

**PLANNING APPLICATIONS COMMITTEE
16 OCTOBER 2014**

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	14/P1901	09/05/2014
Address/Site:	25 Belvedere Drive, Wimbledon Village, SW19 7BU	
(Ward)	Village	
Proposal:	Demolition of existing two storey house and erection of 2x two storey 4-bed houses (with accommodation at basement level and within the roof space) involving excavation works and new retaining walls, widening of the existing vehicular crossover on Belvedere Drive, and landscaping works.	
Drawing No's:	501/1, 501/2, 501/3, 501/4C, 501/5C, 501/6C, 501/7C, 501/8B, 501/9B, 3516-1001 (Revision P1), Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement, Tree Protection Plan, Design and Access Statement, Affordable Housing statement, Code for Sustainable Homes Pre Assessment Report, Basement Construction Methodology, and Affordable Housing Statement.	
Contact Officer:	Ganesh Gnanamoorthy (0208 545 3119)	

RECOMMENDATION

GRANT Permission subject to Section 106 Agreement and Conditions

CHECKLIST INFORMATION

- Heads of Agreement: Financial contribution towards affordable housing within the borough
- 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: 7
- External consultations: No

1. **INTRODUCTION**

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

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a detached 2-storey property located on the north-western side of Belvedere Drive, adjacent to the junction with St Mary's Road.
- 2.2 The application site is located within the Wimbledon North Conservation Area (Sub-Area 4 Belvedere). It is neither statutorily nor locally listed.
- 2.3 The Wimbledon North Conservation Area Appraisal states that properties on this side of Belvedere Drive '.....are set on wide, rectangular plots, with quite wide gaps between, which allow glimpses of trees and the rising garden land and rooftops behind, and contribute to a sense of spaciousness'.
- 2.4 The properties either side of the application site, 21 Belvedere Drive and 21 St Mary's Road, have both been demolished and replaced with new dwellings within the last few years.

3. **CURRENT PROPOSAL**

- 3.1 The proposal involves the demolition of the existing two storey house and erection of 2x two storey houses (with basement and accommodation within the roof space), widening of the existing vehicular crossover on Belvedere Drive and landscaping works.
- 3.2 The existing site slopes up from the road with an approximately 4m change in levels between the front and rear boundary. The existing house is partly set into the slope at the rear. The application proposal involves excavating to provide a more level site, with basements below the ground floors. This results in the formation of retaining walls to the side and rear boundaries.

- 3.3 The proposed houses would appear as two storeys in height within the streetscene. The main roof incorporates accommodation lit by dormers and rooflights. The basements have a window lighting the stairwell and a rectangular flush rooflight each in the gap between the two flank walls. The front elevation of each property sits in line with that of the neighbouring building. The properties would be a mirror image of each other and the main ridge heights would not exceed the height of their existing neighbouring properties.
- 3.3 The two proposed properties would have a 2.1m space between them. The gap between 21 Belvedere Drive and the nearest proposed property would be 2.8m and that between the other proposed property and 21 St Mary's Road would be 3m.
- 3.4 The proposed houses would extend further rearward than the existing house. They are set in at the rear corners away from the boundary with neighbouring properties. A 45 degree line from the corners of 21 Belvedere Drive and 21 St. Mary's Road would be uninterrupted.
- 3.5 Within both houses, the accommodation at ground floor level would comprise a living room, kitchen/diner, cloakroom and w.c. and would also directly access the gardens to the rear (83.3 and 73.3 sqm. respectively). At basement level would be a family/playroom, shower room and mechanical services/storage area. The first and second floor levels would comprise a total of 4 bedrooms with en-suite facilities and a laundry room. The rear bedrooms at first floor level would each have a balcony.
- 3.6 A double width driveway provides a single parking space for each house, linked by a level access to the front entrances.
- 3.7 The proposed dwelling would be of a traditional villa style and would be constructed in brickwork with render to the bays and cornices. The roof would be clay tile and the windows would be timber framed. The application proposes to retain the existing retaining walls within the front curtilage and to provide a new beech hedge on the front boundary adjacent to the pavement edge.

