garden. The rear wing of the existing building is located 10 metres from the side elevation of 150 Worple Road, with this wing currently extending 12 metres past the rear elevation of 150 Worple Road into the rear garden. The roof ridge of the existing building on the application site is a height of 9 metres and the roof eaves at a height of 5.5 metres.
- 7.41 The proposed building on the application site also been designed with a rear building wing. The rear wing on the proposed building is located 9 metres from the side elevation of 150 Worple Road [1 metre closer then the existing wing] and will extend 10.5 metres past the rear elevation of this neighbouring property [1.5m shorter then the existing wing]. At the point closest to the rear elevation of 150 Worple Road the side elevation of the proposed building will be 10 metres high [1 metre

higher than the roof ridge of the existing building] with the height of the proposed building then stepping up to maximum height of 13 metres. The roof ridge of the neighbouring building at 150 Worple Road is a height of 13.8 metres.

- 7.42 The rear elevation of the existing building extends 2.5 metres past the rear of 150 Worple Road and this will be increased to 3.8 metres by the proposed building. The Council's Aspect Value Test outlined in Supplementary Planning Guidance has been used to consider the impact of the proposed building. With the height of the proposed building and the separation distance between the new building and the habitable room windows on the rear elevation of 150 Worple Road the development was found to pass this Aspect Value Test.
- 7.43 The applicant also commissioned an additional daylight and sunlight assessment following the Building Research Establishment (BRE) document 'Site Layout Planning for Daylight and Sunlight: a guide to good practice'. This assessment concluded that as a result of the relationship between the new building and 150 Worple Road the development would not materially impact upon sunlight and daylight to this neighbouring property.
- 7.44 With the existing separation building distance maintained and the secondary nature of these adjacent side elevation windows the impact of the proposed development on all the windows in this neighbouring building are considered acceptable in terms of loss of sunlight and daylight. With the nature of the existing windows, the separation distances and the footprint of the proposed development it is not considered that the development will result in a loss of outlook or visual intrusion.
- Noise, disturbance and smells
- 7.45 The area surrounding the application site has many flatted blocks of accommodation and balconies are provided on many of these blocks. This includes balconies on the front elevation of the neighbouring building at 150 Worple Road and balconies on the rear and front elevations of the building at 146 to 148 Worple Road.
- 7.46 It is accepted that the use of the balconies by future residents could result in noise generation and/or smoke from barbeques or cigarette smokers however there is nothing to suggest that this would be greater than any other residential development. It is also highlighted that there are other existing balconies nearby that could also be the source of nuisance. It is considered for these reasons that the balconies are acceptable.
- 7.47 On the side elevation of the adjacent building at 150 Worple Road there are currently vents and extractor ducts associated with the kitchens to the four flats within this building. The layout of the proposed building also includes three kitchens and a bathroom in a similar

location. There is nothing to suggest that cooking smells generated by the proposed accommodation would be greater than any other residential development and the location of the kitchens and any impact from then is therefore considered acceptable.

- 7.48 Following comments received as a result of the consultation process the arrangements for the storage of refuse and recycling have been reconsidered with the submitted changes subject to further consultation with adjacent residents. The revised arrangements include moving part of the storage away from the boundary with 150 Worple Road with the retained storage moved behind the front elevation of this neighbouring property. It is accepted that there may be noise and smells generated by the proposed refuse and recycling storage. Any impact from this storage has been reduced by the revisions to the development and due to the proposed enclosed storage structures and the relocated positions the refuse storage is considered acceptable

Residential building at 156 Worple Road [Greener Court].

- Privacy and overlooking.

