

PLANNING APPLICATIONS COMMITTEE

August 2021

APPLICATION NO.

21/P1988

DATE VALID

03/06/2021

Address/Site: 38 Lyveden Road Tooting London SW17 9DU

Ward: Colliers Wood

Proposal: CONVERSION OF EXISTING DWELLINGHOUSE INTO 5 X SELF-CONTAINED FLATS, INCLUDING GROUND AND FIRST FLOOR EXTENSIONS, A REAR ROOF EXTENSION, EXCAVATION AND EXTENSION TO BASEMENT LEVEL, ASSOCIATED LANDSCAPING (INCLUDING DEMOLITION OF EXISTING GARDEN STRUCTURES), CYCLE AND REFUSE STORAGE.

Drawing Nos: 015_240b; 015_241a; 015_242; 015_202b; 015_250c; 015_209c; 015_210c; 015_211c; 015_212d; 015_213c; 015_220b; 015_221c; 015_222c; 015_223c; 015_224d; 015_225c; 015_230c; 015_001

Contact Officer: Jourdan Alexander (020 8545 3122)

RECOMMENDATION

Grant planning permission subject to conditions, and the completion of a unilateral agreement to secure 4 of the 5 flats to be parking permit free.

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: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 15
- External consultations: 1
- Conservation area: No
- Listed building: No
- Archaeological priority zone: No
- Tree protection orders: No
- Controlled Parking Zone: Yes
- Flood Zone: Zone 2

- Designated Open Space: No
- Town Centre: No

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a two-storey detached building located on the southern side of Lyveden Road, Tooting, and close to where Lyveden Road terminates. Due to the alignment of Lyveden Road, which doglegs to the south, the site borders No's 36-48 Lyveden Road (even). The subject building is relatively unaltered, although the rear ground floor level has been extended by way of modest sized lean-to extensions to each side. The rear garden has two outbuildings.
- 2.2 To the south is Singleton Road. There is a boundary wall formed along the site's southern boundary. Directly behind this wall are carparks for the Singleton Road houses.

3. CURRENT PROPOSAL

- 3.1 The application seeks planning permission for the conversion of the dwellinghouse to provide 5 self-contained flats. The proposed building arrangement would be as follows:
- Flat A, 2 Bed – 3 person, arranged over ground and lower ground floor.
 - Flat B, 3 Bed – 5 person, arranged over ground and lower ground floor.
 - Flat C, 1 Bed – 1 person, arranged across first floor level.
 - Flat D, 1 Bed – 2 person, arranged across first floor level.
 - Flat E, 1 Bed – 2 person, arranged across loft floor level.
- 3.2 In converting the building a series of extension and alterations are proposed. These works include the following:
- Construction of a partial basement with extension at lower ground floor - This partial basement would in part replace a cellar room to the building. This part of the development would project from lower ground floor level by a depth to 4.7m (36 Lyveden Road) and 2.0m (40 Lyveden Road) beyond the respective flank walls. The roof of the basements external parts would sit approx. 1.2m above prevailing ground level.
 - Ground floor extension – Depth from building's original rear building line approx. 2.8m on 40 Lyveden Road side and 4.3m on 36 Lyveden Road side, height approx. 3.4m from prevailing ground level. An approx. 1.2m gap would be retained between the side of the extension and boundary

First floor extension – depth from building’s original rear building line approx. 2.2m on 40 Lyveden Road side and 3.7m on 36 Lyveden Road side, height approx. 5.9m from prevailing ground level. The first floor extension would be ‘setting in’ at both sides, with the greatest projection at centre of building.

- Erection of a rear dormer extension – set in from roof eaves and side party walls, and positioned with a gap beneath main roof ridge.
- New rear window openings.

3.3 The proposal also includes works to the front garden to provide cycle and bin/recycling storage for the new dwellings. Landscaping is proposed within the rear garden.

