



## **2. SITE AND SURROUNDINGS**

- 2.1 The application site comprises a two-storey late 19<sup>th</sup> Century detached property, located on the north-east side of Cranbrook Road. The immediate surrounding area comprises a mixture of residential and commercial uses with varying building sizes and types. A large squash court building (Wimbledon Racquet and Fitness Club) is located to the right hand side of no 3's frontage and No.1 Cranbrook Road, a detached house similar in size and style to No.3, sits to the left..
- 2.2 The site is within a Controlled Parking Zone (W1) with a high Public Transport Accessibility Level (PTAL) of 5. The site is located close to Wimbledon Town Centre, and is 60m from the junction with Worple Road, which is served by a number of bus routes. The application site is not located within a conservation area.

## **3. CURRENT PROPOSAL**

- 3.1 The applicant seeks planning permission to demolish the existing building and erect a detached four – storey building comprising eight flats (2 x 3 bed, 4 x 2 bed, and 2 x 1 bed) with basement car parking.
- 3.2 The building would be modern in form, with facing materials comprising red brick at ground, first and second floor levels with grey reconstituted stone banding and silver grey aluminium windows. The top floor is recessed to varying degrees on all sides and is fully glazed on its front and rear elevations. A green wall system is proposed over part of both flank elevations. In addition, green roofs are proposed for the main roof and some ancillary buildings as part of the sustainable urban drainage strategy.
- 3.3 In terms of floor area the three bedroom units would be 96sqm and 104sqm, the two bedroom units would be between 72.5sqm and 85sqm, whilst the one bedroom units would be 50.5sqm and 60sqm.
- 3.4 The 2x 3-bedroom ground floor flats would have directly accessible private garden space, with the flats at 1<sup>st</sup> and 2<sup>nd</sup> floor level having balconies and the 3<sup>rd</sup> floor flats having larger roof terraces. There would also be a communal amenity area at the rear of the building.
- 3.5 Secure cycle storage would be located at the rear of the site. Bin storage would be located at the front of the site as well as a car lift leading to a basement parking area accommodating 8 parking spaces including one disabled space.

## **4. PLANNING HISTORY**

The following planning history is relevant:

- 4.1 88/P1379 - Redevelopment of site by erection of a four storey block comprising six two bed flats together with the provision of seven parking spaces located at front and rear of block. REFUSED 15/12/1988, for the following reason:

“ By reason of its height, size and siting, the proposed block of flats would be an undesirable and inappropriate form of development, visually obtrusive and out of character with neighbouring residential properties, detrimental to the amenities of occupiers of adjoining residential properties, particularly by reason of loss of light and disturbance by vehicular activity contrary to policies E18 and E22 of the proposed Borough Plan revisions.”

- 4.2 89/P0083 - Redevelopment of site by the erection of a three storey building comprising four 2-bedroom flats and two 1 bedroom flats together with the provision of 7 parking spaces. GRANTED 18/05/1989.
- 4.3 90/P0989 - Erection of a part three-storey part four-storey block of 10 one-bed flats and 7 two-bed flats with basement car park involving demolition of existing buildings on site. GRANTED 13/12/1990.
- 4.4 10/P2348 - Erection of a three-storey block of 6 x 2 bed flats with underground car parking involving demolition of the existing building. REFUSED at Planning Applications Committee on 13/01/2011 for the following reason:

*Due to its visual appearance and design, the proposed development would fail to provide a high standard of design that will enhance the character of the area, which is lacking in distinctiveness and attractiveness contrary to part (ii) of Policy BE.22 of the Adopted Unitary Development Plan (October 2003).*

This application was subsequently DISMISSED at appeal on 22/11/2011, but only because of the lack of a S106 agreement for contributions to education and transport and a parking permit free requirement. The proposal was found to be acceptable by the Inspector in terms of design, impact on neighbours and additional traffic generation.

- 4.5 11/P0772 - Erection of a three-storey block of 6 x 2 bed flats with underground car parking involving demolition of existing building. Unlike the previous application, this was a more traditionally designed building. Members resolved to grant permission at Planning Applications Committee on 16/06/2011, subject to a S106 Agreement but this was never completed, therefore a planning permission has not been issued.
- 4.6 In February 2012 a pre-application meeting (LBM Ref: 12/P005/NEW) was held between the applicant and Council officers.

