

**PLANNING APPLICATIONS COMMITTEE**  
**29<sup>th</sup> June 2021**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	21/P0943	01/03/2021
<b>Address/Site:</b>	7 Christchurch Close Colliers Wood London SW19 2NZ	
<b>Ward:</b>	Colliers Wood	
<b>Proposal:</b>	DEMOLITION OF EXISTING GARAGE AND ERECTION OF 1 x 2 BED TWO STOREY DETACHED DWELLINGHOUSE	
<b>Drawing No.'s:</b>	400(PL)06 Rev B; 100(PL)07 Rev D; 100(PL)08 Rev D; 100(PL)09 Rev C; 400(PL)05 Rev B; 400(PL)04 Rev B.	
<b>Contact Officer:</b>	Catarina Cheung (020 8545 4747)	

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**RECOMMENDATION**

**Grant planning permission subject to conditions and Section 106 obligations.**

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**CHECKLIST INFORMATION**

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 13
- External consultations: 0
- Controlled Parking Zone: Yes, Zone CW4
- Archaeological Zone: No
- Conservation Area: No

**1. INTRODUCTION**

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the nature and number of objections received.

**2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises an end of terrace residential dwelling with a detached garage within the rear garden, located on the northern side of Christchurch Close in Colliers Wood.
- 2.2 7 Christchurch Close has been extended by way of a two storey side extension with a single storey rear extension, this property has been converted into 2 flats (granted 2004). But this proposals concerns only the detached garage at the rear of the garden.
- 2.3 The surrounding area is predominantly residential in character. Christchurch Close is an area of uniform 1950's terrace properties, surrounded by 1930s buildings fronting Colwood Gardens (north) and 1920s buildings Fortescue Road (south).
- 2.4 The site is not located within a Conservation area nor is the property locally or statutorily listed.
- 2.5 The site has a PTAL of 4 and is located in a Controlled Parking Zone, Zone CW4.

### **3. CURRENT PROPOSAL**

- 3.1 This application seeks planning permission for the demolition of the existing detached garage and erection of a part single part two storey 2bedroom/3person detached dwellinghouse.
- 3.2 For the main property, 7a/7b Christchurch Close, the ground floor flat (7a) would be provided with a new southern window in their rear extension to serve the kitchen/dining room.
- 3.3 The proposed dwellinghouse would have the following dimensions:
  - 6.78m width;
  - 8.38m depth;
  - The single storey element would have a height of 3.1m;
  - The second storey element would have a height of 5.8m.
- 3.4 The new dwellinghouse would provide a 2bedroom 3person unit with an internal GIA of 71sqm.
- 3.5 The garden would have an area of 35sqm.
- 3.6 Refuse bins and cycle stores would be located at the front of the dwellinghouse.

### **4. PLANNING HISTORY**

- Garage at rear of 7 Christchurch Close
- 4.1 17/P1712: ERECTION OF A SINGLE STOREY DETACHED STUDIO FLAT. – Refused 30/06/2017 & Appeal dismissed 21/08/2018

**Reason 1 - The proposal by reason of its design, layout and siting would result in a prominent and incongruous form of development which would be harmful to the established character and appearance of Christchurch Close and would be visually intrusive and harmful to the outlook and residential amenities of the occupiers of the ground floor flat at no.7 Christchurch Close. The proposal would therefore be contrary to policy DMD2 of the Adopted SPP 2014, CS14 of the LBM Core Strategy 2011 and 7.1, 7.4 and 7.6 of the London Plan 2015.**

**Reason 2 - The proposal results in an unacceptable standard of outdoor amenity space to the detriment of the amenities of future occupiers by reason of its width and enclosed nature. This would be contrary to policies DMD2 of the Adopted SPP 2014, CS9 and CS14 of the LBM Core Strategy 2011 and 3.5 and 7.6 of the London Plan 2015 and the London Housing Supplementary Planning Guidance 2016.**

