

PLANNING APPLICATIONS COMMITTEE

29 April 2021

<u>APPLICATION NO.</u>	<u>DATE VALID</u>	<u>Item no:</u>
21/P0008	11/12/2020	
Address/Site	18D Ridgway, Wimbledon, London, SW19 4QN	
Ward	Village	
Proposal:	CONVERSION OF EXISTING CLASS E OFFICE INTO A SINGLE DWELLING HOUSE C3	
Drawing Nos	2220-04 Revision B, 21220-06 Revision B, 2220-05 Revision B, 2220-01	
Contact Officer:	Charlotte Gilhooly (020 8545 4028)	

RECOMMENDATION

GRANT Planning Permission subject to conditions

CHECKLIST INFORMATION.

- Conservation Area- Yes
- Area at risk of flooding - No
- Local Development Plan site proposal designation - None
- Controlled Parking Zone - Yes
- Trees - No
- Listed Building - No
- Is a Screening Opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 48

1. **INTRODUCTION**

This application has been brought to the Planning Applications Committee for determination due to the nature and number of objections received.

2. **SITE AND SURROUNDINGS**

The application site comprises a single storey existing office unit (Class E) which is detached and located at the rear of 18 Ridgway via a gated shared access area which is primarily commercial. The existing building is used as a mixed medical/office unit (physiotherapy). The site is not listed or located with a designated neighbourhood parade but is located within a Conservation Area and Archaeological Priority Area Tier 2.

The site is in a PTAL area of 6a, which is considered to have good accessibility.

There is one off street parking space for a neighbouring property adjoining the site.

There are no further constraints on the site.

3. **CURRENT PROPOSAL**

This application seeks planning permission for the proposed change of use from an office (Class E) to residential (Class C3) to create a 1 bedroom residential unit. The proposal would be: 5.06m deep on the east side, 5.67m deep on the west side, 15.48m wide and 3.64m high. Entry to the flat would be via Ridgway through a shared automatic gate. No external changes to the existing building are proposed apart from an allocated parking space and outdoor amenity space. As such no new materials are proposed.

Plans have been amended during the application process to indicate internal storage. A CIL form has also been submitted.

The schedule of accommodation would be as follows:

	Dwelling type	GIA	Private external amenity space	Car Parking	Cycle parking
Flat 1	1b/2p	58.12sqm	Yes	1	Yes

4. **PLANNING HISTORY**

The site originally formed part of 2 Homefield Road. The following planning history therefore relates to this site address:

- MER501/79: TWO GARAGES AT REAR. GRANT PERMISSION (SUBJECT TO CONDITIONS) 10-08-1979.
- 02/P0911: DEMOLITION OF EXISTING GARAGES AND ERECTION OF A SINGLE STOREY OFFICE BUILDING WITH ASSOCIATED CAR PARKING. GRANT PERMISSION SUBJECT TO CONDITIONS 26-07-2002.

- 05/P0643: APPLICATION FOR A CERTIFICATE OF LAWFULNESS FOR PROPOSED USE OF EXTENDED GARAGE AT REAR OF PROPERTY AS AN ATELIER WITH REAR WHEELCHAIR ACCESS. REFUSE CERTIFICATE OF LAWFULNESS 13-06-2005
- 06/P0500: CHANGE OF USE OF EXISTING GARAGE AND SINGLE STOREY EXTENSION THERETO TO FORM WHEELCHAIR ACCESSIBLE OFFICE/STUDIO UNIT AT REAR OF PROPERTY. GRANT PERMISSION SUBJECT TO CONDITIONS 27-04-2006.
- 08/P2979: AMENDMENT TO PREVIOUS LBM PLANNING PERMISSION 06/P0500 (DATED 27/04/2006) TO INCORPORATE AN ADDITIONAL 24M2 OF OFFICE SPACE IN A SINGLE-STOREY BUILDING. GRANT PERMISSION SUBJECT TO CONDITIONS 31-12-2008.
- 09/P2541: CHANGE OF USE FROM OFFICE TO MIXED MEDICAL & OFFICE, FACILITATING EXPANSION OF EXISTING PHYSIOTHERAPY PRACTICE AT 18A RIDGWAY. GRANT PERMISSION SUBJECT TO CONDITIONS 05-01-2010.
- 10/P0254: APPLICATION FOR APPROVAL OF DETAILS RESERVED BY CONDITION 2 ATTACHED TO LBM PLANNING APPLICATION 09/P2541 RELATING TO THE CHANGE OF USE FROM OFFICE TO MIXED MEDICAL & OFFICE, FACILITATING EXPANSION OF EXISTING PHYSIOTHERAPY PRACTICE AT 18A RIDGWAY. GRANT DISCHARGE OF CONDITIONS 25-03-2010
- 20/P2836: ERECTION OF A FIRST FLOOR EXTENSION AND CONVERSION OF EXISTING D1 OFFICE INTO A SINGLE DWELLINGHOUSE C3. REFUSE PERMISSION.