- 7.49 It is highlighted that the existing building on the application site has two first floor windows and a door currently facing towards the adjacent elevation of 156 Worple Road.
- 7.50 The elevation of the neighbouring building at 156 Worple Road facing towards the application site has a bathroom window on each of the three building storeys. The proposed building provides kitchen windows at first and second floor levels on the main side elevation. A planning condition is recommended to ensure that that these windows are fitted with obscured glass and fixed shut up to 1.7 metres above internal finished floor level.
- 7.51 Other windows at ground, first and second floor levels serving lounges and bedroom and ensuite bathroom windows at third floor levels are set back from the site boundary. With the presence of windows in the rear wing of the existing building, the distance of these windows from the boundary [minimum of 6 metres] and screening provided by boundary treatments and the proposed building it is considered that these windows are acceptable in terms of privacy and overlooking.
- 7.52 The proposed building includes roof terraces at first and second floor levels to the rear elevation. In order to avoid overlooking or a loss of privacy from these terraces a planning condition is recommended to ensure that that there is suitable privacy screening in place prior to the first occupation of the units and that other areas of flat roof at third floor level are not used as external amenity areas.
- 7.53 After considering the location and nature of the windows on the side elevation of 156 Worple Road, the separation distances and the use of planning conditions the impact of these new windows is considered acceptable in terms of loss of privacy and overlooking.

Loss of daylight, sunlight and visual intrusion.

- 7.54 A distance of 3 metres currently separates the existing building on the application site from the adjacent building at 156 Worple Road [Greener Court]; the proposed building will reduce this separation distance to 2.5 metres.
- 7.55 The front elevation of the existing building is a metre forward of the front elevation of 156 Worple Road. The proposed building will be also be a metre forward of the front elevation of 156 Worple Road on the boundary. At a distance of 12 metres from the side elevation of 156 Worple Road the front elevation of the proposed building steps forward by 3 metres
- 7.56 The roof ridge height of the existing building on the application site [9 metres high] is 1 metre higher than Greener Court [8 metres high]. The proposed building on the boundary will be 2.5 metres higher than Greener Court adjacent to the boundary.
- 7.57 The side elevation of 156 Worple Road includes three bathroom windows. Bathrooms provide non habitable floor space and two of these bathroom windows are currently fitted with obscure glazing. With the separation distance between the buildings and the secondary nature of these adjacent windows the impact of the proposed development on these windows is considered acceptable in terms of loss of sunlight and daylight.
- 7.58 The rear elevation wall of the proposed building is set back 1.5 metres behind the rear elevation of 156 Worple Road. At a distance of 9 metres from 156 Worple Road the proposed building then extends 4 metres past this adjoining building. The Council's Aspect Value Test outlined in Supplementary Planning Guidance has been used to consider the impact of the proposed building and the development was found to pass this Aspect Value Test. With the nature of the existing windows, the separation distances and the footprint of the proposed development it is not considered that the development will result in a loss of outlook or visual intrusion.
- 7.59 In conclusion it is considered that the new development would not have a harmful impact on daylight and sunlight, overlooking and privacy or be visually intrusive having assessed the potential impact on neighbour amenity impact, height, design and orientation of the new buildings and separation from property boundaries. The proposed development is considered to be in line with the requirements set out in the Council's Supplementary Planning Guidance.

Standard of residential accommodation.

- 7.60 Policy HS.1 and BE.15 of the adopted Unitary Development Plan [2003] states that all proposals for residential development should safeguard the residential amenities of future occupiers in terms of

providing adequate internal space, a safe layout and access for all users; and provision of adequate amenity space to serve the needs of occupants. Policies CS 8, CS9 and CS14 within the Council's Adopted Core Strategy [2011] states that the Council will require proposals for new homes to be well designed.

Internal layout and room sizes

- 7.61 Policy 3.5 of the London Plan [July 2011] states that housing developments should be of the highest quality internally and externally. Boroughs should also ensure that new development reflects the minimum internal space standards [specified as Gross Internal Areas] as set out in table 3.3 of the London Plan.
- 7.62 The table provided in section 3 of this report sets out the gross internal areas for the proposed accommodation and the relevant London Plan standards. The proposed houses provide accommodation that meets these standards. The internal layout of the accommodation is considered to make good and efficient use of the available space with an appropriate internal layout and good provision of natural light to all habitable rooms.

