

PLANNING APPLICATIONS COMMITTEE 18 June 2015

	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	15/P1218	30/03/2015
Address:	20 Sheridan Road, Merton Park, SW19 3HP	
Ward	Merton Park	
Proposal	Demolition of the existing four bedroom detached house and the erection of a replacement five bedroom house with garage and ancillary storage building.	
Drawing No's	14/937/101, 14/937/110B, 14/937/111B, 14/937/112B, 14/937/120B, 14/937/121B, 14/937/122B, 14/937/123B, 14/937/130B, 14/937/140, 14/937/150 and Site location plan, drawings	
Contact Officer	Leigh Harrington (020 8545 3836)	

RECOMMENDATION GRANT PLANNING PERMISSION subject to planning conditions

CHECKLIST INFORMATION.

- S106: N/A
 - Is an Environmental Statement required: No
 - Conservation Area – Yes (John Innes Merton Park Conservation Area)
 - Archaeological Priority Zone – Yes
 - Area at Risk from Flooding – No
 - Trees – No protected trees
 - Controlled Parking Zone – Yes
 - Development Plan designation – N/A
 - Design Review Panel consulted – Yes
 - Site notice – Yes
 - Press notice – Yes
 - Number of neighbours consulted – 12
 - External consultations – N/A
 - PTAL: 2 (TFL Planning Information Database)
 - Density – 60 habitable rooms per hectare.
-

1. INTRODUCTION

- 1.1 This application is brought before Committee for Members' consideration as a result of the public interest in the proposal.

2. SITE AND SURROUNDINGS

- 2.1 The application site (0.1 hectares) is located on the south side of Sheridan Road and within the John Innes Merton Park Conservation Area. The existing building on the application site is a detached which forms part of a small group of three similarly designed properties constructed in 1949 (16, 18 and 20 Sheridan Road) which have been identified in the Conservation Area guide as making a neutral contribution to the Conservation Area.

- 2.2 The existing building benefits from an extensive rear garden with playing fields located at the rear of the site. The front of the application property is characterised by a semi-circular front lawns with an in and out driveway and off street car parking.
- 2.3 The site has a Public Transport Accessibility Level rating of 2 (On a scale of 1a, 1b, and 2-5,6a, 6b where zone 6b has the greatest accessibility). The site is located in an archaeological priority area and in a controlled parking zone. The site is not in an area at risk from flooding.

3 CURRENT PROPOSAL

- 3.1 The current application involves the demolition of the existing property and the construction of a new replacement brick house with a pitched roof providing accommodation at ground floor, first floor and within the building roofspace.
- 3.2 The proposed building is single storey adjacent to the boundary with 18 Sheridan Road with an integral garage provided to the front of the site with ancillary living space to the rear. The ground floor also provides a study, kitchen, WC, dining room and lounge. The area above the dining room will be an open void up to the first floor to allow additional light in from the glass walling to the rear.
- 3.3 A staircase leading up the first floor provides access to a bathroom and a gallery hallway serving three double bedrooms, one of which would be ensuite. The first floor is set in from the ground floor rear and side elevation and flows the line of a previously approved second storey rear extension. A further set of stairs provides access to the second floor which is within the building roof space and provides a bathroom and two bedrooms along with a storage area.
- 3.4 The existing building has a roof eaves height of 5.3 metres and a roof ridge of 9.1 metres. The proposed house of a contemporary building design includes has a roof eaves height of 5.7 metres and a roof ridge of 9.2 metres. The front elevation of the new house is in the same position as the existing house with the rear of the new building extending a maximum of 6.4 metres behind the existing rear elevation.
- 3.5 The external facing materials reflect the comments from the Design Review Panel and include soft red multi stock bricks, timber panelling, charcoal grey window frames and pre weathered tiling for the roof incorporating the top storey on the front elevation. Similar materials will be used throughout the exterior but with flush mounted PV panels on the rear of the roof slope.

4. PLANNING HISTORY

- 4.1 98/P0729 Planning permission granted for the erection of part single/part two storey rear extension and alteration to existing roof profile and provision of rear dormer extensions.