4. RELEVANT PLANNING HISTORY

4.1 21/P0113 - CONVERSION OF EXISTING DWELLING HOUSE TO PROVIDE 5 SELF-CONTAINED FLATS, INCLUDING GROUND, FIRST FLOOR EXTENSIONS AND REAR DORMER. EXCAVATION AND EXTENSION TO BASEMENT LEVEL, ASSOCIATED LANDSCAPING, CYCLE AND REFUSE STORAGE. Permission Refused 03/03/2021 –

Reason 1 - The proposed development due to its design, height, siting and massing would result in an incongruous and inappropriate form of development that would be visually dominant and intrusive, failing to complement the appearance of the existing building and neighbouring buildings. The proposal would therefore be contrary to Merton Sites and Policies Plan 2014 policy DM D1, DM D2 and DMD3, Core Strategy Policy CS 14 and London Plan policy D2, D3 and D4.

Reason 2 - The proposed development due to the position of external openings and rear balcony, as well as the height, depth and siting of the first floor extension, would result in a loss of privacy and create an overbearing and unneighbourly presence to the detriment of neighbour's living conditions. The proposal therefore fails to comply with policies DMD2 and DMD3 of the Merton Sites and Policies Plan 2014, CS 14 of the LBM Core Strategy 2011 and D3 of the London Plan.

4.2 The current scheme shares similarities to the previously refused scheme. The applicant continues to seek conversion of the building into 5 flats along with external alterations and extensions across rear levels. Key changes between this scheme and the previously refused include:

- 4.3
- Amendments have been made so that each dwelling has 2.5m floor to ceiling heights for at least 75% of its Gross Internal Area (GIA).
 - The overall height of first floor extension has dropped by 0.225m.
 - The elements of the first floor extension on the boundary have reduced in height by 0.325m.
 - Side 'element' of the extension at first floor level removed
 - On the boundary with 36 Lyveden Road, the first floor extension has been reduced in depth by 0.124m
 - On the boundary with 40 Lyveden Road, the first floor extension on the boundary has been reduced in depth by 0.124m, resulting in no extension on the boundary on this side.

- The middle section of the first floor extension has been reduced in depth by 0.5m.
- There is a reduction in the height of the ground floor extension by 0.3m.
- There is a reduction in the glazing and the size of the windows to the ground and first floor extensions.
- Rear dormer size reduced
- Front pitched rooflights have been added to make the top floor flat dual aspect.
- A flat rooflight has also been added to improve daylight and sunlight to this unit.
- Green roofs have been added to the flat roofs.
- Soft landscaping has been increased to the rear, which has resulted in a net addition of soft landscaping in comparison to the existing site by 8.6 sq.m.

5. CONSULTATION

5.1 Public consultation was undertaken by way of site notice and by post sent to neighbouring properties.

5.2 8 letters were received objecting to the proposal for the following reasons as summarised:

- Complete overdevelopment of the site.
- Too many flats are being created.
- The changes between this scheme and the previous scheme are minimal and would not be significantly noticeable to neighbours.
- The number of bins needed at the front of the house would be unsightly.
- The development would result in noise disturbance.
- Concerns about the damage and stability of neighbouring buildings from the basement works including disturbing asbestos and subsistence.
- The development would be out of step with the Victorian property and sets a precedent.
- The proposal would result in increased on-street parking pressures.
- The development would result in loss of light.
- The proposal may result in sewage system issues.
- The proposal would cause overlooking to neighbours.
- Construction would be disruptive.
- The proposal would lack sufficient public and private amenity space.
- The basement would be at risk of surface water flooding.
- Adjoining gardens would be shaded by the development.
- The development does not create good quality homes.
- The development would detract from the area.
- The development would result in the loss of a family home.
- Neighbouring houses have been converted into 2 or 3 separate flats. The 5 flats proposed within this scheme would not be in-line with the density of neighbouring houses.

5.3 Planning officer's comments – The matters raised in the objection have been covered within the delegated report. In terms of noise created during the building work. These matters would be covered and monitored by the Council's Environment and Health Team, and all work would be expected to

adhere to the Council's Construction Code of Practice. Conditions are in place regarding the basement and requirements for a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) to be appointed for the works.