- 4.2 16/P4232: ERECTION OF A SINGLE STOREY DETACHED STUDIO FLAT – Refused 19/12/2016

**Reason 1 - The proposal by reason of its design, layout and siting would result in a prominent and incongruous form of development which would be harmful to the established character and appearance of Christchurch Close and would be visually intrusive and harmful to the outlook and residential amenities of the occupiers of the ground floor flat at no.7 Christchurch Close. The proposal would therefore be contrary to policies DMD1 and DMD2 of the Adopted SPP 2014, CS14 of the LBM Core Strategy 2011 and 7.1, 7.4 and 7.6 of the London Plan 2015.**

**Reason 2 - The proposal results in an unacceptable standard of outdoor amenity space to the detriment of the amenities of future occupiers by reason of its width and enclosed nature. This would be contrary to policies DMD2 of the Adopted SPP 2014, CS9 and CS14 of the LBM Core Strategy 2011 and 3.5 and 7.6 of the London Plan 2015 and the London Housing Supplementary Planning Guidance 2016.**

**Reason 3 - The proposal, by reason of its failure to demonstrate how the development will make the fullest contribution to minimising carbon dioxide emissions in accordance with the Mayor's energy hierarchy, would result in an unacceptable level of carbon dioxide emissions and would therefore have a harmful impact on the mitigation of climate change. This would be contrary to Policy CS15 of the LBM Core Strategy 2011 and Policy 5.2D of the London Plan.**

Main property 7 Christchurch Close

- 4.3 04/P2203: CHANGE OF USE FROM A SINGLE FAMILY DWELLING HOUSE TO 2 X 2 BED SELF CONTAINED FLATS INCLUDING ERECTION OF A FIRST FLOOR SIDE EXTENSION AND THE FORMATION OF TWO PARKING SPACES, ONE WITH ACCESS TO THE REAR THE OTHER WITH ACCESS FROM THE FRONT OF THE PROPERTY. - Granted 02/12/2004
- 4.4 01/P2240: ERECTION OF SINGLE STOREY SIDE AND REAR EXTENSION – Granted 17/01/2002
- 4.5 MER1002/65: SINGLE STOREY EXTENSION TO REAR OF DWELLING HOUSE – Refused 05/05/1966

## **5. CONSULTATION**

External

- 5.1 Public consultation was undertaken by way of letters sent to 13 neighbouring properties. 10 representations were received, the summary of their objections are as follows:

- The proposed dwelling is completely uncharacteristic in relation to other properties within this immediate vicinity. Not aesthetically pleasing in relation to the period houses within this cul-de-sac;
- Overbearing design not conducive to the site proposed;
- Totally wrong and out of place;
- Building would be an eyesore;
- The proposal by reason of its ultra-modern design, layout and siting would result in a prominent and incongruous form of development harmful to the established character of Christchurch Close and would be visually intrusive, built on a very small area of land. Sticking out like a sore thumb;
- Potentially reduce the value of neighbouring properties;
- 7 Christchurch Close consists of 2 flats, would be quite over developed as it already has been extended to include full side and rear extensions. The outside space therefore being quite compromised by this development;
- Overdevelopment and overpopulation of the existing plot;
- Will set a precedent for other neighbouring properties to convert their garages create a “concrete jungle” effect;
- The gardens are very small;
- Loss of daylight, sunlight, privacy and increased shading to neighbouring properties;
- Will render neighbouring gardens not fit for its purpose;
- The alleyway access to the side elevation of the proposed development is used by Christchurch Close for refuse collection, deliveries and access to owners’ garages so is frequently used. Concerned if scaffolding were erected in and along the entrance to the alleyway restricting access;
- The proposed development hindering access to neighbouring garages as space is already tight to get in and out;
- Alley is already in a weakened position, and as it is a private alley, it will fall down to residents to repair and pay costs accordingly;
- Any further housing would cause stress on parking, pollution, school acceptance and noise;
- Noise and disturbance and traffic generation during construction would put further stress on a road that is already suffering the wear and tear of its age and heavy vehicles;
- Sewerage/soil drains to the property at 7 Christchurch Close have cause problems in the past following its conversion. It is a communal drain with adjoining properties and has been blocked on several occasions in the past. The application suggests the new property will be added into the existing system potentially exacerbating/overwhelming the existing drainage/foul system;
- None of the residents have been notified from the Council of this application;
- If this application is allowed it will be another area overpopulated and the family feel of this road will sadly not exist;
- Likely to be nuisance on neighbouring from having further tenants.