External amenity space

- 7.63 Retained Unitary Development Plan policy HS.1 requires that all proposals for residential development provide adequate private amenity space to meet the needs of future occupiers. The residential development would be expected to comply with the amenity space standards provided within policy HS.1 and the Council's Supplementary Planning Guidance – "New Residential Development" (1999). These standards state that flats should have a minimum private external amenity area of 10 square metres per habitable room.
- 7.64 The proposed eighteen dwellings are all provided with access to private external amenity space. Whilst this individual private space does not meet the Unitary Development Plan standard it is highlighted that future occupiers will also have access to 450 square metres of shared outdoor space in the rear garden. In addition and as set out in the table in section 3 of this report the proposed external amenity space provision is in line with the Council's emerging standards in the Sites and Policies Development Plan Document.
- 7.65 It is a matter of planning judgment as to the relative weight that should be attached to the failure to meet external amenity space standards set out in Unitary Development Plan policy HS.1. It is considered by officers that the proposed residential accommodation is of a good general standard and that this overall assessment should be given greater weight than meeting individual amenity space standards.

Lifetime Homes and wheelchair accessible standards.

- 7.66 Policies in the London Plan and Core Strategy require all new residential properties to be built to Lifetime Home Standards and for 10% of new residential properties to be provided as disabled units.
- 7.67 As part of the planning application the applicant has confirmed that the development aims to meet Lifetime Home Standards. A planning condition is recommended to ensure prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Home Standards based on the relevant criteria.

Traffic, transport, car parking, servicing and access.

- 7.68 The application site is located on the south east side of Worple Road (B235). The adjacent building at 156 Worple Road separates the application site from the traffic light controlled road junction with Lower Downs Road. The road junction with The Downs is located opposite the application site with the linked yellow box junction markings outside the site. The remaining application site frontage has road markings linked to the nearby pelican pedestrian crossing and double yellow line parking restrictions.
- 7.69 The site has a public transport accessibility level [PTAL] of 3 [On a scale of 1a, 1b, and 2 to 6a, 6b where zone 6b has the greatest accessibility]. This PTAL level indicates that the site has a fair level of access to public transport services, however it is highlighted that the site is within a reasonable walking distance of Raynes Park and Wimbledon Chase Rail Stations and is served by bus services that connect to both those stations and Wimbledon Town centre.

Car parking

- 7.70 Policy CS20 of the Core Strategy [July 2011] states car parking should be provided in accordance with current parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety.
- 7.71 Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling walking and public transport use. The current car parking standards are set out within the London Plan and these require a 'maximum' of between 1 and 1.5 spaces for properties with three bedrooms and less than one per unit for properties with one or two bedrooms.
- 7.72 Emerging planning policy DM T3 in the Sites and Policies DPD states that within areas of good public transport accessibility or in areas of parking stress within a Controlled Parking Zone, the council will expect new developments to restrain the amount of on-site parking and also restrict access to on-street resident parking permits. It is considered that the proposed development providing eleven car parking spaces is

in line with this policy. As the application site has reasonably good access to public transport [PTAL 3] and is in an area of parking stress and within a Controlled Parking Zone a s106 obligation is proposed that will prevent future occupiers of this development from receiving on street parking permits.

- 7.73 In order to reduce carbon dioxide emissions and promote sustainable transport choices the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan states that new car parking provision should include facilities to charge electric vehicles [a requirement of 20% of total spaces]. A planning condition is recommended to ensure that these car parking spaces are provided.

Traffic generation

- 7.74 It is considered that with this relatively small number of units the development would generate a minimal amount of traffic over the course of a day and during peak traffic periods. The impact on the local area in terms of traffic generation is therefore considered to be negligible.

Servicing, access, refuse storage and collection.