5.4 Thames Water:

With regard to water network and water treatment infrastructure capacity, we would have not have any objections to the above application. Thames Water recommends an informative – Thames Water will aim to provide customers with a minimum pressure of 10m head (approx. 1 bar) and a flow rate of 9 litre/minute at the point where it leaves Thames Water pipe. The developer should take account of minimum pressure in the design of the proposed development.

-The following condition was requested - No construction shall take place within 5m of the water main. Information detailing how the developer intends to divert the asset/ align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved by the local planning authority in consultation with Thames Water. Any construction must be undertaken in accordance with the terms of the approved information. Unrestricted access must be available at all times for the maintenance and repair of the asset during and after the construction works. Reason: the proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

5.5 Note - Planning officers have contacted Thames Water seeking clarity on the above condition. Thames Water have since advised that such a condition would not be applicable if no piling is to be undertaken during the development, given that the proposal is not within 5m of the water main. The recommended condition has since been adjusted to trigger the requirements if piling is proposed. Parts of the condition relating to access for Thames Water personnel, are not considered necessary or reasonable to secure under a planning condition, due to planning enforcement implications. Future access would be better secured by Thames Water who likely have powers of access under separate legislation outside the Town and Country Planning Act 1990.

5.6 *LBM Transport Officer:* Raise no objection subject to:

- Unilateral undertaking which would restrict future occupiers of 4 units from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.
- Cycle parking provision (secure & undercover)
- Refuse: Condition
- Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work.

5.7 *LBM Flood Management Officer:* No objection.

-The CMS within Appendix E does not consider how the applicant will manage any groundwater they may encounter during the build. I understand that this is an outline CMS so for the detailed one this must be included. They have also indicated on their drawings that the basement should be waterproofed (a water proof membrane) and they are likely to need the use of a pump to manage which is current expected practice. If you are minded to grant planning permission then please add the following conditions and outline further work needs to be done on the final CMS.

- Condition: Prior to the commencement of development, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for both phases of the development. This should include but not limited to the incorporation of passive measures for drainage around the basement structure.

- Condition: Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2021)

- 5. Delivering a sufficient supply of homes
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places

6.2 London Plan (2021)

Relevant policies include:

- GG1 Building strong and inclusive communities
- GG2 Making the best use of land
- GG3 Creating a healthy city
- GG4 Delivering the homes Londoners need
- GG6 Increasing efficiency and resilience
- 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
- D8 Public realm
- D10 Basement development
- D14 Noise
- G6 Biodiversity and access to nature
- H1 Increasing housing supply
- H2 Small sites
- H5 Threshold approach to applications
- H10 Housing size mix

- G4 Open space
- G5 Urban greening
- G7 Trees and woodlands
- SI 2 Minimising greenhouse gas emissions
- SI 3 Energy infrastructure
- SI 5 Water infrastructure
- SI 12 Flood risk management
- SI 13 Sustainable drainage
- T1 Strategic approach to transport
- T2 Healthy Streets
- T3 Transport capacity, connectivity and safeguarding
- T4 Assessing and mitigating transport impacts
- T5 Cycling
- T6 Car parking
- T6.1 Residential parking
- DF1 Delivery of the Plan and Planning Obligations

6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 13 Open Space, Nature Conservation, Leisure and Culture
- CS 14 Design
- CS 15 Climate change
- CS16 Flood Risk Management
- CS 17 Waste management
- CS 18 Active Transport
- CS 19 Public transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

- DM H2 Housing mix
- DM H3 Support for affordable housing
- DM D1 Urban Design
- DM D2 Design considerations
- DM D3 Extensions and alterations to existing buildings
- DM F2 Sustainable urban drainage systems
- DM O2 Nature conservation, trees, hedges and landscape features
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

6.5 Supplementary planning considerations

- London Housing SPG – 2016
- London Character and Context SPG -2014
- DCLG - Technical Housing Standards 2015

7. PLANNING CONSIDERATIONS

7.1 Material Considerations

The decisive planning issues towards this application are –

- Principle of development.
- Standard of accommodation.
- Impact upon the character and appearance of the area.
- Impact upon neighbouring amenity.
- Highways, traffic and parking.
- Refuse and collection.
- Sustainability.
- Landscaping and impact upon trees and biodiversity.
- Basement development and flooding / drainage.
- Highways, parking and cycle storage.
- Refuse storage and collection.
- Sustainability.