4.2 09/P1979 Planning permission granted for the erection of a part single, part double storey rear extension with three dormer windows to the new rear roof

5. **CONSULTATION**

5.1 The submitted planning application was publicised by means of a site notice, a press notice and individual consultation letters sent to 12 local properties. As a result of this public consultation 10 letters have been received objecting to the proposal on the following grounds:

- The building will be out of keeping with the surrounding buildings in Merton Park and more appropriate for a Greek Island resort than the John Innes Conservation Area;
- The proposal would spoil the continuity of the existing group of three houses;
- The building will be too angular and fails to respect the locally listed Quartermain houses on the north side of Sheridan Road;
- The only house the development does relate to at 11a Sheridan Road and this is shown as having a negative impact on the conservation area;
- Fails to make a positive contribution to the conservation area;
- The design will be to the detriment of local neighbours;
- The proposed materials are out of keeping with the characteristic London brick, flint, terracotta, pitched roofs and sash windows of the locality;
- The front elevation alignment would bring it out of line with the existing situation;
- The size of the rear of the house will be overbearing and unneighbourly for adjacent neighbours;
- Loss of light;
- Loss of privacy and overlooking;
- Waste of resources to demolish and rebuild and could be reconfigured and the layout extended.

5.2 **John Innes Society** there is an objection raised to the proposed development on the following grounds:

- The proposal is out of keeping with the conservation area;
- Changes in materials make the proposal look like 11a which is identified as having a negative contribution to the conservation area;
- Fails to respect the architectural relationship between the buildings, their architectural detail and their use of a palette of very high quality materials.

5.3 **LB Merton Conservation Officer** There is support for the proposal following the replacement of a square box roof with a sloping roof.

5.4 **Design Review Panel** The earlier planning application under reference 14/P4603 was considered by the panel at the meeting on the 29 January 2015.

The recorded minutes are as follows:

5.5 *The Panel clearly saw the house as aspirational and of good architectural quality, and were generally confident the architect could achieve this quality. If anything, it was trying too hard and could 'relax' a little.*

- 5.6 *The key point the Panel raised was the relationship to the conservation area and setting of the house. The conservation area as a whole is a heritage asset and the house and its design had to talk to the setting as well as make sense on its own.*
- 5.7 *The elements of asymmetry did relate well to the subtle Arts and Crafts feel of the area. The Panel clearly felt that this had not been done rigorously and this led to issues with the design in places. This was particularly so with the chosen colour of brick, the choice of a pitched roof and its material. Making the brick deliberately contrast with the surroundings made the task of justifying its preservation or enhancement of the conservation area character much harder – it had to justify its difference – and thus it had to be of exemplary quality.*
- 5.8 *Use of a brick that related to the setting – but not necessarily copied the adjacent houses – would be easier to justify. Tile rather than metal was suggested for the roof, as it related better to the setting but would not detract from the contemporary feel of the building. The Panel did not object to a pitched roof in principle, but it was unclear why it was proposed, how it was an integral or necessary part of the design and how it related to the surrounding roofs, their sizes and pitches.*
- 5.9 *The Panel suggested that an aspiration for a modern version of the existing building, which made people turn back and look again after initially passing it, was a more subtle and appropriate aspiration. One suggestion was to bring forward the alignment of the front roof plane.*
- 5.10 *The Panel felt that the analysis of local character and justification for the design needed to be far more rigorous. The design should stem from this analysis and test itself against the relevant planning and conservation policies of the Council. More care needed to be taken with use of terminology and the accuracy of appearance of the graphics. Further points raised included the need for the building to meet CSH level 5, that rooflights on bedrooms don't work well in rain and that the front landscape setting must be addressed as part of the application. The Panel also recommended the street view sketch be improved and developed further. VERDICT: **AMBER***

Applicant response to the Design Review Panel comments

- 5.11 The planning application that the Design Review Panel formally considered (14/P4603) was subsequently withdrawn with the aim of addressing the comments that the panel had made. The current resubmitted planning application incorporates changes to the development. Whilst proposals are not reported back to be formally considered by the panel the following informal comments have been made by panel members on the revised proposals.
- 5.12 Panel member 1:
- Overall impression is much better with the change of materials.

- A lot will depend on detailing.
- Front (north) elevation might be dark
- Encourage greenery to the front as much as possible within the front landscape.

5.13 Panel member 2:

- Brick type and colour: Happier with the revision:
- Tiles type and colour for the roof: Happier with the revision:
- Roof Plane: I thought at the meeting that the flat roofed projection, coming in front of the sloping roof eaves, could be a little awkward in the view from the street: (see the second floor plan): also, bringing a sloping roof down onto a flat roof is not always the easiest thing to handle: so should the eaves line be left clear and unencumbered, and running right across, with the flat roofed element perhaps lowered in some way, and expressed as a projecting box?
- Code Level 5: Good:
- Front Landscape: the two entry approach is perhaps not ideal in this locality where so much importance is placed on the green-ness and the holly hedges: if a single vehicular entrance was possible, would not this help to keep vehicles off the root system of the big tree in the front garden? And allow the holly hedge to be extended?
- Helpful if the submitted drawings could indicate the position of the adjoining buildings on the floorplans.

