

**PLANNING APPLICATIONS COMMITTEE**  
**27 March 2014**

**Item No:**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	13/P4062	20/01/2014
<b>Address/Site:</b>	8 Wilton Road	
<b>Ward:</b>	Colliers Wood	
<b>Proposal:</b>	Construction of a two storey side extension and a single storey rear extension involving the demolition of the memorial building and garage; a smoking shelter in the rear garden; a paved area; a side security gate and the installation of CCTv cameras; in connection with the use of the property as temporary accommodation for homeless people (A sui-generis use).	
<b>Drawing No's:</b>	DL 12-13, WR/GAE201, WR/GAP100 Revision A, WR/GAP101, WR/CCTV100 Revision A, WR/CCTVFF101 & WR/FG101 Arboricultural assessment AIAI3-1 -14 and AMS13114-003-B protect.	
<b>Contact Officer:</b>	Joyce Ffrench (020 8545 3045)	
<b>Recommendation:</b>	GRANT PLANNING PERMISSION subject to conditions	

**CHECKLIST INFORMATION.**

- S106: N/A
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted - No
- Press notice – No
- Site notice – Yes
- Design Review Panel consulted – No
- Number of neighbours consulted – 13
- External consultations – No
- Density – N/A

- Number of jobs created: 2 project workers and 1 trainee have been proposed with a 'waking night cover' position replacing a sleep-in staff member

## **1. INTRODUCTION**

- 1.1 This application is brought before Committee for Members' consideration as the application site is a hostel run on behalf of the Council and due to the high number representation received from local residents. It is considered that determination of the application by Officers would fall outside the scheme of delegation.

## **2. SITE AND SURROUNDINGS**

- 2.1 The application site is a Victorian end of terrace double fronted detached property which has a two storey side/rear extension and an infill single storey rear extension. There are iron railings to the front, a memorial building (erected by a local builder on the instructions of Burke Downing after the death of his 21 year-old son) and a garage to the side
- 2.2 The property has been in use as a temporary home for young single homeless persons since 1986. The facility is run by The SPEAR Housing Association in association with the London Borough of Merton Housing Department
- 2.3 The property has a garden to a depth of 16m. which backs onto properties in Norfolk and Cavendish Road
- 2.4 A plaque is to be placed by London Borough of Merton on the original building in memory of the local architect Mr Henry Philip Burke Downing who lived at this property.
- 2.5 The property is neither in a flood risk area, nor a Conservation Area and has a PTAL rating of 3.

## **3. CURRENT PROPOSAL**

- 3.1 The current proposal is for demolition of the existing side extension, the memorial building and the garage and the erection of a two storey side extension, a single storey flat roof rear extension and a smoking shelter in the rear garden with a paved area
- 3.2 The use of the property is to be for temporary (12-week) accommodation for vulnerable persons. This use may extend to any vulnerable person considered by the Local Authority to be in need of temporary accommodation should the need for

accommodation for young single homeless persons diminish; this may include rough sleepers and people with learning difficulties.

- 3.3 The hostel currently has 6 bedrooms, 5 for homeless people and 1 for staff i.e 5 persons or 9 if sharing. The proposal is for 5 bedrooms on the ground floor (2 for staff) and 10 bedrooms on the first floor (2 twin rooms) i.e. maximum of 15 homeless people.
- 3.4 The Housing Team have provided information to illustrate a Management plan, confirmed that a local working group will be set up by SPEAR, the Council's appointed managers of the facility, and an up-to-date complaints procedure.

#### Funding

- 3.5 The Housing Team have confirmed that the project has support and conditional funding from the GLA as follows:-
- The GLA has agreed to partially fund the improvement project for young single homeless persons at 8 Wilton Road with a £200k grant.
  - The Council is negotiating with the GLA over the terms and conditions regarding the offer of the funding and in the absence of resolution to the satisfaction of the Council, it would fund the entire improvement project using its own resources (Cabinet decision November 2013).