5. CONSULTATION

Consultation letters were sent to neighbouring properties – 5 objections have been received which is summarised below:

5.1 EXTERNAL

- I live at 25C Lingfield Road and works are currently underway at all three properties 18A, 18C and 18D. This appears to be very disrespectful of the planning process. I am unclear whether the works being carried out constitute permitted development.
- Despite adjoining this neighbouring property I was not consulted on this planning application.
- Light and noise pollution at night in what was a quiet part of the conservation area of Wimbledon
- No light assessment has been provided by the developer.
- The proposal will result in a loss of valuable office space in an area where office space is at a premium.
- The proposal will result in a loss of a health amenity provided by the current occupier.
- Creation of a single bedroom housing which is of no merit since it won t be for affordable housing.

- The proposed accommodation is very small and has poor configuration.
- I note that despite my property being adjacent to the unit I was not on the list of neighbours being notified of the consultation. I lodged a formal complaint in respect of 20/P1836. This which was partly upheld at Stage by Neil Milligan.
- Trees will be affected by the proposal on either side of the site. I would like assurances the trees will not be affected by the proposal.
- No site notice has been displayed. As such I would like the consultation period to therefore be extended and commence from the day the site notice will be put up.
- I am concerned there is insufficient information in which to validate this application.
- There is no Daylight/Sunlight Assessment, no cycle storage facilities, no storage facilities, No Community Infrastructure Levy submitted.
- The proposal which involves the loss of office space is not compliant with CS12, DM E2 and DM E3
- While the proposal is in a residential area, it is primarily a small employment enclave. It should be noted office space has already been lost on this site – 18C. The site has been occupied until recently as an office unit.
- The quality of the proposed accommodation is sub standard.
- It is not clear in the proposal if there is adequate internal storage.
- The site is already very limited for the number of properties on site.
- There is car parking in Homefield Road via a shared access path which will cause a noise nuisance in the side elevations of the proposed dwelling. This may also cause privacy issues.
- The site is dangerous as so many cars and vehicles are coming and going, especially for pedestrians.
- If this application is approved or is recommended for approval at Committee, we would like to recommend a green roof to help reduce its visual impact.
- The proposal will have a detrimental impact on light entering our property (3 Homefield Road)
- The current windows open unlawfully onto our land. There is no right to light enjoyed by that window. To protect our land we will be serving a Light Obstruction Notice.
- If permission is granted the window in the side elevation will look directly onto our parking space. (3 Homefield Road).
- The applicant has not considered the loss of this valuable community space which is a valued resource by the local community.
- No attempt has been made to market the property and the current tenant would appear to want to continue leasing the building for physiotherapy.
- The applicant has three recently refused applications on this site and appears to be attempting to develop this backland site in a piecemeal way.
- We were not consulted despite our property backing onto the site (3 Homefield Road).
- The proposal is not compliant with Policy DM C1 of Merton's Sites and Policies Plan.
- The proposed unit would have a very poor outlook and the occupiers would not have privacy.

- The Fire Brigade would not be able to access the site due to the width of the carriageway. The minimum width is 3.7m and the access road is 3.1m wide. The building is also not within 45m of a water pump.
- 20/P2836, 20/P2696 and 20/P3175 have already been recently refused on this backland site. It appears the applicant is trying to achieve sub standard residential development on a piecemeal basis.

5.1 Planning Officer's response

- 24 and 25D Lingfield Road and 3 Homefield Road have subsequently been consulted on this application due to an error at the validation stage.
- According to the Council's internal planning database, a site notice was displayed and a press notice was published in the Guradian.
- Plans have subsequently been amended to indicate internal storage.

5.2 INTERNAL

Conservation Officer

No objection.

Transport and Highways

The Property is to retain the existing building and convert it into a 1 bedroom unit, from Class D1 to C3.

The unit is to have its own parking space adjacent to the building, within the gated mews.

The development will need one cycle space (secure & undercover) to satisfy the London Plan standards.

Recommendation: Raise no objection subject to:

Car and cycle parking maintained.