- 7.75 Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to demonstrate that their development will not adversely affect safety and traffic management; and to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway. The policy also requires developers to incorporate safe access to, and from the public highway.
- 7.76 The applicant has shown on the submitted plans the location and footprint of enclosures for refuse and recycling storage. The location and footprint of these enclosures are considered acceptable however a planning condition is recommended to seek further details such as the proposed construction materials and to ensure that these facilities are provided and retained. The collection of refuse and recycling will take place from Worple Road by vehicles as part of the current collection service that operates for adjacent residential accommodation. There are not considered to be any highway safety issues associated with this existing service or the collections from the development site.
- 7.77 There is sufficient space on the site to ensure that vehicles can enter and exit the site in a forward gear and adequate visibility at the front boundary. The design of the proposed undercroft vehicle access to the rear of the site is also considered acceptable. The current site has a single vehicle access point on to Worple Road and it is proposed to create two separate new vehicle access points to the site. The design and location of these proposed access points are considered acceptable in terms of highway safety.

Cycling and pedestrian access

- 7.78 Policy CS 18 of the adopted Core Strategy [July 2011] states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; and encouraging design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities. Policy CS20 of the Core Strategy [July 2011] states that the Council will seek to implement effective traffic management by requiring developers to demonstrate that their development will not adversely affect pedestrian and cycle movements.
- 7.79 In line with the London Plan standards [one space for 1-2 bedroom units and two for 3 bedroom units] the applicant has confirmed that the application will provide nineteen cycle parking spaces provided for each of the three bedroom units. A planning condition is recommended to seek further details of this storage and to ensure that these facilities are provided and retained. The pedestrian access to the proposed building and the pedestrian routes and access to cycle storage within the site boundary are considered acceptable.
- 7.80 Subject to suitable conditions to any planning permission it is considered that the proposed development is acceptable in terms of the impact on traffic and car parking and has been designed with adequate access and servicing arrangements in line with Policy CS20 of the Core Strategy [July 2011].

Trees, landscaping and wildlife

- 7.81 Policy CS.13 within the Adopted Core Strategy [2011] states that development should seek to integrate new or enhanced habitat or design and landscaping that encourages biodiversity.
- 7.82 Policy DM O2 in the emerging Sites and Policies DPD states that development will only be permitted if it will not damage or destroy any tree which has significant amenity value. Development may be permitted when the removal of the tree is necessary in the interest of good arboricultural practice; or the benefits of the development outweighs the tree's amenity value. In granting permission for a proposal that leads to the loss of a tree of amenity value, Policy DM O2 states that replacement planting will be secured through a planning condition.
- 7.83 To categorise the standard of the 24 trees found on or on neighbouring land close to the site boundary the submitted Arboricultural Implications Report uses the recognised system in BS:5837. The proposed development includes the removal of two trees on the application site. The first tree is a weeping willow located on land to the rear of the site which was considered to be of low quality [BS:5837 Category C] and had only short term potential. The second maple tree which although considered to be of moderate quality [BS:5837 Category B] and to the front of the site it was not considered a significant landscape feature because of its small size and readily replaceable.

- 7.84 A planning condition is recommended to ensure that the retained trees and root protection areas on the application site have suitable protection during construction works. A planning condition is recommended to seek details of a new landscaping scheme on the site. This landscaping scheme should include landscaping along the front boundary and replacement trees and for these trees and landscaping to be provided prior to occupation of the proposed accommodation. This landscaping scheme should also include a biodiversity enhancement plan in line with the submitted 'Extended Phase 1 Habitat Survey'.
- 7.85 Policy DM D2 of the merging Sites and Policies Development Plan Document states that development will be expected to conserve and enhance the natural environment, particularly in relation to biodiversity and wildlife habitats. Policy CS13 of the adopted Core Strategy requires new development to integrate new or enhanced habitat or design and landscaping which encourages biodiversity, avoids causing ecological damage and provides mitigation and compensation for any ecological damage that is caused. The applicant has carried out an initial bat survey with the subsequent report confirming that no evidence of bats was found on the application site. The submitted report also recommended that further survey work is carried out. A planning condition is recommended to ensure that the recommendations of the initial bat survey report are carried out and where necessary enhancements are put in place prior to the first occupation of the proposed development.