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

- 4.1 MER1218/85 - use of premises as a nine bed short stay hostel for young single homeless people- approved at Planning Applications Committee

Condition 2 states:- No nuisance (the existence or otherwise of which shall reside in the judgement of the LPA) shall be caused to adjoining residents

#### **5. RELEVANT POLICIES.**

##### National Planning Framework [March 2012]

- 5.1 The National Planning Framework was published on the 27 March 2012. This document is put forward as a key part of central government reforms '...to make the planning system less complex and more accessible, and to promote sustainable growth'.
- 5.2 The document reiterates the plan led system stating that development which accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework states that the primary objective of

development management should be to foster the delivery of sustainable development, not to hinder or prevent development. To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, local planning authorities need to approach development management decisions positively and 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.

Policies retained in Unitary Development Plan [2003]

- 5.3 The relevant policies in the UDP include:-  
NE.11 – Trees protection.  
BE.15 New buildings and extensions; daylight, sunlight, privacy, visual intrusion and noise  
BE.16: Urban Design  
BE.22: Design of New Development,  
BE.23: Alterations and extensions to buildings & BE.24: Roof extensions and dormer windows.  
C.3: People with a learning disability  
HN.5: Residential Institutional Uses  
HN.6: Accommodation for homeless people

Merton LDF Core Planning Strategy [2011]

- 5.4 The relevant policies within the Adopted Core Strategy [July 2011] is  
CS14 Design  
CS11 Infrastructure  
CS8 Housing Choice
- 5.5 London Plan 2011  
Policy 3.1 Ensuring equal life chances for all  
Policy 3.8 Housing Choice  
Policy 3.17 Health and social care facilities

**6. CONSULTATION**

- 6.1 The submitted planning application was publicised by means of a site and individual consultation letters sent to 13 neighbouring properties. A re-consultation was undertaken during the life of the application to advise neighbours that the occupiers of the hostel may be varied from its present use (at present, solely for young single homeless persons) to other vulnerable groups. In response 81 letters of objection have been received raising concerns with regard to the following:-

- Current levels of anti-social (challenging) behaviour will increase
- No increase in staffing levels to cope with increase in occupiers
- The condition attached to the original application regarding nuisance has not been implemented.
- Lack of understanding from applicants who do not have face these problems.
- Loss of memorial building.
- Vagueness of potential occupiers of the extended hostel.
- The extension is a self-contained unit which could house other types of vulnerable people with a result that vulnerable young people may have to mix with older 'rough sleepers'. Request for risk assessment if offering accommodation for older persons with drugs issues to protect elderly occupiers of neighbouring properties who are themselves vulnerable .Is the hostel potentially going to offer 'specialised care' ?
- Loss of safety and security – flat roof provides means of access for criminals.
- The smoking shelter is not appropriate for a residential garden, will merely switch the noise problems from the front to the rear of the house and there will be inadequate garden space remaining.
- Disparity in plans for shelter.
- Lack of communication with local policing team on the potential increase in crime.
- Staff disposing of large items (furniture/mattresses) by burning them late in the evening.
- Extension is too large for this Victorian property.
- The introduction of additional transient occupiers will destroy the community.
- A larger number of smaller units with more intensive staffing would be better for vulnerable people and for the residents of LBM.
- There are other units in the vicinity which fulfil the same need.
- Details of fencing have not been submitted.
- Bad layout of living space.

#### 6.2 Environmental Health.

Concerns with regard to the removal of the garage as it has an asbestos roof. A condition will be imposed with regard to the removal of asbestos. No complaints have been received with regard to noise at this address.

#### 6.3 Transport Planning.

No objections or concerns

- 6.4 Metropolitan Police.  
Put forward suggestions with regard to safety and security and have requested a co-ordinated approach to anti-social behaviour with the Management of the hostel
- 6.5 Tree and Landscape Officer.  
The Tree and Landscape Officer has raised no objections to the amended layout plan and has requested that conditions be imposed relating to tree protection and site supervision.
- 6.6 Merton anti-social behaviour unit.  
Has no record of any complaints at this address
7. **PLANNING CONSIDERATIONS**
- 7.1 The key planning issues are the principle of the use and the need for additional bedspaces, impact on neighbour amenity in terms of additional noise and disturbance; design; safety and security
- Principle of use and need for additional bed spaces.**
- 7.2 The proposals would expand an existing facility on the site located in a residential area. In principle the use has already been established at the site.
- 7.3 Merton's LDF policy CS.8 seeks 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 including those with special needs.
- 7.4 The following information has been supplied by the Housing Officer in support of the application for the extension to provide additional bed spaces:-
- The GLA forecasts that Merton's population will increase between 6,000 and 16,000 people by 2017. The number of children and young people aged 0-19 is forecast to increase by around 3,180 (7%) over this period, and the number of children aged 5 to 9 is forecast to increase by 2,270 (20%), impacting on the future demand for young persons services.
  - Homelessness applications are on the increase, although acceptances level remains static over the last few years
  - It is important to note that the number of single homeless households deemed 'not in priority need' has been increasing
  - Single homeless people have complex support needs and require supported housing as well as education and training to help them gain full independence.

- Additional beds are also needed due to another scheme for young single homeless people in Hartfield Road closing on 28<sup>th</sup> March 2014. The scheme has 8 beds.
  - As well as young single homeless who approach the Housing Division for assistance, the Wilton Road hostel can also cater for 'Looked After Children' and Care Leavers who require supported housing. The number of children 'looked-after' by Merton Council had increased by 22% between 2008 and 2013.
- 7.5 Officers consider that the need for additional specialist housing has been demonstrated.
- 7.6 Concerns have been raised by local residents as to the density of this type of hostel in this area. The Housing Team have confirmed that there are no other hostels of this type in the immediate vicinity. Notwithstanding that the need to provide additional accommodation has been demonstrated, officers consider that the proposals would not give rise to an overconcentration of this type of housing in the locality that might otherwise detract from maintaining sustainable communities with a mix of housing types and tenures.
- Design.**
- 7.7 The design of the extension is sympathetic to the design of the original building and thereby complies with policy BE.23 of the UDP. The Conservation Officer has approved the design providing the existing railings are retained and protected during construction to ensure the external appearance of the property is maintained. The single storey flat roof infill extension is acceptable and not considered to have any negative impact on neighbouring occupiers.
- 7.8 The proposals involve the demolition of the chapel which removes a structure of local historic interest. However, this structure has not been well maintained and the Conservation Officer confirms that it is not worthy of preservation.
- 7.9 The position of the proposed smoking shelter has been the subject of neighbour concern as it is illustrated on the arboricultural assessment facing the garden of No. 6. The proposed site layout drawing WR/GAP100 shows the proposed smoking facing the correct way. The design and appearance of the shelter is considered acceptable.
- Neighbour impact.**
- 7.10 Policy BE.15 of the adopted Unitary Development Plan [2003] seeks to ensure that the living conditions of existing and future residents are not diminished by increased noise or disturbance.

- 7.11 The application form indicates that the enlarged hostel will not have additional staffing levels to cope with the increased number of vulnerable people in its care. This has raised concerns with neighbouring occupiers. The Housing Team have confirmed that the staffing figures quoted on the application form are incorrect; the current level of staffing as follows: 1 co-ordinator, 3 project workers, locum and sleep-in. In response to officer concerns and objections raised by local residents a proposal to provide more staff has been proposed. It is considered that, should the staffing levels be adjusted as proposed, a good management plan and complaints procedure is in place and, enhanced co-operation and communication with the Metropolitan Police and local residents, this unit, with its increase in bed spaces would be acceptable and would comply with policy BE.15 which seeks to protect the amenities of neighbouring occupiers.
- 7.12 The potential for any anti-social behaviour that might arise in the form of groups of young people gathering on the pavement may be reduced as a result of the erection of a shelter in the back garden. While the day to day management of the facility lies outside the remit of planning controls, the additional resourcing of the facility is to be welcomed and may have a positive impact on mitigating any impacts arising from the operation of the facility.
- 7.13 Additional security in the form of CCTV and a secure side gate is welcomed and would comply with the objectives of policy BE.22 of the UDP objectives of which include ensuring layouts that are safe, secure and take account of crime prevention.

**Other environmental impacts.**

- 7.14 The application form states there are no hazardous substances involved in the scheme however the removal of the garage involves the disposal of asbestos. The Environmental Health officer has asked for a method statement to be provided to ensure safe disposal of asbestos, this requirement will be imposed as a condition.
- 7.15 A concern has been raised with regard to the extension and associated works exacerbating a flood risk. While the site is not in a flood risk area a condition is proposed with regard to the materials for the newly paved area to ensure permeability to reduce the surface water runoff.

**Parking.**

- 7.16 Additional vehicle parking is not anticipated, however, the provision of cycle parking spaces would benefit the facility and a condition



will be imposed for the provision of cycle spaces. Transport Planning has raised no concerns or objections to the scheme

### **Trees**

- 7.17 The Tree Officer has raised no concerns with the arboricultural report and has requested that conditions be imposed with regard to site supervision and tree protection

### **Response to neighbour concerns.**

- 7.18 Neighbour concerns are addressed as follows:-
- i) Anti-social behaviour – while it is acknowledged that neighbouring residents have concerns, additional staffing is proposed, a complaints procedure is in place for residents and a sound management plan has been confirmed. While several residents have listed complaints they have made directly to occupiers of the hostel regarding anti- social behaviour no complaints have been received by the Metropolitan Police or LBM (neither Environmental Health, the Planning Enforcement Team nor the Anti-Social Behaviour unit).
  - ii) The condition attached to the original application regarding nuisance has not been implemented - this condition was imposed to protect neighbouring occupiers. There are no records of complaints being made to the LPA and, as many complaints would be with regard to 'out of office hours' behaviour, it is dubious as to whether this condition would be easily enforceable.
  - iii) Loss of the chapel - the removal of the building which was erected in memory of the son of Burke Downing is regrettable. However it has been poorly maintained and the Conservation Officer has confirmed that it is not worthy of preservation. A plaque is to be erected on the building to commemorate the life of Burke Downing.
  - iii) With regard to concerns about the potential occupants of the hostel being other than young people, LBM wish to maintain flexibility according to need and it is considered that it would be unreasonable to seek to regulate those who are eligible to live at the facility through planning conditions.
  - iv) The Metropolitan Police has raised concerns with regard to the extension to the rear which has a flat roof which may provide easy access for possible intruders. An informative can be attached to the planning decision notice to remind staff to

ensure that no ladders etc are left in the garden which can be used as a climbing aid.

- v) Smoking shelter – the smoking shelter will enable smokers to smoke in the back garden rather than the front where they will be more easily supervised by on-site management. Officers consider there is adequate garden area remaining and that the shelter is well placed away from neighbouring boundaries so as not to harm neighbour amenity.
- vi) Lack of communication by the local police – The Metropolitan Police have supplied guidance with regard to the plans and have offered to provide advice and assistance to the Management of the hostel to ensure it's smooth running.
- vii) Burning of furniture – complaints with regard to burning large items of furniture which could be taken to the local waste disposal unit are a matter for the on site management. Disposal of furniture would be a matter for the facility management to take up with the Council's Waste disposal unit and is outside planning controls.
- viii) The design and size of the extension is discussed in planning considerations.
- ix) The introduction of a large unit will destroy the community spirit – properly managed officers consider that this will not be the case.
- x) Smaller units would benefit the community – this facility has the benefit of space to the side which can be easily utilised for the extended facility
- xi) Details of boundary fences have not been submitted, a condition will be imposed to ensure gates and fencing are adequate for purpose
- xii) Already such units in the area – no such units have been identified.

## **8. Local Financial Considerations**

### **Community Infrastructure Levy**

- 8.1 The proposed development is managed by a charitable institution on behalf of LBM therefore it is not liable for the CIL charge.

## **9. CONCLUSION**

- 9.1 The principle of a temporary home for young single homeless people is established at this property. The need for additional facilities has been identified and funding either offered by the GLA, or earmarked by the Council is available to support the proposals.
- 9.2 The proposed scheme will provide a better standard of short term accommodation for vulnerable persons and overall the design of the extension is considered acceptable and sympathetic to the host building and has been designed to ensure suitable levels of safety and security.
- 9.3 Impact on local and neighbour amenity has been fully examined and much would appear to turn on the effective day to day management of the enlarged facility. To safeguard neighbour amenity the enlarged facility members may judge that the facility needs to be subject to robust management and complaint procedures to ensure the living conditions of the residents of Wilton Road do not suffer as a result of the proposals. The provision of a complaints procedure is welcomed. Officers would note however, that such day to day management measures are outside planning control and it would be unreasonable to seek to regulate the use by the imposition of conditions pertaining to the management of the facility.

## **RECOMMENDATION**

**Grant planning permission subject to the following conditions:**

1. A.1 Time limitations
2. A.7 Approved Plans
3. B.1 Materials for paving – permeable
4. B.2 Materials to match
5. B.5 Details of walls/fences
6. C.6 Refuse and re-cycling
7. C.8 No use of flat roof
8. D.11 Construction times
9. F.4 Tree Survey Approved
10. F.8 Site supervision (trees)
  
11. H.6P Cycle Parking
12. H.7 Cycle parking to be implemented

13. Non standard condition. The details and measures of the approved document 'Arboricultural Implications Assessment/arboricultural method statement for the proposed development at 8 Wilton Road' ref 'AIAI3-1-14' dated 17/01/2014, and the drawing titled 'Tree protection plan' numbered 'AMS13114-003-B-prroect' should be fully complied with, including the sequencing of works and method of constructing ground protection, throughout the course of site works and shall remain in place until the conclusion of all site operations. Reason for condition: To protect and safeguard the existing retained trees in accordance with policy CS13 of the Merton LDF (2011) and NE.11 of Merton UDP (2003).
14. Non standard condition. The timber decking shown in the approved drawing titled 'proposed site layout for MASH' numbered: 'WR/GAP100 Rev A' shall be constructed using the method specified in the approved arboricultural document: 'Arboricultural Implications Assessment/arboricultural method statement for the proposed development at 8 Wilton Road' ref AIAI3-1-14 dated 17/01/2014. Reason for condition:- To protect and safeguard the existing retained trees in accordance with policy CS13 of the Merton LDF (2011) and NE.11 of Merton UDP (2003).
15. Non standard condition. Details of measures to protect the railings to the frontage during the construction period should be submitted to the LPA and approved prior to construction. Reason for condition. To ensure the satisfactory appearance of the development and to comply with policy BE.23 of the UDP 2003.
16. Non standard condition. Prior to the commencement of demolition works of the existing garage a method statement outlining.
  - 1) Method of demolition of the garage.
  - 2) Measures to identify and remove asbestos.
  - 3) Measures to prevent nuisance from dust and noise to surroundings occupiers; shall be submitted to and approved in writing by the Local Planning Authority. The demolition works to the existing garage shall proceed in accordance with the approved method statement. Reason for condition: In order to safeguard the amenities of neighbouring residential occupiers.

INF3 Wheelchair accessible standards  
INF12 works affecting the public highway

NPPF Informative:-

In accordance with paragraphs 186 and 187 of the NPPF, The London Borough of Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:

- " Offering a pre-application advice and duty desk service.
- " Where possible, suggesting solutions to secure a successful outcome.
- " As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

In this instance:

- " The applicant/agent was provided with pre-application advice.
- " The application was acceptable as submitted and no further assistance was required.
- " The application was considered by the Planning Committee where the applicant/agent had the opportunity to speak to the committee and promote the application.

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