6. **POLICY CONTEXT**

6.1 National Planning Policy Framework (2019)

- Section 4: Promoting sustainable transport.
- Section 6: Delivering a wide choice of high quality homes.
- Section 7: Requiring good design including optimising the potential of a site to accommodate development.
- Section 15: Conserving and enhancing the Historic Environment

6.2 London Plan (2021)

- Policy D3 Optimising site capacity through the design-led approach
- Policy D4: Delivering good design
- Policy D7 Accessible housing

- Policy DF1 Delivery of the Plan and Planning Obligations
- Policy D6 Housing quality and standards
- Policy DF1 Delivery of the Plan and Planning Obligations
- Policy GG3 Creating a healthy city
- Policy GG6 Increasing efficiency and resilience
- Policy H1 Increasing housing supply
- Policy H10 Housing size mix
- Policy HC1: Heritage Conservation and Growth
- Policy S1 Developing London's social infrastructure
- Policy SI 5 Water infrastructure
- Policy SI 2 Minimising greenhouse gas emissions
- Policy SD6 Town centres and high streets
- Policy T5 Cycling
- Policy T6 Car parking

6.3 Merton Local Development Framework Core Strategy (2011)

- CS 7 Centres
- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 12 Economic Development
- CS 13 Open space and leisure
- CS 14 Design
- CS 15 Climate Change
- CS 17 Waste Management
- CS 18 Transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan (2014)

Relevant policies include:

- DM H3 Support for affordable housing
- DM D1 Urban Design
- DM D2 Design considerations
- DM D3 Alterations and extensions to existing buildings
- DM D4 Managing Heritage Assets
- DM EP 2 Reducing and mitigating noise
- DM H2 Housing Mix
- DM R1 Location and scale of development in Merton's town centres and neighbourhood parades
- DM T3 Car parking and servicing standards

6.5 Supplementary planning considerations

- London Plan Housing SPG 2016
- DCLG Technical Housing Standards - nationally described space standards 2015

7. PLANNING CONSIDERATIONS

The key planning considerations of the proposal are as follows:

- Loss of E1 use
- Design and impact upon the character and appearance of the Conservation Area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, parking and cycle storage
- Refuse
- Sustainability
- Developer contributions

The material considerations relating to this application are the principle of the change of use, the quality of accommodation, the developments impact upon the character and appearance of the host building, the Conservation Area, the neighbourhood parade, neighbouring amenity and transport and highway impacts.

7.1 Loss of E Use

Planning Policy DM C1 of Merton's Sites and Policies Plan states that any redevelopment proposals resulting in a net loss of existing community facilities will need to demonstrate that the loss would not create, or add to a shortfall in provision for the specific community uses. In Merton's Site's and Policies Plan (2014) it states:

Applications proposing a loss of a community facility will have to show that full and proper marketing has been undertaken to demonstrate that community uses (E Use Class) are no longer viable on the site. Applicants will have to demonstrate that:

- *the site has been marketed for 30 months unless otherwise agreed with the council;*
- *all opportunities to re-let the site have been fully explored;*
- *the site has been marketed using new (on the internet) and traditional marketing tools available; and*
- *the site has been marketed at a price which is considered reasonable (based on recent and similar deals or transactions).*

Health 3.8.

Redevelopment or change of use of sites used for health facilities should not result in inadequate provision or poor accessibility to healthcare for residents. Locations for new health developments should be in accessible locations that are well served by public transport, commensurate with the numbers of trips the facility is expected to generate and the need to locate facilities throughout the borough.

It appears from planning history, the site has previously been used as a Physiotherapist/sport injury studio/office. As such the application would result in a loss of approximately 58 sqm of E use floor space. As part of this application, the applicant has not demonstrated the site has been marketed for 30 months and opportunities to re let the site have been fully explored. However, the site does not front the main road with the other commercial units and there is a recent permission in place for the other buildings in the vicinity of the site for residential use. The existing building is small in scale and on balance, officers do not consider that the proposed loss of the existing use could be resisted.

7.2 **Character and design**

London Plan Policies D3, D4 and HC1, Core Strategy Policy CS14 and SPP Policies DM D2 and DM D3 specify requirement for well-designed proposals that will respect the appearance, scale, bulk, form, proportions, materials and character of the original building, its context and the surrounding Conservation Area.

There will be no changes to the existing building externally, other than the provision for amenity space and car parking. As such the proposal is not considered to impact on the character of the site and surrounding Conservation Area. In addition neighbouring trees will not be affected. This element of the proposal is therefore considered acceptable.

7.3 **Neighbouring Amenity**

London Plan Policy D4 and SPP policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

The properties which have the potential to be affected by this proposal include: 1, 2 and 3 Homefield Road, Flats 1-3 at 10 Ridgway and 12, 12a Ridgway.

There are no changes proposed to the external appearance of the property other than the allocated amenity space and car parking space proposed. As such the proposal is not considered to result in overlooking or cause a loss or privacy for these neighbouring properties.

It is possible that the allocated amenity space could result in some additional noise for neighbouring properties 10 and 12 Ridgway but given the proposal is for a one bedroom unit, the potential for additional noise is considered minimal.

It is noted there is some concern from the representations received over the issue over the existing window in the side elevation overhanging a car parking space which adjoins the site. As this is the situation with the existing office unit and does not impact a neighbouring habitable space or impact on privacy or cause overlooking, this element of the proposal while not ideal, is on balance considered acceptable.

7.4 Standard of accommodation: internal and external spaces

INTERNAL

Policy D6 of the London Plan 2021 requires housing development to be of the highest quality internally and externally and should satisfy the minimum internal space standards (specified as Gross Internal Areas –GIA) as set out in Table 3.1 of the London Plan.

Table 3.1 provides comprehensive detail of minimum space standards for new development; which the proposal would be expected to comply with. Policy DMD2 of the Adopted Sites and Policies Plan (2014) also states that developments should provide suitable levels of sunlight and daylight and quality of living conditions for future occupants.

Flat No.	No.of beds	No. of persons	No. of storey's	Required GIA (sqm)	Proposed GIA (sqm)	Compliant
1	1	2	1	50	58.12	Yes

As demonstrated by the table above the unit would meet the London Plan 2021 space standards for a two person dwelling. The 1 bedroom unit would have a minimal ceiling height of 2.5m and would be double aspect. The floor area and dimensions of the bedroom would also meet national space standards.

EXTERNAL

In accordance with the London Housing SPG and Policy DMD2 of the Council's Sites and Policies Plan, it states that there should be 5sqm of external space provided for private outdoor space for 1-2 person dwellings and an extra 1sqm provided for each additional occupant.

The 1 bedroom unit would provide outdoor amenity space with a total area of 11.58sqm and would have a minimal depth and width of 1.5m. This element of the proposal would therefore satisfy the minimum space standard requirements for amenity space as set out in the London Plan 2021.

7.5 Transport, parking and cycle storage

Core Strategy policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, on street parking or traffic management.

The location of the offices is within PTAL zone 6a where the area is well served by public transport. The car parking demand is therefore unlikely to be increased. One car parking space has been indicated which is considered sufficient. Bike and bin storage has not been indicated but it is anticipated there is sufficient space for this in the

proposed amenity space allocated as per London Plan standards. However as no elevations have been provided, it is therefore recommended to condition this element of the proposal to ensure bin and bike storage is secure and undercover and compliant with London Plan 2021.

7.6 **Sustainability**

All new developments comprising the creation of new dwellings should demonstrate how the development will comply with Merton's Core Planning Strategy (2011) Policy CS15 Climate Change (parts a-d) and the policies outlined in Chapter 9 of the London Plan (2021).

As a minor development proposal, the development has not produced an Energy Statement. As such the following conditions are recommended below to outline how it will achieve a 19% improvement on Buildings Regulations 2013 Part L and submit SAP output documentation to demonstrate this improvement.

7.7 **Developer Contributions**

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

8. **CONCLUSION**

The scale, form, design, positioning and materials of the proposals are not considered to have an undue detrimental impact on the host building, the character of the site, the Conservation area or on neighbouring amenity. On balance, the quality of housing is considered acceptable. Therefore, the proposal is considered to comply with the principles of policies DMD2, DMD3 and DM D4 of the Adopted SPP 2014, CS 14 of the LBM Core Strategy 2011 and D3, D4, D6 and HC1 of the London Plan 2021.

RECOMMENDATION

Grant permission subject to the conditions below:

1. A1 Commencement of Development: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

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

2. A7 Approved Plans: The development hereby permitted shall be carried out in accordance with the following approved plans: [2220-04 Revision B, 21220-06 Revision B, 2220-05 Revision B, 2220-01]

Reason: In the interests of proper planning

3. B3 External materials as specified: The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D3, D4 and HC1 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

4. CO6 Refuse: No development shall take place until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

5. CO8 No access to flat roof: Access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy D3 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

6. D11 Construction Times: No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with policy DM EP2 of Merton's Sites and Policies Plan 2014.

7. H06 Cycle parking: No development shall commence until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and thereafter retained for use at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy D3 and Table 10.2 of the London Plan 2021, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

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

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

9. INFORMATIVE: Carbon emissions evidence requirements for Post Construction stage assessments must provide: Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and compliance with the 19% improvement of DER over TER based on 'As Built' SAP 10 outputs (i.e. dated outputs with accredited energy assessor name; registration number, assessment status, plot number and development address); OR, where applicable: A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP 10 outputs; ANID Confirmation of Fabric Energy Efficiency (FEE) performance where SAP 10 section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site wide electricity generation technologies) have been included in the calculation.