Drainage and potential impact from the proposed semi basement

- 7.86 A consultation response has objected to the development on the basis that it will place further strain on the local drainage. The capacity of local utilities such as drainage is the responsibility of the relevant utility company. A consultation response from Thames Water has raised no objection to the proposed development in relation to the development in terms of the proposed additional demand placed on drainage.
- 7.87 There is an existing substantial drop in ground level towards the rear boundary of the application site and the current proposal involves the creation of a semi basement to utilise this physical feature of the site. The emerging Development Plan Document DM D2 states that proposals for basement and subterranean developments will be expected to meet several characteristics including safeguard the structural stability of nearby buildings; do not cause harm to trees and make the fullest contribution to mitigating the impact of climate change by meeting the carbon reduction requirements of the London Plan. With a recommended planning condition seeking the submission of sustainable urban drainage scheme the proposed development is considered in line with policy DM D2

Sustainable design and construction.

- 7.88 The Council's Core Strategy reinforces the wider sustainability objectives of the London Plan with policy CS15 requiring all development to demonstrate how the development makes effective use of resources and materials and minimises water use and CO2 emissions. All new development comprising the creation of new dwellings will be expected to achieve Code 4 Level for Sustainable Homes.
- 7.89 Planning conditions are recommended to seek the submission of a design stage assessment and post construction certification to show that that Code for Sustainable Homes Level 4 is achieved together with a minimum improvement in the dwelling emissions rate in accordance with current policy requirements.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 The application site is less than 0.5 hectares in area and therefore falls outside the scope of Schedule 2 development under the The Town and Country Planning (Environmental Impact Assessment) Regulations 2011. In this context there is no requirement for an Environmental Impact Assessment as part of this planning application.

9. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Lev

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy [CIL], the funds for which will be used by the Mayor of London towards the 'CrossRail' project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL.
- 9.2 The CIL charge that would be payable, for the proposed development, [the information form provided by the applicant states that there will be additional floor space of 1,528 square metres], under the Mayor of London Community Infrastructure Levy would be provisionally £53,480.

Planning Obligations

- 9.3 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development;
 - fairly and reasonably related in scale and kind to the development.
- 9.4 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused

Financial contribution towards education provision;

- 9.5 Saved UDP policy C13 recognises that new housing developments will lead to additional pressure on local educational facilities, and seeks financial contributions to be used towards the extra demand placed on local schools as a result of the development.
- 9.6 The nearest primary school to the application site is Wimbledon Chase Primary School [0.35 miles away]. The expansion of Wimbledon Chase Primary School was completed in Spring 2011 and in this context it is considered that it is not appropriate to seek a contribution towards primary education provision as part of the development.
- 9.7 In relation to secondary school places, planning has commenced in order to meet the predicted demand in 2016/2017 across the whole borough that will arise from growth within the existing population. The Council in its Business Plan for 2013-17 has identified a requirement for projects to meet this need with new classrooms required from 2017/2018. There are no funding commitments from the Department for Education to help meet this need and therefore there is a funding gap. In addition to the need from the existing population the new family sized dwellings within the proposed new development will exacerbate the need for secondary school places within the schools that would serve this development site. There are no formal catchment areas for secondary schools as travel distance is greater.
- 9.8 In order to meet the need from the existing population and new developments the Council is planning projects for which there is a shortfall of funding. Given this situation a financial contribution towards the provision of secondary school places is considered necessary as part of the proposed development and this accords with Regulation 122 of the Community Infrastructure Regulations 2010 and the NPPF. A planning obligation consisting of a financial contribution of £9,428.32 is sought towards secondary school education provision.
- Financial contribution towards provision of affordable housing:
- 9.9 Policy CS. 8 within the Council's Adopted Core Strategy [July 2011] states that the Council will seek the provision of a mix of housing tenures at a local level to meet the needs of all sectors of the community including provision for those unable to compete financially in the housing market sector.
- 9.10 Having regard to characteristics such as site size, site suitability, financial viability issues and other planning contributions Core Strategy policy CS 8 states that affordable housing provision on developments of ten or more residential units should include 40% of the units as affordable housing provision and within this provision 60% of the units as social rented and 40% as intermediate accommodation.
- 9.11 The applicant submitted a financial viability assessment that concluded that for the proposed development to remain viable it was not capable of providing affordable housing at the level that is set out in Core