Principle of development

7.2 Paragraph 1.4.5 of the London Plan states that to meet the growing need, London must seek to deliver new homes through a wide range of development options. Reusing large brownfield sites will remain crucial, although vacant plots are now scarce, and the scale and complexity of large former industrial sites makes delivery slow. Small sites in a range of locations can be developed more quickly, and enable smaller builders to enter the market.

7.3 Policy H1 'Increasing housing supply' marks an increase to Merton's 10 year targets for net housing completions, with the new target set at 9,180 or 918 homes per year. Policy D3 – 'Optimising site capacity through the design-led approach', states that incremental densification should be actively encouraged by Boroughs to achieve a change in densities in the most appropriate way. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space.

7.4 Given the development seeks to add 4 additional residential units, increasing density, the principle of development is considered to be acceptable, subject to compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

Design and impact upon the character and appearance of the area

7.5 The NPPF section 12, London Plan policies D2, D3 and D4, Core Strategy policy CS14 and SPP Policies DMD1 and DMD2 require well designed proposals which would optimise the potential of sites, that are of the highest architectural quality and incorporate a visually attractive design that is

appropriate to its context, so that development relates positively to the appearance, scale, bulk, form, proportions, materials and character of their surroundings, thus enhancing the character of the wider area.

- 7.6 The front elevation of the building would be retained as existing with care taken to preserve original features. Officers consider that this is the correct approach as it allows the uniformity of the street to be retained. It is noted that the front courtyard area is relatively large with sufficient space for refuse and cycle storage to be located for the intended density. The submitted section drawings show that refuse and cycle storage units would be of low height (approximately 1.3m). At this size, the storage facilities would appear fairly inconspicuous from the street scene. The front boundary wall retained with a brick formed planter and hedging would offer screening of these units from the street which is considered an acceptable design solution.
- 7.7 In comparison to the front, the building's rear elevation would experience a broad level of adaption with a series of extensions and alterations proposed across all levels. Planning officers' view is that these proposals strike an acceptable balance between the applicant's desire to create additional floor space, and planning design requirements that seek for the building to retain its traditional form and design. In this case, the proposals place the more substantial changes at ground and lower ground floor level, which entail areas of the building of limited visibility from external areas. The extensions have been designed to consistently step in from the rear and sides of the site from bottom to top, and thus preserve a sense of hierarchy present in the original elevations, as well as to reduce visual bulk towards neighbours.
- 7.8 The acceptability of the proposals also needs to be considered with reference to other neighbouring properties along Lyveden Road, many of which have been modified extensively at rear with projections at ground, first and loft level. The proposals would therefore appear compatible with neighbouring developments on a part of the building of low visibility within the public realm.
- 7.9 In terms of the partial basement, the roof of the lower ground floor level would sit approx. 1.2m above ground level and therefore would appear fairly inconspicuous from neighbouring vantages, despite its projection from the rear building line. The applicant has proposed to have a split level garden, whereby the rear most part of the garden is retained at prevailing ground level. This modulation of garden heights would provide an adequate visual transition between lower garden and localised ground level. The support for the small-scale basement excavation proposed aligns with Policy D10 of the London Plan in which the Mayor considers, where basements are appropriately designed and constructed, can contribute to the efficient use of land.
- 7.10 The upper ground floor rear extension would replace existing extensions at this level of the site. The new massing at this level would have less depth than the current mono-sloped extension near the boundary with No. 40 Lyveden Road. At the opposite boundary beside No. 36 Lyveden Road, the extension would extend 2.17m past the current flank wall of the neighbouring building,

which is not considered unduly imposing. Given this context the proposed massing at this level would not appear out of scale.