5.14 Panel member 3:

- I think they've addressed most of our concerns.

5.15 Panel member 4:

- An initial scan of the revised scheme / DAS is immensely positive and supportive. It's good to see quality architecture flushing in the DRP.

5.16 **LB Merton Tree Officer** There is no objection to the development subject to the inclusion of suitable conditions to protect the two large trees to the front of the site during the construction process.

6 POLICY CONTEXT
London Plan 2015

- 6.1 The further alterations to the London Plan were published on the 10 March 2015. The relevant policies in the London Plan (July 2015) are 3.3 (Increasing housing supply); 3.4 (Optimising housing potential); 3.5 (Quality and design of housing developments); 3.8 (Housing choice); 3.9 (Mixed and balanced communities); 5.1 (Climate change mitigation); 5.2 (Minimising carbon dioxide emissions); 5.3 (Sustainable design and construction); 5.7 (Renewable energy); 5.10 (Urban greening); 5.13 (Sustainable drainage); 6.5 (Funding Crossrail); 6.9 (Cycling); 6.10 (Walking); 6.13 (Parking); 7.1 (Building London's neighbourhoods and communities); 7.2 (An inclusive environment); 7.3 (Designing out crime); 7.4 (Local Character); 7.5 (Public realm); 7.6 (Architecture) and 8.2 (Planning Obligations).

London Plan Supplementary Planning Guidance

- 6.2 The key supplementary planning guidance relevant to the proposals London Housing Supplementary Planning Guidance 2012.

Merton Sites and Policies Plan (adopted July 2014)

- 6.3 The relevant policies within the Sites and Policies Plan are as follows: (Urban design and the public realm); DM.D2 (Design considerations and the public realm); DM.EP2 (Reducing and mitigating against noise); DM D3: (Alterations and Extensions to Buildings); DM D4 (Managing heritage assets); DM H2 (Housing mix); DM.P1 (Securing planning obligations); DM.T1 (Support for sustainable travel and active travel); DM.T2 (Transport impacts from development); and DM.T3 (Car parking and servicing standards).

Merton Supplementary Planning Guidance

- 6.4 The key supplementary planning guidance relevant to the proposals includes New Residential Development (1999); Design (2004) and Planning Obligations (2006).

Policies within the Merton LDF Core Planning Strategy (July 2011)

- 6.5 The relevant policies within the Council's Adopted Core Strategy (July 2011) are CS.8 (Housing choice); CS.9 (Housing provision); CS11 (Infrastructure); CS.14 (Design); CS.15 (Climate change); CS.18 (Active transport); CS.19 (Public transport); and CS.20 (Parking; servicing and delivery).

National Planning Policy Framework (March 2012)

- 6.6 The National Planning Policy Framework (NPPF) is a key part of central government reforms '*...to make the planning system less complex and more accessible, and to promote sustainable growth*'.
- 6.7 The NPPF supports the plan led system stating that development that accords with an up to date plan should be approved and proposed development that conflicts should be refused. The framework also states that the primary objective of development management should be to foster the delivery of sustainable development, and not to hinder or prevent development.
- 6.8 To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, the framework advises that local planning authorities need to approach development management decisions positively. Local planning authorities looking for solutions rather than problems so that applications can be approved wherever it is practical to do so. The framework attaches significant weight to the benefits of economic and housing growth, the need to influence development proposals to achieve quality outcomes; and enable the delivery of sustainable development proposals.

7. PLANNING CONSIDERATIONS

- 7.1 The main planning considerations include assessing the principle of the development including the loss of the existing building on the application site; the impact of the development on the surrounding conservation area and the street scene including in terms of design and scale; the standard of the

proposed residential accommodation and the impact on residential amenity; access and parking.

Principle of development and loss of the existing building.