Strategy policy CS 8. A third party assessor is currently considering the applicant's submitted financial viability assessment

9.12 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.

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

Monitoring and legal fees

9.12 As set out in the Council's adopted Supplementary Planning Guidance the s106 monitoring fees would be calculated on the basis of 5% of the monetary contribution [£TBC]. Legal fees for the preparation of the S106 agreement would need to be agreed at a later date.

10. CONCLUSION

10.1 The proposed development represents an effective and sustainable use of this brownfield site providing additional residential units and incorporates a design and layout sympathetic to the character of the surrounding area, whilst at the same time minimising any adverse impacts on neighbouring amenity. Accordingly, it is recommended that planning permission be granted subject to the planning conditions and planning obligations set out below.

RECOMMENDATION

Either a Unilateral Undertaking covering the following heads of terms:

- 1. Subject to planning permission being issued before the end of March 2014 the provision of a financial contribution towards secondary school education provision [£9,428.32].**
- 2. Subject to planning permission being issued before the end of March 2014 a financial contribution towards sustainable transport [£9,000];**
- 3. [Subject to conclusions of viability assessment] On site affordable housing provision at 40% on site to include 60% social rented and 40% intermediate or off site contribution of £138,167.**
- 4. A restriction preventing future occupants from obtaining on street car parking permits.**
- 5. The developer agreeing to meet the Council's costs of drafting the Section 106 Obligations [£TBC].**

6. The developer agreeing to meet the Council's costs of monitoring the Section 106 Obligations [£TBC].

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

1. [Subject to conclusions of viability assessment] On site affordable housing provision at 40% on site to include 60% social rented and 40% intermediate or off site contribution of £138,167.

2. The development being designated 'Permit Free'.

3. Payment of the Council's legal and professional costs in drafting, completing and monitoring the legal agreement.

And the following conditions:

1. Standard condition [Time period] 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 for condition: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. Amended standard condition [Approved plans] The development hereby permitted shall be carried out in accordance with the following approved plans: 1214 100; 102S; 103R; 104C; 105Q; 106N; 107P; 113B; 114A; 115E; 117N; Design and Access Statement; Initial Bat Survey; Arboricultural Implications Report; Extended Habitat Survey; CGI 'View South from the Downs'; CGI 'View along the street from the North East'; CGI 'View along the street from the North West'. Reason for condition: For the avoidance of doubt and in the interests of proper planning.
3. Standard condition [Timing of construction work] No demolition or construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays - Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays or at any time on Sundays or Bank Holidays. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
4. Amended standard condition [Construction phase impacts] Prior to the commencement of any development [including demolition] a working method statement shall be submitted to and approved in writing by the Local Planning Authority to accommodate: parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of dust, smell and other effluvia; control of surface water run-off.

No development shall be carried out except in full accordance with the approved method statement. Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011.