## **5. POLICY CONTEXT**

5.1 Relevant policies are as follows:

5.2 Adopted Merton Sites and Policies Plan and Policies Maps (July 2014):

DM D1 (Urban design and the public realm)  
DM D2 (design considerations in all developments)  
DM F2 (Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure)  
DM H2 (housing mix)  
DM O2 (Nature conservation, trees, hedges and landscape features)  
DM T3 (Car parking and service standards)

5.3 Adopted Merton Core Planning Strategy (July 2011):

CS.8 (Housing Choice), CS9 (Housing provision), CS.14 (Design), CS.15 (Climate Change), CS.20 (Parking, Servicing and Delivery)

5.4 London Plan (July 2011):

3.3 (Increasing Housing Supply), 3.5 (Quality and Design of Housing Developments), 3.8 (Housing Choice), 5.3 (Sustainable Design and Construction), 6.13 (Parking)

5.4 The following Supplementary Planning Guidance (SPG) is also relevant: New Residential Development (September 1999)

## **6. CONSULTATION**

6.1 The application has been publicised by means of a site notice procedure and individual letters to occupiers of neighbouring properties. In response, 12 letters of objection have been received. The letters of objection are on the following grounds:

- Loss of privacy/overlooking
- Detrimental impact on traffic and parking
- Detrimental impact on visual amenity
- Overdevelopment of Cranbrook Road
- Out of keeping with neighbouring buildings
- Too high
- Damage to trees
- Noise
- Potential subsidence

6.2 Transport Planning – No objections subject to S106 agreement for permit free and conditions.

## **7. PLANNING CONSIDERATIONS**

The main planning considerations concern the design and appearance of the proposed building, standard of accommodation to be provided, and impact of the development upon residential amenity, parking and trees.

## **7.1 Visual Amenity**

7.11 Planning application 10/P2348) was refused at Planning Applications Committee in January 2011 because of concerns regarding the gradual loss of good quality buildings such as the existing property, and the poor quality and uninspiring and unattractive design of the proposed flats.

7.12 Although the Planning Inspector dismissed the subsequent appeal in November 2011, this was solely on the basis of a lack of a suitable S106 legal agreement in relation to education and transport contributions and a parking permit free clause. He did not consider that there would be grounds for refusal based on quality of design, impact on neighbours or additional traffic generation.

7.13 Specifically in relation to the design, the Inspector stated that:

*‘The proposed block of flats with its flat roof and rectangular shape would be of a contemporary style and would thus be in keeping with the similar, nearby block of modern flats at the junction of Cranbrook Road and Worple Road. Moreover, buildings of styles contemporary to the period of their construction, rather than pastiches of earlier periods, are a key characteristic of the road. The brick facing material would give the building a high quality appearance and its feature horizontal banding would contrast pleasingly with the vertical emphasis of its fenestration. These features, together with its balconies and extended ground floor would give the development an attractive distinctiveness and would ensure that, although of rectangular appearance, the building would not be inappropriately ‘boxy’.’*

He further concludes that:

*‘...the proposal is of sufficiently high quality and distinctive design and that, bearing in mind the poor condition of the existing building on the site, it would enhance the character and local distinctiveness of the area.’*

7.14 The Planning Inspector’s findings are a strong material planning consideration, given the latest proposal has adopted a very similar design approach to the current submission. The key difference in design terms is the addition of a recessed additional third floor in the latest proposal. The third floor would be set back from the front, rear and side elevations and would feature full floor to ceiling glazing on its front and rear elevations. It is considered that this design approach, which would create a top floor with a smaller floor plate with lightweight

materials that provide a contrast to the facing red brickwork on the lower floors, is acceptable and means that the building would not appear excessive in terms of its bulk and massing when viewed from the street. In relation to its surroundings, it would provide a transition between the higher Wimbledon Racquet and Fitness Club building and the 90cm lower building at 1 Cranbrook Road.

- 7.15 There is an eclectic mix of building sizes, types, and styles along Cranbrook Road. It should be noted that Trafalgar House, which is located on Worple Road, at the junction with Cranbrook Road, is an example of how the design approach proposed has been implemented nearby. Overall, taking into account the previous Inspector's comments, the proposed building is considered to be of sufficiently high quality, appropriate for this location. The proposal is therefore considered would accord with policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) and CS.14 of the Core Planning Strategy and is acceptable in terms of visual amenity.

## **7.2 Standard of Accommodation**

- 7.21 The London Plan was published in July 2011 and sets out a minimum gross internal area standard for new homes as part of policy 3.5. In addition, adopted policy CS.14 of the Core Strategy and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) encourage well designed housing in the borough by ensuring that all residential development complies with the most appropriate minimum space standards, and ensures the provision of quality of living conditions.
- 7.22 In terms of Gross Internal area (GIA), the three bedroom units would be 96sqm and 104sqm, the two bedroom units would be between 72.5sqm and 85sqm, whilst the one bedroom units would be 50.5sqm and 60sqm. The GIAs of each flat would exceed the minimum space standards of 86sqm for a 3 bed (5 person) flat, 70sqm for a 2 bed (4 person) flat and 50sqm for a 1 bed (2 person) flat set out in the London Plan. In addition, all the flats are well proportioned with habitable rooms with good outlook, light and circulation. As such, it is considered the proposal would provide a satisfactory standard of accommodation for occupiers in accordance with Policy 3.5 of the London Plan. In addition, the 3 bed flats would provide 30.1sqm, the 2 bed flats a minimum of 7.3sqm and the 1 bed flats 9.5sqm of the private amenity space and as such comply with the minimum amount of private amenity required in policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) which states that a 1-2 person flatted dwelling should include a minimum of 5sqm of private outdoor space and an extra 1sqm should be provided for each additional occupant.
- 7.23 It is also considered that the proposal would comply with policy DM H2, which seeks to create socially mixed communities by encouraging a

mix of housing sizes. The proposed housing mix would be 25% one bedroom, 50% two bedroom, and 25% three bedroom.