- 7.2 Policy DM D4 of the Sites and Policies Plan seeks to conserve and where appropriate enhance Merton's heritage assets and distinctive character. Development proposals affecting a heritage asset or its setting will be required to be in accordance with Merton's published conservation area character appraisals. The loss of a building that makes a positive contribution to a conservation area should be treated as substantial harm to a heritage asset and should be resisted. A proposal should conserve and where appropriate enhance the significance of the asset in terms of its individual architectural or historic interest.
- 7.3 Policy 7.8 of the London Plan states that developments affecting heritage assets and their settings should conserve their significance, by being sympathetic to their form, scale, materials and architectural detail. Heritage assets such as conservation areas make a significant contribution to local character and should be protected from inappropriate development that is not sympathetic in terms of scale, materials, details and form. Development that affects the setting of heritage assets should be of the highest quality of architecture and design, and respond positively to local context and character.
- 7.4 The John Innes Merton Park Conservation Area appraisal puts buildings into one of the following four categories: listed buildings, buildings that make a positive contribution, buildings with a neutral contribution and buildings with a negative contribution. The appraisal has identified the existing building on the application site as having a neutral contribution to the character and appearance of the conservation area. The application building was built in 1949 and the appraisal records that negative alterations to the include replacement windows and parking within the front garden.
- 7.5 It is considered that subject to the assessment of the standard of the proposed replacement building the loss of the existing building is considered acceptable in principle. It is considered that a high quality building on this site that makes a positive contribution to the character of the conservation area may be a satisfactory replacement for the existing neutral contribution of the existing building.

Need for additional housing.

- 7.6 The National Planning Policy Framework (March 2012) requires the Council to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition. Policy CS. 9 within the Council's Adopted Core Strategy (July 2011) and policy 3.3 of the London Plan (2015) state that the Council will work with housing providers to provide a minimum of 4,800 additional homes (A minimum of 411 new dwellings annually, up from 320, following adoption of the London Plan 2015) between 2015 and 2025. This minimum target should be exceeded where possible including a minimum of 1450 to 1800 homes in the Morden sub area where the proposal site is located.

- 7.7 The Core Strategy states that the Council will encourage residential accommodation in 'sustainable brownfield locations'. The Core Strategy states that it is expected that the delivery of new residential accommodation in the borough will be achieved in various ways including the development of brownfield sites. The application site is on brownfield land and is in a sustainable location adjacent to other existing residential properties.
- 7.8 In conclusion the provision of additional residential accommodation on this site is considered acceptable in principle subject to other considerations including matters of design, bulk, scale and layout, the standard of accommodation and the impact on amenity. The proposed development in this sustainable location will also assist in addressing the need for new residential accommodation in the borough that is identified in the London Plan and the Core Strategy.

Residential density

- 7.9 The London Plan states that in urban areas such as the application site with a Public Transport Accessibility Level of 2 the residential density should be within a range of 150 to 200 habitable rooms per hectare. With the application site covering a site area of 0.1 hectares and provision of 6 habitable rooms the residential density of the development is 60 habitable rooms per hectare.
- 7.10 In conclusion whilst the residential density of the proposed development is below the density range set out in the London Plan, with the scale of the development in keeping with its surroundings the proposed residential density is considered acceptable for this location.

Design, appearance, materials and impact on the conservation area.

- 7.11 Policy CS8 within the Council's Adopted Core Strategy [July 2011] states that the Council will require redevelopment proposals to be well designed. Policy CS14 of the adopted Core Strategy states that all development needs to be designed to respect, reinforce and enhance local character and contribute to Merton's sense of place and identity. Policy 3.5 of the London Plan states that housing design should enhance the quality of local places taking into account physical context, local character and density. The London Plan at paragraph 7.29 identifies the desire to sensitively manage London's heritage assets in tandem with the promotion of the highest standards of modern architecture in order to maintain the blend of old and new and provide a unique character.
- 7.12 The London Plan policy 7.4 requires buildings, streets and open spaces to provide a high quality design response that has regard to the pattern and grain of the existing spaces and streets in terms of orientation, scale, proportion and mass. Policy 7.6 sets out a number of key objectives for the design of new buildings including that they should be of the highest architectural quality, they should be of a proportion, composition, scale and orientation that enhances, activates and appropriately defines the public realm, and buildings should have details that complement, but not necessarily replicate the local architectural character.

- 7.13 The buildings within John Innes Merton Park Conservation Area use a wide variety of different building facing materials including, brick, painted brick, pebbledash, render, stone, hanging tile, timber frame, timber, and flint. Roof finishes are a mixture of clay tiles; slates and concrete tiles. With listed buildings and building considered to make a positive contribution to the conservation area also finished in a variety of facing materials. It is considered that this mix of facing materials contribute to the character of the area.
- 7.14 The proposed external materials for the new building reflect the comments received from the Design Review Panel and include soft red multi stock bricks, timber panelling, charcoal grey window frames and pre weathered tiling for the roof incorporating the top storey on the front elevation. Similar materials will be used throughout the exterior but with flush mounted PV panels on the rear of the roof slope. Whilst the proposed building is of a contemporary design the choice of building materials has been chosen to reflect existing nearby development. To ensure that that the materials are of the necessary standard a planning condition is recommended seeking the submission and approval of these facing materials.
- 7.15 Whilst it is noted that the design and appearance of the proposed building is different from other buildings in the vicinity, the design and appearance of the proposed building is considered to enhance the character and appearance of the conservation area. It is considered by officers that as the existing house makes a neutral contribution to the conservation area the merits of the current proposal outweigh the loss of this existing house.
- 7.16 In conclusion, it is considered that the current proposal will provide a good example of well-designed contemporary architecture that will enhance the character of the conservation area and improve the appearance of the street scene. The design, scale, layout and appearance of the proposed development complements the local context and respects the local pattern of development in accordance with policies in the development plan.