5. Non standard condition [Demolition dust and noise] measures shall be in place to prevent nuisance from dust and noise to surrounding occupiers with these measures in accordance with a method statement that has previously been submitted to and approved in writing to the Local Planning Authority with the approved measures retained until the completion of all site operations. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with policy PE.2 of the Adopted Merton Unitary Development Plan 2003.
6. Non standard condition [Tree protection measures] Prior to the commencement of any development [including demolition] the tree protection measures outlined in the submitted Arboricultural Implications Report shall be in place on the site with these measures maintained until the completion of all site operations. Reason for condition: To protect and safeguard the existing retained trees in accordance with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
7. Non standard condition [Landscaping] Prior to first occupation of the proposed new dwellings or the first planting season following occupation new landscaping shall be in place that is accordance with a landscaping scheme that will have previously been submitted to and approved in writing by the Local Planning Authority, with the submitted plan including full details of the size, species, spacing, quantities and location of plants, landscaping along the front boundary and replacement trees together with a biodiversity enhancement plan in line with the submitted 'Extended Phase 1 Habitat Survey' and details of hard surfacing, and indications of all existing trees, hedges and any other features to be retained. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.
8. Standard condition [Redundant Crossovers] The development shall not be occupied until the existing redundant crossover/s have been be removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority. Reason for condition: In the interests of the safety of pedestrians and vehicles and to comply with policy RN.3 of the Adopted Merton Unitary Development Plan 2003.
9. Non standard condition [Car parking spaces] Prior to first occupation of the proposed new dwellings the car parking spaces shown on the approved drawing to serve the development shall be provided and shall

include two spaces that include a facility to charge an electric vehicle and thereafter the spaces shall be kept free from obstruction and shall be retained for parking purposes for users of the development and for no other purpose. Reason for condition: To ensure the provision of an appropriate level of car parking and comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011, the Mayor of London's Electric Vehicle Delivery Plan and policy 6.13 of the adopted London Plan.

10. Non standard condition [Details of walls and fences] Prior to first occupation of the proposed new dwellings and notwithstanding what is shown on the submitted drawings walls and fences or other means of enclosure shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the walls and fences or other means of enclosure retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure a satisfactory and safe development in accordance with policies BE.16 and BE.22 of the Adopted Merton Unitary Development Plan.
11. Non standard condition [Obscured glazing north east elevation] Prior to first occupation of the proposed new dwellings the [kitchen and bathroom] windows in the side [north east] elevation of the new building shall be fitted with obscured glazing up to a height of 1.7 metres above internal finished floor level and fixed shut and shall be permanently maintained as such thereafter. Reason for condition To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with policy BE.15 of the Adopted Merton Unitary Development Plan 2003.
12. Non standard condition [Obscured glazing south west elevation] Prior to first occupation of the proposed new dwellings the [kitchen] windows in the side [south west] elevation of the new building shall be fitted with obscured glazing up to a height of 1.7 metres above internal finished floor level and fixed shut and shall be permanently maintained as such thereafter. Reason for condition To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with policy BE.15 of the Adopted Merton Unitary Development Plan 2003.
13. Non standard condition [Screening] Prior to first occupation of the proposed new dwellings privacy screening shall be in place for the proposed external amenity areas at ground, first, second and third floor levels that is in accordance with details that has previously been submitted to and approved in writing by the Local Planning Authority with the approved screening maintained for the lifetime of the development. Reason for condition To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with policy BE.15 of the Adopted Merton Unitary Development Plan 2003. .

14. Non standard condition [Extent of third floor external amenity space] The external amenity space at third floor level comprising a terrace of 9.9 square metres, a terrace of 6.2 square metres and a roof garden of 44 square metres shall be provided in strict accordance with the approved plans. Reason for condition To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with policy BE.15 of the Adopted Merton Unitary Development Plan 2003. .
15. Non standard condition [Extent of third floor external amenity space] Prior to first occupation of the approved development measures shall be in place to prevent access to other areas of flat roof at third floor level with these measures in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority with these approved measures maintained for the lifetime of the development. Reason for condition To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with policy BE.15 of the Adopted Merton Unitary Development Plan 2003.
16. Non standard condition [Sustainable Urban Drainage] Prior to first occupation of the approved development a Sustainable Urban Drainage system shall be in place that is in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. Reason for condition To improve drainage in the vicinity of the proposed semi basement in accordance with Sites and Policies Development Plan Document policy DM D2.
17. Standard condition [Code for Sustainable Homes Pre-Commencement - New build residential] No development shall commence until a copy of a letter from a person that is licensed with the Building Research Establishment (BRE) or other equivalent assessors as a Code for Sustainable Homes assessor that the development is registered with BRE or other equivalent assessors under Code For Sustainable Homes and a Design Stage Assessment Report demonstrating that the development will achieve not less than Code for Sustainable Homes Level 4 has been submitted to and approved in writing by the Local Planning Authority together with minimum improvements in the dwelling emissions rate in accordance with current policy requirements. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies BE.25 of the Adopted Merton Unitary Development Plan 2003, 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
18. Amended standard condition [Code for Sustainable Homes Pre-Occupation- New build residential] Unless otherwise agreed in writing by the Local Planning Authority, prior to first occupation of the proposed new dwellings a Building Research Establishment or other equivalent assessors Final Code Certificate shall be submitted to, and acknowledged in writing by the Local Planning Authority providing

confirmation that the development has achieved not less than a Code 4 level for Sustainable Homes together with confirmation that minimum improvements in the dwelling emissions rate have been achieved in accordance with current policy requirements. Reason for condition: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies BE.25 of the Adopted Merton Unitary Development Plan 2003, 5.2 of the Adopted London Plan 2011 and CS 15 of the Adopted Merton Core Planning Strategy 2011.

19. Amended standard condition [Lifetime homes] Prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy [July 2011].
20. Non standard condition [Cycle storage] Prior to first occupation of the proposed new dwellings the cycle storage and parking shown on the approved drawings shall be in place with the cycle storage retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy [July 2011].
21. Non standard condition [Refuse and recycling facilities] Prior to first occupation of the proposed new dwellings refuse and recycling facilities shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the refuse and recycling facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies BE.15 and PE.11 of the Adopted Merton Unitary Development Plan 2003.
22. Amended standard condition [External Lighting] Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason for condition To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with policy PE.3 of the Adopted Merton Unitary Development Plan 2003.
23. Amended Standard condition [Hardstanding areas] All areas of proposed hardstanding shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the boundaries of the application site before the development hereby permitted is first occupied. Reason for condition To reduce surface water run off and to reduce pressure on the

surrounding drainage system in accordance with Policy CS 16 of the Adopted Merton Core Planning Strategy 2011

24. Non standard condition [Bats] Development shall only proceed in accordance with the conclusions and recommendations of the 'Initial Bat Survey' produced by Middlemarch Environmental Ltd, dated November 2013, Ref RT-MME115782-02 and should a bat roost be found, enhancements shall be in place prior to first occupation of the any residential unit that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority. Reason for condition To conserve the natural environment in accordance with policy CS13 of the Core Strategy and policy DM D2 of the Sites and Policies Development Plan Document.

INFORMATIVES:

- a) The applicant is advised that details of Lifetime Homes standards can be found at www.lifetimehomes.org.uk
- b) The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application.
- c) The applicant is advised to contact the Council's Highways team on 020 8545 3700 before undertaking any works within the Public Highway to obtain the necessary approvals and/or licences.
- d) The applicant is reminded that the findings of the Extended Phase 1 Habitat Survey highlight the presence of invasive plant species [Japanese Knotweed and Butterfly-Bush] on the application site and to ensure compliance with the Wildlife and Countryside Act 1981 the development should not cause the Japanese Knotweed to spread.
- e) The applicant is advised that the demolition works should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should be also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside act 1981. If bats are found, Natural England should be contacted for advice (telephone: 020 7831 6922).
- f) The applicant is reminded of the need to comply with the Control of Asbestos Regulations 2012 in relation to the demolition of the existing garages on the application site, with further advice available at the following link: <http://www.hse.gov.uk/asbestos/regulations.htm>.

This page is intentionally left blank