5.2 The scheme was amended and a 14 day re-consultation carried out 06/05/2021, 11 representations were received. Many comments reiterated the concerns initially put forward (above), summary of the new concerns raised:

Siobhain McDonagh MP

- My constituent informs me this is not the first application to have been submitted by the neighbour and that the current proposals represent only minor alterations to a prior approval refused by the Council.

- Concerned the development would encroach on their privacy, overlooking their house and garden, and would come only a short time after the construction of an extension to her neighbour's kitchen and his splitting the property into 2 separate flats.

#### Others

- Christchurch Close is a small and populated close, with limited parking and facilities for existing residents. Further housing would cause stress on an already deteriorating road, parking, pollution, school acceptable rates and noise;
- Overdevelopment and overcrowding for the site;
- New building is out of character;
- Residents in the past have been told building works need to be designed in line with the homes on the road, to grant a building that looks so widely out of place would contradict any previous planning permission and advice given by Merton;
- Obstruct light and loss of privacy;
- Unacceptable to overshadow other properties;
- The adjacent alley is private, any building works conducted will put a strain on the alley as it is not robust and block entrance/exit to alley which is in daily use;
- The alley is private, this will require further permission from all residents as to whether or not this can go ahead. The Council cannot grant permission on private land and thus there needs to be additional permission sought out for this application;
- Inadequate parking in Christchurch Close;
- The road cannot sustain the noise, disturbance and traffic generation from this site to be built;
- The alley needs continual access;
- Oppose the amended plans;
- Changes to the application make no difference;
- A lot of older residents on the road, a building site would cause concern for the safety of these older members when walking on foot on the pavement where the site is;
- Safety concerns after the build is done;
- With all the new building in very close proximity to Christchurch Close, surely this is not deemed to be a needed construction? ;
- The site plan indicates access road is 3.5m, at present it is 3.6m. Does this mean we will lose 10cm of our access way?

#### Internal

##### 5.3 LBM Transport officer –

PTAL: The site is located in an area with a PTAL of 4 which is very good being well located to all the services and facilities afforded by the district centre.

CPZ: The streets in the vicinity of the Site fall in the CW4 Controlled Parking Zone with restrictions in place between 8.30am and 6.30pm Monday through Friday and between 11am and 3pm on Sunday.

Car Parking: No off street car parking is proposed. Given the site's easy accessibility to bus and Colliers Wood underground Station, a car free development would be acceptable subject to the applicant entering into a Unilateral Undertaking which would restrict future occupiers of the unit from obtaining an on-street residential parking permit to park in the surrounding controlled parking zone. To be secured via S106 legal agreement.

Cycle Parking: The proposal provides 2 cycle spaces (secure & undercover) which satisfies the London plan Standards.

Refuse Collection: Refuse collection will take place from the Christchurch Close carriageway in the same manner as the existing nearby premises.

Recommendation: The proposal is unlikely to have a significant impact on the adjoining highway network. Raise no objection subject to conditions: 2 cycle parking spaces (secure & undercover) as shown maintained; Unilateral Undertaking which would restrict future occupiers of the units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zone.