Scale, height and siting of the development

- 7.17 The current proposal has been designed so that the height of the proposed two-storey building respects the height of adjacent houses. The scale of the development is considered in keeping with the surroundings with acceptable separation distances between the new building and neighbouring buildings. The massing of the development is considered in keeping with the conservation area and adjacent buildings.

Loss of privacy and overlooking

- 7.18 Policy DM D2 states that proposals for development will be expected to ensure, quality of living conditions, and appropriate levels of privacy to adjoining gardens. In order to minimise the impact of new development on the privacy of existing dwellings.
- 7.19 The orientation of the new house is such that there would be no overlooking between habitable rooms provided in the replacement house and those on

neighbouring houses. It is considered that the new house will not cause any additional overlooking to adjacent gardens than is currently the case with the existing house. A planning condition is recommended to ensure that the proposed glazing in the upper flank walls will be obscure glazed to protect neighbour amenity.

Loss of daylight, sunlight and visual intrusion.

- 7.20 Sites and Policies Plan policy DM D2 states that proposals for development will be expected to ensure provision of appropriate levels of sunlight and daylight, to both proposed and adjoining buildings and gardens. The policy states that proposals for all development will be expected to protect new and existing development from visual intrusion so that the living conditions of existing and future occupiers are not unduly diminished.
- 7.21 The proposed building has been designed to reduce any potential impact on neighbouring occupiers and this includes the set back of the building on the upper floors from the site boundary. In the context of the existing building on the site and the sensitive design of the proposed replacement building the proposal is considered acceptable in terms of the potential impact on daylight, sunlight and visual intrusion.
- 7.22 In conclusion and following assessment of the development including the site context, the building heights, the nature of the existing residential accommodation and the separation distances between buildings it is considered that the proposed development will not give rise to visual intrusion or a loss of daylight or sunlight to adjacent residential occupiers. The development is considered in accordance with Sites and Policies Plan policy DM D2. .

Internal layout and room sizes

- 7.23 Sites and Policies Plan policy DM D2 states that proposals for development will be expected to ensure appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy to adjoining gardens. Policies CS8, CS9 and CS14 within the Council's Adopted Core Strategy (2011) states that the Council will require proposals for new homes to be well designed.
- 7.24 Policy 3.5 of the London Plan (July 2015) states that housing developments should be of the highest quality internally and externally. The London Plan states that boroughs should ensure that new development reflects the minimum internal space standards as set out as gross internal areas in table 3.3 of the London Plan.
- 7.25 The internal layout of the proposed accommodation is considered to make good and efficient use of the space that is available on the site. The development provides accommodation with an appropriate internal layout and good provision of natural light and outlook to all habitable rooms.

External amenity space

- 7.26 Sites and Policies Plan policy DM D2 states that developments will be expected to ensure appropriate provision of outdoor amenity space which

accords with appropriate minimum standards and is compatible with the character of the surrounding area. The standard within the Sites and Policies Plan states that in accordance with the London Housing Design Guide, there should be 50 square metres of external space provided for a family house. After an assessment of the proposed amenity space, its location, proportions and dimensions it is considered to provide a good standard of usable external amenity space and above the minimum area standards.

Lifetime Homes standards.

- 7.27 Policies in the London Plan and Core Strategy require all new residential properties to be built to Lifetime Home Standards. As part of the planning application the applicant has confirmed that the development aims to meet Lifetime Home Standards.
- 7.28 A planning condition is recommended to ensure prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria.

Refuse storage and collection.

- 7.29 Policy CS20 of the Core Strategy (July 2011) states that the Council will require developers to incorporate adequate facilities for servicing to ensure loading and unloading activities do not have an adverse impact on the public highway.
- 7.30 A planning condition is recommended to seek further details of storage arrangements and to ensure that these facilities are provided and retained for the benefit of future occupiers.