### **7.3 Residential Amenity**

7.31 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that development will be expected to ensure provision of appropriate levels of sunlight/daylight, quality of living conditions and amenity space to adjoining buildings and gardens. This policy also seeks to protect neighbouring properties from visual intrusion and noise.

7.32 The proposed building would have the same footprint at first and second floor levels as application LBM Ref: 10/P2348, which was dismissed on appeal but was considered by the Planning Inspector to be acceptable in terms of residential amenity. The latest application also proposes additional rear ground floor elements and a third floor.

7.33 It is considered that the proposal is acceptable in terms of daylight/sunlight, passing the Aspect Value Test relative to No.1 Cranbrook Road, which is located to the northwest of the site. The building is sited 2m from the side boundary with No.1 with each floor staggered away from the side boundary to further reduce its impact. The third floor would also be set back 1.9m from the front elevation, a maximum of 2m from the rear elevation, and 90cm from each side elevation and comprise floor to ceiling height glazing on its front and rear elevations to give it a lightweight appearance and prevent the building from appearing to bulky and visually intrusive when viewed from surrounding properties.

7.34 In terms of privacy, the proposed third floor would be sited approximately 19m from the rear boundary of the site and approximately 34.5m from the rear elevations of houses along Salisbury Road in excess of the council's guidelines of 25m. The side elevations would be obscure glazed at first to third floor levels and the front and rear, facing balconies would also feature opaque glass privacy screens. It should be noted that the only the terraces to the third floor flats would be at the front of the building and will also feature privacy screens.

7.35 It is therefore considered that the proposal would not have a detrimental impact on the levels of amenity currently enjoyed by occupiers of surrounding properties and would accord with policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014)

### **7.4 Parking and Traffic**

7.41 The site has a PTAL rating of 5, which indicates that it has very good access to public transport services. There are buses, which run

regularly along Worple Road, with bus services to Wimbledon Town Centre, Kingston etc.

- 7.42 A total of 8 basement car parking spaces (including one disabled space), accessed via a car lift, will be provided. This is considered acceptable as it would provide one space per flat. In addition, given the number of parking spaces proposed and to comply with London Plan policy 6.13 a condition will be attached requiring that an electric charging point is provided prior to occupation. Secure cycle parking will be provided at the rear.
- 7.43 The site is within a Controlled Parking Zone and it is recommended that any permission for this site should be 'permit free'.

## **7.5 Landscaping**

- 7.51 The proposal would incorporate landscaping to the front and rear of the site and will not impact on the Sycamore on the rear site boundary. A new tree will be planted at the front. It is considered that the proposed landscaping will soften the appearance of the proposed building from the road. The Holm Oak tree has the potential to be impacted by the basement element because of its close proximity, however, it is of little public amenity value and its loss would not be sufficient to warrant refusal. An arboricultural report and tree protection measures will be required by condition and if it is not possible to retain the Holm Oak, replacement tree planting will be required as part of the landscape scheme. In addition, to further reduce the building's impact when viewed from houses along Salisbury Road, a condition requiring further tree planting close to the rear boundary of the site will be attached.

## **7.6 Basement**

A basement formed part of the previous application which Members resolved to approve in 2011 subject to a legal agreement and the current proposal contains a similar element. In accordance with the Council's latest policies, an on-site ground investigation has been carried out and a land stability assessment and construction method statement has been provided as well as a drainage strategy. The conclusion is that subject to the formation of the basement being carried out in accordance with the construction method statement provided, the ground conditions are such that the basement can be safely constructed whilst minimizing any risk of ground movement in relation to adjoining properties. No ground water was encountered during the site investigations and the site is in a low flood risk zone. In relation to surface water runoff, the development has been analysed in relation to the London plan drainage hierarchy and a combination of green roofs and attenuation in storage tanks is proposed as the best solution for this specific site. These measures will be required by condition.



## **8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS**

- 8.1 The proposal involves the erection of a building comprising eight self-contained flats. Conditions have been proposed requiring submission of details of measures to achieve Code for Sustainable Homes Level 4, and for the building to meet Lifetime Homes Standards. An electric charging point will be required to be provided within the basement. Provision of sustainable drainage measures will also be required.
- 8.2 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

## **9. LOCAL FINANCIAL CONSIDERATIONS**

- 9.1 The proposed flats would result in a net gain in gross floor space and as such will be liable to pay the Mayoral and Merton's Community Infrastructure Levy, which has a combined rate of £255 per square metre.

## **10. SECTION 106 LEGAL AGREEMENT**

### **10.4 Permit Free**

- 10.41 The development is to be 'Permit Free' in line with policy CS.20 of the Core Planning Strategy, which seek to reduce reliance on private motor vehicles in locations with good access to public transport facilities.

- 10.5 Further information in respect of the above, including details of supplementary research carried out in justification of the S106 requirements, can be viewed here:

<http://www.merton.gov.uk/environment/planning/s106-agreements.htm>

## **11. CONCLUSION**

- 11.1 It is considered that the design and siting of the proposed building, (which is very similar to that judged to be acceptable by the previous appeal Inspector with the exception of the additional recessed 3<sup>rd</sup> storey) is considered to be of acceptably high quality, and the proposal is not considered to have a detrimental impact on residential amenity. The standard of accommodation is also acceptable and complies with the minimum internal space standards set out in policy 3.5 of the London Plan. Given the relatively small scale of the proposal, it is considered that the proposal would not lead to the creation of significant traffic impacts that will adversely affect the smooth operation of the existing local highway network.

## **RECOMMENDATION**

### **GRANT PLANNING PERMISSION**

Subject to a S106 legal agreement with the following heads of terms:

1. That the residential units are 'Permit Free';
2. The developer agreeing to meet the Council's costs of preparing, drafting and monitoring the Section 106 Obligations.

#### **And the following conditions:**

1. A.1 (Commencement of Development)
2. B.1 (External Materials to be Approved)
3. B.4 (Details of Site/Surface Treatment)
4. B.5 (Details of Walls and Fences)
5. B.6 (Levels)
6. C.2 (No Additional or Enlarged Window or Door Openings)
7. C.7 (Refuse and Recycling (Implementation))
8. C.8 (No Use of Flat Roof)
9. C.9 (Balcony/Terrace (Screening))
10. C.10 (Hours of Construction)
11. F.1 (Landscaping/Planting Scheme (to include 1m of soil over basement))
12. F.2 (Landscaping (Implementation))
13. F.3 (Tree Survey Required)
14. F.5 (Tree Protection)
15. No work other than demolition and site clearance shall be carried out until details of the green wall system shown on the approved plan No. 105(E) are submitted and approved by the Local Planning Authority. The details as approved shall be implemented and maintained thereafter.

Reason: To ensure a satisfactory appearance of the development and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2011, policy CS14 of the Merton's Core Planning Strategy and DM D2 of Merton's Sites and Policies Plan 2014.

16. F.9 (Hardstandings)
17. H.4 (Provision of Vehicle Parking)
18. H.6 (Cycle Parking – details to be submitted)
19. H.9 (Construction vehicles)
20. H.11 (Parking management strategy)
21. H.14 (Garage Doors/Gates)
22. No development shall commence on the basement until details of the location of a charging point for electric vehicles has been submitted to and approved by the local planning authority and the charging point shall be installed before the development hereby permitted is first occupied. The charging point shall thereafter be retained for the use of residential occupiers.

Reason: To encourage the use of environmentally friendly electric vehicles and to comply with policy 6.13 of the London Plan 2011.

23. L.2 (Code for Sustainable Homes (Level 4) – Pre-Commencement (New Build Residential))
24. L.3 (Code for Sustainable Homes (Level 4) – Pre-Occupation (New Build Residential))
25. Prior to the commencement of the development details of the provision to accommodate all site operatives, visitors and construction vehicles and loading / unloading arrangements during the construction process shall be submitted and approved in writing with the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

Reason: To safeguard the amenities of the occupiers of neighbouring properties.

26. J.1 (Lifetime Homes)
27. The works shall be carried out in accordance with the approved Construction Method Statement dated January 2015.

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 policy DM D2 of the adopted Merton sites and Policies Plan 2014.

28. No development other than demolition and site clearance shall be commenced until details of the green roofs (including depth of planting medium, species, and management regime) and attenuation tanks proposed to minimise surface water runoff as shown at figure 3.1 in the approved Drainage Assessment dated January 2015 have been submitted to and approved by the local planning authority and such measures shall be provided prior to first occupation of the development.

Reason: In the interests of reducing susceptibility to surface water flooding and to accord with Policy DM F2 of the adopted Merton Sites and Policies Plan 2014 and Policy 5.13 Sustainable Drainage of the London Plan (2011) as amended.

29. Prior to the occupation of the development, details of the proposed operation of the car lift shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be thereafter maintained.