## **6. POLICY CONTEXT**

### **6.1 National Planning Policy Framework (2019)**

Section 5 – Delivering a sufficient supply of homes

Section 9 – Promoting sustainable transport

Section 11 – Making effective use of land

Section 12 – Achieving well-designed places

Section 14 – Meeting the challenge of climate change, flooding and coastal change

### **6.2 London Plan (2021)**

Relevant policies include:

D1 London's form, character and capacity for growth

D3 Optimising site capacity through the design-led approach

D4 Delivering good design

D5 Inclusive design

D6 Housing quality and standards

D7 Accessible housing

D11 Safety, security and resilience to emergency

D12 Fire safety

D13 Agent of Change

D14 Noise

H1 Increasing housing supply

H2 Small sites

SI 2 Minimising greenhouse gas emissions

SI 3 Energy infrastructure

SI 4 Managing heat risk

SI 5 Water infrastructure

SI 7 Reducing waste and supporting the circular economy

SI 8 Waste capacity and net waste self-sufficiency

SI 13 Sustainable drainage

T1 Strategic approach to transport

T4 Assessing and mitigating transport impacts

T5 Cycling

T6 Car parking

T6.1 Residential parking

T7 Deliveries, servicing and construction

### **6.3 Merton Local Development Framework Core Strategy (2011)**

Relevant policies include:

CS 8 Housing choice

CS 9 Housing provision

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 D1 Urban design and the public realm

DM D2 Design considerations

DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure

DM T1 Support for sustainable transport and active travel

DM T2 Transport impacts of development

DM T3 Car parking and servicing standards

DM T5 Access to the Road Network

#### **6.5 Supplementary planning considerations**

Merton's Explanatory Note: Approaches to Sustainable Design and Construction 2020

London Plan Housing SPG – 2016

DCLG Technical Housing Standards - nationally described space standards 2015

### **7. PLANNING CONSIDERATIONS**

7.1 The key planning considerations of the proposal are as follows:

- Principle of development
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport, parking and cycle storage
- Refuse
- Sustainability

7.2 Principle of development

7.2.1 The National Planning Policy Framework, London Plan Policy H1 and the Council's Core Strategy Policies CS8 and CS9 all seek to optimise the potential of suitable sites for housing delivery in order to increase sustainable housing provision and access to a mixture of dwelling types for the local community, providing that proposals are well designed and provide an acceptable standard of accommodation.

7.2.2 London Plan Policy H1 sets the ten-year targets for net housing completions that each local planning authority should plan for. Merton's annual housing target has been increased to 918 from 411 in the previous Plan. For London to accommodate the growth identified in the new Plan in an inclusive and responsible way, Policy D3 seeks to ensure that every new development needs to make the most efficient use of land by optimising site capacity, this means ensuring the development's form is the most appropriate for the site. Thus, since consideration in 2017 of a proposal for a new dwelling, officers would suggest that increased weight may be given to the merits of the delivery of an additional dwelling.

7.2.3 Further, London Plan Policy H2 encourages boroughs to support well-designed new homes on small sites (below 0.25 hectares in size), so to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

7.2.4 The development seeks to provide an additional residential unit on the site through the erection of a new detached dwellinghouse within the rear garden plot. The principle of

doing so is considered acceptable and in line with policies seeking to increase provision of additional homes and through intensification of the site.

7.2.5 However, whilst the principle of the development is considered acceptable, the scheme is also subject to the following criteria being equally fulfilled and compliant with the relevant policies set out in the London Plan, Merton's Core Strategy, Merton's Sites and Policies Plan and supplementary planning guidance.

### 7.3 Character and Appearance

7.3.1 London Plan Policy D3 requires development proposals to enhance local context by delivering buildings and spaces that positively respond to local distinctiveness through their layout, orientation, scale, appearance and shape, with due regard to existing and emerging street hierarchy, building types, forms and proportions. Development proposals should be of high quality, with architecture that pays attention to detail and gives thorough consideration to the practicality of use, flexibility, safety and building lifespan through appropriate construction methods and the use of attractive, robust materials which weather and mature well.

7.3.2 Local Policies CS14, DMD1 & DMD2 further supports this, requiring new developments to reflect the best elements of the character of the surrounding area, or have sufficient distinctive merit so that the development would contribute positively to the character and appearance of the built environment, by using appropriate architectural forms, language, detailing and materials which complement and enhance the wider setting.

7.3.3 The NPPF is encouraging of developments which are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities). As mentioned in para 7.2.3, London Plan Policy H2 encourages boroughs to support well-designed new homes on small sites, highlighting the need to recognise that local character evolves over time and will need to change in appropriate locations to accommodate additional housing on small sites.

7.3.4 To understand the evolution of the design, it is helpful to revisit the previously refused permissions in 2016 (16/P4232) and 2017 (17/P1712 – also dismissed at appeal).

7.3.5 The previous designs attempted single storey forms:

- 2016. The officer's delegated report described: "The proposal would take the form of a brick box with a hipped roof above. There would be a small flat roof projection adjacent to the track, the street facing elevation would have the main front door and two projecting bay windows. This would be set back 1.5m from the rear of the footpath. Given the surrounding form of development, with modest garages in the rear gardens and terraced properties, the proposal would be visually prominent especially given its proximity to the footpath and its overall height. Furthermore the flat roof projection creates an odd lopsided appearance from the street".
- 2017. The Inspector's report: "The flat roof design for the proposed studio flat would not complement the form or style of the host property nor harmonise with the streetscene. The proposed limited separation between the principal elevation of the dwelling and the road would not be in keeping with the prevailing pattern of development and as such would be harmful to the character of the area. Further, the asymmetric frontage would be a jarring element to the design which would not respect the regular appearance of the existing terraces. The development would also include a large expanse of blank wall to the side elevation which would result in an unappealing elevation highly visible from Christchurch Close. These elements lead me to conclude that the design of the proposed studio flat would have a



detrimental effect on the character and appearance of the surrounding area”.

- 7.3.6 The mutual concern in both applications were the design of the proposals and an unacceptable standard of outdoor amenity space – the external amenity shall to be discussed in Section 7.5. In relation to the design, the new proposals may reasonably be considered as representing a marked improvement and offering the potential to deliver a high quality design solution.
- 7.3.7 The application site does not lie within a designated area of distinct heritage or architectural value; however the surrounding housing design is fairly uniform along Christchurch Close comprising modest two storey 1950s terraces so there is some significance collectively in its homogeneity.
- 7.3.8 The application site lies at the end of 7 Christchurch Close’s garden bounded by a vehicular access path to its west, with neighbouring gardens north and east. The shape, size, location and character of the plot is not similar to that of the existing neighbouring properties whereby a straightforward replica of the surrounding building forms would be appropriate. It requires a more bespoke and modern solution to mould itself into the space, establishing a new building form with the potential to enhance the streetscene.
- 7.3.9 Unlike the refused permissions, the proposed dwelling in this application would be of an increased two storey height. The previous single storey forms looked to present an “upgraded” garage toward the streetscene, with attempts to add residential details with bay window attachments and a hipped roof over part of the building, which was viewed as odd. But the flat roof form within this design is deliberate, it evenly matches the eaves height of the neighbouring properties forming a relationship with its surroundings.
- 7.3.10 The front building line of the proposed dwelling would be set back 1.8m from the pedestrian pathway, and would sit flush with the southern elevation of 7 Christchurch Close. The proposed use of brick and timber takes cues from the existing palette of materials in the surrounding area, but delivers them in a contemporary manner such as through the use of timber cladding and feature brickwork. The side elevations (east and west) are animated with appropriate window openings and a curved brick wall to soften neighbouring views and to avoid large expanses of blank unappealing facades.
- 7.3.11 The London Plan (2021) acknowledges at para 3.1.7 that change is a fundamental characteristic of London, **respecting character and accommodating change** should not be seen as mutually exclusive. Understanding of the character of a place should not seek to preserve things in a static way but should ensure an appropriate balance is struck between existing fabric and any proposed change. Opportunities for change and transformation, through new building forms and typologies, should be informed by an understanding of a place’s distinctive character, recognising that not all elements of a place are special and valued. Officers consider that the scope to deviate from the design of the neighbouring dwellings derives from the plot’s size, unique shape and location. A modern building solution has been put forward which would creatively optimise the use of the plot and establish a distinct dwellinghouse to contribute and enhance the Christchurch Close streetscene.

#### 7.4 Neighbouring Amenity

- 7.4.1 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. London Plan Policy D3 states that development should deliver appropriate outlook, privacy and amenity.

#### **7a and 7b Christchurch Close**

- 7.4.2 The single storey element of the proposed dwellinghouse, toward the eastern elevation, would be set back 4.8m from the rear extension (serving the kitchen/dining area) of Flat 7a and 9m from the main rear building line (bedroom 1 window). A new window opening is proposed on the southern elevation of Flat 7a's rear extension to provide increased outlook and light to their kitchen/dining area.
- 7.4.3 On the first floor, there would be a 10m separation between Flat 7b's bedrooms windows and the proposed dwellinghouse. Between their WC window and the curved brick wall of the proposed dwellinghouse would be a separation of 8.85m. No windows are proposed on the first floor eastern elevation of the new dwellinghouse so as to avoid views toward the neighbouring bedrooms windows and overlooking into the ground floor flat's garden.
- 7.4.4 The separation distances are considered acceptable. Further, with a stepped design, this assists to reduce the visual dominance of the eastern elevation allowing neighbouring occupiers' adequate outlook and light. A condition restricting the use of the flat roofs shall protect neighbour amenity from overlooking.

#### **8 Christchurch Close**

- 7.4.5 8 Christchurch Close has been extended by way of a single storey rear extension (around 3.5m), with a large detached outbuilding/garage situated toward the rear of their garden which measures around 5.8m in depth.
- 7.4.6 Between the ground floor single storey elements of the buildings would be a separation distance of 5.5m, between the first floor side elevation of the new dwellinghouse and the single storey extension of 8 Christchurch Close would be 6.5m and 10m maximum separation between the upper levels.
- 7.4.7 No windows are proposed on the northern or eastern elevations of the dwellinghouse so as to avoid views onto 8 Christchurch Close's garage and into their garden and rear window/door openings.
- 7.4.8 It is noted the proposed dwellinghouse would undoubtedly be visible from the rear of 8 Christchurch Close with some shading introduced by the new form. However, the proposed building has been carefully considered so that it would not present a width greater than their existing outbuilding/garage – it would sit 0.2m narrower. The proposed stepped design, as mentioned in para 7.4.4, helps to increase the setback of the main two storey element and generally, the separation distances proposed are considered sufficient and would not present an oppressive or unneighbourly addition.

#### **1-6 Christchurch Close**

- 7.4.9 The proposed detached dwellinghouse would not project beyond the rear building line of 1-6 Christchurch Close, therefore it is unlikely the proposal would affect the amenity of these properties' rear gardens.
- 7.4.10 Whilst the proposed dwellinghouse would project forward around 4.6m of 6 Christchurch Close's front building line, there is a vehicular access path spanning 3.6m

which separates the dwellings – or approximately 4.7m between the eastern elevation of 6 Christchurch Close and western elevation of the new dwellinghouse. Given the separation proposed between the properties, it is not considered the new development would have a detrimental impact toward the light, outlook or privacy of 6 Christchurch Close. The proposed windows on the western elevation of the new dwellinghouse would look directly onto the vehicular access track or toward Christchurch Close (the corner window on the first floor).

7.4.11 Overall, it is not considered the proposed development would have an unduly harmful impact toward neighbouring amenity.

## 7.5 Standard of accommodation

### **Internal**

7.5.1 Policy D6 of the London Plan 2021 requires housing developments to be of the highest quality design and provide adequately-sized rooms with comfortable and functional layouts which are fit for purpose and meet the needs of Londoners without differentiating between tenures, and should provide at least the gross internal floor area and built-in storage area set out in Table 3.1. Policies DMD2 and D6 require housing developments to provide an appropriate quality of living condition with sufficient daylight and sunlight to new and surrounding housing.

7.5.2 The dwellinghouse would provide a 2bedroom 3person unit with an internal GIA of 71sqm. The London Plan and Technical housing standards require 70sqm. The proposal would comfortably accord with the required internal space standards.

### **External**

7.5.3 Policy DMD2 of the Council's Sites and Policies Plan requires new houses to provide a minimum garden area of 50 sqm as a single usable regular shaped amenity space.

7.5.4 The proposed garden would provide an area of 35sqm, laid out with a courtyard to the rear linked to patio areas at the side and front, screened along the front boundary with hedges/planting.

7.5.5 Whilst the proposed provision would fall short of 50sqm, it is not considered in this instance to be a determining factor for refusal of the scheme. The size of the unit proposed would accommodate up to a maximum of 3 persons, and a 35sqm garden area is considered an ample offer for the anticipated number of occupiers and would provide a sufficient usable external space for more passive rather than active outdoor activities.

## 7.6 Transport, parking and cycle storage

7.6.1 Merton SPP Policy DM T2 seeks to ensure that development is sustainable and has minimal impact on the existing transport infrastructure and local environment. Policy DM T3 seeks to ensure that the level of residential and non-residential parking and servicing provided is suitable for its location and managed to minimise its impact on local amenity and the road network.

7.6.2 Core Strategy Policy CS20 and SPP Policy DM T5 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management, that that they minimise any impacts on the safe movement of people or goods, are appropriately located and connected to the road hierarchy; respect the streets character and environment.

- 7.6.3 The site has a PTAL of 4 which is considered very good, and is located in Controlled Parking Zone CW4. The proposed unit would not offer off-street parking, but as set out in the submitted Design and Access statement, a car free development is proposed. The Transport officer has been consulted and has raised no objection to this arrangement considering the sustainable location of the application site. If the application were minded to be approved, a suitable S106 legal agreement would be drafted to secure this as a car free development.

### **Cycle**

- 7.6.4 Core Strategy Policy CS18 seeks to promote active transport by requiring new development to provide cycle parking, it encourages design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities (such as showers, bike cages and lockers).
- 7.6.5 London Plan Policy T5 requires developments to provide appropriate levels of cycle parking which should be fit for purpose, secure and well-located. Developments should provide cycle parking at least in accordance with the minimum standards set out in Table 10.2. In accordance with Table 10.2, residential dwellings should provide 1 space per studio/1 person 1 bedroom dwelling, 1.5 spaces per 2 person 1 bedroom dwelling and 2 spaces per all other dwellings.
- 7.6.6 The proposal provides 2 cycle spaces which satisfies the London plan standards.

### **7.7 Refuse**

- 7.7.1 Merton Core Strategy Policy CS17 requires new developments to demonstrate integrated, well-designed waste storage facilities that will include recycling facilities.
- 7.7.2 London Plan Policies SI 7 and SI 8 identifies that in order to manage London's waste sustainably, the waste management capacity of existing sites should be optimised and developments should be designed with adequate, flexible, and easily accessible storage space and collection systems that support, as a minimum, the separate collection of dry recyclables (at least card, paper, mixed plastics, metals, glass) and food.
- 7.7.3 Refuse bins would be located toward the front of the property, this is considered a suitable location and would be convenient for pulling out on collection days. This arrangement is not dissimilar to the manner in which refuse is currently collected along Christchurch Close.

### **7.8 Sustainability**

- 7.8.1 Merton's Core Planning Strategy (2011) Policy CS15 outlines how all minor and major development, including major refurbishment, should demonstrate: how the proposal makes effective use of resources and materials, minimises water use and CO2 emissions; makes the fullest contribution to minimising carbon dioxide emissions in accordance with the energy hierarchy and designed to withstand the long term impacts of climate change.
- 7.8.2 London Plan Policies SI 2, SI 5 and Merton's Sustainable Design and Construction Explanatory note, expects developments to achieve carbon reductions beyond Part L from energy efficiency measures alone to reduce energy demand as far as possible. For minor residential developments, development is required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day.

- 7.8.3 The application is accompanied with an Energy statement which concludes that the sustainable measures considered for the proposed development can achieve a minimum of 20% reduction in carbon emissions, this is in line with Merton's targets. A condition shall be attached which will require further evidence to be submitted to demonstrate that a policy compliant scheme has been delivered prior to occupation of the development.

## **8. CONCLUSION**

- 8.1 Since the determination and appeal pertaining to the 2017 application housing targets for the borough have more than doubled and the new London Plan acknowledges that the accommodation of change in the character of an area will need factoring in to the assessment of development proposals. The proposed development of this plot needs considering afresh and on its merits in the light of up to date planning policies and housing targets.
- 8.2 The scale, form, design, positioning and materials of the new dwelling house while modern and while they may be considered uncompromising, have, in the officer's judgement, been well-considered and provides a bespoke modern solution which appropriately optimises the use of the rear garden plot to provide further residential accommodation. In addition, the proposed development is not considered to have an undue detrimental impact toward neighbouring amenity, it would offer comfortable internal and external living environments, with adequate storage for refuse and cycle parking.
- 8.2 It is considered the proposal complies with the principles of policies referred to above in Section 6 and it is recommended to grant planning permission subject to the attachment of appropriate conditions and a S106 legal agreement to secure a car free development.

## **RECOMMENDATION**

Grant planning permission with a S106 to secure a car free development, and the attachment of the following conditions:

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.
2. A7 Approved Plans – The development hereby permitted shall be carried out in accordance with the following approved plans: 400(PL)06 Rev B; 100(PL)07 Rev D; 100(PL)08 Rev D; 100(PL)09 Rev C; 400(PL)05 Rev B; 400(PL)04 Rev B.
3. B1 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 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. B5 Details of Walls/Fences – No development shall be occupied until the boundary walls/ fences have been implemented in accordance with the approved drawings.

The walls and fencing shall be permanently retained thereafter.

5. C01 No permitted development (extensions) – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extensions, other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.
6. C02 No permitted development (windows) – Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no window, door or other opening other than those expressly authorised by this permission shall be constructed on the first floor eastern and northern elevations without planning permission first being obtained from the Local Planning Authority.
7. C06 Refuse & Recycling – No development shall be occupied until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. The development shall not be occupied until the scheme has been approved and carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.
8. C09 No Use of 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.

9. D11 Construction hours – 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.
10. H03 Redundant Crossovers – The development shall not be occupied until the existing redundant crossover/s have been removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority.
11. H06 Cycle Parking – No development shall be occupied 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 6.13 of the London Plan 2016, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

12. 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 usage rates of not more than 105 litres per person per day. Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy SI 2 and SI 5 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

Informatives:

13. INF Sustainability
14. INF Party Walls Act
15. INF 09 Works on the Public Highway – You are 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. Please be advised that there is a further charge for this work. If your application falls within a Controlled Parking Zone this has further costs involved and can delay the application by 6 to 12 months.
16. INF 12 Works affecting the public highway – Any works/events carried out either by, or at the behest of, the developer, whether they are located on, or affecting a prospectively maintainable highway, as defined under Section 87 of the New Roads and Street Works Act 1991, or on or affecting the public highway, shall be co-ordinated under the requirements of the New Roads and Street Works Act 1991 and the Traffic management Act 2004 and licensed accordingly in order to secure the expeditious movement of traffic by minimising disruption to users of the highway network in Merton. Any such works or events commissioned by the developer and particularly those involving the connection of any utility to the site, shall be co-ordinated by them in liaison with the London Borough of Merton, Network Coordinator, (telephone 020 8545 3976). This must take place at least one month in advance of the works and particularly to ensure that statutory undertaker connections/supplies to the site are co-ordinated to take place wherever possible at the same time.
17. INF 20 Street naming and numbering
18. Note to Applicant – approved schemes

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