Car parking

- 7.31 Policy 6.13 of the London Plan states that the Mayor wishes to see an appropriate balance between promoting new development and preventing excessive car parking that can undermine cycling walking and public transport use. Policy CS20 of the Core Strategy (July 2011) states car parking should be provided in accordance with current 'maximum' car parking standards, whilst assessing the impact of any additional on street parking on vehicle movements and road safety. Car parking standards are set out within the London Plan at table 6.2 and require a 'maximum' of 2 spaces for five bedroom dwellings having regard to transport accessibility.
- 7.32 The proposed development provides two off street parking spaces and this is considered acceptable in terms of the relatively low public transport accessibility. The site is located in a controlled parking zone however with the majority of nearby houses provided with off street parking it is considered that there is sufficient on street capacity for any on street parking. In this context it is not considered necessary in this instance to restrict future occupants from obtaining on street parking permits

Cycle parking

- 7.33 Policy CS 18 of the adopted Core Strategy (July 2011) states that the Council will promote active transport by prioritising the safety of pedestrian, cycle and other active transport modes; by supporting schemes and infrastructure that will reduce conflict between pedestrians, cyclists and other transport modes; and encouraging design that provides, attractive, safe, covered cycle storage, cycle parking and other facilities.
- 7.34 The applicant has stated that the development includes 4 cycle parking spaces. A planning condition is recommended to ensure that cycle parking is provided in accordance with recently updated standards with this space retained for the benefit of future residents.

Sustainable design and construction.

- 7.35 The Council's Core Strategy reinforces the wider sustainability objectives of the London Plan with policy CS15 requiring all development to demonstrate how the development makes effective use of resources and materials and minimises water use and CO2 emissions.
- 7.36 On 25th March the Government issued a statement setting out steps it is taking to streamline the planning system. The changes in respect of sustainable design and construction, energy efficiency and forthcoming changes to the Building Regulations are relevant to the current application. The Deregulation Act was given Royal Assent on 26th March. Amongst its provisions is the withdrawal of the Code for Sustainable Homes.
- 7.37 Until amendments to the Building Regulations come into effect the government expects local planning authorities not to set conditions with requirements above a Code level 4 equivalent. Where there is an existing plan policy which references the Code for Sustainable Homes, the Government has also stated that authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard.
- 7.38 In light of the government's statement and changes to the national planning framework it is recommended that conditions are not attached requiring full compliance with Code Level 4 but are attached so as to ensure the dwelling is designed and constructed to achieve CO2 reduction standards and water consumptions standards equivalent to Code for Sustainable Homes level 4.

Trees and landscaping

- 7.39 Core strategy policy CS13 and Sites and Policies Plan policy DM O2 seek to protect landscape features such as trees.
- 7.40 There are trees on the application site that could potentially be impacted by the development. Following consultation with the Council's Trees Officer it is considered that the development will be acceptable with the inclusion of suitable planning conditions for the protection of trees. A planning condition is also recommended seeking details of new landscaping.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 The area of the application site is below the 1 hectare threshold and as a result the site falls outside the scope of Schedule 2 of The Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015. In this context there is no requirement for a screening opinion or for an Environmental Impact Assessment as part of this development.

9. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Levy

- 9.1 The proposed development is liable to pay the Mayoral Community Infrastructure Levy (CIL), the funds for which will be used by the Mayor of London towards the 'CrossRail' project. The CIL amount is non-negotiable and planning permission cannot be refused for failure to pay the CIL.
- 9.2 The development is liable for the Mayoral Community Infrastructure Levy, however the applicant has requested that the Council consider an exemption that is available for self-build developments.

London Borough of Merton Community Infrastructure Levy

- 9.3 After approval by the Council and independent examination by a Secretary of State appointed planning inspector, in addition to the Mayor of London levy the Council's Community Infrastructure Levy commenced on the 1 April 2014. The liability for this levy arises upon grant of planning permission with the charge becoming payable when construction work commences.
- 9.4 The development is liable for the Merton Community Infrastructure Levy, however the applicant has requested that the Council consider an exemption that is available for self-build developments.

Planning Obligations

- 9.5 Regulation 122(2) of the CIL Regulations 2010 (continued in the CIL Regulations 2011) introduced three tests for planning obligations into law, stating that obligations must be:
- necessary to make the development acceptable in planning terms;
 - directly related to the development;
 - fairly and reasonably related in scale and kind to the development.
- 9.6 If a planning obligation does not meet all of these tests it cannot legally be taken into account in granting planning permission and for the Local Planning Authority to take account of S106 in granting planning permission it needs to be convinced that, without the obligation, permission should be refused.
- 9.7 It is considered that there is no requirement for a planning obligation in relation to the proposed development.