- 7.11 The first floor extension has been designed with a 'stepped' form that reduces in the depth of its projection at sides. This approach retains a 45 degree uninterrupted angle of outwards view from the centre pane of the neighbouring properties first floor windows. This design and use of different levels of projection and heights is considered to adequately 'break up' the broader massing of the scheme. Planning officers note when comparing the current scheme to the previous refused scheme, that the applicant has reduced the level of projection of the first floor extension to both side boundaries, reduced the projection of the central part by 0.5m, and omitted the terrace, these changes are considered by planning officers to overcome previous concerns
- 7.12 No objections are raised toward the dormer extension by officers, which although relatively large, and clad in zinc, rather than finished in matching tiles to the original roof, is not considered visually harmful. This view is taken because the dormer extension would be well recessed from the lower eaves of the main roof, thus ensuring that the roof line of the original building can still be read. Although the dormer was not a reason for refusal of the previous scheme, the applicant has made further improvements to the dormer by 'setting in' the sides from party walls and providing a clear gap between the top of the dormer and main roof ridge. These changes have further improved the level of subordination to this part of the proposal.
- 7.13 Overall the layout, scale and design of the alterations and extensions are considered sympathetic to the building and surrounding properties. The proposals are not considered to appear obtrusive from external views. The materials selected are high quality with London stock brick used on external faces and aluminium window frames. The proposed green roof would act to enhance greening of the site.

Standard of accommodation

- 7.14 London Plan Policy D6 Housing development should be of high 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. Sites and Policies Plan Policy DM D2 seeks to ensure good quality residential accommodation with adequate levels of privacy, daylight and sunlight for existing and future residents, the provision of adequate amenity space and the avoidance of noise, vibration or other forms of pollution.
- 7.15 All units would comply with minimum GIA standards for internal floor area. The proposed flats would have adequately sized rooms and a convenient and efficient room layout, which are functional and fit for purpose. Good outlook as well as adequate daylight / sunlight would be received into habitable rooms including sufficient daylight to lower ground floor level spaces. All flats would be dual aspect which supports good quality living accommodation.

- 7.16 The Council expects that all conversions of dwelling houses into flats to retain a family sized unit (3 + bedrooms). Flat B (3b5p) at ground / lower ground floor level would provide a family sized unit consistent with policy.
- 7.17 In terms of external amenity spaces, two of the flats would have direct access onto the rear garden. Three of the flats (Flats C, D and E) would not be provided external amenity space; however, given that these flats would be only 1 bedroom suitable for 1-2 people, no objections are raised. A different position would likely be taken had the development not been a conversion, or had fewer constraints in terms of where external amenity spaces could be reasonably provided. It is also noted that the openings formed at rear would be south facing and of a good size to help support a well-lit internal space and should provide a sense of openness for the future occupants.
- 7.18 In terms of housing mix, assessments of historical provision in the borough indicates a disproportionately greater delivery of smaller homes compared to larger homes. The scheme would provide a greater quantum of smaller one bedroom than prescribed within the Council's SHMA. These small units are comparatively less valuable and provide a less flexible form of housing. However, given that the proposed development is only for 5 units, and that 1, 2 and 3 bedrooms units are proposed, a small deviation from an optimal mix would not warrant a refusal.
- 7.19 Overall the standard of accommodation proposed within the scheme is acceptable.

Neighbouring Amenity

- 7.20 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.
- 7.21 An objection was raised towards the earlier planning permission (21/P0113) because the level of projection at first floor level coupled with the position near side boundaries was considered to appear visually dominant and unneighbourly as experienced by adjacent occupiers. In comparison to the refused scheme, the first floor has now been reduced in depth on both sides and the elements of the first floor extension on the boundary have been reduced in height by 0.3m. In addition to this, the middle element of the first floor extension has been reduced in depth by 0.5m. The first floor extension does not break the 45 degree open angle to the centre pane of the neighbouring property first floor windows. Planning officer's view is that the extension at first floor level would not enclose neighbouring occupiers or appear visually dominant.
- 7.22 The ground floor would replace existing extensions at this level of the site. The new massing at this level would only project modestly past neighbouring

houses, which is not considered harmful. The lower ground extension would have no impact on neighbouring occupiers given its position. The dormer extension would sit above the existing roof level and not create any enclosing bulk or massing.

- 7.23 In terms of privacy impacts, there would be no raised external amenity spaces such as balconies or terraces, and therefore views from the development would be largely similar to the current building configuration. New window openings are positioned 'set in' from the side flank walls, in this manner no close views towards garden spaces of neighbours is afforded. The upper ground floor level is shown to have double glazed sliding doors, conditions have been attached seeking detailed drawings to show an internal Juliet balustrade in order to provide a barrier between the upper ground floor and roof of the extension. Further conditions prohibiting the flat roofs from being used as a terrace further safeguard privacy.
- 7.24 In terms of noise, the site would continue to be used for residential use. Some increased noise generation may arise due to the uplift in density, although this would not be to such a degree to warrant refusal of the scheme.
- 7.25 The applicant has provided a daylight / sunlight report to demonstrate that the proposal would not unduly reduce levels of sunlight and daylight received by neighbouring homes and amenity spaces. Both reports confirm that sufficient interior daylighting and sunlight to windows will be achieved for the future occupiers of the development and the neighbouring properties. With respect to overshadowing to gardens and open spaces, all of the gardens and open spaces tested both within and adjacent to the site would meet the BRE recommendations. No objections are made from the conclusions in this report.

Highways, traffic and parking

- 7.26 Core Strategy Policy CS 20 considers matters of pedestrian movement, safety, servicing and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection. Core Strategy Policy CS 18 promotes active means of transport, and CS 19 promotes public transport.
- 7.27 The applicant has outlined within their planning statement that they would be willing to enter into a legal agreement to become parking permit free for the additional flats created by the scheme. The application has been consulted with the Council's Transport Planner who noted that the property has a moderate public transport accessibility level (PTAL 3), and therefore new occupants would have a reasonable ability to get around using public transport alone. The transport officer raised no objections provided that the future occupiers of 4 of the proposed units were restricted from obtaining on-street residential parking permits. This would need to be secured by legal agreement. The above arrangement is considered acceptable by planning officers, given that highways related impacts from the development would be similar to that of the existing situation in terms of on-street parking demand.

- 7.28 The London Plan requires one cycle parking space for 1 bed 1 person units, 1.5 spaces for 1 bed 2 person units, and two spaces for all other dwellings. The cycle spaces to be provided within front gardens would meet policy requirements and no objection is raised. A condition has been recommended requiring that these cycle units are installed prior to occupation.
- 7.29 A Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) would also need to be submitted to the LPA for approval prior to commencement of work. Conditions are in place to secure these plans.

Refuse storage and collection

- 7.30 Refuse would be stored within storage enclosures within the front courtyard, with collection to occur from Lyveden Road. This arrangement is considered to be acceptable and would comply with policy CS 17 of the Core Strategy. A condition has been recommended requiring that these cycle units are installed prior to occupation.

Sustainable design and construction

- 7.31 London Plan policies SI2 and SI5, and CS policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.
- 7.32 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. It is recommended to include a condition which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

Landscaping and impact upon trees and biodiversity

- 7.33 NPPF section 15, London Plan polices G5 and G7, CS policy CS13 and SPP policies DM D2 and DM O2 seek to ensure high quality landscaping to enhance the public realm, protect trees that significantly improve the public realm, to enhance biodiversity, encourage proposals to result in a net gain in biodiversity and to discourage proposal that result in harm to the environment, particularly on sites of recognised nature conservation.
- 7.34 An Arboricultural Planning Report has been prepared to support the application proposals. There are no tree preservation orders in force on the proposed site, nor is the site located within a conservation area. The scheme proposes the loss of a single Category C ornamental cherry tree. No objections arise to removal of the tree, and it is noted that in normal situations the owners of the site could remove the tree without planning permission or needing to apply for tree consent. The applicant that supplied an indicative

landscaping scheme, in order to mitigate for the loss of the existing trees and soft landscaping. A detailed landscaping scheme has been secured by condition.

Basement development and flooding / drainage

- 7.35 Policy DMD2 of the adopted Sites and Policies Plan states that proposals for basements should be wholly confined within the curtilage of the application property and be designed to maintain and safeguard the structural stability of the application building and nearby buildings; basements should not exceed 50% of either the front, rear or side garden of the property. The proposed basement would not exceed the size criteria.
- 7.36 Merton Core Strategy policies CS13 and CS16 and SPP policies DMD2, DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.
- 7.37 A Flood Risk and Surface Water Assessment has been submitted with the application, this document details strategies that could be adopted to mitigate risk, with consideration towards basement development, this includes:
- The basement must provide internal access to higher ground.
 - The basement must include a positive pumped device such as a sump pump.
 - A non-return valve should be installed at the foul water sewer manhole serving the property.
 - Surface water should be managed by the use of SuDS where practicable.
- 7.38 In terms of surface management, green roofs are now proposed as part of the planning application, which is a benefit in comparison to planning application 21/P0113.
- 7.39 The application has been commented on by the Council's Flood Management Officer who noted that within the Outline CMS it is indicated on the drawings that the basement should be waterproofed (a water proof membrane) and that they are likely to need the use of a pump to manage flood risk. A final (detailed) CMS has been secured by way of condition. In addition, two other conditions were considered necessary by the Flood Management Officer, these related to:
- 1- a detailed scheme for the provision of surface and foul water drainage;
 - 2- a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase)
- 7.40 The application is also supported by a Basement Impact Assessment, which includes a desktop study of the site and context, a Site Specific Ground Investigation, and an Outline Basement Construction Method Statement (CMS), which are required under Merton Basement Policy. A Monitoring Strategy for the works to reduce the risk of damage to neighbouring properties is also included. These documents set out how the basement could be constructed in a safe and methodical manner without affecting adjacent

properties or the highway. This includes how structural stability is safeguarded and potential impacts to neighbourhood amenity mitigated during the development process. Should the application be recommended the following condition would also be included:

No development shall commence until:

(A) a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed for the duration of building works and their appointment confirmed in writing to the Local Planning Authority, and

(B) the name, and contact details of the person supervising engineering and construction on site for the duration of building works have been confirmed in writing to the Local Planning Authority.

8. CONCLUSION

- 8.1 The proposal is considered to be acceptable in principle, providing an additional 4 homes, in line with planning policy. The external alterations are considered to strike an appropriate balance between the creation of floor space, whilst being of a design and scale that appropriately responds to the building's traditional architectural form.
- 8.2 The proposal has been designed to ensure it would not unduly impact upon neighbouring amenity. The proposal would offer acceptable quality living standards for prospective occupants. The proposal would not materially impact upon the highway network, with parking permit free agreements to be secured. It is also considered that the proposal could achieve appropriate sustainable design and construction standards. The applicant has provided a sufficient level of information to demonstrate that the basement would be appropriately engineered, with flood and drainage strategies adopted to mitigate risks. Where necessary conditions are in place to secure final design details.
- 8.3 The proposal is considered to accord with the relevant National, Strategic and Local Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations which would warrant a refusal of the application.

RECOMMENDATION

Grant planning permission subject to the following conditions, and the completion of a unilateral agreement to secure 4 of the 5 flats to be parking permit free.

Conditions:

1. 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. The development hereby permitted shall be carried out in accordance with the following approved plans: [Refer to the schedule on page 1 of this report].

Reason: For the avoidance of doubt and in the interests of proper planning.

3. 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 and D4 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. Notwithstanding condition 3, no development shall take place until details of the raised ground floor level glazed sliding doors have been provided, these details shall show an internal Juliet balustrade to provide a barrier between the upper ground floor level and flat roof of the extension, and these shall be submitted to the Local Planning Authority for approval. No works which are the subject of this condition shall be carried out until the details are approved, and the development shall be carried out in full accordance with the approved details and retained thereafter.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy D3 and D4 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.

5. Prior to the commencement of development, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for both phases of the development. This should include but not limited to the incorporation of passive measures for drainage around the basement structure.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy SI 13 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

6. Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure.

Reason: To ensure satisfactory means of surface water drainage, to reduce the risk of flooding and to comply with the following Development Plan policies for Merton: policy SI 13 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DM F2 of Merton's Sites and Policies Plan 2014.

7. No development shall commence until
(A) a Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed for the duration of building works and their appointment confirmed in writing to the Local Planning Authority, and
(B) the name, and contact details of the person supervising engineering and construction on site for the duration of building works have been confirmed in writing to the Local Planning Authority.

In the event that either the Appointed Engineer or Appointed Supervisor cease to perform that role for whatever reason before the construction works are completed, those works shall cease until a replacement chartered engineer of the afore-described qualification or replacement supervisor has been appointed to supervise their completion and their appointment confirmed in writing to the Local Planning Authority. At no time shall any construction work take place unless an engineer and supervisor are at that time currently appointed and their appointment has been notified to this Authority in accordance with this condition.

Reason - The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring residential properties and to comply with the Basements SPD and policy DM.D2 of the Sites and Policies Plan 2014.

8. Prior to the commencement of development a working method statement shall be submitted to and approved in writing by the Local Planning Authority that shall include measures to accommodate: the parking of vehicles of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of dust, smell and other effluvia; measures to control noise and vibration; measures to control dust and dirt; a scheme for recycling and disposing of waste from demolition and construction. No development shall be take place that is not in full accordance with the approved method statement.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies T4 and T7 of the London Plan 2021, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

9. No development shall take place until a final basement construction method statement has been submitted to and approved in writing by the Local Planning Authority. No development shall be take place that is not in full accordance with the approved final basement construction method statement.

The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring residential properties and to comply with the Basements SPD and policy DM.D2 of the Sites and Policies Plan 2014.

10. No development shall take place until full details of a landscaping and planting scheme, including green roof, has been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.

Reason: To enhance the appearance of the development in the interest of the amenities of the area, to ensure the provision sustainable drainage surfaces and to comply with the following Development Plan policies for Merton: policies G6 of the London Plan 2021, policies CS13 and CS16 of Merton's Core Planning Strategy 2011 and policies DM D2, DM F2 of Merton's Sites and Policies Plan 2014.

11. 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 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 SI2 and SI5 of the London Plan 2021 and Policy CS15 of Merton's Core Planning Strategy 2011.

12. The development hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved has been provided and made available for use. These facilities shall be retained for the occupants of and visitors to the development 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 T5 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.

13. The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times. In addition, refuse bins shall not be placed on the public highway at any time either during or after collection.

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.

14. 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 D4 of the London Plan 2021, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3.

15. Any external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Policies Plan 2014.

16. The hardstanding hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use.

Reason: To reduce surface water run-off and to reduce pressure on the surrounding drainage system in accordance with the following Development Plan policies for Merton: policy SI13 of the London Plan 2021, policy CS16 of Merton's Core Planning Strategy 2011 and policy DMF2 of Merton's Sites and Policies Plan 2014.

17. No construction shall take place within 5m of the water main. Should piling be proposed, information detailing how the applicant intends to divert the asset/ align the development, so as to prevent the potential for damage to subsurface potable water infrastructure, must be submitted to and approved by the local planning authority in consultation with Thames Water.

Any construction must be undertaken in accordance with the terms of the approved information.

Reason: The proposed works will be in close proximity to underground strategic water main, utility infrastructure. The works has the potential to impact on local underground water utility infrastructure.

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