4. **RELEVANT PLANNING HISTORY**

There is no planning history on this property since 1971.

5. **CONSULTATION**

The application has been advertised by site notice and letters of notification to the occupiers of neighbouring properties. Nine

representations have been received – concerns raised are as follows:

- Overdevelopment of the site
- Loss of amenity to neighbouring properties – overlooking, light and views
- Basement footprint too big, and possible flooding
- Loss of trees
- New crossover to St Mary's Road would cause highway safety issues
- Loss of spaciousness in the streetscene
- Inappropriate introduction of solar panels – eyesore
- Sustainable level 4 proposed – should be level 5.
- Dormer not set back by 1.00m from the wall below
- Party wall issues

Revised Plans

In order to address some of the concerns raised during the consultation process, the applicant has reduced the scale of the scheme – the overall internal floorspace has been reduced from 738 sqm to 590 sqm, a reduction of approximately 20%. This has seen the properties reduced from 5bedrooms to 4bedrooms. In addition, the basement footprint has been reduced and the proposed crossover to St Mary's Road has also been removed from the scheme.

Tree Officer – No objections raised subject to the imposition of conditions.

Transport Officer - No comments have been received.

Conservation Officer – Comments on the original scheme expressed some disappointment over the loss of the 1960's dwelling, and beyond this felt that the scheme was too dense.

6. **POLICY CONTEXT**

The relevant policies within the Adopted Merton Core Strategy (July 2011) are:

CS 8 (Housing Choice), CS 9 (Housing Provision), CS 6 (Wimbledon Sub

- Area), CS13 (Open Space, Nature Conservation, Leisure and Culture), CS 14 (Design), CS 15 (Climate Change), and CS 20 (Parking, Servicing, and Delivery)

The relevant policies within the Adopted Sites and Policies Plan (October 2003) are:

DM D1 (Urban Design and Public Realm), DM D2 (Design Considerations in all Developments), DM D4 (Managing Heritage Assets), DM H3 (Support for Affordable Housing), DM H4 (Demolition and Redevelopment of a single dwelling house), DM O2 (Nature Conservation, Trees, Hedges and Landscape Features), DM T2 (transport Impacts of Development), and DM T3 (Car Parking and Servicing Standards)

New Residential Development – SPG
Design – SPG
Planning Obligations – SPD

The relevant policies in the London Plan (2011) are:

3.3 (Increasing Housing Supply];
3.4 (Optimising Housing Potential];
3.5 (Quality and Design of Housing Developments)
3.11 (Affordable Housing Targets)
5.7 (Renewable Energy)
8.2 (Planning Obligations).

Natural England Standing Advice on Protected Species

National Planning Policy Framework (2012)

7. **PLANNING CONSIDERATIONS**

- 7.1 The main planning considerations concern the demolition of the existing dwelling, design and the impact on the character and appearance of the conservation area, trees and parking & Highway issues.
- 7.2 Demolition of existing dwelling
- 7.3 Policy DM D4 (part d) seeks to protect buildings that make a positive contribution to a conservation area.
- 7.4 The Wimbledon North Conservation Area appraisal identifies buildings which are considered to make a positive contribution to the wider conservation area, and the application site does not fall within this category. There is therefore no in principle policy objection to the

demolition of the existing dwelling subject to the acceptability of the replacement proposal in all other respects.

7.5 Design and impact on the Wimbledon North conservation area

7.6 The scheme has been amended since its original submission as a result of negotiations with Officers so that the scheme is significantly smaller than that which was initially proposed. The main alterations to the scheme include:

- Reduction in depth of the proposed houses
- Reduction in basement footprint
- Increase in size of garden
- Removal of proposed second vehicular access

7.8 It is noted that the buildings either side of the application site have been demolished and rebuilt in different styles and the proposed building is considered to preserve and enhance the character and appearance of the wider conservation area.

7.9 The proposed dwelling would front onto Belvedere Drive which has a range of building styles and roof types evident. Indeed, it is noted that the adjoining properties have recently been constructed – one of a modern design whilst the other has a more traditional appearance.

7.10 The proposed pair of dwellings would respect the established building heights and would have a roof type which would fit in well with the wider streetscene. General information about the materials proposed have been provided and the use of brickwork, rendered bays and cornices, and timber framed windows are considered acceptable. The precise detailing of brickwork and render can be secured by condition. The front building lines have been designed so as to respect the front building lines of the adjoining properties, thus respecting the character and appearance of the Wimbledon North conservation area.

7.11 The proposed dwelling also retains a satisfactory height relationship between its flat roof and the massing of 7 Somerset Road and 3 Lincoln Avenue. The dwelling would be lower in height than 3 Lincoln Avenue and lower in height than no.7. The property is set at least 1.5m from each side boundary and 24m from the rear of 7 Somerset Road, and as such is considered would retain the characteristic spacing along the roads.

7.12 One of the key contributions that the properties along this part of Belvedere Drive add to the conservation area is a sense of spaciousness, with gaps through to mature planting beyond. It is noted that there are a number of trees to the front of the site which contribute to the green maturely landscaped character of the area. Three of these are of

- considerable size and are felt to be of value and the proposal does not seek to remove any of these trees. The second vehicular access originally proposed on the right hand side of the frontage has been removed to ensure that the health of the adjoining tree is not compromised. Whilst the proposal would, at first floor level, be closer to the site boundaries than the existing arrangement, a gap of 2.8m is maintained between the flank wall of the left hand house and that of 21 Belvedere Drive and a 3m gap between the flank wall and the flank of 21 St Mary's Road. In addition, a new 2.1m gap would be introduced between the two dwellings which would provide an additional view to those which already exist. It is considered that the cumulative impact of the three gaps proposed would not be significantly different to the two which currently exist. There is a range of spacing between dwellings within the street and it is noted that the spaces created at the boundaries would be greater than those provided by the neighbouring developments. The use of pitched roofs at the boundaries ensures that views are greater at higher levels.
- 7.13 Objections have been raised about the provision of two houses being provided on the plot – especially in light of an application for two houses being refused on an adjoining plot. The application plot is considerably wider than the neighbouring sites, and as such, the provision of two dwellings is considered to be acceptable on this particular site.
- 7.14 The proposal involves the incorporation of solar panels on the flat part of the roof, which would be located behind a low parapet wall. The screened location of the solar panels ensure that the panels would not be visible from the public realm, and as such they are considered to protect the character and appearance of the conservation area, whilst incorporating an energy efficient power source.
- 7.13 In light of the above, the proposed development is considered to be acceptable in terms of its design, siting, and form, and would not comprise an overdevelopment of the site, preserving the character of the Conservation Area and satisfying the aims of policies DM D1, DM D2 and DM D4 of the Sites and Policies Plan document.
- 7.14 Landscaping/Trees
- 7.15 Representations received have voiced concerns regarding the potential impact of the development on the existing trees on site.
- 7.16 The applicant has had extensive consultation with the Council's Tree Officer – both at pre-application, and full application stage. A detailed Tree Survey, Arboricultural Impact Assessment, Arboricultural Method Statement and Tree Protection Plan has been provided and the Council's Tree Officer has confirmed that she is happy with the proposal subject to

the imposition of conditions pertaining to tree protection, site supervision, and landscaping. The scheme seeks to retain the two Beech Trees and the Cherry Tree to the front of the site which the Tree Officer has confirmed to be the only trees of merit on the site. The Tree Officer has indicated that she intends to add Tree Preservation Orders to the three trees to the front of the site (mentioned above) which would be unaffected by the proposal. The proposal has been amended to remove a crossover in the interest of the health of one of the trees.

7.17 Impact on Residential Amenity

7.18 The provisions of policy DM D2 and the relevant Supplementary Planning Guidance's (SPGs) require there would not be a detrimental impact on the residential amenities of the occupiers of the adjoining properties as a result of a proposed development.

7.19 It is considered that there would not be a detrimental impact on the outlook or daylight/sunlight of the occupiers of the properties nearest to the site because the height of the unit would be similar to that of the neighbouring dwellings whilst the impact of the projection beyond the rear of these properties would be tempered by their limited depth, distance from the boundary and setting in to form an L-shape. The depth of the proposed houses has been significantly reduced at Officer's request and are not considered to be excessively large or overbearing. The sloping nature of the site means that the first floor window and balcony would be situated at what is currently ground level, which means that they are set lower than the top of the rear boundary fence and therefore do not impact on the privacy of gardens to the rear. Drawing 501/9B demonstrates the relationship of the windows to the rear of the site with the existing land contour. Above this level, there would be rear rooflights which would sit flush within the pitched roof, which restricts views. The nearest properties to the rear in Highbury Road have very extensive rear gardens providing a separating distance well in excess of Council's standards .

7.20 Two flank windows are proposed at first floor level and these are both proposed to be obscure glazed. A suitable condition to this effect would be attached to ensure neighbouring amenity is protected.

7.21 Conditions are proposed prohibiting the insertion of any new windows/doors without planning permission and removing permitted development rights in order to further protect residential amenity.

7.22 In light of the above, the proposals are not considered to result in an unacceptable loss of amenity to occupiers of neighbouring properties and the proposal therefore accords with policy DM D2 of the Sites and Policies Plan document.

7.23 Standard of Accommodation

7.24 Table 3.3 of the London Plan (2011) advises on the minimum acceptable internal floor area for new dwellings – in this instance, a minimum of 133 sqm would be required. The floorspaces of the proposed dwellings would considerably exceed this guidance, with both properties providing in the region of 290 sqm.

7.25 The proposed internal layout is considered acceptable and each habitable room is considered would have a satisfactory light and circulation area. Each room would meet the minimum room size standard set out by the Mayor's London Plan.

7.26 The rear garden amenity spaces considerably exceed the 50m² minimum size required by policy DM D2 and the Council's guidelines. Again, this has been amended as a result of negotiations with the applicant in order to provide a more suitable area.

7.27 Basements

7.28 There has been a marked increase in the number of applications within the Borough including extensive basements and as a consequence, given the concerns that arise in relation to stability and impact on groundwater and surface water conditions, a new policy has recently been adopted within Merton's Sites and Policies Plan July 2014, which requires a construction method statement to be submitted as well as details of impact on surface water and ground water. Details of the construction of the basement have been submitted and the Council's Building Control Department have been consulted and they have confirmed that the information provided is acceptable.

7.29 In addition, the Council's Flood Risk Management Engineer was consulted on the proposal and whilst accepting that the borehole tests demonstrated that the basement excavation is not likely to extend below the groundwater table, clarification over the management of surface water was sought. The applicant's Structural Engineer has provided a Drainage Strategy drawing and confirmed that the proposed scheme does not greatly increase the impermeable area and the drainage strategy drawing (3516-1001P1) indicates that a sustainable drainage system can be achieved. The engineer also confirmed that there is space on the site to provide positive drainage to the building along with sufficient underground surface water storage for an attenuated discharge, to accommodate storms up to and including 1in100yr +30%. Permeable paving has also been included to the front hard standing areas.

7.30 With regard to perimeter drainage, the Engineer states that the backfill to the zone between the piled wall and RC basement wall is currently indicated in the basement construction management strategy partly as granular which would allow some infiltration and flow of water around the basement and through the site to the front. Ground water is indicated at approximately 8m depth so it is anticipated that the basement will be founded wholly within the underlying clay and above the prevailing ground water.

7.31 With the above in mind, it is considered that the issues of potential flooding and management of surface water has been adequately addressed.

7.30 Parking and Traffic Issues

7.31 The proposed parking provision is for 2 spaces and the London Plan suggests a maximum parking provision of 1.5-2 spaces for a 4 or more bedroom dwelling. It is noted that this is a maximum and the property is in an area which has a PTAL rating of 5, indicating very good public transport links. With this in mind, the proposed two spaces (one per dwelling) is considered acceptable.

7.32 The proposed access arrangements are also considered to be acceptable. The existing crossover is to be retained, but slightly increased in width to accommodate the parking of two vehicles. The Council's Tree Officer had raised concerns over the introduction of an additional crossover and the likely impact this would have on mature trees to the front of the site. The applicant acknowledged these concerns and the additional crossover was removed from the scheme.

7.33 MAYORAL COMMUNITY INFRASTRUCTURE LEVY

7.34 The proposed development is liable to pay the Mayoral Community Infrastructure Levy, the funds for which will be applied by the Mayor towards the Crossrail project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to agree to pay CIL.

8 MERTON'S COMMUNITY INFRASTRUCTURE LEVY

8.1 Merton's Community Infrastructure Levy was implemented on 1st April 2014. This enables the Council to raise, and pool, contributions from developers to help pay for things such as transport, decentralised energy, healthcare, schools, leisure and public open spaces - local infrastructure that is necessary to support new development. Merton's CIL has replaced Section 106 agreements as the principal means by which developer

contributions towards providing the necessary infrastructure should be collected.

9. **SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 9.1 The proposal is for minor residential development and an Environmental Impact Assessment is not required in this instance.
- 9.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms on EIA submission.
- 9.3 The new dwelling would be required to be built to Lifetime Homes standards. s been submitted indicating that the scheme would achieve code level 4.
- 9.4 An objection was raised stating that the dwelling should be built to code level 5 and not 4. The Sites and Policies Plan was adopted on July 9th 2014, DM H4 (demolition and redevelopment of a single dwelling house) is a completely new policy, requiring CSH Level 5 for CO2 emissions and fabric efficiency instead of Code 4 where a house is to be demolished and replaced. This has a fundamental impact on the design of a new house and would need to be taken into account from the outset. In light of this, it was agreed between the Development Control and Planning Policy Manager that this policy would only be applied to new applications *submitted* after formal adoption of the Sites and Policies Plan in July. The application was submitted before this date and therefore the requirement will be for the proposal to meet CSH Level 4. A pre-assessment report has been submitted confirming that this level will be met

10 **S106 LEGAL AGREEMENT**

- 10.1 Core Strategy policy CS 8 requires that all sites capable of providing between 1-9 units (net) will be required to make provision for affordable housing as an off-site financial contribution. In this instance there will be a net gain of 1 new unit on the site and so a financial contribution will be required (£223,370)

11. **CONCLUSION**

- 11.1 The proposal is considered to preserve the character of the Conservation Area, providing suitable gaps between buildings and retaining key street trees, with houses of a suitable design and massing and is not considered

to have sufficient impact on occupiers of adjoining properties to warrant refusal. It is recommended that planning permission be granted.

RECOMMENDATION

GRANT PERMISSION

Subject to the completion of a Section 106 Obligation covering the following heads of terms:

1. Financial contribution towards affordable housing within the borough (£223,370).
2. The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

And the following conditions:

1. A1 Commencement of Development (full application)
2. A7 Plans
3. B1 External Facing Materials (to be approved)
4. B5 Details of Walls/Fences
5. C1 No Permitted Development (Extensions)
6. C2 No Additional Windows (in side elevations of new building)
7. C6 Refuse & Recycling (Details to be submitted)
8. D9 No external Lighting
9. D.11 Hours of Construction
10. F1 Landscaping/Planting Scheme (including additional tree planting to enhance the site and retain the wooded character of the surroundings)
11. F2 Landscaping (Implementation)
12. F5P Tree Protection
13. F8 Site Supervision

14. H4 Provision of vehicle parking
15. H10P Construction vehicles/loading/dust
16. J.1 Lifetime homes
17. L3 Code for Sustainable Homes – Pre-Occupation (New Build Residential)
18. L4 Code for Sustainable Homes – post completion
19. Construction Method Statement
20. Drainage strategy
21. obscure glazing (first floor)
22. F7 (trees- notification of start)

Informatives:

INF12 Works affecting the public highway

Note 1 to Applicant

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