10. CONCLUSION

- 10.1 With assistance from the comments from the Design Review Panel, the current proposal will provide a good example of well-designed contemporary architecture that will enhance the character of the John Innes Merton Park Conservation Area and improve the appearance of the street scene.

- 10.2 The design, scale, layout and appearance of the proposed development complements the local context and respects the local pattern of development whilst at the same time minimising any adverse impacts on neighbouring amenity, traffic and parking. The proposal is in accordance with policies in the development plan and is recommended for approval subject to conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the following planning conditions.

1. Standard condition (Time period) 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 for condition: To comply with Section 91 (as amended) of the Town and Country Planning Act 1990.
2. Amended standard condition (Approved plans) The development hereby permitted shall be carried out in accordance with the following approved plans: Site location plan and drawings 14/937/101, 14/937/110 B, 14/937/111 B, 14/937/112 B, 14/937/120 B, 14/937/121 B, 14/937/122 B, 14/937/123 B, 14/937/130 B, 14/937/140, 14/937/150. Reason for condition: For the avoidance of doubt and in the interests of proper planning.
3. Amended standard condition (External materials) Prior to the commencement of development details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, (notwithstanding any materials specified in the application form and/or the approved drawings), shall have been 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. Reason for condition 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 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014. This information is required prior to commencement as details of external materials would need to be finalised before construction works commence.
4. Standard condition (Timing of construction work) No demolition or construction work or ancillary activities such as deliveries shall take place before 0800hrs or after 1800hrs Mondays to Fridays inclusive; before 0800hrs or after 1300hrs on Saturdays or at any time on Sundays or Bank Holidays. Reason for condition: To safeguard the amenities of the area and occupiers of neighbouring properties and to ensure compliance with Sites and Policies policy DM D2.
5. Non-standard condition (Demolition dust and noise) Prior to the commencement of development (including demolition) measures shall be in place to prevent nuisance from dust and noise to surrounding occupiers with these measures in accordance with a method statement that has previously

been submitted to and approved in writing to the Local Planning Authority with the approved measures retained until the completion of all site operations. Reason for condition: To protect the amenities of occupiers of neighbouring properties and to accord with Sites and Policies policy DM D2. This information is required prior to commencement as construction works have the potential to cause the nuisance that is considered as part of this condition

6. Amended standard condition (Construction phase impacts) Prior to the commencement of development (including demolition) 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 smell and other effluvia; control of surface water run-off. No development shall be take place that is not in full accordance with the approved method statement. Reason for condition: In the interests of vehicle and pedestrian safety and the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011. This information is required prior to commencement as construction works have the potential to cause the harm to safety that is considered as part of this condition.
7. Amended standard condition (Obscure glazing) Prior to the first occupation of the development window openings in the side elevations of the building above ground floor level shall be fitted with obscure glass and fixed shut and shall permanently maintained as such thereafter. Reason for condition: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Polices Plan 2014.
8. Amended Standard condition (Trees – notification of works starting) The Local Planning Authority's Tree Officer shall be provided with a minimum of two weeks notice prior to the proposed commencement of works on site. Reason for condition To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Polices Plan 2014.
9. Amended standard condition (Tree protection) Prior to the commencement of development (including demolition) an Arboricultural Method Statement and Tree Protection Plan, drafted in accordance with the recommendations and guidance set out in BS 5837:2012 shall be submitted to and approved in writing by the Local Planning Authority with the approved details fully in place. The details and measures as approved shall be retained and maintained, until the completion of all site operations. Reason for condition: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Polices Plan 2014. This information is required prior to

commencement as construction works have the potential to cause the harm to safety that is considered as part of this condition.

10. Amended standard condition (Site supervision – trees) The details of the Arboricultural Method Statement and Tree Protection Plan shall include the retention of an arboricultural expert to monitor and report to the Local Planning Authority not less than fortnightly the status of all tree works and tree protection measures throughout the course of the demolition and site works. The works shall be carried out strictly in accordance with the approved Arboricultural Method Statement and Tree Protection Plan. Reason for condition: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Polices Plan 2014.
11. Amended standard condition (Construction exclusion zones – trees) Prior to the commencement of development (including demolition) details of construction exclusion zones to include the protection of the retained trees identified in the Tree Survey Plan shall have been submitted to and approved in writing by the Local Planning Authority with the approved details fully in place. Any building construction outside of the construction exclusion zone, but within an area identified for root protection, shall be protected using ground protection as detailed in BS 5837:2012, or as required by the Local Planning Authority. The details, as approved shall be retained and maintained until the completion of all site operations. Reason for condition To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Polices Plan 2014.
12. Amended Standard condition (Archaeology - Watching Brief) Prior to the commencement of development (including demolition) an on-site watching brief, which ensures the presence of a suitably qualified and experienced archaeologist during construction work, shall be submitted to and approved in writing by the Local Planning Authority. In the event of important archaeological features or remains being discovered, which require fuller rescue excavation, then construction work shall cease until the applicant has secured the implementation of a further programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority. Reason for condition In order to provide the opportunity to record the history of the site and to comply with the following Development Plan policies for Merton: policy 7.8 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policy DM D4 of Merton's Sites and Polices Plan 2014.
13. Amended standard condition (Landscaping) Prior to first occupation of the proposed new dwelling landscaping shall be in place that is in accordance with a landscaping scheme that has previously been submitted to and approved in writing by the Local Planning Authority with the landscaping scheme to include on a plan, full details of the size, species, spacing,

quantities and location of plants, and measures to increase biodiversity together with any hard surfacing and means of enclosure. Reason for condition: To enhance the appearance of the development in the interest of the amenities of the area and to comply with policy CS13 of the Adopted Merton Core Planning Strategy 2011.

14. Non Standard Condition (Sustainability) No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority demonstrating that the development has achieved not less than the CO2 reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and internal water usage (WAT1) (105 litres/p/day) standards equivalent to Code for Sustainable Homes level 4. Informative: Evidence requirements in respect of condition 13 are detailed in the "Schedule of evidence required for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide. Reason for condition: To ensure the development achieves a high standard of sustainability and makes efficient use of resources and to comply with policies 5.2 of the Adopted London Plan 2015 and CS 15 of the Adopted Merton Core Planning Strategy 2011.
15. Amended standard condition (Lifetime homes) Prior to first occupation of the proposed new dwellings, the applicant shall provide written evidence to confirm the new dwelling units meet Lifetime Homes Standards based on the relevant criteria. Reason for condition: To meet the changing needs of households and comply with policy CS8 of the Adopted Core Strategy (July 2011).
16. Non-standard condition (Cycle storage and parking) Prior to first occupation of the proposed new dwelling cycle storage shall be in place that is accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the cycle storage and parking retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of cycles and to comply with policy CS18 of the Adopted Core Strategy (July 2011).
17. Non-standard condition (Refuse and recycling facilities) Prior to first occupation of the proposed new dwelling refuse and recycling facilities shall be in place that are in accordance with details that have previously been submitted to and approved in writing by the Local Planning Authority, with the refuse and recycling facilities retained in accordance with the approved details permanently thereafter. Reason for condition: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with policies CS13 and CS14 of the Adopted Core Strategy (July 2011).
18. Standard condition (Removal of permitted development) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this

permission shall be carried out without planning permission first obtained from the Local Planning Authority. Reason for condition: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future development to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Polices Plan 2014.

19. Amended standard condition (External Lighting) Any new external lighting shall be positioned and angled to prevent any light spillage or glare beyond the site boundary. Reason for condition In order to safeguard the amenities of the area, the occupiers of neighbouring properties and wildlife using the green corridor at the rear of the site and to ensure compliance with Sites and policy DM D2 and policies CS13 and CS14 of the Adopted Merton Core Planning Strategy 2011.

INFORMATIVES:

- a) The applicant is advised that details of Lifetime Homes standards can be found at www.lifetimehomes.org.uk
- b) The applicant is advised that in accordance with paragraphs 186 and 187 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.
- c) The applicant is advised that the demolition works should avoid the bird nesting and bat roosting season. This avoids disturbing birds and bats during a critical period and will assist in preventing possible contravention of the Wildlife and Countryside Act 1981, which seeks to protect nesting birds/bats and their nests/roosts. Buildings should also be inspected for bird nests and bat roosts prior to demolition. All species of bat in Britain and their roosts are afforded special protection under the Wildlife and Countryside act 1981. If bats are found, Natural England should be contacted for advice (telephone: 020 7831 6922).
- d) The applicant is reminded of the need to comply with the Control of Asbestos Regulations 2012 in relation to the demolition of the existing buildings on the application site, with further advice available at the following link: <http://www.hse.gov.uk/asbestos/regulations.htm>.
- e) The applicant is advised that evidence requirements in respect of condition 13 are detailed in the "Schedule of evidence required for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide.