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Merton Council

Planning Applications Committee

Membership

Councillors

Linda Kirby (Chair)
Najeeb Latif (Vice-Chair)
David Dean
Russell Makin
Simon McGrath
Peter Southgate
Billy Christie
Rebecca Lanning
Joan Henry
Dave Ward

Substitute Members:

David Chung
Edward Foley
Stephen Crowe
Daniel Holden
Carl Quilliam
John Dehaney

A meeting of the Planning Applications Committee will be held on:

Date: 17 October 2019

Time: 7.15 pm

Venue: Council chamber - Merton Civic Centre, London Road, Morden SM4 5DX

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Planning Applications Committee

17 October 2019

- 1 Apologies for absence
- 2 Declarations of Pecuniary Interest
- 3 Minutes of the previous meeting 1 - 12
- 4 Town Planning Applications
The Chair will announce the order of Items at the beginning of the Meeting.
A Supplementary Agenda with any modifications will be published on the day of the meeting.
Note: there is no written report for this item
- 5 44 Arthur Road, Wimbledon, SW19 7DS 13 - 24
Application Number: 19/P2841 Ward: Wimbledon Park

Officer Recommendation: GRANT Planning Permission subject to conditions
- 6 36 Aston Road, Raynes Park, SW20 8BE 25 - 38
Application number: 19/P2715 Ward: Dundonald

Officer Recommendation: GRANT Planning Permission subject to conditions and S106 agreement
- 7 141 The Broadway, Wimbledon, SW19 1QJ 39 - 84
Application Number: 17/P0296 Ward: Abbey

Officer Recommendation: GRANT Planning Permission subject to S106 Agreement and conditions
- 8 Chenab Court, 176A London Road, Morden, SM4 5AN 85 - 96
Application Number: 18/P2926 Ward: Merton Park

Officer Recommendation: GRANT variation of S106 Agreement
- 9 21 Parkside, Wimbledon, SW19 5NA 97 - 112
Application Number: 19/P1785 Ward: Village

Officer Recommendation: GRANT Planning Permission subject to conditions

- | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| 10 | <p>Wandle House, 10 Riverside Drive, Mitcham, CR4 4SU</p> <p>Application Number: (A)18/P4017 & (B)18/P4089</p> <p>Ward: Ravensbury</p> <p>Officer Recommendation:
 (A) GRANT Planning Permission subject to conditions
 (B) GRANT Listed Building consent subject to conditions</p> | 113 - 130 |
| 11 | <p>21A St Mary's Road, Wimbledon, SW19 7BZ</p> <p>Application Number: 19/P2462 Ward: Village</p> <p>Officer Recommendation: GRANT Planning Permission subject to a S106 Legal Agreement and conditions</p> | 131 - 144 |
| 12 | <p>41-47 Wimbledon Hill Road, Wimbledon, SW19 7NA</p> <p>Application Number: 18/P1947 Ward: Hillside</p> <p>Officer Recommendation: GRANT Planning Permission subject to conditions and S106 Agreement</p> | 145 - 168 |
| 13 | <p>Tree Preservation Order (No.742) at The Lodge & Vine House, 1C Vineyard Hill Road, SW19.</p> <p>Officer Recommendation: That the Merton (No.742) Tree Preservation Order 2019 be confirmed without modification.</p> | 169 - 174 |
| 14 | <p>Planning Appeal Decisions</p> | 175 - 178 |
| 15 | <p>Planning Enforcement - Summary of Current Cases</p> | 179 - 182 |

Declarations of Pecuniary Interests

Members are reminded of the need to have regard to the items published with this agenda and, where necessary to declare at this meeting any Disclosable Pecuniary Interest (as defined in the The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012) in any matter to be considered at the meeting. If a pecuniary interest is declared they should withdraw from the meeting room during the whole of the consideration of that matter and must not participate in any vote on that matter. If members consider they should not participate because of a non pecuniary interest which may give rise to a perception of bias, they should declare this, withdraw and not participate in consideration of the item. For further advice please speak with the Council's Assistant Director of Corporate Governance.

Declarations of Pecuniary Interests – Members of the Design and Review Panel (DRP)

Members of the Planning Applications Committee (PAC), who are also members of the DRP, are advised that they should not participate in an item which has previously been to DRP where they have voted or associated themselves with a conclusion reached or recommendation made. Any member of the PAC who has also sat on DRP in relation to items on this PAC agenda must indicate whether or not they voted in such a matter. If the member has so voted they should withdraw from the meeting.

Human Rights Implications:

The applications in this Agenda have been considered in the light of the Human Rights Act 1998 and in particular, the First Protocol of Article 1 (Protection of Property); Article 6 (Rights to a Fair Trial) and Article 8 (Private and Family Life).

Consideration has been given to the impact of each application on the people living and working in the vicinity of that particular application site and to the impact of the proposals on the persons who have made written representations on the planning merits of the case. A full assessment of material planning considerations has been included in each Committee report.

Third party representations and details of the application proposals are summarised in each Committee report. It may be that the policies and proposals contained within the Development Plan and/or other material planning considerations will outweigh the views of third parties and/or those of the applicant.

Order of items: Applications on this agenda are ordered alphabetically. At the meeting the Chair may change this order to bring forward items with the greatest number of public speakers. The new order will be announced by the Chair at the start of the meeting.

Speaking at Planning Committee: All public speaking at Planning Committee is at the discretion of the Chair. The following people may register to speak:

Members of the Public who have submitted a written representation objecting to an application. A maximum of 6 minutes is allowed for objectors. If only one person registers they will get 3 minutes to speak, a second person will also get 3 minutes. If further people want to speak then the 6 minutes may be shared between them

Agents/Applicants will be able to speak but only if members of the public have registered to speak in opposition to the application. Applicants/agents will get an equal amount of time. If an application is brought to Committee with an Officer recommendation for Refusal then the Applicant/Agent will get 3 minutes to speak.

All Speakers MUST register in advance, by contacting The Planning Department no later than 12 noon on the day before the meeting.

PHONE: 020-8545-3445/3448

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Ward Councillors/Other Councillors who are not members of the Planning Committee may also register to speak and will be allocated 3 minutes each. Please register with Development Control Administration or Democratic Services no later than 12 noon on the day before the meeting

Submission of additional information before the meeting: Any additional information relating to an item on this Agenda should be sent to the Planning Department before 12 noon on the day before the meeting (using email above).

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Agenda Item 3

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PLANNING APPLICATIONS COMMITTEE

26 SEPTEMBER 2019

(7.15 pm - 10.35 pm)

PRESENT Councillors Councillor Linda Kirby (in the Chair),
Councillor Najeeb Latif, Councillor Russell Makin,
Councillor Simon McGrath, Councillor Peter Southgate,
Councillor Billy Christie, Councillor Rebecca Lanning,
Councillor Joan Henry, Councillor Stephen Crowe and
Councillor Dave Ward

ALSO PRESENT Neil Milligan – Building and Development Control Manager
Awot Tesfai – Senior Estates Development Management Officer
(High Path Item only)
Tim Bryson – Planning Team Leader North
Jonathan Lewis – Planning Team Leader South
Sarath Attanayake – Transport Planning Officer
Lisa Jewell – Democratic Services Officer

1 APOLOGIES FOR ABSENCE (Agenda Item 1)

Apologies for absence were received from Councillor David Dean

Councillor Steven Crowe attended as substitute

2 DECLARATIONS OF PECUNIARY INTEREST (Agenda Item 2)

There were no declarations of interest.

Councillor Linda Kirby made a statement to inform the Committee that she and Councillor Najeeb Latif had both Chaired recent Design Review Panel meetings. At these meetings neither take any part in the debate or vote on the proposal.

3 MINUTES OF THE PREVIOUS MEETING (Agenda Item 3)

RESOLVED: That the minutes of the meeting held on 22 August were agreed as an accurate record.

4 TOWN PLANNING APPLICATIONS (Agenda Item 4)

Supplementary Agenda: Amendments and modifications to the Officer's report were published in a Supplementary Agenda. This applied to items 6, 7, 8, 9, 10, 11 and 16.

Order of the meeting – The Chair announced that the items would be taken in the following order 8, 7, 6, 9, 10, 11, 12, 14, 15, and 16.

5 18 BELVEDERE GROVE, WIMBLEDON VILLAGE, SW19 7RL (Agenda Item 5)

Proposal: Construction of enlarged basement to existing dwelling and extensions and alterations to the rear and side, and front porch.

The Committee noted the officer's report, presentation and additional information in the Supplementary Agenda - Modifications

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions

6 120 THE BROADWAY, WIMBLEDON, SW19 1RH (Agenda Item 6)

Proposal: Alterations and extension to six storey building, including front, rear and side extensions to fifth floor, remodelling of main entrance, formation of roof terrace and provision of screening/enclosure above fifth floor, plus the consolidation and relocation of roof-level plant and upward extension of northwest access stairway

The Committee noted the officer's report, presentation, and additional information in the Supplementary Agenda – Modifications, including an amended condition.

The Committee received a verbal representation from a local resident who raised objections including:

- The application is not positive and is against policy
- It creates a dark looming grey building in an area of red terracotta buildings including the grade II listed Wimbledon theatre
- It will cause noise disturbance
- Would welcome improvements to this building but this application does not achieve this, it is not of the quality required in this area.
- There are no other grey buildings on the Broadway

The Committee received a verbal representation for the Applicant's Agent and Architect who made points including:

- We have worked with officers on this application
- The application provides a relatively modest extension, 6% of floor area, to a building in a sustainable location
- The proposal aims to improve the quality of this tired and partially vacant building by improving the quality of the workspace
- The Broadway is extremely diverse, and this proposal aims to demonstrate this diversity.

The Committee received a verbal representation from the Ward Councillor Hayley Ormrod, who made points including:

- The site notice outside was damaged and illegible
- Not all local residents were informed about the application

- The dark grey colour is awful. Neighbouring buildings are all terracotta red.
- The Grade II listed Wimbledon Theatre is just across the road.
- The proposal will cause noise and traffic problems only 10 years after it was first built.
- There will be ongoing noise and privacy issues for local residents from the plant room and terrace
- Is there a requirement for extra office space in this area?

The Planning Team Leader north replied to these comments by saying that

- all neighbours were consulted in-line with policy requirements. The site notice did appear to be damaged but it was displayed and this damage is not a material consideration
- The extension is set back, windows would remain, and as a commercial building it is acceptable in the streetscene

In reply to Member's questions Officers replied:

- There is no indication on the plans that this proposal would create an access between the office and residential accommodation
- The proposed dark grey colour would not be a robust reason for refusal
- The landscaping shown on the plans can be secured by condition
- The fencing around the plant room is required as acoustic protection for residents of adjacent flats
- Officers do not consider the proposal to be out of character with the area. The sympathetic set back remains, it does improve the streetscene at ground level and it is considered to be visually acceptable

A Member commented that the dark grey colour appeared disjointed from neighbouring buildings and felt oppressive. When asked by the Chair, the committee indicated that the proposed dark grey colour of the building was an issue for all of them. The Architect confirmed that the purpose of the application was to upgrade the building and the proposed grey colour was not a key factor in this.

The Committee voted on the application, including the amended condition in the Supplementary Agenda that required the Chair and Vice-Chair to have final approval on materials. The Committee confirmed that they requested an additional condition requiring landscaping.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions in the officers report, an amended condition in the Supplementary Agenda – Modifications regarding the Chair and Vice Chair having final approval on materials and a new condition to ensure landscaping.

The Committee agreed to delegate the wording of the additional condition to the Director of Environment and Regeneration.

7 18 COMMONSIDE WEST, MITCHAM, CR4 4HA (Agenda Item 7)

Proposal: Erection of a rooftop extension to form a two bedroom self-contained flat, externally clad with dark grey zinc cladding to match the existing. (amended)

The Committee noted the officer's report and presentation.

The Committee received a verbal representation from a local resident who raised objections including:

- Residents are concerned that they will be living in a building site and they are worried about safety
- When the original application was allowed in 2014 the height was reduced following DRP comments, what material changes have occurred since then?
- Residents are concerned about the bulk and massing

The Committee received a verbal representation from the Applicant who made points including:

- We have worked with Officers to find an acceptable scheme
- The proposal uses materials that blend in with existing buildings and is set back to make it less intrusive
- We are a family business and want the construction to be as less intrusive as possible for residents

In reply to the residents' concerns the Planning Team Leader South explained:

- The construction method statement would be expected to cover issues including dust control, operation and construction and this plan will be signed off before construction begins.
- The DRP considered various iterations of schemes for this site

In reply to Member's questions Officers replied:

- Issues relating to the provision of services to the new flat are not planning matters but will be covered by Building Regulation Officers
- The Construction Management Plan will be signed off before construction begins, in order to safeguard current residents as far as possible
- The safety and fire safety of the material used will be covered by Building Regulations
- Officers accept that in 2012 the DRP suggested that the site could take a three storey building, but they requested a reduced height for the application approved in 2014. This is a matter of judgement. The current proposal is stepped back and Members have to consider what impact it will have. From their previous judgements Officers do not believe that the DRP would say no to the additional floor in this application as it is set back with minimal impact.

RESOLVED

The Committee unanimously voted to GRANT Planning Permission subject to conditions

8 HIGH PATH ESTATE, SOUTH WIMBLEDON, SW19 2TG (Agenda Item 8)

Proposal: Application for approval of reserved matters (scale, layout, access, landscape and appearance) (phase 2) following outline permission 17/P1721 for the comprehensive phased regeneration of high path estate comprising demolition of all existing buildings and structures; erection of new buildings ranging from 1 to 10 storeys max, providing up to 1570 residential units (C3 use class); provision of up to 9,900 sqm comprising of use class A1 and/or A2, and/or A3 and/or A4 floorspace, including flexible work units (use class B1), use class D1 (community) and use class D2 (gym).

The Committee noted the officer's report, presentation and additional information in the Supplementary Agenda-Modifications

The Committee received a verbal representation from two local residents who raised objections including:

- Residents of the Estate object to the application on the grounds of appearance – the colours proposed are unacceptable
- The applicant needs to ensure that the most sustainable building materials used to ensure that carbon emissions are as low as possible,
- The applicant needs to ensure that the London Plan requirements for sustainability and carbon emissions are met
- The applicant should optimise the use of natural building material and energy saving materials
- Objectors are concerned about the provision of toilet facilities in flats. One toilet within the bathroom of the 4, 6 and 7 person flats is not adequate, and will cause potential lack of hygienic facilities to residents
- One bathroom is not enough, these flats require a second bathroom and this was raised during the public consultation.
- There is concern that these facilities will be inadequate if future landlords are unscrupulous and allow the properties to be over occupied

The Committee received a verbal representation from the Applicant who made points including:

- Clarion has worked with local residents and LBM to deliver 700 new social rented homes, with infrastructure, green space and 2000 private homes
- This application is for 130 homes, 82% of these will be socially rented with the remainder replacing homes of other current residents
- All will be tenure blind with no separate entrances
- All units will have underfloor heating, and once phase 3 is built, this will be powered by a low carbon central heating system.
- Dual aspect units are maximised, the single aspect units have wide frontages and floor to ceiling windows are north facing
- There will be a courtyard of 200m²
- 5 category C trees will be removed and replaced by 27 specific semi-mature trees
- There will be an underground refuse system

- A Construction Management plan has been developed that ensures that residents are disturbed as little as possible
- Current residents will be offered a new home that is at least as large as their current home.

In reply to the Objectors comments the Senior Estate Planning Officer made comments including:

- The proposed materials to be used on all external faces of the development are considered acceptable and samples of these materials are to be submitted to officers, by condition, prior to construction
- The applicant has submitted an Energy Strategy which has been agreed by the Council's Energy and Sustainability Officer.
- The development meets all policy and legislative requirements for sustainability
- The Standard of accommodation proposed, which includes the provision of bathrooms, has been assessed and meets the requirements of the Mayors Housing SPG 2016. Therefore the provision of bathrooms is considered to be policy compliant

In reply to Member's questions Officers made comments including:

- The entire scheme has been tested by Officers against the Space and amenity standards of the London Plan and all units meet the space standards
- All units receive acceptable levels of daylight and sunlight and therefore meet BRE (Building Research Establishment) guidelines.
- There are 31 single aspect units but they all have an active frontage with floor to ceiling large windows to maximize light entry. All these units have been designed to ensure that light levels meet standards
- All habitable rooms receive adequate daylight and sunlight but some non-habitable rooms (e.g. hallways) may not
- Electric car charging points will be provided and are covered by the S106 agreement
- The application includes conditions covering sustainable energy, including solar panels.
- The waste collection system will be designed by expert, and the implementation of this system is included in the S106 agreement
- The majority of the larger units will be allocated as affordable. All the affordable units will be dual aspect and will have amenity space
- The provision of toilets and bathrooms in all units is policy compliant, and meets the requirements of the London Space standards
- The trees to be removed are on Pincott Road and Abbey Road. There is an arboriculture condition which covers the replacement of these trees with more suitable trees, and this will be overseen by the Council's Tree Officer.
- The parking spaces will be allocated on a like-for-like basis. The Houses will retain their parking spaces. There will be designated spaces for wheelchair users. There will be free for all street parking.

Members made comments including:

- Two members expressed concerns about the bathroom provision in the larger units
- One member expressed concerns about the rooms that do not meet minimum light requirements
- Other members expressed support for the scheme and reminded the Committee what the Planning Officer had said; that the provision of bathrooms is policy compliant and it is only some non-habitable rooms that do not meet minimum light standards

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

9 SOUTHEY BOWLING CLUB, 72 LOWER DOWNS ROAD, RAYNES PARK, SW20 8QQ (Agenda Item 9)

Proposal: Erection of new storage shed to replace existing. Materials to match new changing rooms.

The Committee noted the officer's report, presentation, and additional information in the Supplementary Agenda – Modifications.

The Committee received a verbal representation from a local resident who raised objections including:

- The plans for this application are false and misleading, and the plan of the existing site is not accurate
- The application is not a shed but is an extension to a building
- The height is not as stated in the report, there is confusion
- A new water tank of 10,000 litres has been installed without planning permission
- The wall that will face residents will be 3m high and will be right on the boundary
- There will be increased security risks to local properties and an impact on privacy
- Residents already have to cope with the illumination from the club up to 11.30pm
- Used to think that the bowling club were good neighbours but no longer think this

The Committee received a verbal representation for the Applicant who made points including:

- There is no intention to mislead – this application is for a storage shed, in keeping with the development. The application has been kept in proportion and replaces existing storage.

In reply to the objector's comments the Planning Team Leader South said:

- The side of the shed closest to residents will be 2.1m high. The higher side contains the doors and faces into the club site, so we don't think the plans are misleading
- Officers can follow up with the club concerns regarding the floodlights if it is considered that there may be a breach of planning control.
- Planning Officers are already considering if the water tank requires planning permission, but this is not a matter for this application

In reply to Member's questions Officers replied:

- Planning Officers must consider the application as submitted, so it is not possible to suggest other locations for the shed
- The existing chain link fence is 1.8m high, so the shed will be 30cm higher. We do not know the height of the shed that has now been removed
- Planning Officers are satisfied that the high side of the shed will be on the club side and not on the boundary with residents. However an informative can be added to ensure this.

Members commented that they would like an informative adding which would ensure the orientation of the high side of the shed.

RESOLVED

The Committee voted unanimously to GRANT Planning Permission subject to conditions and additional informative

10 6 PARKSIDE GARDENS, WIMBLEDON, SW19 5EY (Agenda Item 10)

Proposal: Part demolition of existing building (retention of dwelling façade) and erection of a replacement 2 storey dwellinghouse including accommodation at roof and basement levels, car lift in front garden and new front boundary treatment.

The Committee noted the officer's report, presentation, and additional information, including the updated basement reports, in the Supplementary Agenda – Modifications.

The Committee received a verbal representation from a local resident who raised objections including:

- Neighbours have commissioned an independent engineers report that shows that the application fails to meet council policy
- It will negatively affect neighbour amenity, and fails to consider water diversion.
- The engineers report and the concerns it raises have been ignored by Planning Officers
- Neighbours will not give permission to use their land for construction purposes
- The screening at first floor could be removed, and the bicycle shed will block access

The Committee received a verbal representation for the Applicant's Agents who made points including:

- We have consulted with Council Officers and made amendments, reducing the scale and massing, reducing the terrace and adding screening, including tree planting and adding obscure glazing to some windows
- This Conservation Area is punctuated by modern buildings, there are others on Parkside gardens
- The application is policy compliant
- A professional team have looked at the basement and its water management to alleviate the neighbours' concerns
- The current house is in poor condition, and the application will use high quality materials to update the building.

In reply to the objector's comments, the Planning Team Leader North made points including:

- The Council's engineers have assessed the basement application and are happy with the flood risk and stability arrangements
- The basement design has been amended to reduce the size and to bring it 1m in from the boundary of the neighbour's basement
- The basement is large and it does contain a car lift but this does not go above ground – this is conditioned
- The screening around the terrace cannot be removed by condition

A member asked if it would be possible to condition that the monitoring of potential movements caused by the basement construction be continued for 12 months after construction finishes. The Planning and Building Control Manager explained that this was not possible as The Party Wall Act takes over on issues between neighbouring properties once they are built, and Officers cannot replicate actions under different sections of legislation. Therefore planning conditions cannot apply once the Party Wall Act comes into force.

In reply to other Member Questions, the Planning Team Leader North said:

- The proposal will be the same height as the existing building
- The Flood Risk and Structural Engineers reports are necessary with basement construction, but Thames Water consultation is not.

A member expressed concern that the applicant originally requested total demolition, he continued by asking what recompense would the Council have if the façade did not survive the partial demolition now proposed. The Planning Team Leader North replied that the retention of the façade was requested by condition, therefore if it failed the application would be in breach of its planning permission and would have to be rectified. As it is in a Conservation Area the applicant could be prosecuted if they do not construct properly. The Council's Structural Engineer has requested further information to be submitted by condition.

Councillor Peter Southgate requested that it be noted that he had concerns that given the original request for total demolition he was not satisfied that there was adequate recompense in the case of the façade not surviving the construction process.

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

NOTE: Councillor Latif asked that it be noted that he did not vote on this item

11 225-231 STREATHAM ROAD, STREATHAM, SW16 6NZ (Agenda Item 11)

Proposal: Demolition of existing single storey buildings and erection of a part three, part four, part five and part six storey mixed use building comprising retail (class a1) on ground floor and 28 x residential units above

The Committee noted the officer's report, presentation, and additional information in the Supplementary Agenda – Modifications. This included an updated detailed recommendation and an additional condition.

The Committee received a verbal representation from a local resident who raised points including:

- Residents main concern is the height of this proposal, which at 6 storeys is disproportionate and much higher than surrounding buildings
- There is also concern about parking and deliveries to the retail unit and the impact on neighbours

The Committee received a verbal representation for the Applicant's Agent who raised points including:

- The principle of use of the site is established given the previously allowed scheme on this site
- However, the discovery of a mains water supply running through the site has required a re-design
- This new application has a maximum height of 19.6m compared to the previous application which had a maximum height of 19.7m. This application is on a smaller footprint
- This new design will provide more housing units and is stepped away from the neighbouring bungalows
- It will be a car free development

In reply to the Resident's comments the Planning Team Leader South explained that the previously allowed scheme was substantial and of a similar height

In reply to Member's questions the Planning Team Leader South made comments including:

- The retail unit on the ground floor is the size of many convenience stores run by major food retailers. Such a shop would be for the local community and would not generate traffic. Parking restrictions would not prevent early morning deliveries.

- All Social Housing providers approached to take on the affordable units have declined. There is often a reluctance for social housing providers to engage if only a small number of affordable units are available within a development. However in these circumstances Officers would wish to test with the applicant if it is possible to deliver further affordable units if grant money is made available.
- The mix of units in the Agenda is incorrect, the mix described in the Supplementary Agenda – Modifications is correct. The financial outcomes deriving from the viability appraisal will change with time, hence the need for review mechanisms to be in place.

Members commented that this application looks more functional than the previous and given that the height was established by approving the last scheme there is no reason not to approve

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions and an S106 legal agreement

Note: The Chair did not vote on this item

12 22 WEST SIDE COMMON, WIMBLEDON, SW19 4UF (Agenda Item 12)

Proposal: Erection of a two storey side extension, single storey rear extension, excavation of basement and a single storey garage

The Committee noted the officer's report and presentation

In reply to Member's questions, Planning Officers replied:

- Two trees are to be removed from the site, an apple tree and a Japanese Maple. A third tree from outside the frontage will also be removed. None of these trees has a TPO so their replacement cannot be insisted on but the landscaping condition can be used to request replacement
- The current boundary wall will remain but a new gate is to be added

RESOLVED

The Committee voted to GRANT Planning Permission subject to conditions

13 41-47 WIMBLEDON HILL ROAD, WIMBLEDON, SW19 7NA (Agenda Item 13)

The Committee noted that this item had been withdrawn from this meeting and deferred to a future meeting

14 TPO (NO.741) 43 LANCASTER ROAD, WIMBLEDON, SW19 5DF (Agenda Item 14)

The Committee noted the Officer's report and presentation, and agreed the TPO

RESOLVED: That the Merton (No.741) Tree Preservation Order 2019 is confirmed without modification

NOTE: Councillor Latif asked that it be noted that he did not vote on this item

15 PLANNING APPEAL DECISIONS (Agenda Item 15)

RESOLVED: The Committee noted the report on Planning Appeal Decisions

16 PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES (Agenda Item 16)

The Committee noted the Officer's report on current enforcement cases and the update on the Burn Bullock site in the Supplementary Agenda – Modifications

RESOLVED: The Committee noted the report on current Enforcement cases

17 SUPPLEMENTARY AGENDA - MODIFICATIONS (Agenda Item 16b)

18 SUPPLEMENTARY AGENDA - ADDITIONAL PLANS FOR HIGH PATH ESTATE (Agenda Item 16c)

PLANNING APPLICATIONS COMMITTEE

17 OCTOBER 2019

APPLICATION NO.

19/P2841

DATE VALID

29th July 2019

Address/Site:

44 Arthur Road, Wimbledon SW19 7DS

Ward:

Wimbledon Park

Proposal:

DEMOLITION OF HOUSE AND ERECTION OF A NEW THREE-STOREY DWELLINGHOUSE

Drawing No.'s:

1804-001-A, 1804-412-C, 1804-412-D, 1804-025-E, 1804-024-F, 1804-023-H, 1804-016-H, 1804-027-D, 1804-026-D, 1804-020-F, 1804-021-H, 1804-017-F, 1804-022-F, 1804-015-E, 1804-029-D, 1804-019-H, 1804-018-H, 1804-030-C, PCD/122/PL005, PCD/122/PL004, PCD/122/PL007, PCD/122/PL001, PCD/122/PL002.

Contact Officer:

Kirti Chovisia (020 8274 5165)

RECOMMENDATION

Grant planning permission subject to conditions.

CHECKLIST INFORMATION

- 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
- Controlled Parking Zone: Yes
- Conservation Area: Yes

1. Introduction

The application has been brought before the Planning Applications Committee due to the number and nature of objections received.

2. Site Description

2.1 The site comprises a two-storey, 1930's detached dwelling located on the south side of Arthur Road, within the Wimbledon North Conservation Area and the

Wimbledon Common Archaeological Priority Zone. The dwelling is setback from the front boundary, with a single car garage located on the east side of the subject site. A large area of private open space is sited at the rear of the property. Mature trees and a small outbuilding is contained within this rear open space. The dwelling is not a listed building. A listed building is located to the north west of the subject site (No. 61 Arthur Road). The surrounding area is characterised by substantial detached dwellings, with generous sized rear gardens.

3. Proposal

- 3.1 The proposal is for the demolition of the existing double storey dwelling and to replace it with a five-bedroom dwelling.
- 3.2 The proposed dwelling will be triple storey with a modern architectural style. The dwelling will have a flat roof with various levelled box features. The second floor will step down and is setback from the front. There is proposed to be a mix of vertically and horizontally proportioned windows. It will have a similar setback as the existing dwelling in terms of building line; however, the footprint will be larger. The dwelling will extend further into the plot at the rear at all levels. A driveway and car parking are proposed to be within the front setback. Full landscaping is proposed to both front and rear of the site. The proposed dwelling would be constructed of exposed bricks, render and a bronze metal roof. The proposed dwelling would have maximum dimension of 24m in depth, 17.3m in width and 9.9m in height.

4. Constraints

- 4.1 North Wimbledon Conservation Area
- 4.2 Archaeological Priority Zone
- 4.3 Tree Protection Order Tree (on the north-west boundary at the front)

5. Planning History

- 5.1 MER50/67(O): ERECTION OF A TWO STOREY EXTENSION AT REAR – Grant Permission.
- 5.2 MER50/67(D): DETAILED PLANS FOR A TWO STOREY EXTENSION AT REAR – Permission Granted.
- 5.3 07/P2154: ERECTION OF A DETACHED TWO STOREY HOUSE WITH ADDITIONAL ACCOMODATION WITHIN THE ROOF, INVOLVING DEMOLITION OF EXISTING BUILDING ON SITE – Permission Granted.
- 5.4 07/P2233: CONSERVATION AREA CONSENT FOR THE DEMOLITION OF EXISTING BUILDING & ERECTION OF REPLACEMENT DWELLING – Permission Granted.
- 5.5 17/P2984: ERECTION OF A SINGLE STOREY SIDE EXTENSION AND CONVERSION OF GARAGE INTO HABITABLE SPACE.

6. Consultation

6.1 Public consultation was undertaken by way of post sent to neighbouring properties and site notice displayed at the site.

6.2 7 representations were received raising objection to the proposal. The summary of their objections are as follows:

- Design and footprint of the new proposed house;
- Impact on conservation area and surrounding/street scene;
- Second floor rear elevation and glazed opening causing overlooking concerns to neighbouring properties;
- Impact of demolition and construction on neighbouring properties;
- Concerns over the proposed outbuilding, size and use of outbuilding;
- Impact of proposed landscaping on the protected trees and neighbouring properties;
- Concerns regarding biodiversity, parking and sustainability issues.

6.3 Conservation Officer's comments:

6.3.1 44 Arthur Road falls within Wimbledon North Conservation Area. It was given permission to build in 1935. It was one of a group of houses built at that time. The building appears to have maintained many of its original features. The front elevation has the original window pattern and porch with ornate semi-circular light above the door. The rear elevation has what may also be the original loggia. This dwelling, within its context, although not singled out as having a positive impact in the Conservation Area Character Assessment does, to a degree contribute positively to the area and street scene. Previously a permission has been granted for 44 Arthur Road to be replaced with what was, at that time, considered to be an appropriately enhancing development. For a property to be replaced we must strive for architecture of outstanding merit so that the loss of a house that forms part of the character of the conservation area is not lamented. It is felt that this current proposal does not achieve the design requirements to fulfil this objective. Modern architecture can sit comfortably within a historic context as other examples have demonstrated. It is important to consider scale, massing and materials within the context of the existing buildings and how the new building relates to them.

6.4 Tree Officer's comments:

6.4.1 The proposed development requires the removal of 3 small trees located in the rear garden. One of these is an 'a' category tree, a second one is a 'B' category tree. The applicant has included landscape plans which show an intention to plant a range of new trees, including new trees in the front garden. These mitigate against the loss of the 3 existing trees.

6.4.2 No Arboricultural objections is seen to the proposed development, provided the remaining trees are protected in line with the submitted Arboricultural report. The submitted landscape scheme should be made subject to planning conditions. With regards to the Arboricultural report, I would recommend attaching the following planning conditions:

- 6.4.3 Tree Protection: The details and measures for the protection of the existing trees as specified in the approved document 'BS 5837:2012 Tree Survey, Arboricultural Impact Assessment, Tree Constraints Plan, Arboricultural Method Statement and Tree Protection Plan' dated 'October 2018' shall be complied with. The methods for the protection of the existing trees shall fully accord with all of the measures specified in the report and shall be installed prior to the commencement of any site works and shall remain in place until the conclusion of all site works. Reason: To protect and safeguard the existing 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 policies DM D2 and 02 of Merton's Sites and Policies Plan 2014;
- 6.4.4 Site Supervision (Trees) – The details of the approved document 'BS 5837: 2012 Tree Survey, Arboricultural Impact , Tree Constraints Plan, Arboricultural Method Statement and Tree Protection Plan' shall include the retention of an Arboricultural expert to monitor and report to the Local Planning Authority the status of all tree works and tree protection measures throughout the course of the demolition and site works. A final Certificate of Completion shall be submitted to the Local Planning Authority at the conclusion of all site works. Reason: To protect and safeguard etc.

7. Policies

7.1 London Plan (2015) policies (as amended by Minor Alterations to the London Plan March 2016):

- 3.5 Quality and Design of Housing Developments
- 3.8 Housing Choice
- 3.14 Existing Housing
- 5.1 Climate Change Mitigation
- 5.2 Minimising Carbon Dioxide Emissions
- 5.3 Sustainable Design and Construction
- 5.13 Sustainable Drainage
- 6.13 Parking
- 7.4 Local Character
- 7.6 Architecture
- 7.8 Heritage Assets and Archaeology
- 7.19 Biodiversity and access to nature
- 7.21 Trees and Woodlands

7.2 Core Planning Strategy (2011) policies:

- CS8 Housing Choice
- CS9 Housing provision
- CS13 Open space, nature conservation, leisure and culture
- CS14 Design
- CS15 Climate Change
- CS20 Parking, Servicing and Delivery

7.3 SPP Policies (2014):

- DM H4 Demolition and redevelopment of a single dwellinghouse
- DM O2 Nature Conservation, trees, hedges and landscape features

DM D2 Design considerations in all developments
DM D4 Managing heritage assets
DM F2 Sustainable urban drainage systems (SuDS) and; Wastewater Infrastructure
DM T3 Car parking and servicing standards

7.4 Other guidance:

Merton's Design SPG 2004
London Plan Housing SPG 2016
Wimbledon North Conservation Area Character Assessment

8. Planning Considerations

The main planning considerations concern the principle of the demolition of the existing building and its replacement, the design of the replacement house and impact on the Conservation Area, together with impact on neighbouring amenity, impact on trees, biodiversity, parking and sustainability issues.

8.1 Principle of development

8.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

8.1.2 In principle the proposed demolition of the dwelling and construction of another dwelling is acceptable. The existing dwelling is of little significance in terms of its heritage value. A replacement dwelling could be appropriate and there is no objection in principle to the demolition of the existing dwelling, as long as its replacement is of high quality which preserves or enhances the Conservation Area.

8.2 Character of the Area

8.2.1 The National Planning Policy Framework (NPPF) states that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings. The regional planning policy advice in relation to design is found in the London Plan (2015), in Policy 7.4 - Local Character, 7.6 – Architecture and 7.8 – Heritage Assets and Archaeology. These policies state that Local Authorities should seek to ensure that developments promote high quality inclusive design, enhance the public realm, and seek to ensure that development promotes world class architecture and design.

8.2.2 Policy DM D2 seeks to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Core Planning Policy CS14 supports this SPP Policy. Policy DMD2 also seeks to ensure that trees are protected from adverse impacts from development.

- 8.2.3 Policy DM D4 seeks to ensure that development in Conservation Areas either preserves or enhances the character and appearance of the Conservation Area. In addition, the policy seeks to ensure that harm is not caused to heritage assets specifically, Policy DM D4, criterion f) states:
- 8.2.4 “Proposals affecting a heritage asset or its setting should conserve and enhance the significance of the asset as well as its surroundings and have regard to the following:
- 8.2.5 The conservation or reinstatement if lost, of features that contribute to the asset or its setting. This may include original chimneys, windows and doors, boundary treatments and garden layouts, roof coverings or shop fronts. In listed buildings, internal features such as fireplaces, panelling, ceilings, doors and architraves as well as the proportion of individual rooms may also be of significance.
- 8.2.6 The removal of harmful alterations such as inappropriate additions, non-original windows and doors and the removal of paint or pebbledash from brickwork.”
- 8.2.7 The existing dwelling was constructed in the 1930’s and is not locally or statutory listed. The dwelling does not significantly contribute to the character of the Conservation Area and the full demolition is considered acceptable. The existing property is not a particularly distinguished design, having a low lying and functional appearance and demolition would not have a harmful impact on the architectural character of the Conservation Area. There is a mixture of architectural styles seen on Arthur Road and the Conservation Area significance lies in its variety of traditional residential buildings from various eras over a large wide area. The host Site lies amongst a cluster of buildings dating between 1933 and 1962. Some of these buildings have been replaced over time. The Character Appraisal describes Arthur Road as a variety of buildings erected at various times in styles typical of their period. These include many substantial Victorian and Edwardian houses on large plots, some now converted into smaller dwellings or flats, as well as more recent buildings, mostly erected since the 1950s. It is also noted that consent for full demolition was granted in 2007 (07/P2154). The Council’s Conservation Officer also confirmed that demolition of the existing dwelling can be appropriate and has been accepted in the planning history.
- 8.2.8 The proposed replacement dwelling will be of a modern design. As noted within the proposal description of the report, the new dwelling, although having a similar setback to the existing dwelling, will extend further into the site at the rear. There are other examples within the area of modern architecture that positively contributes to the Conservation Area. Note that there is not one particular type of dwelling in the streetscene. The front façade has a mix of vertical and horizontal forms, with the level proportions being similar heights as the adjoining properties. The proposed materials of the front façade include red coloured facing brick, dark coloured field stone and white render. Although the building is contemporary, the materials and colours are common for buildings within the area. The proposed roofs would have a bronze coloured sheet for detailing around the edges of the roofs and as flashings. The bronze colour would harmonise with the chosen materials of the building at first and would

over time change colour during the weathering process to complement them. The materials used for façade are considered to be a subordinate addition to the applicant property hence in this context it is considered acceptable.

- 8.2.9 A strong pattern of the area is the separation between built form on neighbouring properties, in particular at first floor. Although the new dwelling will be setback from the eastern boundary, it is proposed to partly abut the western boundary at ground floor level. A gap would therefore, remain at first floor level, allowing views through.
- 8.2.10 The first and second floor of the dwelling is setback further than the remainder of the façade and will be lower and set within the roof of the first floor. This will ensure that it is not highly visible from the street and not a dominant feature of the proposed dwelling or the area. This component of the design is considered acceptable. The roof would be set in from the first floor walls and would be a subordinate addition at roof level.
- 8.2.11 Overall, officers consider that the contemporary design approach is considered acceptable and that its overall scale, mass and design can be accommodated on site and would preserve the character and appearance of the wider Conservation Area.

8.3 Neighbouring Amenity

- 8.3.1 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.
- 8.3.2 As specified previously within the report, the dwelling will extend further into the plot at the rear than the existing dwelling. To the west of the subject site, the proposal will face built form of the adjacent property (No. 42) for the majority of its depth. Towards the front, the dwelling will face the front amenity area of this house, which is not the primary open space. The double storey component on the boundary will face the side of the double storey wall and a small path. There are first floor windows on this wall, however, given that they are likely to be secondary windows, they will continue to receive adequate solar access during the day. Further to the rear, a single storey component will extend beyond the rear building line of the property to the west. However, the first floor will be setback from the western boundary and will not unduly impact to the amenity of this neighbouring property due to its rear building line being positioned similar to that of No.42. The ground floor element would extend deeper, however, it is stepped away from the west boundary by 1.6m. It is noted that the windows to the second floor rear elevation would result in some outlook to the outdoor amenity areas of surrounding properties. However, it is considered the outlook would be comparable to the outlook currently provided from the existing house first floor windows and that of the surrounding buildings.
- 8.3.3 To the east, the proposed replacement dwelling will predominately face built form and the roof of No.46 Arthur Road. Most of the dwelling will not result in any unreasonable amenity impacts to this adjoining property. However, to the rear of the replacement dwelling a new double storey wall will directly face open space of No. 46 Arthur Road. Given there is an existing extension at the rear of

this neighbouring property, with a further separation distance, the proposal is not considered to result in an unacceptable level of harm toward their amenity in terms of light or outlook. The slight extension beyond the two storey rear building line of No.46 is therefore, not considered to cause harm.

8.3.4 The proposed dwelling does not adjoin or face any other sensitive interface and it is considered that it will not impact any other neighbouring properties. The objections regarding overlooking to the neighbouring properties to the rear are noted, however, the resultant distance would not result in any harm.

8.3.5 In light of the above, and in the absence of any other evident amenity implication, it is determined that the proposal would not result in a harmful impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise. Therefore, it satisfies the intent of SPP Policy DMD2.

8.4 Standard of accommodation

8.4.1 London Plan Policy 3.5, as amended by Minor Alterations to the London Plan (March 2016) states that all new housing developments should be of the highest quality internally, externally and in relation to their context. In order to ensure that such development provide an adequate level of internal amenity, Table 3.3 of the London Plan sets out the minimum floor areas which should be provided for new housing. The DCLG publication: "Technical housing standards – nationally described space standard" (2016) provides further guidance, which has been adopted by the Mayor for London.

8.4.2 Sites and Policies Plan Policy DM D2 seeks to ensure good quality residential accommodation with adequate levels of privacy, daylight and sunlight for existing and future residents, the provision of adequate amenity space and the avoidance of noise, vibration or other forms of pollution.

8.4.3 The proposed development satisfies the requirements of the London Plan in terms of unit and room sizes.

8.4.4 There is a large area of private open space located at the rear of the subject site that will be retained with the proposal. Officers consider that this outdoor space would be suitable for a five+ bedroom dwelling.

8.5 Highway, traffic and parking considerations

8.5.1 The plans show that there will be a driveway within the front setback and the front crossover and gate will be retained. It is considered that the site can comfortably accommodate two car parking to the front. The access to the site would remain as existing.

8.6 Cycle storage

In accordance with London Plan policy 6.9 and table 6.3 and Core Strategy policy CS 18, a secured cycle store has been provided within the site.

8.7 Refuse storage

No details of refuse storage have been provided. However, in accordance with policy 5.17 of the London Plan and policy CS 17 of the Core Strategy a condition

will be added to ensure that the details of the refuse storage are submitted to the Council. It is considered that this could be accommodated at the front of the site.

8.8 Biodiversity

There is no indication that the existing site has a significant bio-diversity value and as such it is not necessary to submit an ecology report with any formal planning application. However, a substantial landscaping scheme is proposed and it will enhance the planting for the site.

8.9 Trees

It would appear that there are some significant trees in the site and surrounding properties which could potentially be affected by the proposed works. A Tree Survey, Arboricultural Impact Assessment, Tree Constraints Plan, Landscape plan were submitted with the application in response to these surrounding trees. Council's Tree Officer specified that they did not object to the proposal subject to conditions. These conditions (listed previously within the report) will be included on any permission granted.

8.10 Sustainable design and construction

8.10.1 In light of the Government's statement and changes to the national planning framework it is advised that conditions would not be attached requiring full compliance with Level 4 of the Code for Sustainable Homes but would be attached so as to ensure that the dwellings are designed and constructed to achieve CO2 reduction standards and water consumption standards equivalent to Code for Sustainable Homes Level 4.

8.10.2 As per CS policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. If permission granted for this scheme a condition would be imposed which would require evidence to be submitted confirming a policy compliant scheme has been delivered prior to occupation.

8.11 Outbuilding

8.11.1 Plans show an outbuilding; however, no details have been provided and does not form part of the proposal. This would be subject of a separate planning application, should it need planning permission.

9. Conclusion

9.1.1 The loss of the existing dwelling is not a concern to council given its insignificance within the Conservation Area.

9.1.2 It is considered that the proposal is of a suitable layout, height, scale, form and design which would not harm the amenities of neighbouring residents or the character or appearance of the Conservation Area. The development would provide good quality living accommodation for future occupants. The proposal would not have a detrimental impact on highway safety or parking pressure. The proposal would accord with the relevant National, Strategic and Local

Planning policies and guidance and approval could reasonably be granted in this case. It is not considered that there are any other material considerations, which would warrant a refusal of the application.

9.1.3 The application is therefore recommended for approval subject to appropriate conditions.

10. Recommendation

Grant planning permission

Subject to the following conditions:

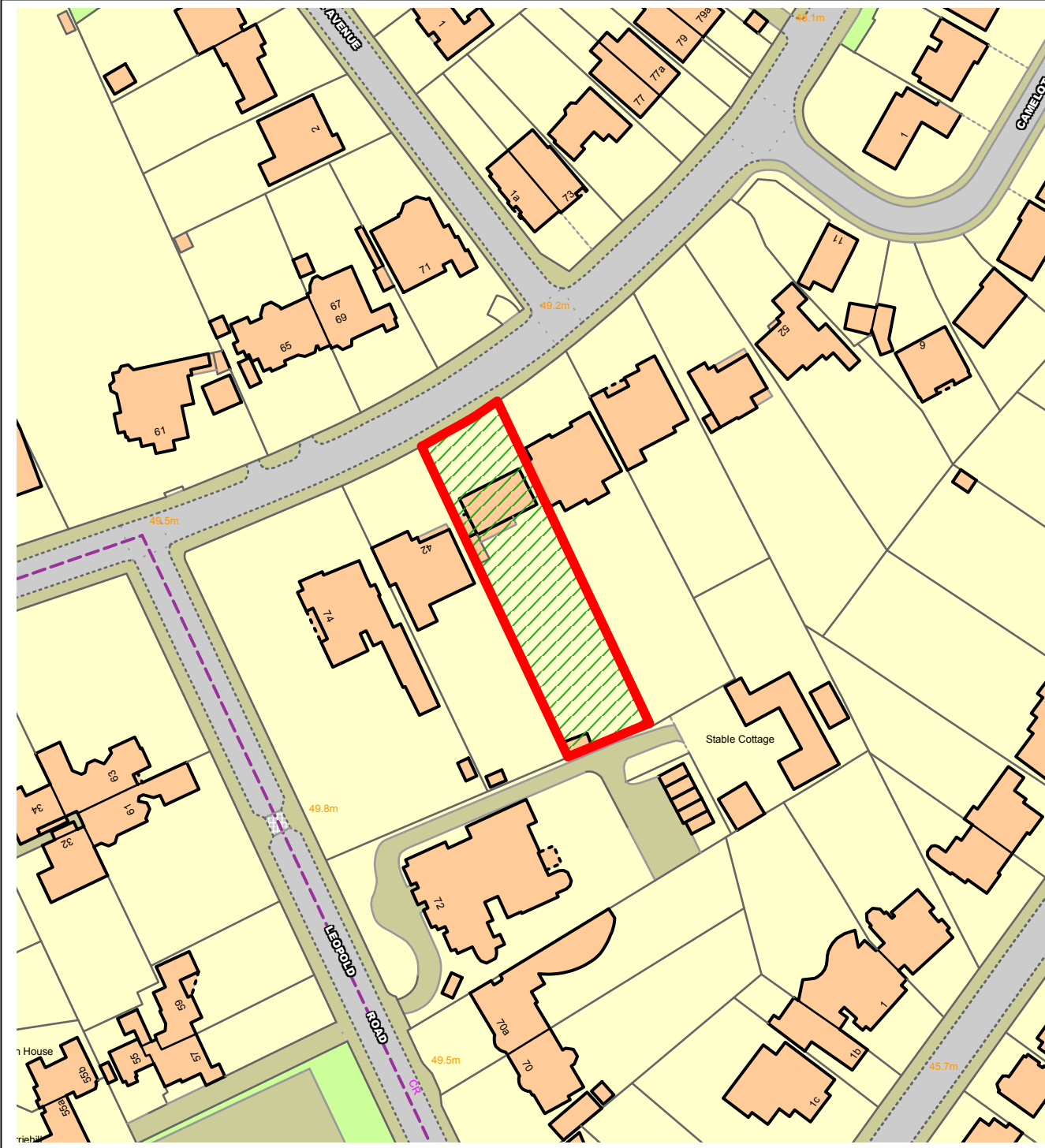
1. A1 Commencement of Development
2. A7 Approved Plans
3. B3 External Materials to be submitted
4. C02 No Permitted Windows
5. C06 Refuse & Recycling storage
6. C07 Refuse & Recycling (Implementation)
7. F05 Tree Protection
8. F08 Site Supervision (Trees)
9. Hours/days of constructions
10. No use of flat roof
11. Sustainable design and construction
12. Demolition and Construction Method Statement
13. Details of screening to 2nd floor roof terrace
14. Landscaping scheme
15. No permitted further extensions
16. Obscure glazing side windows at 1st floor level and above
17. CO2 Reductions
18. Water efficiency post construction
19. Scheme for surface water drainage

Informative

20. Note to Applicant – approved schemes
-

[Click here](#) for full plans and documents related to this application

NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE 17 OCTOBER 2019

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
19/P2715	15/07/19
Address/Site	36 Aston Road
Ward	Dundonald
Proposal:	Conversion of dwellinghouse into 2 flats, including rear roof extension roof lights and erection of garden outbuilding.
Drawing Nos	Site Location Plan, FL1786 – 2 Revision A
Contact Officer:	Charlotte Gilhooly (020 8545 4028)

RECOMMENDATION

GRANT Planning Permission subject to conditions and S106 Agreement.

CHECKLIST INFORMATION.

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 4
- External consultations: 0
- Internal consultations: 1
- Controlled Parking Zone: Yes

1. **INTRODUCTION**

The application has been brought to the Planning Applications Committee due to the number and nature of objections received.

2. **SITE AND SURROUNDINGS**

The application site comprises a two storey terraced dwelling which is located on the south west side of Aston Road in Raynes Park. Aston Road is residential in character. The current property is a single dwelling and there is an outbuilding under construction in the rear garden. The building is not located in a Conservation area and is not a listed building. The site has a PTAL rating of 4 (on a scale of 0 to 6, with 0 being the worst). There are no further constraints on the site.

3. **CURRENT PROPOSAL**

This application seeks planning permission for the conversion of a single dwelling into two self-contained units which will involve 2 x 1 bedroom flats. The proposal will involve the following:

- A flat single storey rear extension: 4.56m wide, 3.8m deep and 3.65m high.
- A pitched outbuilding with one roof light: 4.4m wide, 2.4m/2.5m high and 3.8m deep.
- A rear dormer extension which will be: 4.6m wide, 3.2m deep with an eaves height of 2.2m high and a maximum height of 2.5m.

Flat 1 (ground floor flat) would provide a one bedroom flat with a gross internal floor area of 43.81sqm and a rear outdoor amenity area of 41.32sqm.

Flat 2 (first and second floor flat) would provide a one bedroom flat over two floors with an internal floor area of 59sqm. No outdoor amenity space has been provided for this flat.

Amended plans: During the assessment of the proposal, the first floor flat (flat 2) was amended from a 2 bedroom unit to a 1 bedroom unit in order to comply with London Space Standards.

4. **PLANNING HISTORY**

There is no planning history for the site.

5. **CONSULTATION**

Consultation letters were sent to neighbouring properties. 14 representations raising objection were received which are summarised below:

5.1 Character

- The conversion into two flats is detrimental to the character of the Apostles area.
- The double fronted doors will be incongruous in the street scene and be out of keeping to character of the host building.
- The proposal would be detrimental to the unique nature and history of the area.

5.2 Amenity

- Concern over the potential for additional noise and nuisance to adjoining properties as a result of the conversion. For example bedrooms adjoining sitting rooms as a result of changing layout of spaces.
- Concern over the strain on local amenity.
- The outbuilding will result in additional noise and result in a loss of privacy.
- Concern the outbuilding will result in being used as an air bnb property or separate dwelling.

5.3 Family housing

- The upper floor flat would have no amenity space which is one reason why conversion applications have been refused in the past. When such applications were taken to appeal, the Inspector upheld the Council's decision.
- If this application is approved it will set a precedent to allow a flood gate of developers to buy up houses and convert them into flats.
- The proposal is contrary to the Council's Core Strategy as it will involve the loss of a family sized unit.
- The proposal would involve the loss of a family unit. In the past 10 years development in the area has mostly consisted of flats and very little provision for family homes with gardens. Family homes should therefore be protected as per Council Planning Policy.
- There are too many flats and not enough family units.
- It will transform the area from a nice family neighbourhood to commuter apartments.
- Increasing the population density on services such as GPs, schools which are already under strain.

5.4 Drainage

- Concern the existing drainage systems will not be able to cope with additional requirements

5.5 Parking

- Concern over impact on parking in the surrounding area.
- Proposal will increase pressure on parking.

5.6 Internal

Transport Planner

The location of the property has a Public Transport Accessibility Level rating of 4, which indicates a good level of connections and accessibility to public transport for current and future occupiers.

The site is located in a Controlled Parking Zone (Zone RPS) where parking and loading is controlled from Monday to Friday between 8:00am – 6:30pm.

Cycle Parking:

Cycle parking should be installed on site in accordance with London Plan standards on cycle parking for new residential developments

The London Plan and London Housing SPG Standard 20 (Policy 6.9) states all developments should provide dedicated storage space for cycles at the following level:

- 1 per studio and one bed dwellings;
- 2 per all other dwellings.

The proposal would require a total of 2 cycle parking spaces, 1 for each one bedroom unit which should be secure & undercover.

Refuse:

Given there is an already established collection route along this road, it is not considered the proposal would have a detrimental impact on the waste collection services in the area.

Recommendation: The proposal is unlikely have a significant impact on the adjoining highway.

Raise no objection, subject to:

- Cycle parking to be implemented

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)

Section 4 – Promoting sustainable transport

- Section 5 – Delivering a sufficient supply of homes.
- Section 12 – Achieving well designed places.

6.2 London Plan (2016)

Relevant policies include:

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 3.11 Affordable Housing Targets
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.17 Waste Capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 8.2 Planning Obligations

6.3.1 Merton Local Development Framework Core Strategy (2011)

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 14 Design
- CS 15 Climate change
- CS 18 Transport

- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan (2014)

- Relevant policies include:
 - DM H3 Support for affordable housing
 - DM D1 Urban Design
 - DM D2 Design considerations
 - DM D3 Alterations and extensions to existing buildings
 - DM EP 2 Reducing and mitigating noise
 - DM H2 Housing Mix
 - DM O2 Nature conservation
 - DM T3 Car parking and servicing standards

6.5 Supplementary planning considerations

- London Plan Housing SPG – 2016
- DCLG Technical Housing Standards - nationally described space standards 2015

7. PLANNING CONSIDERATIONS

The key planning considerations of the proposal are as follows:

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

7.1 Principle of development

7.1.1 The National Planning Policy Framework, London Plan Policy 3.3 and the Council's Core Strategy Policy CS8 and CS9 all seek to increase sustainable housing provision and access to a mixture of dwelling types for the local community, providing that an acceptable standard of accommodation would be provided. Policy 3.3 of the London Plan 2016 also states that boroughs should seek to enable additional development capacity which includes intensification, developing at higher densities.

7.1.2 The development seeks to provide two residential units by increasing the density on site. As a family unit is considered to be three or more bedrooms (Merton's Core Strategy CS14), the proposal would therefore not involve the loss of a family unit (current dwelling on site is a two bedroom unit). The principle of the development is therefore considered acceptable and compliant with local planning policy. However, it is subject to the following criteria being equally fulfilled and compliant with the planning policies referred to above.

7.1.3 The planning considerations for an extension to an existing building relate to the impact of the proposed extension on the character and appearance of the host building along with the surrounding area and the impact upon neighbouring amenity.

7.2 Character and Appearance

London Plan policies 7.4 and 7.6 Core Strategy policy CS14 and SPP Policies DMD2 and DMD3 require well designed proposals that are of the highest architectural quality and incorporate a design that is appropriate to its context, so that development relates positively to the appearance, scale, bulk, form, proportions, materials and character of the original building and their surroundings, thus enhancing the character of the wider area. The site lies within the Belvedere sub-area of the Wimbledon North Conservation Area wherein the character comprises a mixture of traditional dwelling types set in large plots, largely detached.

7.2.1 Single storey rear extension

At 3.8m in depth with a maximum roof height of 2.5m, the proposal is of a scale, form and appearance which would not appear incongruous or out of keeping with the character of the host building or surrounding area. Materials include facing brickwork and white PVC windows to match existing. This element of the proposal is therefore considered acceptable.

7.2.2 Dormer roof extension

The proposed dormer would involve a Juliette balcony. The dormer itself would be set down from the main roof ridge and set back slightly from the rear elevation. Materials include vertical natural slate to dormer cheeks to match existing and white PVC-U windows. This element of the proposal is therefore considered to be subservient to the main roof and in keeping with the character of the main building. There are a number of dormer windows on the rear of houses in the local surrounding area.

7.2.3 Outbuilding

It is noted the outbuilding was under construction during the site visit. However at 2.5m high and 4m deep, the proposal is considered to be of a scale, form and appearance which does not appear as a bulky addition and as the materials involve using fair faced brickwork to match existing, the proposal is considered acceptable.

7.2.4 Overall, the proposal is considered acceptable to the character and appearance of the host building and the surrounding area.

7.3 Neighbouring Amenity

7.3.1 SPP Policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise. The properties which may be affected by the proposal include 34 and 38 Aston Road and 34 and 36 Clifton Park Avenue.

7.3.2 34 and 38 Aston Road

It is noted both adjoining properties have existing single storey rear

extensions and the rear of these properties are south west facing. As such the proposed single storey rear extension at 3.8m in depth with a maximum height of 2.5m is not considered to result in a loss of daylight or sunlight or be overbearing and visually intrusive.

7.3.3 Similarly the outbuilding has a maximum height of 2.5m and 3.8m in depth. As such and due to the minimal height of the proposal and depth, the proposal is not considered harmful to neighbouring amenity.

7.3.4 The proposed dormer roof extension would provide views into the adjoining neighbours' rear gardens but no more than from the first floor rear windows. As such this element of the proposal is also considered acceptable in terms of amenity.

7.3.5 34 and 36 Clifton Park Avenue
As the proposed single storey rear extension and outbuilding are no higher than 2.5m in height, these elements of the proposal are not considered to cause a loss of daylight, sunlight or be visually intrusive and overbearing. And as there is a reasonable separation distance of approximately 22m, the proposed roof extension is not considered to harmful to these neighbours amenity.

7.3.6 Overall, the proposal is considered acceptable to the amenity of these neighbouring properties in terms of loss of day light/sunlight, quality of living conditions, privacy, visual intrusion and noise.

7.4 Standard of accommodation: internal and external spaces

7.4.1 Internal

Policy 3.5 of the London Plan 2016 requires housing development to be of the highest quality internally and externally, and should satisfy the minimum internal space standards (specified as Gross Internal Areas –GIA) as set out in Table 3.3 of the London Plan. Table 3.3 provides comprehensive detail of minimum space standards for new development; which the proposal would be expected to comply with. Policy DMD2 of the Adopted Sites and Policies Plan (2014) also states that developments should provide suitable levels of sunlight and daylight and quality of living conditions for future occupants.

Flat No.	No.of beds	No. of persons	No. of storey's	Required GIA (sqm)	Proposed GIA (sqm)	Compliant
1	1	1	1	37*	43.81	Yes
2	1	2	2	58	59.03	Yes

* Where a one person dwelling has a shower room instead of a bathroom, the floor area may be reduced from 39m² to 37m², as shown bracketed.

As demonstrated by the table above, both of the units meet the London Plan space standards.

7.4.2 External

In accordance with the London Housing SPG and Policy DMD2 of the Council's Sites and Policies Plan, it states that there should be 5sqm of external space provided for private outdoor space for 1-2 person dwellings and an extra 1sqm provided for each additional occupant.

- Flat 1 would provide outdoor amenity space with an area of 41.32sqm, this would satisfy the minimum requirements.
- Flat 2 does not have any amenity space and would therefore not satisfy the minimum requirements. However as Flat 2 will provide a study space as well as a dining room space, the proposal is considered to have overcome the lack of amenity space and is therefore considered acceptable. Further, conversions of single dwellings can often be difficult to incorporate outdoor terraces due to amenity issues.

7.5 Transport, parking and cycle storage

7.5.1 Core Strategy Policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management. Cycle storage is required for all new development in accordance with London Plan Policy 6.9 and Core Strategy Policy CS18. It should be secure, sheltered and adequately lit and Table 6.3 stipulates that one cycle parking space should be provided for a studio/1 bedroom unit and 2 spaces for all other dwellings.

7.5.2 As details have not yet been provided for dedicated storage, it will be conditioned below. In addition as this road is in a Controlled Parking Zone, it is therefore recommended to have a S106 agreement in place to ensure one of the flats is permit free in order to reduce demand for on street parking.

7.6 Refuse

7.6.1 For the proposed two flats the following are the recommended bin capacity to avoid overflowing bins and residents leaving items on the floor by the bins:

- 1x 180L wheelie bin for refuse
- 1x 180L wheelie bin for paper and cardboard
- At least 1 x 55L box for all mixed recycling – residents can request more than one.
- 23L x Outdoor kitchen caddy

7.6.2 Based on the plans provided, it is considered there is sufficient space to store these bins at the front of the site as this is the most accessible way for waste to be collected. However as details have not yet been provided for dedicated storage, it will be conditioned below.

7.7 Sustainability

7.7.1 All new developments comprising the creation of new dwellings should demonstrate how the development will comply with Merton's Core Planning Strategy (2011) Policy CS15 Climate Change (parts a-d) and the policies outlined in Chapter 5 of the London Plan (2016).

7.7.2 As a minor development proposal, the development should outline how it will achieve a 19% improvement on Buildings Regulations 2013 Part L and submit SAP output documentation to demonstrate this improvement. The development would also need to achieve internal water usage rates not in excess of 105 litres per person per day.

7.7.3 The applicant has not provided an Energy and Sustainability Statement. They have been made aware of sustainability requirements and I therefore recommend that Merton's Standard Sustainable Design and Construction (New Build Residential- Minor) Pre-Occupation Condition is applied to any grant of permission.

7.8. Developer Contributions

7.8.1 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

8.0. CONCLUSION

8.1.1 Opportunity to provide additional residential accommodation should be creatively sought, and increasing the density on the existing site is a recognized route.

8.1.2 On balance and taking into consideration the inherent constraints of the site, the proposed residential units would provide acceptable internal and external space standards and the accompanying extension works to accommodate the conversion are considered appropriate in their layout, heights, scale, form and design and would not be incongruous additions to harm the character of the host dwelling, surrounding area or neighbouring amenity. The proposal would also not have a detrimental impact on highway safety or parking pressure.

8.1.3 Therefore, the scheme would adhere to the principles of the policies referred to above and it is recommended to grant planning permission subject to the attachment of relevant conditions and S106 Agreement.

9.0 RECOMMENDATION

Grant planning permission

Subject to the following conditions:

1. A1 Commencement of Development
2. A7 Approved Plans
3. B3 External Materials (as submitted)
4. C02 No permitted development
5. C06 Refuse and Cycling
6. C08 No use of flat roof

7. D11 Construction times
8. E06 Ancillary residential accommodation
9. H06 Cycle parking
10. H09 Construction times
11. No part of the development hereby approved shall be occupied until evidence has been submitted to, and approved in writing by, the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 19% improvement on Part L regulations 2013, and internal water consumption rates of no greater than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.

Subject to S106 Agreement Securing the following:

1. Permits to park in the controlled parking zone will be restricted for the first floor flat only.

Informatives:

1. Carbon emissions evidence requirements for Post Construction stage assessments must provide:

Detailed documentary evidence confirming the Target Emission Rate (TER), Dwelling Emission Rate (DER) and compliance with the 19% improvement of DER over TER based on 'As Built' SAP 10 outputs (i.e. dated outputs with accredited energy assessor name; registration number, assessment status, plot number and development address); OR, where applicable:

-A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP 10 outputs; ANID

Confirmation of Fabric Energy Efficiency (FEE) performance where SAP 10 section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2015 and Policy CS15 of Merton's Core Planning Strategy 2011.

2. In accordance with paragraph 38 of the NPPF, The London Borough of

Merton (LBM) takes a positive and proactive approach to development proposals focused on solutions. LBM works with applicants/agents in a positive and proactive manner by:

- i) Offering a pre-application advice and duty desk service.
- ii) Where possible, suggesting solutions to secure a successful outcome.
- iii) As appropriate, updating applicants/agents of any issues that may arise in the processing of their application.

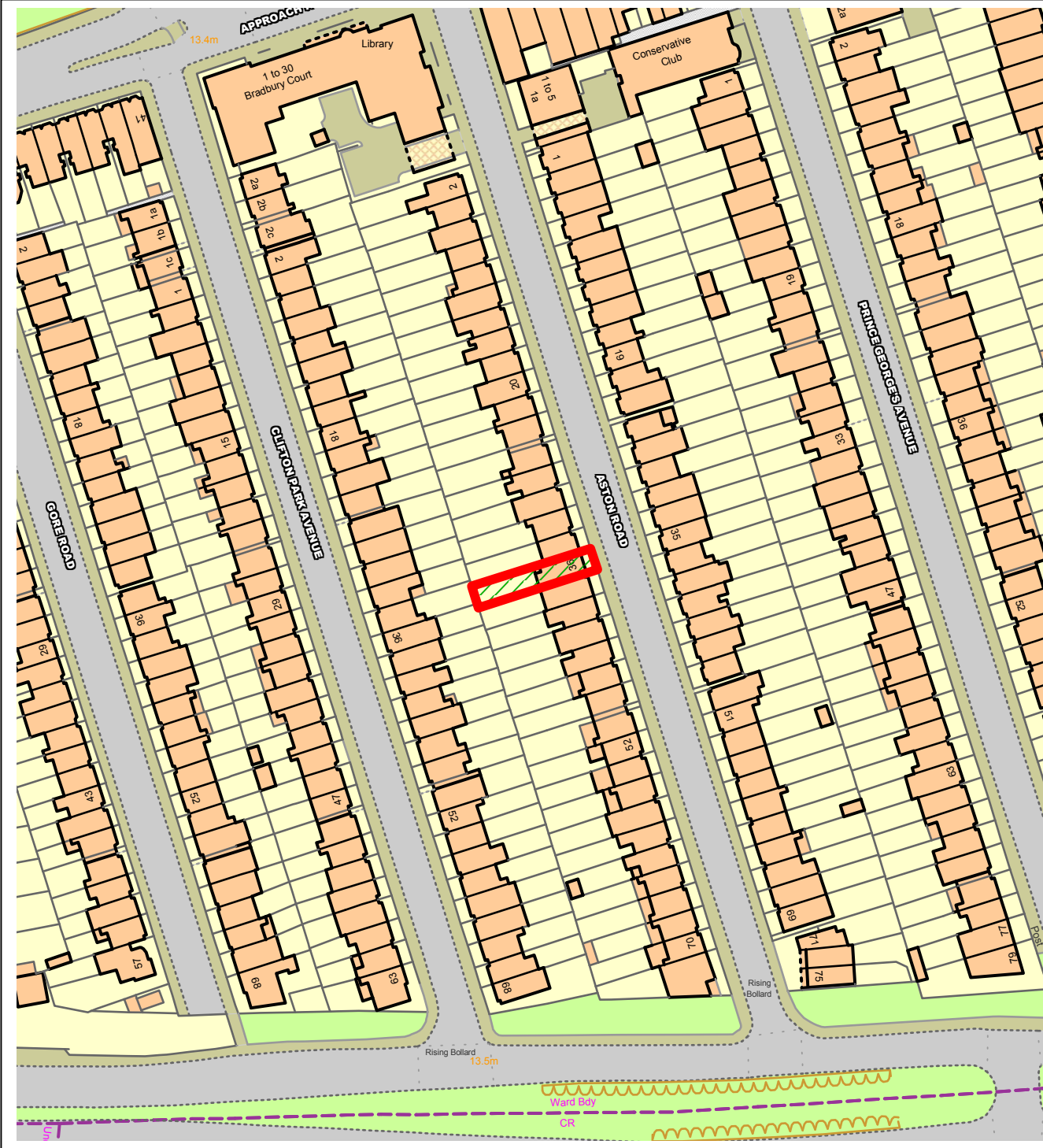
In this instance:

- i) The application was amended during the application process and no further assistance was required.

[Click here](#) for full plans and documents related to this application

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NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE 17 OCTOBER 2019

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
17/P0296	17/03/2017
Address/Site	141 The Broadway, Wimbledon, SW19 1QJ
Ward	Abbey
Proposal:	Redevelopment of site to create 20 x self-contained flats within a six storey residential block with new frontage to ground floor commercial unit
Drawing Nos	20-00 P03, 20-RF Rev P03, 20-01 Rev P03, 20-02 Rev P03, 20-03 Rev P03, 20-04 Rev P03, 20-05 Rev P03, 20-06 Rev P03, 20-07 Rev P03, 21-01 Rev P05, 21-03 Rev P04, 21-04 Rev P05 and 29-01 Rev A.
Contact Officer:	Stuart Adams (0208 545 3147)

RECOMMENDATION

GRANT Planning Permission subject S106 agreements and conditions.

CHECKLIST INFORMATION.

Heads of agreement: - Affordable Housing (early and late stage viability review mechanisms required), Permit Free & Carbon Off-set shortfall
Is a screening opinion required: No
Is an Environmental Statement required: No
Has an Environmental Impact Assessment been submitted – No
Press notice – Yes
Site notice – Yes
Design Review Panel consulted – Yes (at pre-application stage)
Number of neighbours consulted – 103
External consultations – No.
PTAL score – 6a
CPZ – VOs

1. **INTRODUCTION**

- 1.1 The application has been brought before the Planning Application Committee for consideration in light of the number of objections received against the application and officer recommendation of grant permission

subject to conditions and S106 agreement. The application had also been called in by former Councillor, Councillor Chirico.

- 1.2 The application was deferred by the planning committee on 25th April for officers to seek clarification on whether the proposal had gone before the Design and Review Panel. The applicant was then deferred by the planning committee on the 18th July 2019 so that the applicant could respond to the MET Police comments 8th July 2019 to see if the residential access to the building could be moved to the front of the building.

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a three storey period building with a hipped roof on the south side of The Broadway, Wimbledon. The ground floor has been in use as a bar/restaurant (Class A3/A4) for a number of years with residential accommodation above. The building has a single storey rear extension with plant equipment accommodated on top and with an external seating area behind. The property is gated to the front with a low wall and metal railings to the public footpath and main road. Vehicular access is possible to a service area to the west flank of the building.
- 2.2 The immediate surrounding area is mixed both in use and townscape terms. Immediately to the west of the site is Ashville House (Nos 131-139 Broadway), a 1980's four storey mixed use red brick building. To the east is 151 The Broadway (CIPD building), a relatively recent 5/6 storey office development with a contemporary appearance and a distinctive curved glazed frontage with a buff brick surround. Opposite the site is Broadway House, a recent 6/7 storey residential led mixed-use development with retail at ground floor constructed in a mixture of brick, white and grey cladding and timber. To the west of the site are houses in Palmerston Road.
- 2.3 The site is not in a Conservation Area nor is the building included on the statutory or non-statutory listing.

3. CURRENT PROPOSAL

- 3.1 Refurbishment of existing ground floor commercial unit, demolition of the two existing residential upper floors and replacement with 6 new floors providing 20 self-contained flats (10 x 1 bedroom and 10 x 2 bedroom flats).

Amended Plans

- 3.2 Following advice from the Councils Design Officer, the treatment of the frontage and sides of the building has been amended. The winter gardens

and balconies have been replaced with smaller external balconies and introduction of more brickwork.

- 3.3 The proposed ground floor would retain its existing use and seek to refurbish the exterior of the ground floor with a modern design approach. This would include full height glazing to the front and side and an aluminium framing and banding above.
- 3.4 The upper level would also incorporate a modern design approach with the predominate use of a yellow stock brick, full height windows with aluminium framing, glazed balconies and a large flank certain wall.
- 3.5 In terms of the height of the proposed building, the main building frontage (floors 1 to 5) would sit below the top of the curved frontage of the adjoining CIPD building. The recessed top floor whilst projecting above the curved glass frontage of CIPD would sit below the corresponding roof level of CIPD. The recessed top floor would be of lightweight construction and have a subordinate design approach, being set back from the building frontage and flank.
- 3.6 The proposed flat sizes in relation to the London Plan GIA standards are as follows:

	Dwelling type (bedroom (b)/ /bedspaces (p))	London Plan (sqm)	GIA (sqm)	Amenity Space (Lon Plan)	Amenity Space (Proposed)
Flat 1	1b2p	50	55	5	4.5
Flat 2	2b4p	70	75	7	9
Flat 3	2b4p	70	74	7	10
Flat 4	1b2p	50	54	5	5
Flat 5	1b2p	50	55	5	4.5
Flat 6	2b4p	70	75	7	9
Flat 7	2b4p	70	74	7	10
Flat 8	1b2p	50	54	5	5
Flat 9	1b2p	50	55	5	4.5
Flat 10	2b4p	70	75	7	9
Flat 11	2b4p	70	74	7	10
Flat 12	1b2p	50	54	5	5
Flat 13	1b2p	50	54	5	4.5
Flat 14	2b4p	70	75	7	9
Flat 15	1b2p	50	50	5	9
Flat 16	1b2p	50	60	5	5
Flat 17	1b2p	50	55	5	4.5
Flat 18	2b4p	70	75	7	9
Flat 19	2b3p	61	63	6	12
Flat 20	2b4p	70	74	7	29

- 3.7 The residential entrance to the building has been relocated from the side of the building to the front elevation. The residential access would have a width of 1.2m and length of 14.7m. A 2m high gate is added to the side passage. All communal access areas to have CCTV coverage starting from the entrance and to all levels of the building. The planting beds to the front and rear have been increased in size. The planting bed to the side has been enlarged in size and relocated towards the rear of the site. Bin storage has been amended to include a separate location for commercial and residential.

4. **PLANNING HISTORY**

- 4.1 16/P2585 - Redevelopment of site with demolition of 1st & 2nd floors levels, remodeling of retained ground floor restaurant (class a3) and erection of 6 storey building consisting of 16 residential units (7x 1 and 9 x 2 bedroom flats). (identical to previous application 14/P1008 dismissed at appeal for lack of legal agreement relating to affordable housing) – Agreed by members of the planning committee at the September 2018 meeting. To date, the application is pending the completion of the S106 agreement.
- 4.2 14/P1008 - Demolition of first and second floors of existing building, retention of ground floor within use class A3 and erection of six storey building to provide 16 residential units – Refused at Planning Application Committee on 13/10/2015 for the following reason:

The proposed building due to its design, detailing, materials and proportions would fail to appropriately relate to the architectural forms, language, detailing and materials which complement and enhance the character of the wider setting and would therefore fail to achieve a high quality design that relates positively and appropriately to the rhythm, proportions and materials of surrounding buildings. The proposal would therefore be contrary to policies DM D2 Design considerations in all developments & DM D3 Alterations to existing buildings of Merton's Sites and Policies Plan and CS 14 (Design) of Merton's Core Planning Strategy (July 2011).

An appeal was lodged against the refusal, (Appeal Ref – APP/T5720/W/16/31430), which was dismissed by the Planning Inspector in May 2016. In reaching his decision to dismiss the appeal, the planning inspector considered that the two main issues were the effect of the proposed development on the character and appearance of the street scene and whether the proposed development makes adequate provision in respect of local infrastructure. The planning inspector considered that the proposed development would not have an unacceptable impact on the character and appearance of the street scene. However, he found that the

although the appellant had indicated their willingness to enter into a legal agreement, the lack of a signed and completed agreement meant the appeal proposal failed to secure appropriate financial or other contribution towards the provision of affordable housing. The scheme was therefore contrary to Policy DM H3 of the Sites and Policies Plan and Policy CS8 of the Core Strategy.

- 4.3 07/P0817 - Display of various internally illuminated signs to the building and a freestanding double sided internally illuminated sign in the forecourt – Grant - 04/05/2007.
- 4.4 02/P2477 - display of various externally illuminated signs to the building and forecourt – Grant - 09/01/2003
- 4.5 98/P1619 - Display of non-illuminated fascia signs and an externally illuminated pole sign – Grant - 23/03/1999 23/03/1999
- 4.6 98/P1072 - Erection of single storey front extension in conjunction with use of ground floor of property as restaurant/bar with alterations to roof of existing rear conservatory, provision of covered dining area with a canopy within existing rear beer garden and erection of 2.4m high gates across side passage – Grant - 20/11/1998
- 4.7 94/P0404 - Erection of a canopy above front entrance – Grant - 13/07/1994
- 4.8 94/P0403 - Installation of no.1 externally illuminated fascia sign on front elevation of premises – Grant - 13/07/1994
- 4.9 89/P0469 - Display of a double sided internally illuminated projecting box sign – Grant - 20/06/1989
- 4.10 87/P1598 - Erection of a single storey conservatory at rear of existing public house – Grant - 11/02/1988
- 4.11 MER7/70 - Single sided illuminated box sign – Grant - 19/03/1970
- 4.12 MER855/69 - Double sided illuminated sign – Grant - 27/10/1969

5. **CONSULTATION**

- 5.1 The application has been advertised by major site notice procedure and letters of notification to the occupiers of neighbouring properties.
 - 5.1.1 In response to the consultation, 11 letters of objection, including one from Wimbledon E Hillside Residents Association (WEHRA) and The

Wimbledon Society have been received. The letters raise the following objections (based on the original set of plans, before they were amended):

5.1.2 Objection letters

Neighbour Impact

- Severely affect natural lighting to the adjoining CIPD building and atrium which is a major design feature.
- Overlooking. Made worse by the very large floor to ceiling windows and fully glazed roof terraces. The glass to the balustrades should be frosted.
- Overshadowing
- Solar panels on the roof will harm the vista from the other side of the street.
- The ground floor use should be restricted to A1 to prevent nuisance to surrounding residents. Hours of opening should be restricted to prevent late night activity
- Construction hours should be limited to Monday to Fridays (not weekends) to prevent nuisance to surrounding residents.
- The plans have 12 balconies facing towards Palmerston Road as well as other windows doing the same. This would be a significant intrusion into gardens which at present is barely overlooked. The balconies would no doubt lead to significant increases in the level of noise in an area that is currently very quiet.
- Obscure views

Design

- The quality of the materials and overall design are inappropriate and out of keeping.
- High quality design (compared to refused scheme) is welcomed but some concerns remain.
- The height of the building risks turning this section of The Broadway into an urban corridor comprising featureless tall buildings.
- Balconies in apartment blocks often become cluttered as they are used for storage of bicycles, BBQ's etc. A condition should be imposed in the leases which prevents owners/occupiers from doing this.
- No plant or machinery should be allowed to be installed on the roof so as to protect the vista from the other side of the street.
- There is no requirement for the site to be re-developed, especially in a way that is so out of character with the current building.
- Contribute to the further erosion of the character of The Broadway and Wimbledon, which runs the risk of becoming another corridor to concrete, steel and glass high-rise buildings, dwarfing traditional and long-standing brick built terraced houses.

- The design is too massed, coloured and bulky
- It detracts from the architectural merit of the CIPD building next door, which in turn completely loses its context and just looks ugly and dominant
- A main feature of the CIPD is the lovely glass atrium and this building would obviously steal the light necessary to make this an attractive feature.
- The 3 buildings together, The Premier Inn, CIPD and this, look awful alongside each other, too much use of green coloured panels and similar design features (grids, see below), whilst the same (ish) heights and different shapes, they need breaking up and differing, especially regarding height.
- The bulky boxes on the front are ugly and dominant with no grace at all
- The brick side of the building actually fits the frontage better than the actual frontage design as it echoes the CWD building opposite.
- The entrance level looks like a cheap domestic temporary greenhouse and has no architectural or aesthetic merit whatsoever.

Use

- Where possible planning conditions should be imposed to seek to retain the Made in Italy restaurant at this location in the town centre
- No family accommodation proposed
- Do we really need more commercial space?

Affordable Housing

- Proposal does not secure appropriate financial or other contributions towards the provision of affordable housing

Highways

- High parking issue in the area. Development should be permit free

Other

- Impact on already strained services, including trains
- Loss of property value

5.1.3 Wimbledon East Hillside Residents Association

WEHRA represents over 800 households just to the north of the town centre, and as the area grows, our community has been suffering many negative impacts. This is not acceptable to Wimbledon's Primary Stakeholders: its Residents. It is wrong to encourage developments lead ultimately to the deterioration of our neighbourhoods.

Overall, the proposed building is a big disappointment. Why doesn't Applicant doesn't heed the advice already given, as the site is an important one not just to them, but to every one of us in Wimbledon. It is

next to the refreshingly delightful, award-winning CIPD building. The building works. The occupants are happy to work there. Premier Inn will be built on the western side of the CIPD, and we need something equally or even more respectful and sympathetic to the 'Building of Merit' that is the CIPD. Our concerns are:

Excessive Height

It appears the proposed building is a full storey taller than the CIPD next door. Concern has been raised about what real height is being proposed, and until that is resolved, the Application should be withdrawn from consideration. Why should such an ordinary proposal be allowed excessive height? We are urging the Council to build a memorable, pleasant Street Scene for future generations, and this tall building does not fit the bill.

Glass and Terraces

The Broadway frontage is about 80% glass, without justification for such heavy-handedness. The terraces overlooking the Broadway will - within a few months - be full of rubbish, old furniture, clothes hanging over the balcony drying, etc. We know because this design error has been approved in the past in our area, and we now all have to live with the consequences. Drying racks hanging out front all day long, broken toys and old bikes rusting, etc. It is wrong to allow flats to have clear glass terraces visible to all.

Further, it is likely these will be buy-to-let investments. Tenants are generally not bothered about dirty glass windows, cheap, badly hung curtains, and how all that looks from the footpath. We as local residents DO CARE what our community looks like, and we don't want to see this view, when we are on the Broadway. Please remove the terraces and design a building with smaller apertures, including a distinctive design feature (see attached) that contributes POSITIVELY to Brand Wimbledon.

Situation on Plot

The existing restaurant projects too far forward as it stands. Any new build needs to be stepped back, and not so prominent on the footpath. Instead trees and shrubs in deep planting beds need to be added, not a bigger building. The Number One 'want' from the Wimbledon Workshops was to 'green up' the town. This is important and indeed essential. We recommend the entire building be set back, allowing room for a copse of silver birch fronting the Broadway, to mitigate the effects of heavy air pollution.

Car Free

Car-Free is appreciated; a Section 106 Condition is required to ensure no business, resident or visitor parking permits are ever issued to Landlord,

tenants or their visitors The bikes stores appear poorly planned and located. Other developers are doing ground or ramps, with basement locked areas for bicycles. It would deter use, if cyclists must carry their bikes upstairs, to store.

Sustainable Design

Where is the Applicant's commitment to build a BREEAM Excellent or Very Good building? We need buildings to last 100 years or more, not 20 years or so, like most others in WTC. Where are PV panels, rainwater collection, storage and re-use plans to wash the many glass windows (they will be filthy within days ...), free water to wash down the footpaths, and water trees Where are the street and frontage trees, needed to counter the serious pollution that the Broadway suffers? Where is the green screen to the rear of the property? We urge the Applicant to include swift boxes on the roof, as other developers are doing throughout the area

Offices vs Residential

We've heard *ad nauseum* that this area is for OFFICES. We are surprised then to see this proposal for residential, situated in between two office blocks. We understand the Masterplan is nearly drafted, and surely the need for offices outweighs the need for small flats in this area. If any residences are needed, they would be smaller, more affordable family homes, not flats.

In any case, the visuals for this proposal suggest it is an office block. Can the Applicant reconsider, and return with an appropriate building for this important, Future Wimbledon site?

In sum, Wimbledon Residents are looking for Buildings of Merit. This proposal falls short on so many levels, we urge you to REFUSE PERMISSION and ask the Applicant to return with a sensitively considered proposal, or sell it on to somebody who can do it right.

5.1.4 The Wimbledon Society

Over prominent:

The size and massing of the proposed building is too large for the site. It is not in keeping with the size and scale of the area. The proposal is too high and would create overshadowing. It is the Society's view that it should finish at level 5 i.e. the roof should be at 15800

Loss of privacy:

The windows and balconies and glazing in the proposed building would detrimentally affect the use of adjoining buildings and gardens.

Balconies:

Residential balconies overlooking the main road are inconsistent with the character of that side of The Broadway.

Parking: there is existing pressure on parking in the area and no parking provision in the proposal will increase this.

Lack of affordable housing:

Applications 14/P1008 was rejected by the Council on the basis that it failed to secure affordable housing. There appears to be no mention of affordable housing in this application so it fails to make adequate provision in terms of local infrastructure.

Inadequate residential entrance:

The entrance to the residential block is at the side is not a visually defensible' area as it is hidden from the public highway; there is a connection between the retail unit and the access to the residential block at ground level which is a security weakness.

Policy DMD2A (Sites and Policies Plan of 7/2/14) concerning design considerations in all developments, says in (a) (I) "Proposals for all development will be expected to... relate positively and appropriately to the rhythm... proportions... materials ... or surrounding buildings". The Wimbledon Society does not believe that the development relates positively to its neighbours. This application does not follow the Council's policies and so the Wimbledon Society opposes the application.

Re-consultation (24th June 2019)

5.1.5 In response to concerns from neighbours that the proposed elevations did not accurately show the height of the adjoining CIPD buildings, the applicant has provided updated surveyed elevations showing the heights of adjoining buildings. Neighbours were re-consulted on the additional information on the 24th June 19.

5.1.6 In response to re-consultation, 2 letters of objection received. The letters raise the following points:

- Development is far too large for the site. Not in keeping with the size and scale of the area. Does not relate positively to its neighbours
- Height and the footprint are overbearing.
- Loss of privacy, light and sunlight
- Balconies facing directly south will be able to see into gardens and properties.
- Balconies overlooking the main road are inconsistent with the character of that side of The Broadway.

- The building should be stepped back further so not to be so overbearing to the existing neighbours.
- There is existing pressure on parking in the area and no parking provision in the proposal will increase this.
- Lack of affordable housing
- Inadequate residential entrance, the entrance is located at the side and is not a visually defensible area. There is a connection between the retail unit and the access to the residential block at ground level, which is a security weakness.

Re-consultation (12th September 2019)

5.1.7 In response to concerns raised regarding comments from the MET police (8th July 2019) at the planning applications committee meeting on 18th July 2019, the scheme was deferred by members. In response, the applicant has amended the scheme to relocate the residential entrance from the side of the building to the front. Neighbours and internal/external consultees were consulted on the changes on 12/09/2019.

5.1.8 In response to re-consultation, 2 letters of comment and 1 letter of objection was received. The letters raise the following points:

Comments

Met Police (18th September 2019)

5.1.9 The amended plans particularly the SBD drawing no 20-07 rev P02 shows the results of our discussion with numerous amendments introduced into the design, which are a benefit to security and safety. However I have a couple of points to raise.

There appears to be several links between the ground floor commercial unit and the residential areas for use of refuse collection and emergency fire egress both of which will be managed.

- There appears to be on access to the visual garden for maintenance, a secure lockable door should be installed.

Crime Prevention and community safety are material considerations. If London Borough of Merton are to consider granting consent, I would seek that the following conditions details below be attached. This is to mitigate the impact and deliver a safer development in line with Merton Core Strategy, London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF)

Suggested two part condition wording:-

A. The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

B. Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

The appropriate Secured by Design (SBD) requirements can be found in the design guides on the SBD web site (www.SecuredbyDesign.com)

Tree Warden Group Merton

5.1.10 The 'suggested' irrigation system (i.e. not definite) to all planting beds is to be welcomed but should be included and extended to the two rowan trees at the front of the building, as they form the most important and long lived part of the scheme.

- The revised west elevation is inaccurate, in that it shows planting against the elevation whereas it is proposed on the boundary,
- The spec. for wire climber supports should read that 4 rows of cables would be needed (not three) to reach 2m height,
- Dependent on the height of the south boundary wall, the choice of plants proposed may still be inappropriate as lavender, grass, fig like sunny conditions,
- Also there are better choices for the west boundary than scrambling evergreen clematis which will require regular training & management to establish well.

Objection

- 5.1.11 The design, placing a small front door entry point on the street for residential access, cobbled onto the commercial entity which makes up more than the majority of the façade, falls short of being called an integral design.

Nonetheless, it is an improvement on an entry point in an alleyway 13 metres deep.

There remain some key sticking points, and accordingly I continue to object to these proposals:

In order to ensure that the security amendments made are suitable, could you please clarify:

- 1- Entry points/walkway: What are the width measurements for the new access entry walkway? What is the circulation space down the corridor and around the lift area?

The amended Design and Access statement and subsequent floor changes including the SBD drawings don't offer any measurements. I would like to be reassured that the access is double- width: wide enough for a wheelchair user, double buggy and that there is room for more than one person to pass each other when entering the front door, down the corridor/walkway to the lift area. The drawings don't indicate that.

Access to the residential area – 20 flats - must be comfortable and not cramped. It appears small and ungenerous in the drawings. Are mobility access facilities included? I can't see any.

- 2- Waste: What are the waste/recycling servicing arrangements for the residential block?

Where will the truck remove the waste from? Transport statement needed?

- 3- What are the waste/food delivery arrangements for the commercial entity (restaurant)? I see that there are now designated bins for the commercial entity which is great.

I am assuming that the gated alleyway will now be too narrow to allow a waste/recycling truck to back into it for servicing/food deliveries?

Other issues:

Balconies and overlooking:

- A) The balconies continue to cause severe overlooking both on the North and South elevations. There has been no attempt whatsoever to address this issue other than to reduce them by 20 cms. They still jut out at 1.5m in a cantilevered style which is extremely intrusive. One set of balconies are so close to the CIPD next door, office workers will have a straight view to flat occupants and vice versa. The North and South elevations overlook directly into bedrooms on Chorus building and amenable spaces on the rear with Griffiths and Palmerston properties.
- B) The jutting cantilevered balconies also cause harm to the curved frontage of the CIPD because it eats into almost half of the curvature. Instead of viewing the full award-winning curvature of the glass façade, you will see the cheap balconies instead. Whether you love or hate the CIPD, its curved front provides a positive contribution to the streetscape which can be seen from a distance. These planned balconies cause harm. This needs to be addressed.
- C) In addition to the overlooking, the style of the balconies are cheap, industrial, and visually intrusive on a prime location on The Broadway which will be seen all the way to the Wimbledon Conservation Area. Balcony solutions to mitigate overlooking and visuals include:
- Juliet Balcony windows with doors opening inwards to create a long vista out and create a comfortable sense of space. They avoid issues of neglected, smeared glass and clutter and storage being the face of a main thoroughfare into a “Brand” town.
 - The courtyard space of this development is not being used. One solution would be to place the balconies there instead - it is simple, not costly, and a huge improvement to health as the front experiences heavy car and bus traffic/fumes. (Drawings attached)
- D) One other complication remains that the building has been pushed forward by the Council’s urban designer. If this were a characterful building with fine details, such a move wouldn’t be detrimental. However, given that this development is generic and mundane at best, the building line should be in line with the CIPD. Every attempt needs to be made to ensure its visibility from listed buildings and well into the Conservation Area is muted.

Materials:

Whilst brick is now being used, the extensive use of glass for balconies and grey powered aluminium and steel and render is unsympathetic for its location. Glass balconies look fine and sleek on paper, but in reality and on a busy polluted thoroughfare, they become smudged with thin black film and streaked with rain water marks. They tire easily and look neglected unless the occupants really take care of them. This building is on a main busy road into Wimbledon Town and Village and aesthetics with sustainability do count. The CIPD regularly cleans its glass building from top to bottom so that isn't an issue, but with privately-owned properties, it will be left up to the occupant. Glass balconies do not stay sleek!

If Premier Inn could replace render with Portland Stone, this development two doors down should do so as well. The balconies need to be redesigned and rethought out as the face to this development.

Landscaping: I welcome changes in the landscaping but would urge the applicant to maintain dialogue with the Wimbledon Tree group to ensure any greenery thrives.

E) No affordable housing remains a sticking point. The previous scheme offered 6 units for lesser units (16) ; yet we have 20 units and no affordable contributions. The viability report does not take into consideration the actual value of those units on a prime Wimbledon thoroughfare, in the absence of political uncertainty. With the Council maintaining the need for housing, it regularly is unable to hold developers to account to provide affordable housing which is in most need. Wimbledon flats languish unsold. Round the corner from this site on Griffiths Road, two years on, new flats remain unsold. It is affordable housing that Merton desperately needs, not more luxury flats and developers are regularly finding ways to bypass this need.

5.2 Transport Planning

5.2.1 No objection subject to condition and S106 agreement (permit free development)

5.3 Climate Officer

5.3.1 No objection subject to conditions and S106 agreement.

5.4 Design Officer

5.4.1 No objection (based on amended plans) subject to conditions

Original Design Officers comments (9th May 2017)

Overview

- 5.4.2 This is a proposal for the intensification of a site that contains one of the original buildings from the development of Wimbledon following arrival of the railway. The aim is to retain the existing ground floor and use, and this in itself presents some difficulties with developing the site. The existing building has been much altered and is not considered a heritage asset and redevelopment and intensification is supported in principle.
- 5.4.3 The chosen land use of residential, in an area of predominantly commercial uses, even at the upper floors, presents challenges regarding overlooking, privacy, daylight, amenity and the ability to successfully intensify the adjacent site. As a result many of the windows in the west elevation are opaque for the majority of their height. However, in all cases there are clear windows facing north and south as well. The land use is considered appropriate to the location and supports the mix of uses expected in town centres to contribute to their vitality.

Urban design principles

- 5.4.4 Wider scale urban design principles of permeability, legibility etc. are not directly relevant to this single site proposal.

Siting, density, scale, height

- 5.4.5 The main part of the building is sited to occupy almost the full width of the site facing the street, allowing access to the side into a courtyard. The rear of the building is separated from the front by the access core and a lightwell. This enables all the units to be dual aspect and is considered an important part of the design that enables the site to be successfully intensified. The building steps back at the rear to reduce visual impact on properties to the rear and side.
- 5.4.6 The layout breaks up the mass of the building on this rather small site. The building also aligns itself slightly forward of the brick elevation of the adjacent CIPD building, but not so far as to obscure or compete with views from the west of this building's distinctive cantilevered glazing. The ground floor extends out further, beyond which there is an outdoor seating area. Getting this arrangement right is key to developing the site and the applicant, after a number of attempts, seems to have got this right, with a good justification and imagery to show this.
- 5.4.7 The density of the building is 20 units on 0.084ha, which is a density of approx. 245u/ha. Wimbledon is considered an urban area and the units are at the lower end hr/ha range. This gives an appropriate density range of 70-260u/ha. The density is therefore considered appropriate.

5.4.8 The scale of the building is also appropriate. It is broken up into a number of constituent elements that work well together in a sensible and proportioned way. The building is similar in height to the CIPD and slightly lower than the consented scheme on the opposite side of CIPD. Therefore the proposal accords well with the Council's policy for tall buildings in Wimbledon.

Massing, rhythm, proportions, materials

5.4.9 The massing, rhythm and proportions of the building stem from the strong vertical feel given by the projecting glass bay windows. This is a strong theme that runs through all the elevations. It does not however, make the building seem too tall. The ground floor has a more human scale and horizontal emphasis for the different use. This works well, relating the building clearly to the street and giving the building a clear base.

5.4.10 The only discordant element, and a change from the previous pre-application design, is the fragmentation of the bays between different levels. This currently does not work well visually. The tight gap between the bottom and middle bay is the main discordant feature, and it would be better if the second level of the residential had an open balcony as with the ones above it. They would sit together more comfortably. Alternatively, if this doesn't work well, reverting to the original single bay could be more suitable.

The local urban context and historic context

5.4.11 The building draws on the use of brick as a key material that relates to the immediate context of the CIPD and that of Wimbledon in general and gives a solid feel from which to display the more contemporary elements of the façade. It is also clearly a modern building in a town centre and the balance between modernity and local context is considered appropriate.

Architecture

5.4.12 The architecture is modern and attempting to be contextual, whilst not competing with nearby buildings, particularly the CIPD. A number of key elements of the details will be vital to develop further for the discharge of conditions if this building is to have a high quality feel. This includes the detailing of balconies, how the sliding louvres work, the recess of the windows in the bays and how the windows fit within them, the detailing of the glazing in general and the frames for the glass and how the transition is made from opaque to clear glass on the western elevation. All of these details need to be conditioned.

Landscape

5.4.13 It is important that the entrance courtyard for the flats is well landscaped and welcoming. Further details on the design of this space are needed as

this space currently looks spartan. The entrance to this space is recessed from the footway and could present a poorly surveyed part of the public realm that could attract anti-social behaviour. Bringing the gate forward would address this. It is also unclear how the rear yard of the building will be used and accessed. It is important that there is no spill-out of the restaurant (or any different retail) use into the residential courtyard. More detail on how this space is to be used and managed is needed.

The public realm

- 5.4.14 The space in front of the ground floor projection is given over to a slightly raised outdoor seating area. Whilst this is appropriate for the use, it gives little back to the public realm as the footway here remains very narrow. The balance of space here is poor for the public realm and promotion of walking and a quality and comfortable environment for pedestrians. It is recommended that the footway is widened and that if possible there are no stepped level changes. If this means the ground floor projection is set back a little more this should not be a problem.

Summary

- 5.4.15 This is a building in a challenging location with a challenging use for this location. The composition of the building is good and distinctive. It will be critical to get the details right to ensure this building fulfils its promise. It has come a long way since the original pre-application and is also a considerably better building in all respects compared to the recently refused application.

Updated Design Comments (9th May 2017)

- 5.4.16 There is only one significant alteration to the design as far as I can see. This is that the balconies now project further than before. Previously they projected approx. 1.2m from the elevation. Now they project 1.7m from the elevation. This is evident in the plans, which show this change. However, the 3D CGI images have not been changed to reflect this. There are also plans in the same document as the CGIs (Design Narrative) which show the smaller balconies. The CGIs need to be changed to show the larger balconies.
- 5.4.17 My view is that this change will significantly alter the appearance of the front of the building. I had previously raised some concerns regarding the visual impact of the balconies, and this change makes them more relevant. The balconies and their glazed nature, will over-dominate the frontage to the detriment of the brick elevation, which will become significantly diluted. The introduction of more brick into the elevation was something that was welcomed and encouraged earlier in the development of the design of this building since its original refusal at committee. It is an important feature of the façade of the building.

5.4.18 I would recommend that the design of the balconies is re-visited. The balconies look tacked-on and need to look and feel like an integral part of the building façade. One of the key impediments to this is the desire to create enclosed 'winter gardens'. Removing this idea would free-up the ability to dramatically alter the frontage and make the balconies feel lighter and less cramped.

5.4.19 Although the applicant has issues with achieving sufficient floorspace for the balconies, they only need to project 1.5m to comply with policy. It is suggested that the applicant consider introducing a more 'designed' feel, perhaps by introducing a curve to the front of each balcony (could this be this building's nod to the CIPD curved frontage?). This is just one suggestion - there may be many other ways to integrate the balconies better into the façade.

5.4.20 The only further comment I would make is that the top floor would sit better if it were placed centrally in the building. Internally this unit is poorly designed and laid out and the balcony very large. This whole unit could be reworked so that it can include an en-suite and a more defined kitchen space. The applicant seems to be missing a trick here.

Updated Design Comments (27th September 2017)

5.4.21 The architect appears to have done what he was asked to do some time ago now. I am generally happy with the result. Please note that careful discharge of the conditions will be key to ensuring this building meets the quality of its neighbour. Please consult Future Merton on the discharge of materials conditions.

5.5 Design & Review Panel

5.5.1 The Design and Review Panel (DRP) reviewed at pre-application stage only. The pre-application proposal was subject to revised plans and therefore went to DRP on 3 occasions. The following provides their comments:

5.5.2 21st July 2015 (meeting notes)

The Panel noted the recent planning history of the site and welcomed the applicant's willingness to look afresh at the building design. With this in mind the Panel were keen that the architect looked first at the wider setting, particularly at the long views from both directions along The Broadway and included drawings that showed the appeal design (or current one) for 153-161 the Broadway.

Whilst stepping out from the line of the CIPD was in principle supported, the exact distance of this needed to be carefully considered and justified in terms of enhancement of the public realm, producing a wider footway to improve the building setting and easing pedestrian flow and supporting Core Strategy policies. For example, a view needed to be taken on whether it was important to retain the view of the CIPD building in the view from the west. How the building related to the CIPD was considered particularly important and needed further consideration. The applicant needed to demonstrate that its design is of a high quality and how this quality will manifest itself in the building design.

The issue of the building line was felt to be very important in terms of creating a successful public realm. It is very important to get this right. This was because the site was highly visible from both directions along The Broadway as well as a terminating the view along Stanley Road. It was important that the setting of the building was high quality and an important factor in this was ensuring the pavement was sufficiently wide to create more space and an enhanced setting.

The building also needed to make its design relevant to Wimbledon, and its sense of place in terms of its relationship to the site, its form and in its choice and use of materials. This needed to be clearly articulated in the DAS. The Panel encouraged the architect to be bold in the development of a design but that it must be convincing and fully justified in the DAS. The Panel noted the addition of an extra storey, but felt that this needs to be justified, and created a difficult relationship with the CIPD building given that the proposed building stepped forward from it already. It was recommended this was set back and shown how it related to the appeal design for 153-161 The Broadway.

The Panel had some concerns regarding the residential layout. They noted that there were single aspect flats, which they do not support. Whilst the lightwell could work well, they felt a better solution would be to remove the single aspect flats and split the building into two elements. This was simply an example of how one improvement could be made and the architect was encouraged to explore a range of possibilities. It was also noted that some internal arrangements needed further consideration as some rooms appeared long and narrow.

Overall the Panel did not have any fundamental objections they felt that considerably more work was needed to arrive at a good quality proposal that was fully justified on this important and prominent site. They welcomed the applicant's willingness to enter into this process.

VERDICT: **AMBER**

5.5.3 24th September 2015 (meeting notes)

The Panel noted that a previous design for this site had been recently reviewed by the DRP and that the current proposal has moderated the height and introduced a fully dual-aspect scheme – as suggested previously by the Panel – and this was welcomed. However, the Panel felt that a number of key elements of the proposal had not been well resolved and parts of the design did not relate well to the surrounding context. These were its relationship to the CIPD building and to the three views – east and west along The Broadway, and south from Stanley Road.

As with all other buildings along The Broadway, the proposed building needed to transition sensitively to the adjacent residential areas to the rear. The proposal did not do this well and should therefore step down in height at the rear. The Panel felt that despite the dual aspect flats, the site felt over-developed, internally confused, wasted space on corridors and did not know which way it faced. Despite the enlargement of the internal lightwell, it was felt that the facing balconies were far too close to each other.

Despite assurances from the applicant's architect, the Panel seriously doubted whether the flats met the London Plan minimum space standards. The quality of the outlook of the flats was also questioned, notably to the south-east to the office windows of the CIPD (the building not being shown in the 3D plans) and to the west to the rear of the adjacent site (which was considered a future potential development site) and rear of houses on Palmerston Road, which required a large amount of obscured glazing on the bay windows.

The Panel felt that the ground level design was difficult and unclear. The main entrance to the flats is on the side so this area is essentially public domain and needed to be considered in relation to the front of the building as well. The Panel suggested that the entrance to the flats could be from the front of the building, whilst retaining the stair core position. The ground floor could have a different appearance to reflect the different use.

It was noted that the CIPD gave a very generous pavement width and that perhaps the proposal had not got the position of its front elevation correct. It was suggested that the ground floor could project as shown, but that perhaps the upper floors needed to be recessed back from this (the proposed hotel on the opposite side of the CIPD does this in part). This would allow for clearer views of the CIPD along The Broadway from the west.

This west view was also compromised by the design choice of splitting the front elevation architecturally into two parts. It was felt that this did not

work well and there was no clear rationale given for this. The wisdom of floor to ceiling glazing to living spaces facing a busy street was questioned. This did not create a strong façade to the view and also obscured the CIPD.

The view from the east worked a bit better, but still needed further work. The architecture of building did not relate well to the CIPD and an analysis of the architecture and form of the CIPD needed to be done to inform a design for the proposed building. The view from Stanley Road did not work well at all. There seemed no reason or rationale for a building that had been split into two different halves and there was no focal point to a view that clearly required one (a bay could achieve this). Essentially the Panel felt that the building did not know which way it faced, but that it had to work from three different directions – east, west and north.

The Panel strongly contested the practicality of retaining a working restaurant use on the ground floor whilst the proposed flats were built above. It was acknowledged by the Panel that this was a difficult site but that the architect need to get to grips with these issues and own and fully justify the design they were proposing. Overall the Panel were disappointed that the design had not evolved in a way that responded well to its context.

VERDICT: **RED**

5.5.4 19th April 2016 (meeting notes)

The Panel welcomed the further analysis of the CIPD and that there was more clarity on the desired relationship of the new building with it. The Panel did not feel that it was necessary that the new building should step back to expose the flank of the CIPD, as they considered it a notable, rather than great building. The Panel also noted that the proposal had been developed much further since the previous review in September 2015.

The Panel felt that the residential part of the building had more of the character of an office. This could be addressed by altering the appearance of the bays the higher up they went, expressing the scale of the residential units and by making the projecting ground floor more of a base to the residential building above, and by using a more restrained palette of materials.

The building needed to be legible in its form and materials – it needed a ‘final tweak’ to quieten it down – it essentially being ‘two blocks of flats with a glazed link and a base. It was described as possibly being ‘bottom light’ rather than ‘top heavy’ in the way it recedes so much at first floor

level on the Broadway frontage. Careful attention to detail was required on materials to ensure quality. It was noted that although the CIPD was simple in appearance, there was good attention to detail in the frameless glazing and the floor to glass junctions. The glazing on the new building will be seen side by side with, and be compared to that of the CIPD.

Landscaping needed further thought in two areas. Firstly, the public realm had the potential to become softer and more human friendly and there was good opportunity to do this and improve on the sterile frontage to the CIPD. Secondly the residential entrance needed further development to ensure it was a welcoming entrance. This included making the entrance more obvious in the elevation, ensuring it was secure and offered no spaces for anti-social behaviour, and ensuring it was landscaped to a high standard to be welcoming and screen nearby air conditioning units.

The Panel also felt that there needed to be further analysis on issues of privacy, particularly relating to views into gardens of houses on Palmerston Road (and to a lesser extent Griffiths Road) and the adjacent flats. A cross section needed to be shown to aid this. Privacy for new residents on the fully glazed frontage was also important as the effect of the façade could be spoiled if residents had to erect ad-hoc internal measures to protect their privacy from the public realm.

Overall the Panel were pleased with the progress in the design and liked the 3-bay frontage and larger internal courtyard. Further work was needed in a number of areas to make the building work well.

VERDICT: **AMBER**

5.6 MET Police

5.6.1 Comments (8th July 2019)

Having given due consideration to the details of the security and safety features from the information provided, I have a few comments and recommendations.

I strongly recommend the architects contact the Designing out crime office – South West to discuss Secured by Design, ideally at an early stage in design process.

Some of these comments may appear similar to those submitted in previous letters dated 5th June 2014, 29th March 2017 and 11th April 2019.

- The entrance to the residential units appears to be located along the side elevation approximately 13m from the front building line, not within an apparent pedestrian traffic flow area as mentioned in the

Design and Access statement; this entrance should be relocated flush to the front elevation.

- The orientation of the door should be to the front to enhance natural surveillance.
- The entrance gates leading towards the rear of the site should be capable of being locked and limited by access control to residents only. The design of any fencing and gates should offer surveillance throughout, be non-climbable, robust, and the hinge system must not allow the gate to be 'lifted off'.
- There appears to be several links between the ground floor commercial unit and the residential areas. There should be **no** links between these uses, so to prevent anonymity and unauthorised access by persons with possible criminal intent.
- A local issue is bored young persons congregating in the evenings in stairwells, especially during inclement weather. They cause anti-social behaviour and criminal offences; the residential entrance lobby should be 'airlocked' by a second set of access controlled doors to prevent unauthorised access by tailgating.
- The residential communal entrances should be video access controlled security approved entries, tested with the appropriate locking mechanisms in situ. The video access should preferably be linked to a dedicated monitor/screen within the residence.
- A zoned encrypted fob controlled system should be installed to control access throughout the building including any gates. This can assist with the management of the development and allow access to residents to specific designated areas only. Any trades persons buttons must be disconnected.
- The design of the balconies and the single storey bicycle storage should eliminate ease of climbing.
- Some bicycle storage is located at the rear of the site. Its door design is double leaf therefore twice the amount of security is needed, the door should be changed to a single design. The door should have access control and a locking system operable from the inner face by use of a thumb turn to ensure that residents are not accidentally locked in by another person.
- As bicycles and their parts are extremely attractive to thieves the bicycle stores should have appropriate CCTV coverage to provide identity images of those who enter and activity images within the space. The bicycle storage should incorporate stands or racks secured into concrete foundations, which should enable cyclists to use at least two locking points so that the wheels and crossbar are locked to the stand rather than just the crossbar. The rear area should have lighting that avoids the various forms of light pollution (vertical and horizontal glare). It should be as sustainable as possible with good uniformity. Bollard lights, under bench and architectural up lighting are not considered as good lighting sources. White light aids good CCTV

colour rendition and gives a feeling of security to residents and visitors. Any public space lighting should also meet the current council requirements.

- As the proposed site is within Wimbledon Town Centre a CCTV system should be installed with a simple Operational Requirement (OR) detailed to ensure that the equipment fitted meets that standard, without an OR it is hard to assess a system as being effective or proportionate as its targeted purpose has not been defined. The OR will also set out a minimum performance specification for the system. The system should be capable of generating evidential quality images day or night 24/7. For SBD CCTV systems there is a requirement that the system is operated in accordance with the best practice guidelines of the Surveillance and Data Protection Commissioners and the Human Rights Act.

Crime Prevention and community safety are material considerations. If London Borough of Merton are to consider granting consent, I would seek that the following conditions details below be attached. This is to mitigate the impact and deliver a safer development in line with Merton Core Strategy, London Plan, Section 17 Crime and Disorder Act 1988 and National Planning Policy Framework (NPPF)

Suggested two part condition wording:-

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Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

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5.6.2 Updated Comments (18th September 2019)

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6. **POLICY CONTEXT**

6.1 Adopted Sites and Policies Plan (July 2014)

DM R1 Location and scale of development in Merton's town centres and neighbourhood parades
DM R5 Food and drink/leisure and entertainment uses
DM H2 Housing Mix
DM H3 Support for affordable housing
DM R5 Food and drink/leisure and entertainment uses
DM R6 Culture, arts and tourism development
DM E1 Employment areas in Merton
DM E4 Local employment opportunities
DM D1 Urban design and the public realm
DM D2 Design considerations in all developments
DM D3 Alterations and extensions to existing buildings
DM EP2 Reducing and mitigating noise
DM EP3 Allowable Solutions
DM EP4 Pollutants
DM F1 Support for flood risk management
DM F2 Sustainable urban drainage systems (SUDS) and; wastewater and water infrastructure
DM T1 Support for sustainable transport and active travel
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T4 Transport infrastructure
DM T5 Access to the Road Network

6.2 Adopted Core Planning Strategy (July 2011)

CS8 Housing Choice
CS9 Housing Provision
CS11 Infrastructure
CS12 Economic Development

CS13 Open space, nature conservation, leisure and culture
CS14 Design
CS15 Climate Change
CS16 Flood Risk management
CS17 Waste Management
CS18 Active Transport
CS19 Public Transport
CS20 Parking, Servicing and Delivery

6.3 London Plan (2016):

2.15 (Town Centres)
3.3 (Increasing Housing Supply),
3.4 (Optimising Housing Potential),
3.5 (Quality and Design of Housing Developments),
3.6 (Children and young people's play and informal; recreational facilities)
3.8 (Housing Choice),
3.9 (Mixed and balanced communities)
3.10 (Definition of affordable housing)
3.11 (Affordable housing targets)
3.12 (Negotiating affordable housing on individual private residential and mixed use schemes)
3.13 (Affordable housing thresholds)
4.1 (Developing London's economy)
4.12 (Improving opportunities for all)
5.1 (Climate Change Mitigation),
5.2 (Minimising carbon dioxide emissions)
5.3 (Sustainable Design and Construction)
5.5 (Decentralised Energy Networks)
5.6 (Decentralised Energy in development proposals)
5.7 (Renewable energy)
5.8 (Innovative energy technologies)
5.9 (Overheating and cooling)
5.10 (Urban greening)
5.12 (Flood risk management)
5.13 (Sustainable drainage)
5.18 (Construction, excavation and demolition waste)
5.19 (Hazardous waste)
6.5 (Funding crossrail and other strategically important transport infrastructure)
6.9 (Cycling)
6.10 (Walking)
6.13 (Parking)
7.2 (An Inclusive Environment)
7.3 (Designing Out Crime)
7.4 (Local Character)

- 7.5 (Public Realm)
- 7.6 (Architecture)
- 7.14 (Improving Air Quality)
- 7.15 (Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes)
- 8.2 (Planning obligations)
- 8.3 (Community infrastructure Levy)
- 8.4 (Monitoring and review)

6.4 Other

- National Planning Policy Framework 2019
- National Planning Practice Guidance 2014
- London Plan 2016 - Housing SPG 2016
- Draft London Plan 2017
- Draft Local Plan 2020
- Merton's Viability SPD 2018
- Homes for Londoners - Affordable Housing and Viability SPG 2017

7. **PLANNING CONSIDERATIONS**

7.1 The principal planning considerations relate to the principle of development, previous appeal decision and planning history, design (impact on Wimbledon Town Centre and The Broadway street scenes), standard of residential accommodation, impact upon neighbouring amenity, trees, traffic and highway considerations, affordable housing provision and sustainability.

7.2 **Amendments**

7.2.1 Following advice from Officers (including the Councils Urban Design Officer), the design of the scheme has been amended as follows:

- The winter gardens and balconies have been replaced with smaller external balconies
- Introduction of more brickwork in the elevations, including recessed brickwork detail on front elevation.
- Soft landscaping added (including two trees at front)
- Balcony balustrade improved with frameless glass
- Clarification on building heights in relation to adjoining buildings

7.2.2 In response to concerns raised regarding comments from the MET police at the planning applications committee meeting on 18th July 2019, the applicant has amended the scheme to relocate the residential entrance from the side of the building to the front. The amendments also include changes to landscaping, gates, CCTV and bin storage.

7.3 **Principle of Development**

7.3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that when determining a planning application, regard is to be had to the development plan, and the determination shall be made in accordance with the development plan, unless material considerations indicate otherwise.

Residential

7.3.2 The requirement for additional homes is a key priority of the London Plan which seeks to significantly increase the ten year minimum housing target across London from 322,100 to 423,887 (in the period from 2015 to 2025), and this equates to an associated increase in the annual monitoring target across London to 42,389. The minimum ten year target for Merton is 4,107, with a minimum annual monitoring target of 411 homes per year. Paragraph 58 of the 2018 NPPF emphasised the Governments objective to significantly boost the supply of homes.

7.3.3 The planning application seeks to create 20 new residential units which will make a modest contribution to meeting housing targets and provides a mix of unit sizes that will assist in the delivery of a mixed and balanced community in a sustainable location. New housing is considered to be in accordance with the objectives of the NPPF, London Plan targets, and LBM policies. The principle of residential development of the site has been agreed by the Committee in determination of the previous scheme (16/P2585) for 16 units.

Commercial

7.3.4 The application site is located within Wimbledon Town Centre. Planning Policy (DM R1 Location and scale of development in Merton's town centres and neighbourhood parades) states that Wimbledon is Merton's major centre and is the principal shopping destination in the borough. Attractive to residents, tourists, businesses and their staff, Wimbledon has a large variety of shops, services, cafes, restaurants, cinemas, theatres and offices. By capitalising on the Wimbledon 'brand', the Council hopes to further enhance the character and vibrancy of the area to create a sense of place and ensure that there is continual activity throughout the day and at the weekend for residents, workers and visitors whilst protecting its heritage assets. The proposal seeks to retain and enhance the ground floor restaurant, therefore creating jobs and contributing towards employment strategies and variety of choice in Wimbledon Town Centre. New housing provided above the ground floor unit is considered to be in accordance with the objectives of the NPPF, London Plan and LBM policy.

7.4 **Appeal Decision & Planning History**

7.4.1 The previous appeal decision and previous scheme are a material planning consideration, which should be taken into consideration when assessing the current proposal. The previous planning application (14/P1008) was refused by committee in May 2015 on matters relating to the design, failing to achieve a high quality design. At the appeal, the planning inspector did not share this view on design. The appeal was only dismissed on the fact that the applicant failed to provide a legal agreement with the appeal to secure affordable housing. Following the appeal decision, the applicant submitted planning application 16/P2585, an identical scheme (but with enhancements to materials). In light of the appeal decision, committee members approved the application at the September 2018 meeting. To date, the S106 agreement relating to 16/P2585 has yet to be completed.

7.5 **Design**

7.5.1 The overarching principle of national and local planning policy is to promote high quality design. Planning policy DM D2 (Design considerations in all development) of Merton's Sites and Policies Plan states that amongst other considerations, that proposals will be expected to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area.

Appeal decision

7.5.2 As stated above the previous appeal decision is considered to be a material planning consideration. As set out below, it is considered that the design of the proposed building is a significant improvement when compared to the appeal scheme. Officers therefore welcomes the improvements made by the applicant.

Design and Review Panel (DRP)

7.5.3 The Councils Design Review Panel is made up of a group of independent professionals working in the built environment field. It advises the Council on design issues relating to new development schemes and proposals for public spaces, including major planning applications and pre-application development proposals. It must be noted that DRP simply seeks to provide guidance to applicants, they are not a statutory consultee and their decisions do not constitute a formal design decision for the Council. Members of the planning committee are reminded that whilst DRP can be a useful design tool in the design process, there is no requirement for an application to receive a green verdict in order for officers to support a scheme or for planning permission to be granted.

7.5.4 The applicant has presented three different schemes to DRP from July 2015 to April 2016 during the pre-application process. Full DRP comments can be located in section 5.5 of this committee report. The applicant has gone from an initial amber verdict, to red, then back to an amber verdict. Whilst there was a backward step in the design approach with a red verdict, the applicants latter design approach has revisited the design principles of the first scheme (amber verdict).

7.5.5 Since the amber verdict in April 2016, the applicant has been in contact with the Councils Urban Design Officer. During the planning application process, the applicant has made a number of design changes that respond to the Urban Design Officer comments (see section 5.4 of this committee report). The design of the proposed building is now considered acceptable, taking into consideration feedback from DRP and no objection from the Councils Urban Design Officer.

Aesthetics, height, massing, siting and materials

7.5.6 The proposed building would see a predominate use of brickwork, rather than render (members of the planning committee raised concerns previously about the lack of brickwork under the previous scheme (14/P1008)). Other materials would give the building a modern and high quality finish. Better detailing to the facades is achieved through recessed brickwork detailing, glazed balconies, full height fenestration, glazed curtain walls and the creation of three well defined vertical elements to the frontage.

7.5.7 Planning conditions requiring final details of materials and key detailing can ensure that these elements are high quality. The proposed ground floor treatment is also considered to be an improvement, the ground floor has been designed as an integral part of the building design, rather than as an afterthought. The proposed ground floor and new residential entrance would satisfactorily respond with the street scene and design rationale of the floors above.

7.5.8 In addition to the improvements made to the aesthetics of the building, the proposed form, massing and height are considered to satisfactorily respond to the town centre location. Whilst the building would 2.5m higher and 1.1m deeper than the previous scheme, the building would still sit below the height of adjoining CIPD building. Importantly the main section of the building, floors 1 to 6 would sit below the height of the curved frontage of CIPD and the lightweight recessed top floor would sit below the corresponding height of CIPD. The applicant has updated the elevations to include survived height levels of the adjoining CIPD. This ensures that building will be built as shown in the street scene elevations.

A planning condition relating to levels can be added to any permission to further secure this detail.

7.5.9 Following advice from the Councils Design Officer, the frontage of the proposed building has been brought forward, slightly forward of the curved frontage of CIPD. In this instance, the forward building line would not adversely compete with CIPD as it would still retain views of the distinctive frontage from both eastern and western directions. Due to the bend in the street, this building line approach would create partial views of each building from both eastern and western directions along The Broadway. The Council took this building line approach on the recent redevelopment of the Premier Inn site to the east. The Council are keen to reinforce this approach if adjoining sites come forward for redevelopment.

7.5.10 In conclusion, the proposed development is considered to be a significant improvement when compared to the previous scheme and enhancements have been sought through amended plans by officers. The proposed development responds positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings.

Levels

7.5.11 Concerns from neighbours have previously been made in regards to the elevations not correctly showing the height of the adjoining CIPD building. In response, the applicant has updated the elevations to include surveyed elevations, which clearly include height reference points on the CIPD front elevation. As part of any planning approval, a levels planning condition can be imposed; this would ensure that the development is built in accordance with the approved elevations (which show the corresponding heights of CIPD).

Crime prevention/Safety

7.5.12 Following amendments to the location of the residential entrance from the side of the building to the front and details relating to gates, bin storage and CCTV, the MET police have raised no objection subject to conditions.

7.5 Standard of Accommodation

7.5.1 London Plan policies 3.5, 3.6, 3.7 & 3.8, CS policy CS 14, and SPP policies DM D1 and DM D2 seek to ensure that new residential development is of a high standard of design both internally and externally and provides accommodation capable of adaptation for an ageing population and for those with disabilities, whilst offering a mix of unit size reflective of local need.

- 7.5.2 In terms of the quality of the accommodation, the proposed flats would meet or exceed the London Plan Gross Internal Area minimum standards; each room would be capable of accommodating furniture and fittings in a suitable manner. All flats would have direct access to private amenity space (3 flats under the previous scheme had no access to private amenity space), 5 flats (all one bedroom, 2 person flats) would have a 4.5sqm balcony, failing to meet the minimum space standards of 5 sqm. However, it must be noted that all the flats are one bedroom flats, the shortfall is minimal (only 0.5sqm) and the applicant took the advice from the Councils Design Officer to reduce the depth of the balconies on the frontage to prevent them being dominate in elevation. On balance, given the town centre location, overall quality of the accommodation and the design rationale for less deep balconies, it is not considered sufficient grounds to refuse planning permission.
- 7.5.3 Adequate refuse storage is provided within close proximity of the highway at ground floor level. The store, located to the flank of the building close to the flat entrances would be convenient and practical for future occupiers of the proposed development. Planning condition requiring more details of the store can be imposed to ensure that the store is suitable and provides sufficient provision for the flats. Each flat will have an appropriate outlook and a lift would provide disabled access for each floor.

Housing Mix

- 7.5.4 Planning policy DM D2 (Housing Mix) seeks to create socially mixed communities, catering for all sectors of the community by providing a choice of housing with respect to dwelling size and type in the borough. London Plan Policy 3.8, seeks to promote housing choice and seek a balance mix of unit sizes in new developments, with particular focus on affordable family homes. Family sized accommodation is taken in the London Plan and LBM policy to include any units of two bedrooms or more.
- 7.5.5 The borough level indicative proportions concerning housing mix (as set out below) will be applied having regard to relevant factors including individual site circumstances, site location, identified local needs, economics of provision such as financial viability and other planning contributions.

Table in Planning policy DM D2 (Housing Mix) of Merton's Sites and policies plan 2014

Number of Bedrooms	Percentage of units
One	33%
Two	32%
Three +	35%

Proposal – 10 x 1 bedroom and 10 x 2 bedroom flats

Number of Bedrooms	Percentage of units
One	50%
Two	50%
Three +	0%

7.5.6 The proposed housing mix of the site, whilst not strictly meeting the Council percentage ratio set out in Policy DM H2 (Housing Mix), are only indicative targets. The proposed housing mix is considered to still offer a good range of housing choice with a good proportion of each unit type, including (50%) of the total offering family type accommodation (2 bedroom or more) which is welcomed. Further, the site is in a town centre location where smaller flats would likely be occupied by couples or independent people, who want good access to the town centre amenities and public transport.

7.6 **Neighbouring Amenity**

Ashville House, 131 – 139 The Broadway

7.6.1 The ground and first floor levels of this neighbouring building are in use as office accommodation. Therefore given the non-residential use of these floors there would be no undue loss of amenity.

7.6.2 The second and third floor levels of the building are used for residential purposes with four flats on each floor. The proposed building would not project beyond the frontage of this neighbouring property therefore there would be no undue loss of amenity to the front rooms of the flats. The four flank windows at second and third floor level serve the small kitchen areas for four of the flats. These are not the main habitable rooms and in this urban context, the relationship is considered to be acceptable.

7.6.3 At the rear, the proposed building would be inset away from the western side boundary which would create a buffer between the neighbouring sites to the west. In addition, massing and bulk would be reduced due to the reduction in height towards the rear, large section of lightweight curtain wall on the flank and the two top floors (top floor of lightweight materials) being pushed further away from the flank and side boundary. It is

considered that due to the town centre location, elevated position of these neighbouring flats (on second and third floors), setting away of the proposed flank wall from the site boundary, part lightweight materials and the reduction in height towards the rear of the site, it is considered that there would be no undue loss of amenity.

143 – 154 The Broadway (CIPD building)

- 7.6.4 The proposed building would project parallel with the flank of this building. In addition, the CIPD building is as a wholly commercial building and therefore, there would be no undue loss of amenity. Further, the flank east elevation is broken up with a large void in the middle to allow for natural light to the ground floor garden/planting area. This reduces the visual impact of the building from side facing windows on the CIPD building.

2 – 8 Palmerston Road

- 7.6.5 These neighbouring houses are located to the west and are orientated at a right angle to the application. The proposed houses are distanced at least 20.6m from the flank wall of the proposed building. The proposed building is also inset away from the site boundary. A rear car park to the rear of 2 & 4 Palmerston Road also provides a visual barrier between the application site and these neighbours. Towards the rear of the building, massing is reduced by stepping back floors 4, 5 and 6. The use of alternative materials (brick, glass and powder coating grey aluminium) on the flank elevation, combined with flank window treatment would also assist in reducing the mass of the building when viewed from these neighbouring properties.
- 7.6.6 It is acknowledged that the flank elevation does include a number of side facing windows and external rear balconies. Therefore, in order to mitigate overlooking and the sense of being overlooked, planning conditions requiring obscure glazing to the side windows serving the flats (rear part of the building) and 1.7m high side screens to the rear balconies would ensure that there would be no undue loss of the amenity.
- 7.6.7 It is considered that the proposed building would have no undue impact upon these neighbours' amenity. The proposed building would be seen in context to the larger CIPD building behind. There would be no undue loss of light or overshadowing given the siting and degree of separation.
- 7.6.8 Overall, in comparison to the previous scheme, the overall bulk and mass would not be dissimilar and would not cause material harm.

10 – 26 Palmerston Road

- 7.6.9 10 – 26 Palmerston Road are located to the south of the application site, backing onto the rear car parking area serving the CIPD building. All the rear windows/doors are directed towards the CIPD car

parking area, therefore within the proposed flats there would be limited views of the properties on Palmerston Road. Whilst there would be some overlooking from the proposed rear balconies, it has to be noted that this is a town centre location, the rear balconies are directed towards the CIPD car park, the side screens to the balconies would also discourage/partly prevent sideward views and the neighbours are well distanced away from the balconies to ensure that there would be no undue loss of amenity to justify refusal of planning permission.

8. **Trees**

- 8.1 The application site is not located within a conservation area and no trees on the site are protected by tree preservation orders. The two trees at the far end of the application site have limited public amenity value and are not protected so they can be removed without any permission. In any event, the proposed building would be set away from these trees which would provide a suitable level of separation for their retention.
- 8.2 Following discussions with the applicant, the plans have been updated to include the provision of two new trees within the frontage. Final details can be secured via planning condition.

9. **Traffic, Parking and Highways conditions**

- 9.1 The high PTAL rating of 6a would mean that future occupants would have very good access to a number of alternative public transport options. The area is located within Wimbledon town centre which is controlled by various CPZ's and on street car parking is already very limited. Given the relative modest size of the proposal in a town centre location, it is considered that there would be no undue impact upon existing highway conditions in the vicinity. However, the site is located within a CPZ which is already oversubscribed, therefore given the very good level of public transport options within the area, the development would be required to be car parking permit free which can be controlled via a Section 106 agreement.
- 9.2 Secured cycle parking is provided within a bike store within the building at levels from second floor to floor six and within the existing outbuilding at the rear of the site. The cycle storage at each floor would accommodate 6 cycle spaces (30 in total) and 10 cycle spaces are shown within the existing ground floor outbuilding. The stores would be safe & secure and can be accessed via the communal corridor and lift facility or from ground floor level. The 40 cycle spaces proposed would meet London Plan requirements.

10. Affordable Housing

10.1.1 Planning policy CS 8 (Housing Choice) of Merton's Core Planning Strategy states that development proposals of 10 units or more require an on-site affordable housing target of 40% (60% social rented and 40% intermediate). In seeking affordable housing provision the Council will have regard to site characteristics such as site size, its suitability and economics of provision such as financial viability issues and other planning contributions.

10.1.2 The amount of affordable housing this site can accommodate has been subject of a viability assessment. Following extensive discussions, the Councils independent viability assessor states that the scheme cannot support any affordable housing provision.

10.1.3 Following the deferral of the application at the April planning committee meeting, officers have sought clarification with the Councils viability assessor on the following two queries which were raised by members:

- Why is there still no affordable housing despite the Councils independent viability assessor stating that in their assessment the build cost was reduced by £259,000 (when compared to the applicant costings)?

Viability assessor response

10.1.4 The Councils independent viability assessor has confirmed that even with a reduction of £259,000 in build costs (compared to the applicant's calculations), the development would still have a negative value of -£151,835. Therefore, the scheme is still financially unviable for the developer to provide any affordable housing as part of this development.

- Why could the original 16 unit scheme provide an affordable housing contribution of £500,000, whilst the 20 unit scheme cannot?

Viability assessor response

10.1.5 The Councils independent viability assessor has confirmed that the increase in build costs was considered to be acceptable and since the 16 unit application was submitted other assumptions such as sales values had decreased/flatlined due to wider economic factors. This was benchmarked against comparable data and evidence. These two key factors, along with the change in unit mix, in combination have led to a change in financial viability. The 16 unit scheme was submitted on 21/06/2016, some 3 years ago.

10.1.6 The Councils independent viability assessor has however recommended that the Council applies the viability review mechanisms at early and late stages of development as outlined within the London Plan and Mayors SPG and Merton's Viability SPD, to ensure that any surplus which becomes available can make a contribution towards affordable housing.

11. Sustainability

11.1 Planning policy CS15 (climate Change) of Merton's adopted Core Planning Strategy (2011) seeks to tackle climate change, reduce pollution, develop low carbon economy, consume fewer resources and use them more effectively.

11.2 Planning Policy 5.2 of the London Plan (2016) states that development proposals should make the fullest contribution to minimising carbon dioxide emissions in accordance with the following energy hierarchy:

1. Be lean: use less energy
2. Be clean: supply energy efficiently
3. Be Green: use renewable energy

11.3 The applicant has submitted an updated energy statement. The Councils Climate Change Officer has confirmed that the development should achieve a 35 % improvement in CO2 emissions on Part L 2013. This meets the minimum sustainability requirements of Merton's Core Planning Strategy CS15 (2011) and Policy 5.2 of the London Plan (2106). A planning condition requiring evidence of compliance with CO2 reductions and water consumption can be imposed on the planning approval.

11.4 As the proposal is for a major residential development which was valid from 20-03-2017 a S.106 agreement for the carbon offset cash in lieu contribution will need to be finalised prior to planning approval in line with Policy 5.2 of the London Plan. Based on the carbon shortfall and offset contributions set out in the updated energy statement (20/02/2019). In this instance, the carbon off-set shortfall is £ 27,455.64, which would be secured within the S106 agreement.

12 Landscaping

12.1 The applicant has updated the plans to include detailing relating to soft landscaping. This includes the provision of two new birch trees within the frontage of the site. Silver birches are welcomed in this location, as they are known for helping tackle air pollution, as when in leaf they provide an excellent pollution filter. Planting beds are also located to the side and rear of the building. In addition, the first floor walled garden would add further space for planting. Overall, given the urban context, a good level of soft landscaping is proposed and will be secured via condition.

13 **Local Financial Considerations**

- 13.1 The proposed development is liable to pay the Merton and Mayoral Community Infrastructure Levy (CIL), the funds for which will be applied by the Mayor towards the Crossrail project. Merton's Community Infrastructure Levy was implemented on 1st April 2014. This will enable 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 pooled developer contributions towards providing the necessary infrastructure should be collected.

14. **Sustainability and Environmental Impact Assessment Requirements**

- 14.1.1 The application does not constitute Schedule 1 or Schedule 2 development. Accordingly, there are no requirements in terms of EIA submission.

15. **CONCLUSION**

- 15.1 The proposed development will provide 20 new residential dwellings and retain the existing A3 unit at ground floor level. The principle of development is considered to be acceptable with a mixed use development retaining a source of employment and providing much needed new homes. The design of the development is considered to be of high quality in terms of appearance and accommodation being proposed. The proposed building would respect the context of the site and would have no undue impact upon neighbouring amenity, trees or highway considerations. The proposal is considered to be an enhancement over the previous appeal scheme and would provide an additional 4 more units over the previous scheme in a sustainable manner. The proposal is considered to be in accordance with Adopted Sites and Policies Plan, Core Planning Strategy and London Plan policies. The proposal is therefore recommended for approval subject to conditions and S106 agreements.

RECOMMENDATION

GRANT PLANNING PERMISSION

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

1. Designation of the development as permit-free and that onstreet parking permits would not be issued for future residents of the proposed development.
2. Affordable housing - viability review mechanisms at early and late stages of development
3. Zero Carbon shortfall – £ 27,455.64
4. 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 Approved Plans
3. B.1 Materials to be approved, including detailed plans at a scale of 1;20 of some of the typical details
4. B.4 Details of Surface Treatment
5. B.5 Details of Walls/Fences
6. B6 Levels
7. C07 Refuse & Recycling (Implementation)
8. C08 Other than the balconies/terrace's as shown on the approved plans, access to the flat roof of the development hereby permitted shall be for maintenance or emergency purposes only, and the flat roof shall not be used as a roof garden, terrace, patio or similar amenity area.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.
9. C10 The flats shall not be occupied until a scheme of details of screening of the balconies/terrace has been submitted for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the details are approved, and

the development shall not be occupied unless the scheme has been approved and implemented in its approved form and those details shall thereafter be retained for use at all times from the date of first occupation.

Reason: To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

10. D02 Hours of Opening
11. D10 External Lighting
12. D11 Construction Times
13. F01 Landscaping/Planting Scheme including tree planting to front boundary
14. F02 Landscaping (Implementation)
15. H07 Hardstanding
16. H07 Cycle Parking to be implemented
17. H14 Garages doors/gates
18. C03 Obscured Glazing (fixed windows)
19. Construction Management Plan
20. Residential: 'No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority confirming that the development has achieved CO2 reductions of not less than a 35% improvement on Part L regulations 2013 / in accordance with those outlined in the approved plans (Energy Assessment – 20 February 2019), and wholesome water consumption rates of no greater than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: Policy 5.2 of the London Plan 2016 and Policy CS15 of Merton's Core

Planning Strategy.

21. Non-domestic elements: 'Unless otherwise agreed in writing by the Local Planning Authority, no part of the development hereby approved shall be used or occupied until Post Construction SBEM or BRUKL evidence demonstrating that the development has achieved not less than a 35% improvement in CO2 emissions reduction compared to Part L 2013 regulations, has been submitted to and acknowledged in writing by the Local Planning Authority.'

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply the following Development Plan policies for Merton: policy 5.2 of the London Plan 2016 and policy CS15 of Merton's Core Planning Strategy 2011.

22. The development hereby permitted shall incorporate security measures to minimise the risk of crime and to meet the specific security needs of the development in accordance with the principles and objectives of Secured by Design. Details of these measures shall be submitted to and approved in writing by the local planning authority prior to commencement of the development and shall be implemented in accordance with the approved details prior to occupation.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

23. Prior to occupation a Secured by Design final certificate shall be submitted to and approved by the Local Planning Authority.

Reason: In order to achieve the principles and objectives of Secured by Design to improve community safety and crime prevention in accordance with Policy 14 (22.17) of Merton Core Strategy: Design, and Strategic Objectives 2 (b) and 5 (f); and Policy 7.3 Designing out Crime of the London Plan.

Planning Informative

1. Carbon emissions evidence requirements for Post Construction stage assessments must provide:
- Detailed documentary evidence confirming the

Target Emission Rate (TER), Dwelling Emission Rate (DER) and percentage improvement of DER over TER based on 'As Built' SAP outputs (i.e. dated outputs with accredited energy assessor name and registration number, assessment status, plot number and development address); OR, where applicable:

- A copy of revised/final calculations as detailed in the assessment methodology based on 'As Built' SAP outputs; AND
- Confirmation of Fabric Energy Efficiency (FEE) performance where SAP section 16 allowances (i.e. CO2 emissions associated with appliances and cooking, and site-wide electricity generation technologies) have been included in the calculation

Water efficiency evidence requirements for Post Construction Stage assessments must provide:

- Documentary evidence representing the dwellings 'As Built'; detailing:
- the type of appliances/ fittings that use water in the dwelling (including any specific water reduction equipment with the capacity / flow rate of equipment);
- the size and details of any rainwater and grey-water collection systems provided for use in the dwelling;

AND:

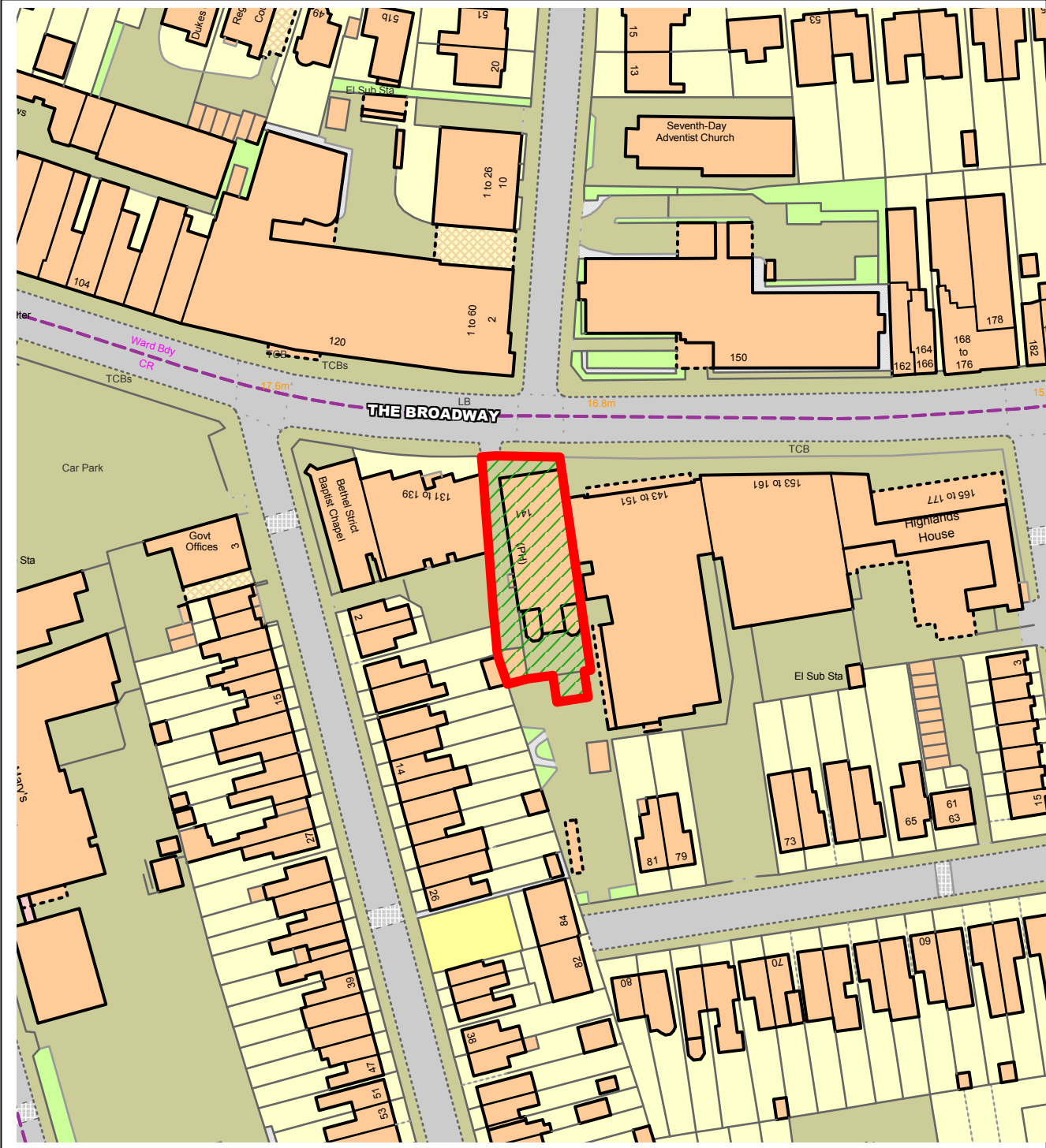
- Water Efficiency Calculator for New Dwellings; OR
- Where different from design stage, provide revised Water Efficiency Calculator for New Dwellings and detailed documentary evidence (as listed above) representing the dwellings 'As Built'

2. Carbon emissions evidence requirements for Post Construction stage assessments must provide:

- Detailed documentary evidence confirming the Target Emission Rate (TER), Building Emission Rate (BER) and percentage improvement of BER over TER based on 'As Built' BRUKL model outputs; AND
- A copy of the Building Regulations Output Document from the approved software. The output documents must be based on the 'as built' stage of analysis and must account for any changes to the specification during construction.

[Click here](#) for full plans and documents related to this application

NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE 17 OCTOBER 2019

APPLICATION NO.
18/P2926

DATE VALID
31/07/18

Address/Site: Chenab Court, 176A London Road, Morden SM4 5AN
Ward: Merton Park

Proposal: Application to vary S106 agreement linked to outline planning permission for the demolition of the existing motor vehicle repair workshop [use class B2 - 500 square metres] and the construction of a part two, part three storey building providing 12 residential units [8 two bedroom flats, 3 one bedroom flats and 1 two bedroom maisonette] with one off street disability car parking space with vehicle and pedestrian access provided along the existing access road to London Road.

Drawing No's: Site location plan.
Contact Officer: Jonathan Lewis (020 8545 3287)

RECOMMENDATION
Grant variation of S106 agreement.

CHECKLIST INFORMATION

- S106: Yes
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: None
- External consultations: Independent financial review conducted by surveyors.
- Controlled Parking Zone: No - Zone M1 located to the north and west of the site.
- Area at risk from flooding: No
- Conservation Area: No
- Listed buildings: No.
- Protected Trees: Adjoining land. Trees to the rear of 'The Holt' protected by a Tree Preservation Order]
- Public Transport Access Level: 5

1. INTRODUCTION

- 1.1 This application is brought to the Planning Applications Committee for determination as the proposed variation of the S106 would materially alter the terms of the agreement which formed the basis of the planning approval and

which was endorsed by the Planning Applications Committee in 2014.

2. SITE AND SURROUNDINGS

- 2.1 An irregular shaped application site (0.09 hectares) located to the rear of the three storey residential building called 'Homefield' at 170 London Road that provides 24 flats. The site is located on the north west side of London Road between Morden Town Centre and the junction with Goodwood Close. London Road is a classified road [A24] which forms part of the Transport for London Road Network (TLRN or 'Red Route') and carries a large quantity of traffic as a busy arterial thoroughfare.
- 2.2 To the west of the application site is a two storey end of terrace building in Queen Elizabeth Gardens that provides two maisonettes [numbers 11 and 12] and an end of terrace house [number 14]. There are two, storey buildings in Queen Elizabeth Gardens located to the north of the site, with the first building providing two maisonettes [numbers 15 and 16] and the second a three bedroom house [number 17]. To the north and east of the site are two storey semi-detached 1930's residential properties in Cedars Road.
- 2.3 To the south of the application site is a three block of flats called 'Homefield' with this building separated from the application site by a rear external amenity area containing a mature Sycamore tree. The three storey block of flats called 'The Holt' is also located to the south and also separated from the application site by an external amenity area. The area of open space around the Holt contains a number of trees. Tree Preservation Orders have been placed on ten of these nearby trees [MER 296] that include two London Plan trees, three cedars, two yews, a holly, a pine and an oak tree.
- 2.4 The site is occupied by a recently erected three storey block of 12 flats.
- 2.5 The site is located in an archaeological priority zone. The site is not located in an area at risk from flooding. The site is not in a conservation area and there are no buildings either on the site or nearby that are on the statutory or local list of historically important buildings. The site is not located in a controlled parking zone however areas to the north east in London Road and to the north west are in Zone M1.
- 2.6 A bus lane running pass the site operates between 7am to 10am Monday to Saturday. Single red line parking restrictions operate outside the application site between Monday and Saturday 7am to 7pm with a car parking bay for four cars allowing restricted parking after 10am. The site has a public transport accessibility level of 5 with Morden South mainline station located 420 metres to the south west and Morden Underground station 570 metres to the north east.

3. CURRENT PROPOSAL

- 3.1 The proposal is to vary the terms of the existing S106 planning agreement to replace on site provision with an off-site financial contribution.

- 3.2 The legal agreement signed in March 2015 requires the following to be provided on site:

Intermediate housing.

1 two bedroom and 1 one bedroom flat.

Affordable rented housing.

2 two bedroom and 1 one bedroom flat.

- 3.3 The applicant is offering an off-site financial contribution of £500,000 towards affordable housing with the contribution to be paid in two stages. In support of the applicant's proposals evidence has been provided of communications with various housing associations regarding the purchase of the affordable units. The submission is also accompanied by a Financial Viability Analysis which has been the subject of an independent review to inform this report.

4. PLANNING HISTORY

- 4.1 14/P2917 – Outline planning permission granted for the erection of a part two, part three storey building providing 12 residential units [8 two bedroom flats, 3 one bedroom flats and 1 two bedroom maisonette] with one off street disability car parking space with vehicle and pedestrian access provided along the existing access road to London Road. An associated S106 planning agreement requires the provision of 40% affordable housing (3 rented and 2 shared ownership units).
- 4.2 16/P4675 – Approval of reserved matters (external appearance) in connection with outline planning permission.
- 4.3 16/P3767, 16/P4081, 17/P0398 and 17/P1052 - Approval of various conditions including pre-commencement conditions linked to outline planning permission 14/P2917.
- 4.4 19/P2199 – Application under S73 to vary a condition (approved plans) on the outline planning permission and to vary the legal agreement by substituting the 5 affordable units on site with a financial contribution. Application currently undetermined and under consideration.

5. CONSULTATION

Internal.

- 5.1 Housing Development Officer. No objection raised.

6. POLICY CONTEXT

- 6.1 NPPF - National Planning Policy Framework (2019)
4. Decision making: Planning Conditions and obligations (paragraph 57)
5. Delivering a sufficient supply of homes.
- 6.2 London Plan (2016)
3.11 Affordable housing targets.
3.12 Negotiating affordable housing on individual private residential and

mixed uses schemes.
3.14 Affordable housing thresholds
8.2 Planning obligations

6.3 Merton Local Development Framework Core Strategy – 2011 (Core Strategy)
CS.8 Housing choice.

6.4 Supplementary planning considerations
Mayor of London - Affordable Housing and viability. SPG 2017
Merton - Development viability supplementary planning document. May 2018.

7. PLANNING CONSIDERATIONS

7.1 The key planning considerations are whether in this particular instance the provision of affordable housing on site may reasonably be waived in favour of an off-site contribution and whether the contribution is reasonable.

On site provision and cash in lieu contributions.

7.2 The London Plan sets out a detailed policy framework for delivering affordable housing. London Plan policy 3.11 states that the Mayor will, and boroughs and other relevant agencies and partners should, seek to maximise affordable housing provision and ensure an average of at least 17,000 more affordable homes per year in London over the term of this Plan. In order to give impetus to a strong and diverse intermediate housing sector, 60% of the affordable housing provision should be for social and affordable rent and 40% for intermediate rent or sale.

7.3 The objectives are given further impetus by Policy 3.12 which states that the maximum reasonable amount of affordable housing should be sought when negotiating on individual private residential and mixed use schemes.

7.4 The policy provides further criteria against which proposals should be assessed noting that negotiations on sites should take account of their individual circumstances including development viability, and the availability of public subsidy.

7.5 On the matter of financial contributions the London Plan asserts that a cash in lieu contribution should only be accepted where this would have demonstrable benefits in furthering the affordable housing and other policies in this Plan and should be ring-fenced and, if appropriate, pooled to secure additional affordable housing either on identified sites elsewhere or as part of an agreed programme for provision of affordable housing.

7.6 At the time of submitting the outline application the submission did not include a viability assessment. The offer of 40% affordable housing with a tenure split of 60% rented and 40% shared ownership was in accordance with adopted policy and did not warrant further scrutiny. Whether or not the scheme was in fact viable to deliver the 5 affordable housing units was therefore not scrutinised.

- 7.7 The current owner purchased the site with the benefit of planning permission and the S106 in 2016. In October 2016 the owner set about marketing the units. The owner contacted the Council's Housing Strategy Team who provided contacts to 9 registered providers active in the Merton area. The owner also contacted an agent specialising in marketing affordable housing which in turn mailed out details via their data base to 19 registered providers on Merton's preferred provider list.
- 7.8 Evidence has been submitted indicating a failure to agree on price, between the developer and a Registered Provider, where there had been an interest to purchase all or some of the units to provide affordable housing. Communications forwarded by the applicant would also suggest that the low number of affordable units may have proved unattractive to a registered provider as the units are valued at lower than the market rate and with the provider asserting that they would be unable to claim grant on the S106 units alone.
- 7.9 As implementation of the scheme commenced further intervention by planning officers prompted the referral of another registered provider to the owner but, following inspection of the site by the registered provider, this too proved unsuccessful and the purchase of the 5 units was not pursued.
- 7.10 In early 2019 planning officers explored with the owner the potential for discounted market sales units rather than pursue an off-site contribution. Discounted market sales (DMS) is a low cost home ownership product where a new build property is purchased at a discounted price directly from the developer. The discount is usually around 20%, and the scheme is to help low and middle income earners get onto the property ladder. The discount is written into a covenant on the property and will remain in perpetuity through all subsequent sales. Unlike shared ownership, the purchaser does not have to pay rent on the remaining share of the property, as there is no remaining share. A purchaser buys the percentage of the property available after the discount and when the property is sold, it has to be sold at the same percentage of the market value at the time of sale. The applicant's viability advisor provided a template S106 based on a scheme in a Cornish authority.
- 7.11 To determine the appropriate discount the purchase price should be attractive to those on incomes that would otherwise qualify for affordable housing including rented accommodation. Analysis of available data by planning officers indicated that discounts would need to be in the order of 74% and not 20% and, in light of the independent viability analysis that had been undertaken, this would impact adversely on the potential number of affordable units that could be provided on site. The process also generated internal resourcing issues and costs in terms of scrutiny of applications by purchasers and subsequent purchasers which the Council would need to undertake in perpetuity.
- 7.12 Whether the purchase price by the current owner properly reflected a rigorous analysis of the implications of delivering not only the development but the affordable units has been the subject of discussion between the developer

and Council officers. Documents submitted with the application indicate different financial regimes come into play for registered providers when bidding for the whole development as affordable rather than as part of a larger development. Whether the price paid by developer for the site was unduly optimistic may be open to question but whether or not this was the case does not resolve the current impasse.

- 7.13 Paragraph 2.56 of the Mayor's SPG sets out that: "Viability alone is insufficient justification for off-site affordable housing provision or a cash in lieu payment.". Officers are of the view that the applicant has demonstrated they cannot sell the homes to a Registered Provider. Given the above, officers consider that it would be reasonable to consider an off-site contribution in lieu of on-site provision.

Assessment of off-site contribution.

- 7.14 The Mayor of London has published (2017) detailed guidance for assessing affordable housing and viability. This SPG does not and cannot set a fixed affordable housing requirement. Instead it provides a framework for delivering the maximum reasonable amount of affordable housing in the context of current London Plan Policies

- 7.15 All schemes which propose off-site affordable housing or cash in lieu payments are required to provide a detailed viability assessment as part of the justification that off-site or cash in lieu is acceptable, in-line with the London Plan and relevant local policies. Viability alone is insufficient justification for off-site affordable housing provision or a cash in lieu payment. The preceding section of this report has sought to highlight the challenges faced in terms of securing the delivery of affordable housing on site.

- 7.16 The SPG states that to avoid incentivising off-site provision or in-lieu contributions, agreements for this should provide no financial benefit to the applicant relative to on-site provision.

- 7.17 The methodology recommended by the SPG is as follows:

The starting point for determining in-lieu contributions should be the maximum reasonable amount of affordable housing that could be provided on-site as assessed through the Viability Tested Route. The value of the in-lieu contribution should be based on the difference in Gross Development Value arising when the affordable units are changed to market units within the appraisal. This is to ensure that where the on-site component of market housing is increased as a result of the affordable contribution being provided as a cash in-lieu payment, this does not result in a higher assumed profit level for the market homes within the assessment which would have the effect of reducing the affordable housing contribution.

- 7.18 The applicant follows the approach of reviewing the maximum reasonable amount of affordable housing by comparing the Residual Value of a 100% open market scheme with the residual value of the consented scheme in

accordance with Section 3 of the SPG. The applicant contends that “It is inappropriate to make the calculation of the Commuted Sum by reference to the GDV of the two schemes because the provision of affordable housing is made possible by the uplift in value generated by the grant of planning consent, and the suggestion is a contradiction to the detailed guidance on the Viability Tested Route in section 3 of the SPD”.

- 7.19 The differing methodologies therefore produce different outcomes. The methodology followed by the applicant’s advisor had as its starting point an estimated market value for the units rather than a sum based on the limited offers made by Registered Providers for the units. This produced an outcome of £172,513. The independent review follows the approach that it considers to be appropriate and advocated by the Mayor’s SPG and produced an outcome of £924,000 as a viable commuted sum.
- 7.20 The applicant contested the outcome of the independent review and the inputs used by the assessor. Further modelling was undertaken by the applicant using the Viability Tested Route that produced a significantly lower outcome of £74,000. However, without prejudice to the viability assessment conducted by his assessor, the applicant made an improved offer of £450,000.
- 7.22 On the basis of the improved offer officers instructed a further review of inputs to be undertaken by the independent assessor.
- 7.23 The £450,000 offer from the applicant was following an initial offer/assessment of the payment-in-lieu at £172,513. This was based on the viability of the scheme as they saw it (bearing in mind there is an existing s106 in place committing the applicant to 5 x affordable homes).
- 7.24 The applicant’s viability assessor suggested the Council should analyse the viability before agreeing the commuted sum based on guidance (Mayors SPG), but the affordable housing quantum is already agreed and secured on this site so we are of the view that just the payment-in-lieu (PiL) calculation is up for discussion and should be that in the draft London Plan and Mayor’s Viability SPG.
- 7.25 Based on further research, officers were advised that the open market sale figure of £1,755,000 the applicant has stated for the 5 affordable housing flats is reasonable and fair. This leaves the affordable housing value part of the equation, which recognising some of the applicant’s argument and without prejudice, the independent advisor has taken the higher affordable housing value to a Registered Provider from viability stage of £1,136,000 which gives a payment in lieu of £639,000 as opposed to the highest Registered Provider offer the applicant received of £851,600 which gives a payment in lieu of £923,400.
- 7.26 On the basis of the conclusions of the revised assessment advice set out by the independent assessor indicates that they consider £639,000 as a robust, fair and reasonable payment in lieu figure based on policy and guidance. In

response the applicant has subsequently made a final offer of £500,000 as a payment in lieu.

- 7.27 Officers consider that the approach to undertaking the calculation by the independent assessor is robust in this instance but highlights the grey area of the affordable units' value because the Mayor's guidance does not deal with that in this scenario, the circumstances of which are somewhat unusual.
- 7.28 The NPPF states that "the weight to be given to a viability assessment is a matter for the decision maker, having regard to all the circumstances in the case, including whether the plan and the viability evidence underpinning it is up to date, and any change in circumstances since the plan was brought into force."
- 7.29 As a matter of judgement members may reach the view that given potential variations in outcomes for the viability assessments greater weight may be accorded to the delivery of housing in this instance and, given the purpose of the contribution would remain to deliver affordable housing, the off-site contribution may be accepted.

Options in the event of not agreeing to vary the S106 to a commuted sum.

- 7.30 The Council has in the past used accumulated Council funds for affordable housing to provide financial assistance to a Registered Providers to deliver affordable housing. Officers would question whether this would be fruitful in this instance given the low level of interest in the site and the small number of units involved.
- 7.31 In the event that variation is not agreed and the matter were to be contested through the courts the applicant may conduct more rigorous financial appraisals which in turn would require scrutiny by the Council. Officers submit that the outcomes pertaining to the sum of any contribution that might result from such detailed are unknown and that it is not possible to advise members at this moment that the sum currently offered would be achieved.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 The proposal is not a planning application and the proposed changes do not impact on the environmental criteria which formed the basis of the earlier assessment. The proposals do not fall to be considered under the Environmental Impact Assessment Regulations.

9. LOCAL FINANCIAL CONSIDERATIONS

Mayor of London Community Infrastructure Levy and London Borough of Merton Community Infrastructure Levy

- 9.1 The development is liable to pay the Mayoral Community Infrastructure Levy [CIL], and the Merton Community Infrastructure Levy. CIL contributions have already been made by the applicant and the proposals do not alter this.

10. CONCLUSION

- 10.1 Adopted planning policies consider cash in lieu contributions as only to be accepted where they would have demonstrable benefits in furthering the affordable housing and other policies of the London Plan.
- 10.2 Given the protracted negotiations with the applicant, the failure to secure a registered provider, the potential shortcomings of other “affordable” housing models on site including discounted market sales, members may consider that the offer broadly fulfills the wider objectives of London Plan policy insofar as it delivers the potential to deliver affordable housing elsewhere in the Borough. The contribution may reasonably be pooled with other financial contributions to help deliver affordable housing on other sites.
- 10.3 It is open to question as to whether using accumulated Council funds for affordable housing to provide financial assistance to a Registered Provider in this instance would be fruitful given the low level of interest in the site and the small number of units involved.
- 10.3 Officers acknowledge that there remains a shortfall between the off-site contribution that independent assessors consider the scheme could deliver (£639,000) and the developer’s offer (£500,000). The offer is however significantly greater than that derived from the developer’s own financial analysis (£172,000). Viability inputs are not static and are sensitive to numerous factors including changes in lending rates and property prices. Economic commentators such as Price Waterhouse Coopers have observed that UK house price inflation has been weakening steadily since mid-2016. Weak house price growth in England has been driven by falling prices in London and surrounding areas. Annual house price inflation in the capital turned negative in July 2018 and (as at July 2019) has remained so in every month since then. Given a fall of approaching 4% in the average price for flat sales in Morden in the last 12 months a pragmatic solution to the current impasse may be to endorse the proposed variation to the S106 agreement.

RECOMMENDATION

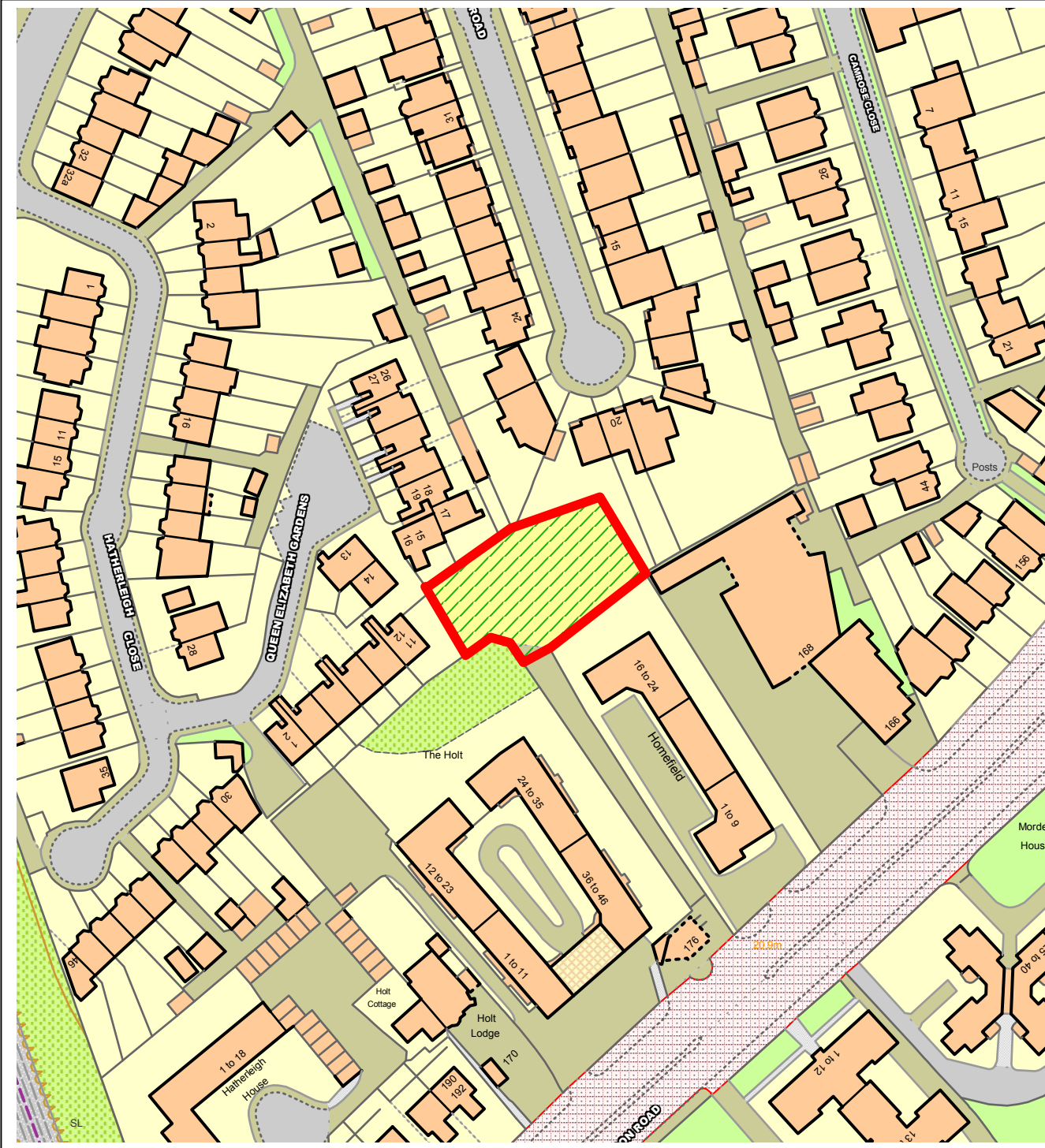
Grant variation of S106 agreement subject to the following:

- a) That in place of the provision of 5 affordable units on site the amended S106 provides for the payment to Merton Council of a financial contribution of not less than £500,000 to be paid in two instalments with trigger date for the second payment to be no greater than 12 months from the date of the Deed of Variation.**
- b) The applicant agrees to meet the Council’s costs of preparing (including legal fees) the amended S106 agreement; and**
- c) The developer agreeing to meet the Council’s costs of monitoring the S106 obligations.**

[Click here](#) for full plans and documents related to this application

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PLANNING APPLICATIONS COMMITTEE 17 OCTOBER 2019

APPLICATION NO.
19/P1785

DATE VALID
02/05/2019

Address/Site 21 Parkside, Wimbledon SW19 5NA

Ward **Village**

Proposal: Demolition of existing dwelling house and erection of a replacement two storey detached dwelling house (with accommodation at basement level and within the roof space) together with associated parking and landscaping

Drawing Nos Drawing Numbers 6102/10A, 11A, 12A, 13A, 14A, 15A, 20A, 21A, 22A, 23A, 24A, Planning Statement, Heritage Statement and Basement Construction Method Statement

Contact Officer: Richard Allen (020 8545 3621)

RECOMMENDATION

GRANT Planning Permission subject to conditions

CHECKLIST INFORMATION

- Heads of agreement: Yes
- Is a screening opinion required: No
- Is an Environmental impact statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice- Yes
- Site notice-Yes
- Design Review Panel Consulted-No
- Number neighbours consulted – 3
- External consultants: None
- Density: n/a
- Number of jobs created: n/a
- Archaeology Priority Zone: Yes
- Controlled Parking Zone: Yes (VN)
- Conservation Area; Yes

1. **INTRODUCTION**

- 1.1 This application has been brought to the Planning Applications Committee due to the number of objections received.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a detached two storey dwelling house (with accommodation within the roof space) situated on the north side of Parkside opposite the Wimbledon War Memorial. The surrounding area is made up of large detached dwellings set within large plots. The property adjoining the north west boundary of the site, 22 Parkside is a Grade II* Listed Building. Opposite the application site is the Grade II Listed Wimbledon War Memorial. The application site is within an Archaeological Priority Zone and is within the Merton (Wimbledon North) Conservation Area.

3. **CURRENT PROPOSAL**

- 3.1 The current proposal current proposal involves the demolition of the existing detached dwelling house and the erection of a replacement two storey, six bedroom detached dwelling house with accommodation at basement level and within the roof space together with associated car parking and landscaping.
- 3.2 The proposed dwelling house would be set back from the site frontage by between 11 and 14.5 metres and would be 21 metres in overall length and 22.5 metres in width and would be set of the side boundary by between 1 and 4 metres. The proposed house would have an eaves height of 7.5 metres and would have hipped roofs with a ridge height of 12 metres.
- 3.2 Internally, at basement level a swimming pool, gym, cinema, store/plant rooms and car parking for three cars (accessed via a car lift) would be provided. At ground floor level an entrance hall, reception, kitchen, living, dining and utility rooms would be provided. At first floor level three bedrooms and a study would be provided. A rear balcony would be provided on the rear elevation at first floor level accessed from the study. At second floor level three bedrooms and games room would be provided within the roof space. Front and rear dormer windows would provide light and ventilation to the rooms within the roof space.
- 3.6 A traditional design approach has been adopted for the proposed dwelling house which would be constructed in red brickwork, stone detailing, tiled roof and timber windows. As part of the proposals it is proposed to undertake extensive landscaping works, which would see the removal of the derelict tennis court and substantial tree planting undertaken.

4. **PLANNING HISTORY**

- 4.1 In November 1965 planning permission was granted for the use as one flat on second floor and one maisonette on ground floor (Ref.MER637/65).
- 4.2 In April 1965 planning permission was granted for the erection of an extension over garage to provide playroom, conservatory and roof terrace (Ref.MER223/68).

- 4.3 In July 1969 planning permission was granted for the erection of a boundary wall (Ref.MER1120/68).
- 4.4 In March 1990 Planning Permission and Conservation Area Consent was granted for the demolition of existing fencing and erection of replacement boundary wall to road frontage incorporating wrought iron gates (LBM Ref.90/P0060 and 09/P0061).
- 4.5 In October 2018 a Pre-application meeting was held in connection with the proposed demolition of the existing dwelling house and erection of a replacement two storey dwelling house with accommodation at basement level and within the roof space (LBM Ref. 18/P3150).

5. **CONSULTATION**

- 5.1 The application has been advertised by site notice procedure and letters of notification to occupiers of neighbouring properties. In response 8 letters of objections have been received. The grounds of objection are set out below: -

-The house is visible from the common and has been familiar to many people since it was built in the Edwardian period.

-It is a fine example of an Arts and Crafts style house and it is unique along Parkside. Any replacement house should incorporate at least the original porch.

-The tennis court has been used by many Wimbledon players for practice as it is hidden from view. Any new house may eventually be extended by removing the tennis court.

-The existing house has become a much loved feature of Wimbledon Common helping to contribute to Wimbledon Village's unique heritage and character.

-The porch at 21 Parkside is particularly magnificent and this should be retained with the faced as a minimum.

-The faced should be retained and a new house constructed behind it.

-The new dwelling would have an immense impact upon the surrounding conservation area and as this house is original to its era and is such a prominent feature to the Village Green, it would be more appropriate to keep the façade.

-The Conservation Area should be protecting what we already have and not destroying it.

-The proposed replacement dwelling does not comply or meet the Council's policies regarding Conservation Areas (Policy DM D4) as the proposal does not conserve or reinstate features as the policy demands.

- 5.2 The consultation has also resulted in 9 letters of support for the application. The details are set out below: -

-The existing house has little to recommend it and the new house will be a significant improvement.

-The proposed replacement dwelling will be in keeping with other large houses alongside Parkside and would be an attractive addition to the

landscape, particularly when viewed from the war memorial on the other side of the street.

-The proposed new house has been sympathetically and thoughtfully designed and is environmentally and sustainability wise, relevant and will be a great improvement when viewed from the War Memorial. The present house has been extensively and badly 'modernised' and is not a credit to the conservation area.

-The current house is of no merit or interest and the new house would be a great addition to the Conservation Area.

-The occupiers of 23A Parkside support the proposal subject to strict conditions being imposed on hours of construction work (particularly Saturday's)

-In support of this application, the front aspect of the new property will enhance the overall outlook of this stretch of Parkside when viewed from both from further away across the common and from close-up, for example from the War Memorial. The colour of the building materials to be used (bricks and roof tiles) and replacement of the loft space windows with fewer windows, the style of which is more in keeping with that of other properties in the immediate neighbourhood. As occupiers of one of the nearby properties, we have concerns about the extent of the work planned and therefore request that hours of construction be controlled to minimise disturbance and that construction will be controlled and monitored in order to protect neighbouring properties.

-The War Memorials trust has been made aware of the proposal to demolish 21 Parkside and its proximity to the War Memorial. The war Memorial Trust has no objections to the proposal.

5.3 Conservation Officer

The Conservation Officer states that the site was subject to a pre-application meeting last year. At that time the Conservation Officer stated that the property should not be demolished but enhanced and restored. The conclusion of the pre-application report was that demolition of the existing dwelling house was not supported. The Conservation Officer is of the opinion that it is a potentially beautiful house and its neglected condition is not a planning consideration, but provides the opportunity for enhancement. Number 21 Parkside is identified in the Conservation Area Character Assessment as making a positive contribution to the Conservation Area, which supports resistance to demolition. The house was built in 1904 and the original dormer windows were within the roof slopes providing good accommodation within the roof space. The current 1960's dormers should be removed and remodelled on the lines of the original dormer windows.

5.4 Tree Officer

It is proposed to remove a number of trees as part of this development. The best 'B' category trees are being retained. A large Sycamore tree, referred to as no.16, has been found to have extensive decay present and it is proposed to be removed as part of appropriate tree management. The tree losses include group 11, which are a row of Cypress trees on the boundary with the adjacent property. The submitted 'Tree Protection Plan' provides an early indication of how the four on-site trees, and the three off-site trees, will be

protected during the course of site works. No arbouricultural method statement has been submitted at this stage, but this can be addressed by condition. The arbouricultural report does promote the idea of compensatory planting. In this regard, a landscaping condition would therefore be appropriate. Therefore, there are no arbouricultural objections to the proposed development providing the existing and retained trees are protected during the course of site works.

5.5 Flood Risk Officer

The Council's Flood Risk officer has been consulted on the proposal as the scheme includes a basement. The Flood Risk officer has reviewed the application, and states that the proposal is compliant with policies DM D2 and DM F2. If officers are minded to recommend that planning permission be granted, conditions regarding surface water drainage and the submission of a Construction Method Statement would be required.

5.6 Highways Officer

Observations: The application site lies within an area with a PTAL score of 1b, which is considered to be poor. A poor PTAL score suggests that only a few journeys could be conveniently be made by public transport.

Car Parking: It is proposed to provide three car parking spaces in the basement access via a narrow passageway (approximately 2.94 m in width), running alongside the swimming pool up to a car lift.

Cycle Parking: The proposal would require the provision of two parking spaces (secure and undercover).

Vehicular Access: An informative stating that any new vehicular access would be constructed by the Council's Contractor together with contact details should be incorporated included in any grant of planning permission.

5.7 Historic England (Archaeology)

Historic England, Greater London Archaeological Advisory Service (GLAAS) has been consulted on the proposal and state that the application site is located within the Tier 2 Archaeology Priority Area marking the site of the medieval village of Wimbledon. The GLAAS have examined the proposal and advise that the proposal could cause harm to archaeological remains and field evaluation is needed to determine appropriate mitigation. However, although the NPPF envisages evaluation being undertaken prior to determination, in this case consideration of the nature of the development, the archaeological interest and/or practical constraints are such that it is considered that a two-stage archaeological condition could provide a better safeguard. This would comprise firstly, evaluation to clarify the nature and extent of surviving remains, followed, if necessary, by full investigation. It is therefore recommended that a planning condition be imposed on any grant of permission in respect of archaeological investigation.

- 5.8 Thames Water
Thames Water has been consulted and state that if the Local Planning Authority are minded to approve the planning application, Thames Water request that an informative be included in any grant of planning permission regarding groundwater.

6. **POLICY CONTEXT**

- 6.1 Adopted Merton Core Strategy (July 2011)
CS8 (Housing Choice), CS9 (Housing Provision), CS13 (Open Space, Nature Conservation, Leisure and Culture), CS14 (Design), CS15 (Climate Change) and CS20 (Parking).
- 6.2 Adopted Merton Sites and Policies Plan (July 2014)
DM H2 (Housing Mix), DM H3 (Demolition and Redevelopment of a Single Dwellinghouse), DM O2 (Nature Conservation, Trees, Hedges and Landscape Features), (DM D2 (Design Considerations in all Developments), DM D3 (Alterations and Extensions to Existing Buildings), DM D4 (Managing Heritage Assets), DM F2 (Sustainable Urban Drainage Systems (SuDS) and: Wastewater and Water Infrastructure), DM T1 (Support for Sustainable and Active Travel), DM T2 (Transport Impacts of Developments) and DM T3 (Car Parking and Servicing Standards).
- 6.3 The London Plan (March 2016)
The relevant policies within the London Plan are 3.3 (Increasing London's Housing Supply), 3.4 (Optimising Sites Potential), 3.5 (Quality and Design of Housing), 3.8 (Housing Choice), 5.1 (Climate Change Mitigation), 5.3 (Sustainable Design and Construction), 7.4 (Local Character) and 7.8 (Heritage Assets and Architecture).
- 6.4 NPPF (2019).
- 6.5 Wimbledon North Conservation Area Character Appraisal.

7. **PLANNING CONSIDERATIONS**

- 7.1 The main planning considerations concern the demolition of the building within a Conservation Area, impact upon Character and Appearance of Conservation Area, setting of listed building, design/visual impact, basement construction, neighbour amenity, trees, archaeology, parking and sustainability issues.
- 7.2 Demolition of a building within a Conservation Area
The application property is an unlisted detached two storey dwelling house (with accommodation within the roof space) set within a large garden with mature planning situated on the north side of Parkside. The main policy relating the demolition of a dwelling house is Policy DM D4 (Managing Heritage Assets). The existing building is unlisted and dates from the early 20 Century and is constructed in the Arts and Crafts style and is considered to make a positive contribution to the character and appearance of the

conservation area, albeit that it is recognised that the building suffers from insensitive alterations. The existing building has been badly altered both internally and externally including the erection of a large front dormer window. The large front dormer window is referred to in the Conservation Area Character Assessment as a negative feature within the Conservation Area.

In considering demolition of a building within a Conservation Area regard should be given to the quality of the replacement building. In this instance a high quality building is proposed of greater bulk, scale and massing than the existing building, but sited further away from the side boundaries of the plot to increase the space between neighbouring building. The proposed replacement dwelling has been designed in a tradition grand style, making a statement on a prominent site. The building would be of high quality architecture with enhanced traditional features, such as chimneys, bay windows and attractive dormer windows. Therefore, in this instance, demolition of the existing building is considered to be acceptable given the quality of the proposed replacement building. The proposed demolition is therefore considered to be acceptable in terms of Policy DM D4 (Managing Heritage Assets).

7.3 Impact upon Character and Appearance of Conservation Area

The site lies within the Merton (Wimbledon North) Conservation Area (designated heritage asset). Section 72 of the Planning (listed Buildings and conservation Areas) Act 1990 states that in considering applications for a Conservation Area, Local Planning authorities must pay special attention to the desirability of preserving, or enhancing the character and appearance of the area. In accordance with this, Policy DM D4 outlines that development should preserve or enhance the significance of the heritage asset.

The NPPF advises local authorities to take into account the following points when drawing up strategies for the conservation and enjoyment of the historic environment. The following considerations should be taken into account when determining planning applications.

- The desirability of sustaining and enhancing the significance of heritage assets and preserving them in a viable use consistent with their conservation; the wider social, cultural, economic and environment benefits that conservation of the historic environment can bring.
- The desirability of new development in making a positive contribution to local character and distinctiveness;
- Opportunities to draw on the contribution made by the historic environment to the character of a place.

The site lies within 'Wimbledon House' Sub-Area 6 of the Merton (Wimbledon North) Conservation Area Character Assessment, which was prepared in December 2007/January 2008 and describes the historical development of the area and its current character and appearance. This part of the Conservation Area is characterised by large detached houses and spacious plots, controlled over time by restrictive covenants.

Number 21 Parkside is an early 20 Century Arts and Crafts style building that has suffered badly from unsympathetic internal and external alterations including a large front dormer window. The property is considered to make a positive contribution to the character of the conservation area by being an early building associated with the development of the estate. However, the building is of limited architectural merit due to later alterations, especially the addition of a large dormer window which is noted in the Conservation Area Character appraisal as a negative feature. Due to the relatively plain appearance of the building is not a particularly noteworthy example of an Arts and Crafts building.

The proposed replacement dwelling house would be of greater bulk, scale and massing than the existing building, but would leave more space between property boundaries. It is proposed to use facing brick to elevations and clay roof tiles, timber windows and stone dressing to reference the predominant building materials within the Conservation Area. The proposed building will reference the predominant features of the existing building, including bay windows, a large porch, tall chimneys and an asymmetrical appearance. It's symmetrical appearance is a common feature in Parkside north of the site and the proposal would result in a new dwelling on the site, but with high quality design and appearance. The design of the proposed building is considered to be acceptable and would preserve the character and appearance of the Merton (Wimbledon North) Conservation Area and is therefore acceptable in terms of policies CS14 Design), DM D2 (Design Considerations in all Developments) and DM D4 (Managing Heritage Assets).

7.4 Setting of Listed building

The statutory test for the assessment of proposals affecting listed buildings and their settings is contained in Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, which states that in considering applications which affect Listed Buildings, Local Planning Authorities must have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest in which it possesses.

To the north west of the application site lies number 22 Parkside a Grade II* Listed Building. The building was listed on 22 February 2013 and the listing description states:

'Architectural and structural interest: an early, executed example of a High-Tech, steel framed house in Britain, that takes the steel-framed technology a stage further than previously with its use of prefabricated components and neoprene gaskets;

Historic Interest: an important early work by a very significant architectural practice, it is a highly significant, surviving early British High-Tec building, that developed from the Californian steel framed houses, alongside the smaller Studio, Ulting, Essex (Grade II) built for Humphrey Spender, the Reliance factory by Team 4 (demolished) and the Richard and Su Rodgers 'Zip-Up' houses (unbuilt);

Experimental use of material and techniques: in particular factory-finished components and dry construction, and in the lightness and precision of steel, which allowed clear spans required for open plan living and flexibility;

Planning interest: separate, single storey units spanning the width of the plot and set round a courtyard, to provide a secluded and versatile living/work place;

Intactness: the intention, structure and built-in fittings are clearly legible, alongside later modifications, an endorsement of its versatility.'

Opposite that application site is the Grade II Listed Wimbledon War Memorial.

The Listed Building is adjoined by neighbouring detached residential plots to the north, east and the application site to the south. The proposed replacement dwelling house at 21 Parkside would be sited further away from the garden boundary with the Listed Building at 22 Parkside and would not therefore result in harm to the setting of the Listed Building or the nearby Listed War Memorial and is compliant with Policy DM D2 (Design Considerations in all Developments) and the NPPF.

7.5 Design

The proposed replacement dwelling house has been designed to incorporate features of other large houses with the Conservation Area. The house would be constructed in red brick to match the prevailing character of the Conservation Area, with stone detailing around entrance and window reveals. The windows would be timber sash windows. To the front roof pitch there would be a centrally positioned dormer window designed to be in keeping with the proportions of the roof and building. Two octagonal bay windows would be sited either side of the main entrance with gables above. Two chimneys would be provided and would extend above the ridge line and would frame the roof. The rear elevation replicates the front elevation, with simpler detailing but incorporating stone mullions. There are a limited number of windows within the side elevations, to non-habitable rooms. A terrace would be provided at first floor level on the rear elevation, screened from neighbouring properties by a brick privacy screen. Although the proposed replacement dwelling would be a large building, the application site is a large plot with the house set back from the road frontage behind a brick boundary wall. The proposed replacement dwelling can therefore considered to be a positive addition to the Parkside streetscene. The proposal is therefore considered to be acceptable in terms of Policy CS14 (Design) and DM D2 (Design Considerations in all Developments).

7.6 Basement Construction

The construction of basements and subterranean structures can cause concern to occupiers of neighbouring properties. In this instance the applicant has submitted a Basement Impact Assessment in accordance with Policy DM D2 (Design Considerations in all Developments). In this instance the basement would be wholly within the property boundary and has been designed to safeguard the stability of neighbouring properties. A Construction

Management Plan (secured by condition) would detail how the basement will be excavated in a manner that safeguards neighboring properties. The proposed basement would be underneath the new house and garden and the area of the basement would be 38% of the garden area. The rear garden is 1,244m² in area and the basement would be 478m², well below the 50% threshold as set out in Policy DM D2 (Design Considerations in all Developments). Two small light wells would be provided on the front elevation of the building. The light wells would not be visible from the street. The basement construction would not adversely affect retained trees on the site or trees within neighbouring gardens. Although the adjacent property at 22 Parkside is a listed building, no works would impact upon the listed building. The provision of a basement is therefore considered to be acceptable.

7.7 Neighbour Amenity

The existing building allows for overlooking into the neighbouring property at 20 Parkside from a terrace constructed on the eastern elevation at roof level. The proposed replacement dwelling has been designed to respect neighbour's privacy and there would be no windows at ground floor level on the south eastern elevation next to number 20 Parkside and the only window on the north western side elevation (next to 22 Parkside) is to a WC and would have obscure glazing. A first floor level there would be windows to a bathroom and a linen room, together with a long window to the stairwell on the south eastern elevation. On the north western elevation there would be a window to a WC and bathroom/wardrobe. A terrace at first floor level to the rear would be screened by a brick screen wall to ensure that no overlooking occurs. First and second floor side windows would be obscure glazed to prevent overlooking. Although the proposed house would be set back from the building line of the existing house and would have a deeper footprint, it would project no further rearward than the existing neighbouring properties. Although the proposed replacement dwelling would have a greater bulk and mass than the existing house, both neighbouring properties are set deeper into their plots than the existing dwelling at 21 Parkside. Therefore, there would be little impact on the outlook from neighbouring residential properties. It is therefore considered that the proposal is acceptable in terms of policy DM D2.

7.8 Trees

A Tree Survey and Impact Assessment, Tree Constraints Plan and Tree Protection Plan have been submitted with the application. The application proposes the removal of low quality trees on the site to allow for new tree planting. The deformed Horse Chestnut, a pollarded Plane and a row of conifer trees to the north west of the existing building are proposed for removal. A small conifer tree next to the south west elevation would be removed, together with a small Apple tree and mature sycamore tree. The sycamore tree has extensive decay. Smaller saplings including Plumb trees, a laburnum would also be removed. In total 12 trees would be removed which includes the row of conifers and group of Plumb trees all of which are of low quality and value. The better quality trees would be retained within the landscaped garden together with approximately 50 new trees planted. The Council's tree officer has been consulted on the proposals and has no

objections to the proposal subject to landscaping and tree protection conditions being imposed on any grant of planning permission to protect retained tree during construction works and ensure the implementation of a landscaping scheme. The proposal is therefore considered to be acceptable in terms of policy DM DO2 (Nature Conservation, Trees, Hedges and Landscape Features).

7.9 Archaeology

Historic England, Greater London Archaeological Advisory Service (GLAAS) has been consulted on the proposal and raise no objections subject to appropriate conditions being imposed on any grant of planning permission. The proposal therefore complies with policy DM D4 (Managing Heritage Assets).

7.10 Parking

The application proposes to retain the existing vehicular access onto Parkside and retain off-street parking spaces. A car lift would provide access to the basement where three cars would be kept. This level of provision is considered to be acceptable. The Council's Highways section have no objections to the proposal subject to a condition being imposed on any grant of planning permission in respect of the submission of a construction logistics plan. The proposal is therefore considered to be acceptable in terms of Policy CS20 (Parking).

7.11 Sustainability

Policy DM H4 (Demolition and Redevelopment of a Single Dwelling House) requires that any proposal seeking to demolish an existing, structurally sound dwelling house to create a new dwelling house in its place will be required to demonstrate that they have exceeded the minimum sustainability requirements outlined in Merton's Core Planning strategy 2011 through Policy CS15 through:

(a) Limiting CO2 emissions arising from the operation of the dwelling and its services in line with Code for sustainable Homes level 5,

(b) Improving the fabric energy efficiency performance in line with Code for Sustainable Homes Level 5; and,

(c) making effective use of resources and materials in Accordance with Merton's Core Planning Strategy Policy CS15 (part (a)).

The applicant's consultants have produced a sustainability Statement and an Energy Report. The Sustainability Statement details how the proposed development would reduce energy consumption through improved U-Values and airtightness. Low energy lighting will also be used. It is also proposed to achieve an improvement in carbon dioxide emissions by 36.8% over Part L of the Building Regulations 2013 through fabric energy efficiency measures and renewable energies through the use of Photo Voltaics. Water consumption would be less than 105 litres per person per day. It is also proposed to minimise embodied carbon through efficient design, procurement of materials

from local sources or with a high-recycled content. An appropriate condition is recommended to ensure compliance. The proposal is therefore considered to be acceptable in terms of Policy CS15 (Climate Change).

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

8.1 The proposal does not constitute Schedule 1 or Schedule 2 development. Accordingly, there is no requirement for an EIA submission.

9. **CONCLUSION**

9.1 The demolition and redevelopment of the site by the erection of a detached dwelling house is considered to be acceptable and the proposal would preserve and enhance the character and appearance of the Merton (Wimbledon North) Conservation Area. The proposal would not harm the setting of the Grade II* Listed Building at 22 Parkside or the Grade II Listed Wimbledon War Memorial opposite the application site. The design of the replacement dwelling house is considered to be acceptable and the proposal would not harm neighbour amenity. Accordingly, it is recommended that planning permission be granted, subject to conditions.

RECOMMENDATION

GRANT PLANNING PERMISSION

Subject to the following conditions: -

1. A.1 (Commencement of Development)
2. A.7 (Approved Drawings)
3. B.1 (Approval of Facing Materials)
4. B.4 (Details of Surface Treatment)
5. C.2 (No Permitted Development –Door and Windows)
6. C.4 (Obscure Glazing-First Floor Windows in (side) North West and South South East Elevations)
7. C.6 (Details of Refuse and Recycling Storage)
8. C.9 (Details of Balcony Screening)
9. D.9 (No External Lighting)
10. D.11 (Hours of Construction)
11. F.1 (Landscaping Scheme)

12. F5 (Tree Protection)
13. F.8 (Site Supervision-Trees)
14. H.6 (Details of Cycle Parking)
15. H.9P (Construction Vehicles)
16. No development approved by this permission shall be commenced until a details scheme for the provision of foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the Local Planning Authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at the agreed runoff rate (no more than 1L/s and minimum attenuation volume of 55m³), in accordance with drainage hierarchy contained within London plan Policies (5.12, 5.13 and SPG) and advice contained within the National SuDS Standards.

Reason for condition: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DM F2 and London Plan policy 5.13.

17. Prior to commencement of development, the applicant shall submit a detailed construction method statement (CMS) produced by the respective contractor/s responsible for building the approved works, to the approval of the Local Planning Authority. The construction method statement shall also detail how drainage and groundwater, will be managed and mitigated during post construction (permanent phase) such as through passive drainage measures around the base structure.

Reason for condition: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DM F2 and London Plan policy 5.13.

18. No development shall take place until a stage 1 written scheme of investigation (WSI) has been submitted to and been approved in writing by the Local Planning Authority. For land that is included within the WSI, no demolition or development shall take place other than in accordance with the agreed WSI, and the programme and methodology of site evaluation and the nomination of a competent person(s) or organisation to undertake the agreed works.

If heritage assets of archaeological interest are identified by stage 1 then for those parts of the site which have archaeological interest a stage 2 WSI shall be submitted and approved in writing by the Local Planning Authority. For land that is included within the stage 2 WSI, no demolition/development shall

take place other than in accordance with the agreed stage 2 WSI which shall include:

A. The statement of significance and research objectives, the programme and methodology of site investigation and recording and nomination of a competent person (s) or organisation to undertake the agreed works.

B. The programme for post-investigation assessment and subsequent analysis, publication and dissemination and deposition of resulting material. This part of the condition shall not be discharged until these elements have been fulfilled in accordance with the programme set out in the stage 2 WSI.

Reason for condition: To safeguard archaeological remains in accordance with policy DM D4 (Managing Heritage Assets) of the Adopted Merton Sites and Polices plan (2014).

19. Informative

Written schemes of investigation will need to be prepared and implemented by a suitably qualified professionally accredited archaeological practice in accordance with Historic England's Guidelines for Archaeological Projects in Greater London. This condition is exempt from deemed discharge under schedule 6 of The Town and Country Planning (Development management Procedure) (England) Order 2015.

20. Informative

A Groundwater Risk Management Permit from Thames Water will be required for discharging groundwater into a public sewer. Any discharge made without a permit is deemed illegal and may result in prosecution under the provisions of the Water Industry Act 1991. We would expect the developer to demonstrate what measures he will be undertake to minimise ground water discharges into a public sewer. Permit enquiries should be directed to Thames Water's Risk Management Team by telephoning 02035779483 or by emailing wwqriskmanagement@thameswater.co.uk. Application forms should be completed online via www.thameswater.co.uk/wastewaterquality.

21. Informative

No surface water runoff should discharge onto the public highway including the footway or highway. When it is proposed to connect to a public sewer, the site drainage should be separate and combined at the final manhole nearest the boundary. Where the developer proposes to discharge to a public sewer, prior approval from Thames Water Developer Services will be required (contact no.0845 850 2777).

No waste material, including concrete, mortar, grout, plaster, fats, oils and chemicals shall be washed down on the highway or disposed of into the highway drainage system.

[Click here](#) for full plans and documents related to this application

NORTHGATE SE GIS Print Template



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**PLANNING APPLICATIONS COMMITTEE
17 OCTOBER 2019**

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
(A) 18/P4017	29/10/2018
(B) 18/P4089	29/10/2018

Address/Site: Wandle House, 10 Riverside Drive, Mitcham,
CR4 4SU

Ward: Ravensbury

Proposal: (A) REMOVAL OF THE EXISTING LINK BETWEEN THE LISTED BUILDING AND THE OFFICE BUILDING. WORKS TO THE LISTED BUILDING ONLY: CONVERSION OF THE GROUND AND FIRST FLOOR LEVELS FROM OFFICE TO RESIDENTIAL USE TO PROVIDE 2 x ONE BEDROOM SELF-CONTAINED FLATS WITH STORAGE ROOMS AT THE LOWER GROUND FLOOR LEVEL, ADDITION OF AN EXTERNAL STAIRCASE TO THE EASTERN ELEVATION OF THE LISTED BUILDING AND SURROUNDING LANDSCAPING WORKS.
(B) LISTED BUILDING CONSENT FOR THE REMOVAL OF THE EXISTING LINK BETWEEN THE LISTED BUILDING AND THE OFFICE BUILDING. CONVERSION OF THE GROUND AND FIRST FLOOR LEVELS FROM OFFICE TO RESIDENTIAL USE TO PROVIDE 2 x ONE BEDROOM SELF-CONTAINED FLATS WITH STORAGE ROOMS AT THE LOWER GROUND FLOOR LEVEL, ADDITION OF AN EXTERNAL STAIRCASE TO THE EASTERN ELEVATION OF THE LISTED BUILDING AND SURROUNDING LANDSCAPING WORKS.

Drawing No.'s & Docs: (A & B) 01-02 Rev P3; 20-B1 Rev P4; 20-00 Rev P4; 20-01 Rev P4; 20-02 Rev P4; 20-R1 Rev P3; 21-01 Rev P4; 21-02 Rev P4; 21-03 Rev P4; 21-04 Rev P4; 21-05 Rev P3; 22-01 Rev P4; 9805-LA-01 Rev C; Design & Access Statement T03.NL.R3.01.DA Rev P02 (8th Oct 2018); Built Heritage Statement JCH00618 (September 2018); Flood Risk Report by RPS HLEF66506/001R (August 2018).

Contact Officer: Catarina Cheung (020 8545 4747)

RECOMMENDATION

- (A) Grant planning permission subject to conditions.**
(B) Grant listed building consent subject to conditions.

CHECKLIST INFORMATION

- 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: 28
- External consultations: 0
- Controlled Parking Zone: No
- Archaeological Zone: Zone 2
- Conservation Area: Wandle Valley
- Listed Building: Grade II
- Flood Risk Area: Zone 2
- PTAL: 2
- Trees: No Tree Preservation orders

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 Wandle House is a Grade II Listed building of four storeys (one level being lower ground) occupied by one existing residential unit on the second floor which is not self contained, office uses on the ground and first and storage space in the basement level. This building is linked by a glass walkway to a four storey 1960s office extension building. The Listed building is currently entered via the glass walkway. The office offers three entrances: one being through the glass walkway, and on the rear (southern) elevation two entrances from the ground and lower ground floor levels.
- 2.2 Historic England describes Wandle House as follows:
Detached house now offices. Circa 1795. Attributed to Robert Mylne. Brown brick, tuck pointed. Slate mansard roof to parapet. 2 storeys. Western elevation of 3 windows wide. Square gauged headed windows, sashes, glazing bars. Ground floor windows in semi-circular headed reveals. Stucco band between storeys. Cornice above first floor. Parapet with panels on balustrading. South facade with 2 storey segmental bay window. East return to road also of architectural interest. Present entrance through adjoining office block of 1963, which is not of special interest.
- 2.3 The site is located within Wandle Valley Conservation Area, sub-area Lower Mitcham: Watermeads and Station.
- 2.4 Along Riverside Drive and further north of the application site along Brookfields Avenue, are two storey residential semi-detached and terrace properties. It is also noted these surrounding streets are not included within the Conservation Area.

2.5 South of the application site lies Grove Mill, a three storey residential flatted development, and the Listed cottages 475-479 London Road known as 'Mill Cottages'. These form part of the setting of Watermeads Nature Reserve where the River Wandle passes through. This area is included within the Conservation Area.

3. CURRENT PROPOSAL

3.1 This application seeks planning permission and Listed building consent for the following proposed works:

- Demolition of the existing glass walkway to separate the Listed structure from the office extension;
- The western elevation of the office building would be made good with materials to match the existing following removal of the link, and a new entrance door provided on the ground floor;
- Landscaping proposed around the vicinity of the site and a communal garden (measuring 46.9sqm, which does not include the area of surrounding hedge) provided at the rear of the building for the use of the 3 units;
- 3 car parking spaces at the rear would be dedicated for the flats, with cycle and refuse storage.

Works specific to the Listed building:

Internal

- Lower ground floor level: insertion of partition to create a storage area for the existing second floor flat;
- Ground floor level: wall of existing bathroom moved to increase bathroom size and doorway west of the room blocked up to divide the proposed bedroom and living/kitchen/dining area;
- First floor level: new partition walls to create entrance to Flat 2 and moving of the doorway to the bedroom slightly north;
- Second floor: no alterations.

External

- The elevation covered by the glass walkway is currently rendered, this would be removed to expose the brickwork/replace with matching brick;
- New entrance doors on the east elevation for each flat;
- A new glass extension with staircase attached to the east elevation of the Listed building.

3.2 The proposed scheme of accommodation for the units would be as follows:

Flat	No. of beds	No. of persons	No. of storey's	Proposed GIA
1	1	2	1	69.72
2	1	2	1	68.28
3*	1	2	1	53.21

3.3 * Flat 3 is currently a non-self-contained unit being entered via the glass walkway. Whilst the conversion would not materially alter the flat's internal

layout, the glass extension would allow the unit to be self-contained with independent access away from the shared walkway with the office building.

3.4 There are no internal changes proposed to the office building.

4. PLANNING HISTORY

4.1 11/P3157: APPLICATION FOR LISTED BUILDING CONSENT FOR THE INSTALLATION OF A STAIRLIFT, A MOTORISED ENTRANCE DOOR TO FACILITATE DISABLED ACCESS; ALTERATIONS TO INTERNAL DOORS, PARKING SPACES AND THE INSTALLATION OF A DISABLED W.C AT GROUND FLOOR LEVEL

– Granted Listed Building Consent 30/12/2011

4.2 11/P2129: APPLICATION FOR LISTED BUILDING CONSENT FOR THE INSTALLATION OF VERTICAL WHEELCHAIR HOIST AND MOTORISED ENTRANCE DOOR TO FACILITATE DISABLED ACCESS.

– Granted Listed Building Consent 19/09/2011

4.3 11/P2044: INSTALLATION OF VERTICAL WHEELCHAIR HOIST AND MOTORISED ENTRANCE DOOR TO FACILITATE DISABLED ACCESS.

– Granted 19/09/2011

4.4 A number of extension works proposed to the office building. Approved in the 1960s: MIT4258(D) granted 02/01/1964 and MIT4258 allowed at appeal; and refused MIT4258(O). Illuminated

4.4 MIT4887A: RETENTION OF TWO BUILDINGS UNTIL 31/10/1965

– Granted 29/12/1964

4.6 MIT5267: ILLUMINATED SIGN UNTIL 31/03/1966

– Granted 01/10/1964

4.7 Applications were granted for two office buildings: MIT4887, approved in 1963; and for 8 dwellinghouses: MIT1212, approved in 1963.

5. CONSULTATION

External

5.1 Public consultation was undertaken by way of letters sent to **28** neighbouring properties, Conservation Area site notice and press notice in the local paper. 8 representations were received during the initial consultation of the proposal. Summary of comments/objections are as follows:

Consultation process

- Only one notification of the planning application was displayed which is apparent only if one is looking for it, hardly fulfils the spirit of publicising. Unaware whether a notice was published in the local press but, even so this method is outdated as few people read the local paper;
- Our opinion that all residents of Brookfields Avenue and Riverside Drive should be formally notified by post of all planning applications regarding this site;

Principle of development: loss of office space and proposed residential use

- Does not think you can touch a listed building and would not like flats there;
- The applicant should be quizzed as to their long-term intentions for the site as a whole and if there is a hidden agenda;
- Does the development fulfil policies in meeting the needs of more office space? ;
- Changing retail office space for residential will affect the social community impact for this area;
- Supporting residential development elsewhere in the borough, a balance between house and retail development should be considered;
- Unsure of what kind of storage will be provided on the lower level.

Design and appearance

- The reinstatement of Wandle House as a standalone building puts right from of the damage inflicted in the 1960s by the office development, this element will enhance the Conservation area;
- Disappointed by the limited attention paid to opportunities to enhance the landscape, there is scope for the car parking area to be softened and landscaped.
- Considers the demolition of the link walkway a significant loss to the Grade II Listed building and is irresponsible and immoral;
- The removal of the existing glass walkway will make the new setting and access to Wandle House undesirable in a visual aesthetically way compared to presently having a continuous building feel and appearance;
- Loss of screening when the glass building is removed and will cause visual intrusion and protective sound barrier to adjacent area;
- Screening should be provided in place of the lost glass building;
- Applicant is seeking comments on a “draft” printed heritage statement;
- Concerned that the plans are not considering the site as a whole.

Traffic, parking and highway

- Parking has become more difficult in recent years, these roads, and the junction in particular, simply cannot take more residents and thus more traffic and increased pressure on parking.

Neighbouring amenity and noise

- Disruption and noise which would arise from construction;
- Increase and worsen noise and air quality for the residents;
- Unclear of future plans for the office building as this will cause overlooking into neighbouring gardens.

5.2 Following amendments a 14 day re-consultation was undertaken and 3 representations were received. Summary of new comments/objections are as follows:

Consultation process

- Poorly consulted along Riverside Drive. The development would deeply affect the housing and worsening of social behaviour by building more flats.

Design and appearance

- The reinstatement of Wandle House as a standalone building puts right from of the damage inflicted in the 1960s by the office development, this element will enhance the Conservation area;
- Disappointed by the limited attention paid to opportunities to enhance the landscape, there is scope for the car parking area to be softened and landscaped;
- Great visual and aesthetic impact caused by loss of the existing walkway that provides a continual frontage from Riverside Drive;
- Loss of visual impact along the office building is significant and there is insufficient coverage and planting mitigations to reduce the visual impact;
- The proposed rear common open space seems small and tiny for the proposed 3 flats to use and is disproportionate to the number to flats being proposed.

Traffic, parking and highway

- Potential increase in traffic along Riverside Drive, the cars parking along the adjacent Wandle House offices will be increased and further impacted along the footway with cars mounting the kerbs;
- Has there been a review of resident parking permit adjacent to Wandle House to the London Road/Riverside junction, in order to deter constant use of the street by non-residents and commuters using the Mitcham Tram Stop. This is further accumulation on the amount of traffic and accessibility along the residential road;
- The proposed front and side elevations seems to be unrealistic, in terms of covering the main vehicular entrance with new trees. Previously, the use of the car park was one way system. This is fundamental change to the entrance use, and there are no considerations to the adjacent owners;
- The re-arrangement of the entry has poor visibility by Riverside Drive users and to pedestrians and will cause safety issues.

Neighbouring amenity and noise

- Significant change in highways and transport issues relating to vehicular entrances/exits, which will impact noise and air quality to the adjacent residents;

Accessibility

- Removing the glass walkway would remove the disabled access;
- Plans do not match with the proposed arrangement for the loss of current disabled access and disabled car parking arrangements.

5.3 **Historic England** – gives authorisation for the Listed Building Consent to be determined by the local authority.

Internal

5.4 **Conservation officer** – The removal of the existing stair link is a positive enhancement which would re-establish the importance of the Listed building, providing it its own independent setting from the office block. Converting the

offices to residential would also be in line with its historic use, so would be welcome.

- 5.5 **Transport officer** – The site lies in within PTAL 2 which is considered poor. A poor rating suggests that only a few journeys could be conveniently made by public transport. The site is not located within a CPZ and consequently the surrounding streets do not contain parking restrictions.

Three car parking spaces are provided including one disabled bay. 7 cycle parking spaces shown which is excessive for the number of flats proposed. The location of the refuse measures 23m from the highway which exceeds by 3m however, Transport planning would accept the location proposed.

Therefore, no objections raised subject to the amendment of the bicycle store and car parking to be maintained as shown.

- 5.6 **Climate change officer** – The development does not include detailed information on how it will meet Merton and the London Plan's sustainability requirements. The applicant should submit details on how the development will meet sustainability policy objectives, either within the submitted Design and Access Statement or in a separate energy/sustainability statement. This should include a breakdown of how emissions reductions are achieved at each level of the energy hierarchy.

Local authorities are required to limit the number of pre-commencement conditions placed on applications but in this instance should the applicant consent, it would be appropriate to place a pre-commencement condition on this application in order to allow the application to proceed. However, I would strongly advise that sufficient due diligence is undertaken in order to determine that the conditions can be met before the applicant agrees to the imposition of the pre-commencement condition. If planning approval is granted it would be on the understanding that the applicant will be able to discharge the condition recommended. It is also important that any renewable energy technologies that would be incorporated in order to meet the targets are shown on the plan, therefore if technologies such as Air Source Heat Pumps or solar PV panels are to be incorporated these should clearly be marked on the plans.

- 5.7 **Flood risk officer** – A flood risk assessment has been produced by RPS (dated August 2018). The site is located in Flood Zone 2 and is not shown to be at risk of surface water flooding outlines, as per the EA's flood risk maps. A topographic survey noted that the ground floor level of the existing building is 21.27mAOD. The in-channel flood level for the 1 in 100 year +35%Climate Change is 19.57mAOD.

No residential accommodation is proposed in the basement level. Safe access and egress from the site is available to the north/west onto Riverside Drive and via Brookfields Avenue. Flood resistance measures are recommended, as per the FRA, to defend the basement area if possible.

No objection raised, conditions have been recommended for attachment to any grant of permission.

- 5.8 **Tree officer** – During the initial review of the landscaping scheme, there was scope for more trees to be planted and species/locations were recommended by the Tree officer. Following amendments to the landscaping plan incorporating her suggestions, there are no further objections raised and it is now considered acceptable.

6. POLICY CONTEXT

- 6.1 NPPF - National Planning Policy Framework (2019):
Part 5 Delivering a sufficient supply of homes
Part 12 Achieving well-designed places
Part 16 Conserving and enhancing the historic environment
- 6.2 London Plan 2016:
3.3 Increasing housing supply
3.4 Optimising housing potential
3.5 Quality and design of housing developments
5.1 Climate change mitigation
5.2 Minimising carbon dioxide emissions
5.3 Sustainable design and construction
5.12 Flood risk management
5.13 Sustainable drainage
5.17 Waste Capacity
6.3 Assessing effects of development on transport capacity
6.9 Cycling
6.13 Parking
7.4 Local character
7.6 Architecture
7.8 Heritage assets and archaeology
- 6.3 Merton Sites and Policies Plan July 2014 policies:
DM D1 Urban design and the public realm
DM D2 Design considerations in all developments
DMD3 Alterations and extensions to existing buildings
DMD4 Managing heritage assets
DM E1 Employment areas in Merton
DM F1 Support for flood risk management
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 T2 Transport impacts of development
DM T3 Car parking and servicing standards
- 6.4 Merton Core Strategy 2011 policy:
CS 8 Housing choice
CS 9 Housing provision

CS 12 Economic development
CS 14 Design
CS 15 Climate change
CS 17 Waste management
CS 18 Transport
CS 20 Parking servicing and delivery

6.5 Supplementary planning documents

London Housing SPG 2016

Technical Housing standards – nationally described space standards 2015

Historic England Energy Efficiency and Historic Buildings – Application of Part L of the Buildings Regulations to Historic and Traditionally Constructed Buildings

Historic England Advice Note 8 – Sustainability Appraisal and Strategic Environmental Assessment

7. PLANNING CONSIDERATIONS

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

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

Principle of development: Loss of office space and change of use to residential

Loss of offices

7.2 Merton's Policy DM E1 seeks to ensure that there is an adequate supply of suitable sites and premises in locations that optimise opportunities and co-locational advantages for businesses and minimise negative effects on other users.

7.3 The office space within the Listed building are currently vacant. Some of the offices within the 1960s block are being occupied by the owners, but the building not wholly let. However, these would remain as existing and the application does not include the adjacent office block, therefore this element is not assessed.

7.4 The site is not within a Town Centre nor is it in an area of high PTAL. It is not considered the loss of the approximately 148sqm of office floorspace within the Listed building would not be detrimental to local employment.

7.5 Surrounding the building is wholly residential so its change of use would be in keeping with the local area. Historically, the Listed building was residential so its change of use would be reverting back to its original use. This is supported by the Conservation officer.

Increasing housing

- 7.6 The National Planning Policy Framework, London Plan Policy 3.3 and the Council's Core Strategy Policy CS8 and CS9 all seek to increase sustainable housing provision and access to a mixture of dwelling types for the local community, providing that an acceptable standard of accommodation would be provided. Policy 3.3 of the London Plan 2016 also states that boroughs should seek to enable additional development capacity which includes intensification, developing at higher densities.
- 7.7 The development seeks to provide further residential units within the Listed Building through change of use of the ground and first floor office levels. The principle of doing so is considered acceptable and in line with policies to increase provision of additional homes and seeking opportunities through intensification of the site.
- 7.8 Whilst the use of the listed building as a wholly residential development would be acceptable, the scheme is also subject to all other criteria being equally fulfilled and compliant with the policies referred to above.

Character and Appearance

- 7.9 Policy DM D2 of Merton's Sites and Policies Plan requires development to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area and to use appropriate architectural forms, language, detailing and materials which complement and enhance the character of the wider setting. The requirement for good quality design is further supported by the London Plan London Plan Policies 7.4 and 7.6 and Merton's Core Strategy Policy CS14.
- 7.10 The separation of the Listed structure from the office building is considered hugely positive, and it would relate historically to the original larger villa building, which sat independently within its own expansive plot, known as 'Wandle Grove'. Whilst objections have been raised concerned about the loss of continued frontage between the Listed building and the office block, there is no reasonable justification as to why the two should be connected. They are of stark differing styles where clearly the office building bears no architectural merit, and reintroducing the Listed building on its own would positively contribute and enhance the Riverside Drive streetscene, the Conservation Area and the character and setting of the Listed Building.
- 7.11 The external glass extension on the eastern elevation is considered appropriate as it is a distinguishable modern intervention which does not attempt to falsely replicate the existing architecture. Its scale is subordinate to that of the main dwelling and would not be considered inappropriately dominant.
- 7.12 In this proposal, a landscape plan has also been proposed around the Listed building to enhance its new independent setting. The Trees Officer was consulted on the landscaping and considers the amended scheme acceptable.

Neighbouring Amenity

- 7.13 SPP Policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

Wandle House, office building

- 7.14 Whilst the glass walkway would be demolished removing the central access, this would be replaced with a new entrance door from the street level so would remain accessible from Riverside Drive. Alternatively, there are 2 entrances at the rear of the office building.

- 7.14 The glass extension for the Listed building would not prejudice the continued operation of the 1960s block as offices, the separation would provide both elements with independent access. The windows on the western elevation of the offices would be infilled with matching brickwork, leaving only one on the second floor level which serves the stairwell, therefore, it is not considered the glass extension would have an unduly impact in terms of light or outlook.

8 Riverside Drive

- 7.15 There is a separation distance of approximately 8.5m between the Listed building and number 8 Riverside Drive. The glass extension is proposed on the east elevation of the Listed building, and as it does not project beyond the building lines of the Listed building, it would not be visible toward number 8. No further external alterations are proposed toward the Listed building. Therefore, impact in terms of light and outlook are not considered to be unduly harmful.

26 Riverside Drive

- 7.16 It is unlikely number 26's amenity would be impacted in terms of light, outlook or privacy as the proposed extension and conversion of the Listed building would not be visible toward the neighbouring occupiers, obscured by the office building.

473a London Road

- 7.17 There would be a separation of approximately 30m between the proposed glass extension and the rear neighbour 473a London Road, with such a distance in between, there is unlikely to be issues raised in terms of overlooking, overshadowing or outlook. The windows toward the rear elevation of the Listed building would serve living areas instead of office spaces, however, the separation distance would remain reasonable at 24m, so, would unlikely raise issues in terms of privacy.

Standard of accommodation : Internal

- 7.18 Policy 3.5 of the London Plan 2016 requires housing development to be of the highest quality internally and externally, and should satisfy the minimum internal space standards (specified as Gross Internal Areas –GIA) as set out in Table 3.3 of the London Plan. Table 3.3 provides comprehensive detail of minimum space standards for new development; which the proposal would be expected to comply with. Policy DMD2 of the Adopted Sites and Policies Plan

(2014) also states that developments should provide suitable levels of sunlight and daylight and quality of living conditions for future occupants.

Flat	No. of beds	No. of persons	No. of storey's	Proposed GIA	Required GIA	Compliant
1	1	2	1	69.72	50	Yes
2	1	2	1	68.28	50	Yes
3	1	2	1	53.21	50	Yes*

7.19 Demonstrated by the table above, the proposed units would meet the minimum space standards as set out in the London Plan.

7.20 As mentioned under paragraph 3.3, Flat 3 is currently a non-self-contained unit being entered via the glass walkway, the glass extension would allow the unit to be self-contained with independent access away from the shared walkway with the office building. The conversion would not materially alter the flat's internal layout, this would remain the same, however, it is noted the unit would nonetheless meet the minimum space standards.

Standard of accommodation : External

7.21 In accordance with the London Housing SPG and Policy DMD2 of the Council's Sites and Policies Plan, it states that there should be 5sqm of external space provided for private outdoor space for 1-2 person dwellings and an extra 1sqm provided for each additional occupant.

7.22 A communal area of outdoor amenity has been provided for the 3 flats, this area would measure around 46sqm and would exceed adopted standards.

Transport, parking and cycle storage

7.23 Core Strategy Policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, street parking or traffic management. Cycle storage is required for all new development in accordance with London Plan Policy 6.9 and Core Strategy Policy CS18. It should be secure, sheltered and adequately lit and Table 6.3 under Policy 6.13 of the London Plan stipulates that 1 cycle parking space should be provided for a studio/1 bedroom unit and 2 spaces for all other dwellings.

7.24 The site has a PTAL of 2 and is not located within a Controlled Parking Zone. 3 parking spaces have been designated at the rear for the 3 self-contained units. The Council's Transport officer has been consulted and raises no objection to this provision, providing on-site parking would alleviate the need to park along the surrounding streets. Conditions have been recommended by the Transport officer including the provision of amended cycle storage units for approval by the LPA and maintenance of the car parking spaces.

Refuse

7.25 The London Plan Policy 5.17 and Merton Core Strategy Policy CS17 require new developments to show capacity to provide waste and recycling storage

facilities. An appropriate location for refuse storage has been indicated on the plans in accordance with these policies, and a condition will be attached ensuring that the refuse provision is provided as indicated on the plans prior to occupation of the development.

Sustainability

- 7.26 All new developments comprising the creation of new dwellings should demonstrate how the development will comply with Merton's Core Planning Strategy (2011) Policy CS15 Climate Change (parts a-d) and the policies outlined in Chapter 5 of the London Plan (2016). As a minor development proposal, the development is required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day.
- 7.27 With the absence of detailed information relating to how the development will meet sustainability requirements, the Climate Change officer has suggested that a pre-commencement condition be attached requiring the need to achieve said London and Local plan policies (paragraph 5.6). However, the proposed works in this application relate to a Listed building where more sensitive refurbishment would need to be undertaken in comparison to, i.e. a new build. Therefore, it is a matter of planning judgement as to the weight placed on the delivery of sustainability targets and the extent which the works required to meet such standards can be carried out, without inflicting unacceptable alteration to the character and appearance of the Listed building. So, whilst achieving reduced carbon emissions and water targets are of importance, it is noted in this instance some flexibility should be permitted with a tailored energy strategy, to be read in line with an approved schedule of works, which aim for the building to be improved in terms of energy efficiency as far as is reasonably practicable without prejudicing the character of the building or increasing the risk of long-term deterioration.

8. LISTED BUILDING CONSIDERATIONS

- 8.1 London Plan policy 7.8 states that development should identify, value, conserve, restore, re-use and incorporate heritage assets, where appropriate and to incorporate measures that identify, record, interpret, protect and, where appropriate, present the site's archaeology. Merton SPP Policy DMD4 and Core Strategy CS14 require proposals which affect a heritage asset or its setting to conserve and enhance the significance of the asset as well as its surroundings to enhance local character and distinctiveness, and in Listed Buildings, internal features such as fireplaces, panelling, ceilings, doors and architraves as well as the proportion of individual rooms may also be of significance.
- 8.2 The considerations of the Listed Building Consent relate to the impact of works toward the historic fabric and integrity of the Listed building.
- 8.3 The eastern elevation would consist of the removal of the render in order to reintroduce the brick finish, this is considered acceptable. Appropriately conditioned requiring a detailed schedule of works will inform whether the

removal of the render would reveal brick or if reclaimed bricks would need to be sourced, if so, these would be required to be approved by the Local Planning Authority.

- 8.4 Internally, there is minimal disturbance to the layout of the rooms. Works involving insertion and infilling of partition walls and repositioning of a doorway are minor, and are not considered to be detrimental to the Listed building. As mentioned above, notwithstanding the assessment of heritage assets provided in the “Built Heritage Statement” (September 2018) a schedule of works would be attached as condition to any grant of permission to ensure features of historic interest are continually recorded, and sympathetically treated whilst carrying out refurbishment and internal/external building works.
- 8.5 Consequently, it is considered that the proposed conversion and erection of a glass extension with external staircase would respond positively toward the Listed building, its appearance and wider setting within the Conservation Area and that the Listed building would be enhanced by returning it to a detached building. Works to the interior of the building would be minimal, retaining much of the existing layout, and in the officers judgment the proposals would not have a detrimental impact toward its fabric and that impacts can be reasonably regulated by condition.

9. CONCLUSION

- 9.1 The proposed scheme would provide the opportunity to reinstate the Listed building as its own independent structure, and to provide an enhanced landscaped area around the development to positively contribute to the Riverside Drive streetscene and wider Conservation area. The replacement glass stairwell extension is considered appropriate as it would be an enhancement from the existing glass walkway, whilst overtly modern, it would not detract from the character of the Listed building but would preserve its appearance not being of style which falsely imitates the original such that it might otherwise diminish the main building. Furthermore, no significant issues would arise in terms of impact toward neighbouring amenity and traffic. Works to the fabric of the building may be adequately controlled by condition and, as a matter of judgement, it is considered that the historic character of the building overall would be enhanced.
- 9.2 Overall, it is considered the proposal complies with the principles of the policies referred to under Section 6, and it is recommended to grant planning permission and listed building consent subject to the attachment of conditions.

RECOMMENDATION

(A) Grant planning permission

Subject to the following conditions:

1. A1 Commencement of development
2. A7 Approved plans
3. B1 External materials to be approved
4. B5 Details of wall/fences
5. C07 Refuse & recycling implementation
6. D11 Construction hours
7. F02 Landscaping, implementation as shown on plans, pre-occupation
8. H04 Provision of vehicle parking, provided as shown on plans, pre-occupation
9. H06 Cycle parking details to be submitted, pre-occupation
10. Non-standard – pre-commencement sustainability condition
11. Non-standard – flood risk condition requiring the details and mitigation recommendations submitted in the application's Flood Risk Assessment to be carried out
12. NPPF Note to applicant – approved schemes
13. INF – planning permission in conjunction with Listed building consent 18/P4089
14. INFS: Flood risk and climate change

(B) Grant listed building consent

Subject to the following conditions:

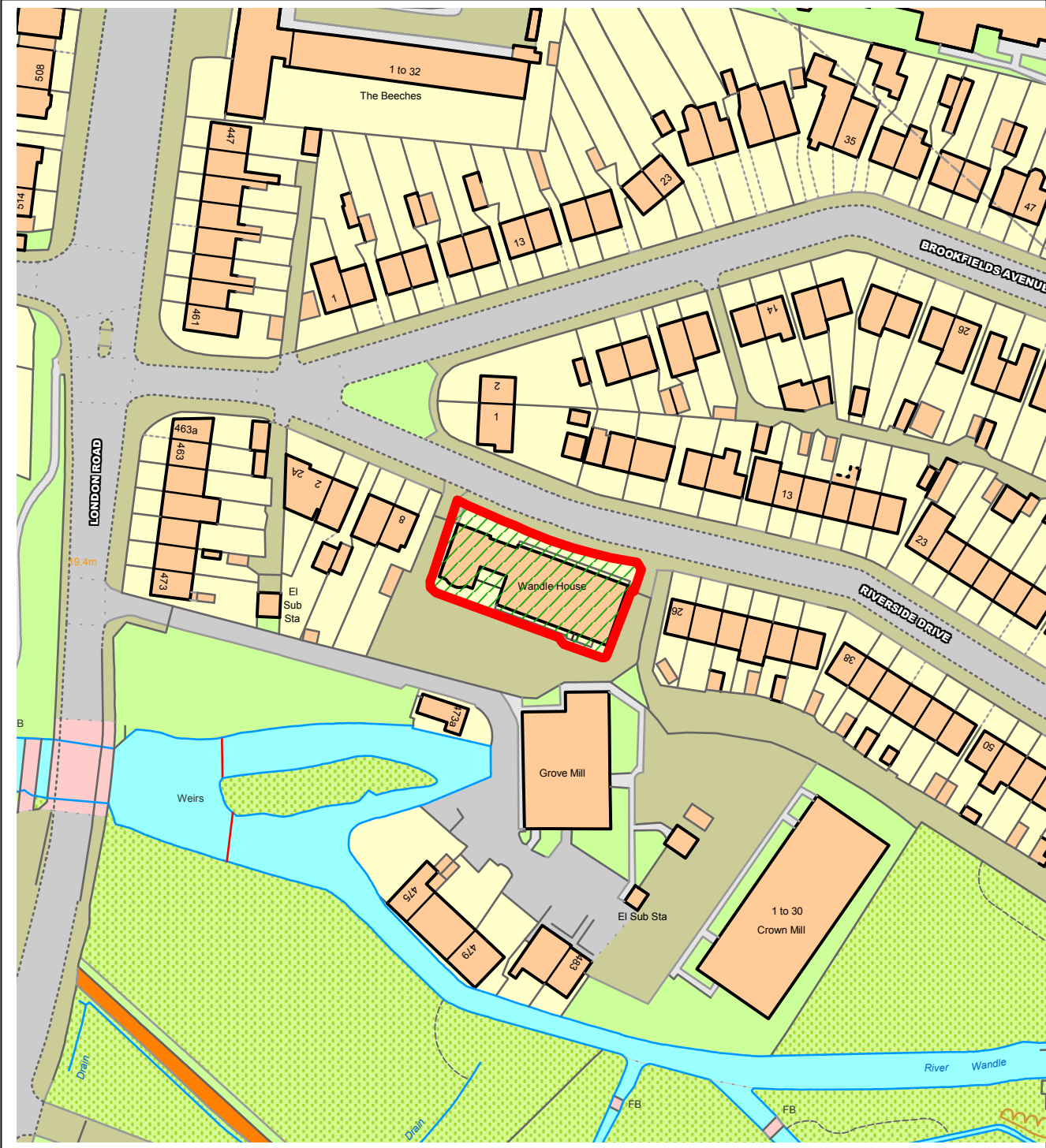
1. A5 Listed Building Consent
2. A7 Approved Plans
3. N01 Start on site
4. N03 Works to match – safeguard architectural or historic interest
5. N07 Access for recording
6. N08 – where appropriate, demolition within and around the Listed building should be carried out by hand or by hand-held tools to ensure the least disturbance and damage to the fabric
7. N15 (Further details) to be approved prior to works commencing – requiring a detailed schedule of works in terms of refurbishment/building works needed to deliver the conversion, new and reused materials to be specified
8. INF 17 Listed building – In conjunction with planning permission 18/P4017
9. INF 18 Listed building – Permission may be required for additional work

[Click here](#) for full plans and documents related to this application (A)

[Click here](#) for full plans and documents related to this Listed Building application (B)

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NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE 17 OCTOBER 2019

APPLICATION NO.
19/P2462

DATE VALID
26/06/2019

Address/Site: 21a St Mary's Road, Wimbledon, SW19 7BZ

Ward Village

Proposal: Demolition of existing detached flat with double garage below and erection of 2 x 5 bedroom semi-detached houses

Drawing Nos: 00 001A, 00110A, 00 200A & 00 202A

Contact Officer: David Gardener (0208 545 3115)

RECOMMENDATION

GRANT Planning Permission Subject to a S106 Legal Agreement and Conditions

CHECKLIST INFORMATION

- Heads of agreement: Permit free
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 13
- External consultations: None
- Conservation Area: Yes

1. INTRODUCTION

- 1.1 The applications have been brought before the Planning Applications Committee due to the number of representations received as a result of public consultation.

2. SITE AND SURROUNDINGS

- 2.1 The site comprises a detached one bedroom residential property which is located on the north side of St Mary's Road with garage and garden space. The site has off street parking and several trees. The site surroundings comprise residential plots of varying character and form. Surrounding properties are

residential and the site is located within the Merton (Wimbledon North) Conservation Area.

- 2.2 The existing building has a shallow gabled roof profile and is located in the southeast corner of the plot. This part of St Mary's Road slopes steeply downwards and as such the application site is much lower at the front than at the rear.
- 2.3 The site is located within a controlled parking zone (Zone - V0N) and has excellent access to public transport with a PTAL of 6a.

3. CURRENT PROPOSAL

- 3.1 The application proposes the demolition of the existing building and erection of two semi-detached houses comprising 5 bedrooms. The houses would be arranged over four floors, including basement level.
- 3.2 Facing materials currently proposed comprise light buff brickwork, natural slate effect roof and anodised double glazed bronze aluminium windows.
- 3.3 One off-street car parking space would be provided for each house.
- 3.4 Amenity space for each house would exceed 50 sqm.

4. PLANNING HISTORY

The following planning history is relevant:

- 4.1 88/P1592 - Erection of two-storey pitched roof building in grounds of existing dwelling house to provide parking area and storage area. Granted - 14/03/1989
- 4.2 01/P1787 - Conversion of existing two storey garage/garden store to form a self-contained one bedroom residential unit. Granted - 03/01/2002
- 4.3 13/P3373 - Demolition of garage with flat above and erection on site of new detached 5 bed dwelling facing St Mary's Road. Granted - 18/03/2014
- 4.4 In December 2016 pre-application advice was sought (LBM Ref: 16/P4683) for the demolition of existing building and erection of 2 x semi-detached dwellings.

5. POLICY CONTEXT

- 5.1 The following policies from the Adopted 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 D4 (Managing heritage assets), DM F2 (Sustainable urban drainage systems (SuDS) and; Wastewater and Water Infrastructure), DM O2 (Nature Conservation, Trees, hedges and landscape features), DM T1

(Support for sustainable transport and active travel), DM T3 (Car parking and service standards)

- 5.2 Adopted Core Strategy (July 2011)
CS.13 (Open space, nature conservation, leisure and culture), CS.14 (Design), CS.15 (Climate Change), CS.20 (Parking, Servicing and Delivery)
- 5.3 London Plan (March 2016) are:
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 Mayor's Housing Supplementary Planning Guidance (March 2016)
- 5.5 DCLG Technical Housing Standards – nationally described space standard March 2015
- 5.6 Wimbledon North Conservation Area Character Appraisal (Sub Area 4: 'Belvedere' – May 2007)
- 5.7 National Planning Policy Framework (2019)

6. CONSULTATION

6.1 The application has been publicised by means of Conservation Area press and site notice procedure with individual letters also sent to occupiers of neighbouring properties. In response, five letters of objection were received on the following grounds:

- Extends beyond building line of Nos. 21 and 23
- Lack of detail makes interpreting drawings difficult
- Lack of greenery proposed/loss of trees
- Fontage lack depth which means cars are likely to overhang
- Basement report lacks relevant information
- Overlooking
- Loss of value of surrounding properties
- Overdevelopment
- Flood risk
- Too high/loss of daylight and sunlight

6.2 Tree Officer

6.21 Proposal requires removal of all trees on site, which are category C trees. Raises some concerns with the loss of trees with little opportunity for planting of new trees.

6.3 Future Merton – Flood Risk Officer

6.31 There is currently limited information to ensure compliance with policy including the London Plan 5.13, DM D2, DM F2 and the requirements of Merton's Basement SPD with only a product specification provided with no detailed

design on sizing, flow rate calculations or how the scheme will safely accommodate the 1 in 100 year +40% climate change rainfall event.

- 6.32 The lower parts of the proposed basement level may sit within the water table and dewatering maybe required during construction and appropriate waterproofing of the structure will be needed and measures to prevent uplift. The submitted report notes that the proposed development is located on the the local hillside setting and while there may be granular materials, information should demonstrate that the design must be able to re-distribute groundwater flows around the proposed basement without causing a backwater effect.
- 6.33 No detailed drainage scheme for surface and foul water appears to have been submitted with the application in terms of compliance with the London Plan 5.13 and Merton's policy DM F2 and D2. It is not clear whether surface water and foul drainage is to be discharged into the Thames Water surface water and foul network at attenuated rates (greenfield runoff rates). We would seek that the scheme discharges at no more than 2l/s. It is recommended that consideration of installation of non-return valves and a FLIP device is installed on the foul drainage to prevent flooding and back up from the sewer network.
- 6.34 Conditions are recommended requiring the submission and approval by the Local Planning Authority of a detailed scheme for the provision of surface and foul water drainage and a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase) prior to commencement of works are recommended.

7. PLANNING CONSIDERATIONS

The main planning considerations concern the principle of demolition of the building, the design and appearance of the replacement dwellinghouses, its impact upon the character and appearance of the Merton (Wimbledon North) Conservation Area, standard of accommodation to be provided, and impact of the development upon residential amenity, parking and trees.

7.1 Principle of Demolition

- 7.11 Policy DM D4 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals that will lead to substantial harm to the significance of, or the total loss of heritage assets will only be granted in exceptional circumstances. The loss of a building that makes a positive contribution to a conservation area should also be treated as substantial harm to a heritage asset.
- 7.12 The site comprises a detached double garage with a one bedroom flat above, which falls within the Wimbledon North Conservation Area. The existing building was built in the late 1980s/early 1990s providing parking area and storage accommodation for No.14 Highbury Road prior to the it being sub-divided. The building was subsequently converted into a one-bedroom flat with double garage below in 2001. The building features rendered brick facing materials and is not considered to be of any architectural merit, making a neutral

contribution to the character and appearance of the conservation area. There is therefore no in principle objection to demolition relative to Policy DM D4. Nevertheless, demolition would not be supported unless, a suitable replacement scheme that preserved or enhanced the character of the Conservation Area was proposed.

7.2 Design and Impact on Merton (Wimbledon North) Conservation Area

- 7.21 Policies DM D2 and DM D3 seek to ensure a high quality of design in all development, which relates positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings and existing street patterns, historic context, urban layout and landscape features of the surrounding area. Policy M D4 seeks to ensure that development in Conservation Areas either preserves or enhances the character and appearance of the Conservation Area. Core Planning Policy CS14 supports these SPP Policies.
- 7.22 It is considered that the proposed houses are not excessive in terms of their size, bulk and massing with the application site given its relatively wide street frontage capable of accommodating two-semi-detached houses such as those proposed without compromising the spacious character of the street. The dwellings would for example be located a minimum of 1.5m from each side boundary which means gaps similar to the gaps between other houses are maintained between the proposed dwellings and neighbouring dwellings.
- 7.23 The proposed design approach is considered to be acceptable. The houses would generally be traditional in terms of their shape and facing materials i.e. hipped roofs, stock brick, slate roofs and stone window surrounds, fused with some more contemporary detailing such as anodised double glazed bronze aluminium windows and zinc clad dormers. It is considered that this is acceptable in this instance given the eclectic mix of architectural styles in surrounding properties. The proposal is designed to step down at eaves level, therefore respecting the gradient of the street. Overall, it is considered that the proposed houses are acceptable in terms of design and size and would preserve or enhance the St. Mary's Road street scene and the character and appearance of the wider conservation area.

7.3 Standard of Accommodation

- 7.31 Policy 3.5 of the London Plan 2016 and the Department for Communities and Local Government 'Technical housing standards – nationally described space standard' set out a minimum gross internal area standard for new homes. This provides the most up to date and appropriate minimum space standards for Merton. 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) encourages well designed housing in the borough by ensuring that all residential development complies with the most appropriate minimum space standards and provides functional internal spaces that are fit for purpose. New residential development should safeguard the amenities of occupiers by providing appropriate levels of sunlight & daylight and privacy for occupiers of adjacent

properties and for future occupiers of proposed dwellings. The living conditions of existing and future residents should not be diminished by increased noise or disturbance.

- 7.32 As the proposed houses would comfortably exceed the minimum space standards set out in the London Plan, with each habitable room providing good outlook, light and circulation, it is considered the proposal would provide a satisfactory standard of accommodation. In addition, the proposed houses would provide a minimum of 50sqm of private amenity space required by policy DM D2. The proposed house would therefore comply with policy 3.5 of the London Plan (March 2016), CS.14 of the Core Planning Strategy (July 2011) and DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) in terms of residential amenity.

7.4 Residential Amenity

- 7.41 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.

- 7.42 The proposed dwellings would be located a minimum 8.5m from the rear boundary of the application site which backs onto the rear garden of No.14 Highbury Road. It is considered that the separation distance proposed is acceptable in this instance given the steep gradient of the land which means the rear garden of No.14 Highbury Road is on much higher ground therefore substantially reducing any visual impact when viewed from this property. The closest house to number 21 would project only a very marginal distance beyond the rear elevation of this property, whilst the closest house to No.23 would not project beyond the rear elevation of this property. Although the proposal would result in a greater bulk and mass on the site, this would be similar to existing neighbouring properties and is considered to be accommodated on site without causing harm to surrounding neighbouring amenities. It is therefore considered that the impact on these properties would be acceptable. The proposal therefore accords with relevant planning policies and would not cause harm to neighbouring amenity.

7.6 Parking and Traffic

- 7.61 The application site is located in a controlled parking zone (CPZ V0N) and has a PTAL rating of 6a, which indicates that it has excellent access to public transport services. It is proposed to provide one off-street car parking space at the front of each house. Policy DM T3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that development should only provide the level of car parking required to serve the site taking into account its accessibility by public transport (PTAL) and local circumstances in accordance with London Plan standards unless a clear need can be demonstrated. Policy 6.13 Table 6.2 of the London Plan (March 2016) allows for up to 1 space per unit with 4

bedrooms or more where there is a PTAL rating of 5-6 (the site has a PTAL of 6a). The proposed spaces also have an average depth of approx 4.8m which is deep enough to prevent any vehicle overhanging on the footway. In accordance with Policy DM T3 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) the dwellings will be required to be permit free so that the development does not create any additional parking stress in the area. The level of parking provision is therefore in accordance with London Plan policy.

7.7 Flood Risk and Basement Construction

- 7.71 The lower parts of the proposed basement level may sit within the water table and dewatering maybe required during construction and appropriate waterproofing of the structure will be needed and measures to prevent uplift. The submitted information states that the proposed development is located on the local hillside setting and while there may be granular materials, information should demonstrate that the design must be able to re-distribute groundwater flows around the proposed basement without causing a backwater effect.
- 7.72 Limited drainage information for surface and foul water has been submitted with the application in terms of compliance with the London Plan 5.13 and Merton's policy DM F2 and D2 and it is not clear whether surface water and foul drainage is to be discharged into the Thames Water surface water and foul network at attenuated rates (greenfield runoff rates). The Council would seek that the scheme discharges at no more than 2l/s. It is recommended that consideration of installation of non-return valves and a FLIP device is installed on the foul drainage to prevent flooding and back up from the sewer network. The Council's Flood Engineer has assessed the application and recommends that given the lack of information submitted with the application, pre-commencement conditions requiring the submission and approval by the Local Planning Authority of a detailed scheme for the provision of surface and foul water drainage, and a detailed proposal on how drainage and groundwater will be managed and mitigated during and post construction (permanent phase) will be attached to any approval.
- 7.74 The proposed houses would feature lower ground floors which means there would be some excavation. The site is also located on a hill which means there would be deeper excavation towards the rear of the site including within the garden area. A condition will be attached requiring the submission of a detailed construction method statement from the developers contractor to ensure stability of ground conditions during construction.

7.8 Trees and Landscaping

- 7.81 Policy DM 02 states that development will only be permitted if it will not damage or destroy any tree which is within a conservation area, or has significant amenity value. However, development may be permitted when the benefits of the development outweigh the tree's amenity value.
- 7.82 The application site features 11 trees and 5 groups of trees which are graded as Category 'C'. These trees are located along the site's St Mary's Road

frontage and further back within the site and proposed development would result in their removal. The council's tree officer has assessed the application and has raised concerns regarding the loss of the trees and the lack of any scope to replace these trees given the larger footprint of the proposal.

- 7.83 Whilst the tree officer's concerns are noted it is considered that the removal of these trees is acceptable in this instance. The trees are category C which means they are considered to be low quality and as such have limited value and as such it is considered that on balance the benefit of the proposed development i.e. the erection of two new much larger dwellings would outweigh the harm of the loss of these trees. The proposal would therefore comply with policy DM 02.

7.9 Bin and cycle storage

- 7.91 Cycle parking has not been indicated on the site plan, however, both rear gardens would be able to provide sufficient space for cycle storage and access to these would be to the side of the dwellings. Bin storage is proposed at the front of each plot. In order to capture the details for both storage facilities appropriate conditions are recommended.

8. SUSTAINABILITY AND ENVIRONMENTAL IMPACT ASSESSMENT REQUIREMENTS

- 8.1 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 proposal would result in a net gain in gross floor space and as such will be liable to pay both the Mayoral and Merton Community Infrastructure Levies (CIL).

10. SECTION 106 LEGAL AGREEMENT

10.1 Permit Free

- 10.11 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.

- 10.12 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 The demolition of the existing building is considered to be acceptable in principle. The proposed new dwellinghouses provide an acceptable standard of accommodation, and are considered acceptable in terms of design, massing and siting, and would not have a detrimental impact on neighbouring amenity. Overall, the proposal is of a sufficiently high quality to preserve or enhance the character of the Conservation Area and are considered to be acceptable. Accordingly, it is recommended that planning permission is granted.

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/Fences)
5. B.6 (Levels)
6. C.1 (No Permitted Development (Extensions))
7. C.2 (No Permitted Development (Windows and Doors))
8. C.10 (Hours of Construction)
9. F.1 (Landscaping/Planting Scheme)
10. F.2 (Landscaping (Implementation))
11. F.5 (Tree Protection)
12. F.7 (Trees – Notification of Start)
13. F.8 (Site Supervision (Trees))
14. H6 (Cycle Parking – Details to be Submitted)

15. (Bin Storage – details to be submitted)
16. No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at a restricted runoff rate (no more than 2l/s), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

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

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

18. No developments shall commence on site until the below documents have been submitted and agreed by the planning officer:
 - i) Detailed Construction Method Statement produced by the Contractor responsible for excavation, underpinning and construction of retaining walls. This shall be reviewed and agreed by the Structural Engineer designing the temporary and permanent retaining structures.
 - ii) Plan showing any temporary works, underpinning sequence and sections of the retaining walls produced by the relevant appointed Contractor.
 - iii) Detailed design calculations

Reason: To ensure structural stability of adjoining houses are safeguarded and neighbour amenity is not harmed and to comply with policy DM D2 of Merton's Sites and Policies Plan 2014.

19. F.9 (Hardstandings)
20. No development other than demolition and site clearance shall take place until evidence has been submitted to and approved in writing by the Local Planning Authority confirming that the development will achieve a CO2 reduction of not less than a 19% improvement on Part L Regulations 2013, and internal water usage rates of no greater than 105 litres per person per day.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: policy 5.2 of the London Plan 2011 and policy CS15 of Merton's Core Planning Strategy 2011.

21. No part of the development hereby approved shall be occupied until evidence has been submitted to the council confirming that the development has achieved not less than the CO2 reductions (ENE1), internal water usage (WAT1) standards equivalent to Code for Sustainable Homes level 4. Evidence requirements are detailed in the "Schedule of evidence Required for Post Construction Stage from Ene1 & Wat1 of the Code for Sustainable Homes Technical Guide. Evidence to demonstrate a 25% reduction compared to 2010 part L regulations and internal water usage rats of 105l/p/day must be submitted to, and acknowledged in writing by the Local Planning Authority, unless otherwise agreed in writing.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the following Development Plan policies for Merton: policy 5.2 of the London Plan 2011 and policy CS15 of Merton's Core Planning Strategy 2011.

22. Prior to first occupation of the dwellings hereby permitted, the second floor side facing dormer windows in each dwelling shall be glazed with obscure glazing and thereafter retained.

Reason

In the interests of neighbouring amenities of the area, in accordance with Policy DM D2 of the Sites and Policies Plan 2014.

[Click here](#) for full plans and documents related to this application

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NORTHGATE SE GIS Print Template



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PLANNING APPLICATIONS COMMITTEE 17 OCTOBER 2019

APPLICATION NO.

18/P1947

DATE VALID

17/09/2018

Address/Site:

41 – 47 Wimbledon Hill Road, Wimbledon, SW19 7NA

Ward

Hillside

Proposal:

Redevelopment of site to provide a mixture of class A1 (Retail), A2 (Financial and Professional Services) and C1 use (Hotel) involving the partial demolition of the existing building (facades fronting Wimbledon hill road and Alwyne road to be retained) including erection of 5 storey rear extension and excavation of additional basement level.

Drawing Nos:

1618 – PL1/11E, 12E, 13D, 14E, 15E, 16D, 17E, 18B, 19C, 20C, 21B, 22B, 23B, 24B, 25B, 26C, 27C, 35 & 36

Contact Officer:

David Gardener (0208 545 3115)

RECOMMENDATION

GRANT Planning Permission Subject to Conditions and S106 Agreement

CHECKLIST INFORMATION

- Heads of agreement: Permit free, financial contribution for short stay cycle parking
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Press notice: Yes
- Site notice: Yes
- Design Review Panel consulted: Consulted at pre-application stage
- Number of neighbours consulted: 121
- External consultations: Historic England

1. INTRODUCTION

- 1.1 The application has been brought before the Planning Applications Committee due to the number of representations received as a result of public consultation.

2. SITE AND SURROUNDINGS

- 2.1 The application site occupies a corner fronting both Wimbledon Hill Road and Alwyne Road. The site comprises a group of buildings fronting Wimbledon Hill Road, which are locally listed and commonly referred to as the Bank Buildings.

The site is located within the Merton (Wimbledon Hill Road) Conservation Area. The sites Wimbledon Hill Road frontage is also within an Archaeological Priority Zone. The site has excellent Public Transport accessibility (PTAL – 6b) and is also located in a Controlled Parking Zone (Zone – W2).

- 2.2 Architecturally, the Bank Buildings are recognised as one of the most magnificent buildings in both the town centre and the Conservation Area. They are 3½ storeys high, and comprise a short terrace, which is designed in a highly ornate, and very richly detailed “Jacobean” classical style. It dates from 1885. The roof comprises a series of gables or half hips, where the ridges are oriented at right angles to Wimbledon Hill Road.
- 2.3 The bank buildings feature Class A1, A2 and D1 uses at ground floor level with Class B1 and D1 accommodation provided above. Nos. 45 and 47 feature modern single storey rear extensions, with an original two-storey building, formerly a coach house which is set back from Alwyne Road located behind. The immediate area comprises an eclectic mix of building styles and sizes. Examples of modern buildings include, Melbury House, a four-storey building, located opposite the site on Alwyne Road, and Central House, a part four/part five-storey office building, which abuts the rear of the site and also fronts Alwyne Road. Traditional three-storey Victorian terraces, comprising commercial uses at ground floor level and a mixture of office and residential uses above, are situated opposite the site on Wimbledon Hill Road. Residential properties are located further along Alwyne Road, Compton Road, and to the north of the site along Woodside.

3. CURRENT PROPOSAL

- 3.1 Redevelopment of site to provide a mixture of class A1 (retail), A2 (financial and professional services) and C1 use (hotel) involving the partial demolition of the existing building (facades fronting Wimbledon Hill Road and Alwyne Road to be retained) including erection of 5 storey rear extension fronting Alwyne Road, and excavation of additional basement level.
- 3.2 The proposal would involve substantial demolition of the existing Bank Buildings with the retention of the existing facades fronting Wimbledon Hill Road and Alwyne Road. It should be noted that the application as originally submitted proposed to demolish more or less all of the internal walls. Plans have since been amended with the retention of significantly more of the buildings internal fabric. A new roof which would accommodate an additional floor would be erected over the Bank Buildings. This roof, which would be higher than existing and angled backwards, set back approx. 1.75m from the buildings Wimbledon Hill Road frontage. The new roof would also be glazed on its Wimbledon Hill Road frontage. The proposed 5 storey rear extension would be brick facing and feature a geometric shaped roof comprising a Rheinzink triangular tile, which would mirror the new roof to be constructed over the Bank Buildings. The proposal would also include the restoration of the exterior of the Bank Buildings with new shop fronts proposed and existing fixed plant such as air-conditioning units removed from the building’s elevations.

- 3.3 The proposed hotel, which comprises 76 rooms (this has been reduced from the 93 rooms originally proposed), would occupy the majority of the development. The hotel would occupy all floors apart from part of the ground floor which fronts Wimbledon Hill Road. The hotel would be accessed from Alwyne Road. Two commercial units (flexible A1/A2 use) would occupy the remainder of the ground floor with access from Wimbledon Hill Road. In total the proposal would result in the net loss of 379sqm of A1 use, 204sqm of A2 use, 221sqm of B1 use and 945sqm of D1 use, with a net gain of 3,897sqm of C1 (hotel) use.
- 3.4 The proposal would be car free with servicing taking place on street. Vehicles are expected to utilise either the existing loading bay on Compton Road, or 'dwell' on the single yellow lines running along the northern side of Alwyne Road. The site benefits from an existing Service access lane off Compton Road.

4. PLANNING HISTORY

The following planning history is relevant:

41 Wimbledon Hill Road

MER687/79 - Use of ground floor (rear) of forty-one as offices with access and escape from thirty-nine and forty-three and use rear yards forty-one and forty-three in connection with shops or offices. Granted, 15/11/1979.

MER478/82 - Alterations to premises including new front at ground floor level and rebuilding at rear in connection with use of premises as a bank. Granted, 05/08/1982.

03/P0594 - Change of use from offices to an education use (Class D1) (excluding shops on the ground floor and in the basement). Granted, 21/05/2003.

43 Wimbledon Hill Road

99/P0314 - Proposed change of use of ground floor and basement from A1 (shops) to A2 (financial and professional services). Granted, 30/03/1999.

45 Wimbledon Hill Road

No relevant planning history.

47 Wimbledon Hill Road

02/P1696 - Change of use from retail (Class A1) to a restaurant/take-away (Class A3) with associated external alterations. Refused, 24/04/2003.

08/P0564 - Erection of a replacement shop front to ground floor retail unit. Granted, 21/05/2008.

41-47 Wimbledon Hill Road

09/P2346 - Refurbishment of existing building, demolition at part rear buildings, construction of new building at rear - 6 storey, use: retail, office, and 9 residential flats. Registered – There was a resolution to grant planning

permission at Planning Applications Committee on 15th April 2010 subject to the signing of a S106 Agreement.

09/P2347 - Application for Conservation Area Consent for the refurbishment of existing building, demolition at part rear buildings, construction of new building at rear - 6 storey, use: retail, office, residential/9 flats. There was a resolution to grant planning permission at Planning Applications Committee on 15th April 2010 subject to the signing of a S106 Agreement.

14/P2241 - Demolition of rear building and construction of new building at rear - 6 storeys, change of use of first, second and third floors of existing bank building from language school/ office to create 23 residential flats (14 x 1 bed, 8 x 2 bed & 1 x 3 bed). Amalgamation of existing basement and ground floor commercial units (2 x class A1, 1 x class A2 & 1 x language school) to a single unit comprising either class A1, A2 or A3 use. Refused - 03/09/2014, for the following reasons:

- 1) The proposed development fails to provide a satisfactory standard of accommodation for future occupants, arising from a number of units failing to provide either adequate levels of natural daylight, outlook and/or amenity space. The proposal would therefore be contrary to policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).
- 2) The application has failed to provide any marketing evidence to demonstrate that community uses are no longer viable on the site, contrary to Policy DM C1 of the Adopted Sites and Policies Plan and Policies Maps (July 2014)
- 3) The proposed new building given its excessive height, prominent siting and unsympathetic design would relate poorly to the scale, height, and massing of surrounding buildings and would dominate and have a detrimental impact on the Bank Buildings, particularly when viewed from Alwyne Road, Wimbledon Hill Road and the wider conservation area contrary to policies DM D2 and DM D4 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

This application was also subsequently dismissed at appeal on 20/01/2015.

5. POLICY CONTEXT

5.1 Adopted Sites and Policies Plan and Policies Maps (July 2014):

DM C1 (Community facilities), DM D1 (Urban design and the public realm), DM D2 (Design considerations in all developments), DM D3 (Alterations and extensions to existing buildings), DM D4 (Managing heritage assets) DM R4 (Food and drink/leisure and entertainment uses), DM E1 (Employment areas in Merton), DM E4 (Local employment opportunities), DM EP2 (Reducing and Mitigating Noise), DM EP4 (Pollutants), DM R4 (Protection of shopping facilities within the designated shopping facilities), DM R5 (Food and drink/leisure and entertainment uses), DM R6 (Culture, arts and tourism development), DM T1 (Support for sustainable transport and active travel), DM T2 (Transport impacts of development), DM T3 (Car parking and servicing standards)

- 5.2 Adopted Core Strategy (July 2011):
CS.6 (Wimbledon Town Centre), CS.7 (Centres), CS.12 (Economic development), CS.14 (Design), CS.15 (Climate Change), CS.18 (Active Transport), CS.19 (Public Transport), CS.20 (Parking, Servicing and Delivery)
- 5.3 London Plan (2016):
4.5 (London's Visitor Infrastructure), 4.6 (Support for and enhancement of arts, culture, sport and entertainment), 5.2 (Minimising carbon dioxide emissions), 5.6 (Decentralised energy in development proposals), 5.3 (Sustainable Design and Construction), 5.9 (Overheating and cooling), 6.3 (Assessing effects of development on transport capacity), 6.9 (Cycling), 6.13 (Parking), 7.2 (An inclusive environment), 7.4 (Local character), 7.6 (Architecture), 7.7 (Location and design of tall and large buildings), 7.8 (Heritage Assets and Archaeology)
- 5.4 National Planning Policy Framework 2019
- 5.5 Merton's Draft Local Plan (2020)
- 5.6 Wimbledon Hill Road Character Assessment (July 2006)

6. CONSULTATION

- 6.1 The application was originally publicised by means of a Conservation Area press and site notice procedure with individual letters to occupiers of neighbouring properties. In response 42 letters of objection were received. Following amendments to the proposal a further re-consultation was carried out with a further 24 objections received. The grounds of objection are as follows:
- Detrimental impact of proposed roof and rear extension on historic Bank Buildings and surrounding area/excessive demolition of existing building/drawings should include whole block and not the application site in isolation/failure to give recognition of historical importance of existing building
 - Another hotel not needed in Wimbledon/Excessive number of rooms proposed/poor quality hotel likely given specification
 - Servicing and waste management requirements of hotel underestimated/location of deliveries
 - Excessive pressure on parking/traffic, congestion/disruption during construction/lack of vehicular drop off facility/unrealistic to assume that the majority of hotel guests will use public transport/existing servicing data inaccurate as it shows significantly more trips than what is actually taking place
 - General everyday disturbance of hotel use on surrounding properties e.g. commercial and taxi traffic/ 24/7 opening hours of hotel
 - Impact on air quality
 - Amalgamation of smaller units into larger units
 - Lack of justification for proposed changes of use
 - Applicant has deliberately neglected the building
 - Excessive height, scale and bulk/overdevelopment of site
 - Soil and drainage impact due to the double basement/increase in flooding/impact on utilities

- Increase rubbish in local area
- Police concerns including potential increase in crime and antisocial behaviour/bomb impact/location of entrance/reception on 4th floor
- Alwyne Road is unsuitable for a busy hotel entrance
- Highway/child safety
- Inadequate consultation
- Poor history of management
- Loss of privacy/overlooking
- Speculative nature of the proposal
- Lack of energy efficiency/Co2 emissions contrary to declared "climate emergency"
- Misleading information regarding ownership of building
- Concerns regarding hours of opening

6.2 One letter of support was received due to the development potentially enhancing the local commercial offering / civic amenity whilst preserving the fabric of an important local landmark.

6.3 Design and Review Panel (Pre-application - January 2017)

6.31 The Panel noted that a lot of work had already gone into developing the design concept, and that this elaborate locally listed building was in need of some improvement. The Panel felt that the basics of scale, height, massing and form had been got right. The applicant's approach centred around the three elements of the new shop-fronts, new roof form, and new elevation to Alwyne Road. The Panel felt that they were getting mixed messages about the design rationale for each of these elements, which did not quite fit together well.

6.32 The Panel were clear in that they felt this substantial building needed to be well grounded – having a degree of solidity at ground floor. Whilst they welcomed the improvements to the shop-fronts, they felt that the balance was not yet right between glazing and the solid elements of the shop-front partitions – the building appeared to floating. This seemed a bit incongruous in relation to what was above, though it was acknowledged that there may be scope for some expression of this style at the corner of the building.

6.33 Regarding the shop-fronts, it was recommended that the original features, such as the elaborate pilasters, should be retained, and historical photos be used to inform a modern interpretation for the shop-fronts. This sunny side of the street would benefit from traditional awnings to the shop-fronts. Regarding the roof extension, the Panel noted the given reasons for removing part of the original roof, but felt that the new roof form needed to work well from street level. The concept was clear in elevation, but from street level, the combination of old and new roof forms – notably the front profile detail of the new roof – appeared disjointed. It was suggested that it might be better to fill the gaps between the pitches, rather than oversail them with the proposed 'floating' roof – even if this mean adding more height for another storey.

6.34 The Panel felt that it was appropriate to use red brick for the Alwyne Road elevation, and that it should be less expressive than the existing building, but it was felt that the rhythm was not quite right and there was no sense of its quality

at the moment. The new brickwork and glazing clearly needed to relate to the charm of the existing building. It was felt that the hotel entrance needed to be subtle in advertising its presence, as it would not be appropriate for large signs to be attached to the building.

- 6.35 Regarding detailing, the Panel were concerned how the new roof plane would fit with the existing roof plane. It was questioned why the front elevation of the new roof was not parallel with the front elevation of the building. It was felt that considerably more work was needed in developing a successful roof design based on the submitted proposals. This was not clear from the images, but was very important to get right. The existing building had strong vertical elements, and it was felt that this was not being picked up well as it should in the proposals.
- 6.36 The Panel suggested that perhaps a more imaginative approach should be taken with the roof and that some terraces or open space were provided with the hotel rooms or as a communal facility (eg. Alexandra PH). It was also questioned whether a double basement would be viable and whether it would be considered by the council to endanger the locally listed building. It was also noted that the outlook from the internal courtyard would not be particularly pleasant.
- 6.37 Overall the Panel were impressed by the general concept and open-minded, creative approach to the design, but it was clear that considerably more work was needed to address a whole range of issues before the concept became a workable design.

VERDICT: **AMBER**

- 6.38 Design and Review Panel (Pre-application - September 2017)
The Panel noted that the applicant had taken on board the Panel's previous comments regarding making something special of the top of the building. In general the Panel welcomed this and were positive regarding the architectural approach. They were less sure about the visual impact and requested a CGI 'from the top deck of the 93 bus coming down Wimbledon Hill'.
- 6.39 They were also concerned about the detail of the interface of the new build with the historic building and felt this needed further work and refinement. On the frontage this was how the rooms were arranged in relation to windows and floor levels at the transition floor between the old and new. The Panel were concerned the floor levels would relate poorly to the front windows and that clear and accurate sectional drawings were required to demonstrate the proposed arrangement.
- 6.391 The Panel felt that on the frontage the applicant was trying to squeeze in one too many hotel rooms. From the drawings and images supplied, the Panel were concerned that the hotel room images showed rooms that were larger than most of those shown on the proposed plans. The Panel remained concerned about the quality of light and privacy in the hotel rooms at the lower levels. This needed to be demonstrated to be acceptable to the planning

authority although the Panel noted that the hotel provider seemed happy with the proposal. Privacy was also a concern from the pavement on Alwyne Road.

- 6.392 As the proposal was for a very complex roof form merging with a highly detailed historic building, the Panel strongly recommended that the applicant take the time to produce a good quality model at an appropriately detailed scale. More detailed CGI images were also required that showed more of the local context. The Panel were of the view that there was an excellent concept at the top level, but that how it is realised is not yet fully resolved.
- 6.393 The quality of the concept needed to be evident throughout the building all the way to the basement. Currently there was an amazing top with a cheap and nasty hotel underneath. Other examples of how to do hotels in historic buildings were required to aid and inform the successful conversion of this building. Otherwise it was simply standardised plans behind a beautiful façade.
- 6.394 The Panel complemented the applicant on the effort taken to restore the shop-front level of the façade, but noted that it was only the façade of the locally listed building that was intended to remain. The Panel were also concerned about the somewhat mean entrance to the hotel. They suggested exploring the possibility of having the entrance through a new retail unit. They also recommended the top floor restaurant be open to the public.

VERDICT: **AMBER**

6.4 Design and Conservation Officer

6.41 No objections subject to appropriate conditions.

6.51 Future Merton - Transport Planning

6.51 The proposal is unlikely to have a significant impact on the surrounding highway network. As such, no objection is raised subject to financial contribution for short stay cycle provision in local area and conditions relating to the submission of a Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) prior to commencement of work.

6.6 Historic England

6.61 Historic England were asked to consider the Bank Buildings for listing following submission of the application. It was however considered that following assessment of its historical and architectural interest that the criteria for listing had not been fulfilled. The building is, however, of clear local interest as a distinctive element of the conservation area and as an example of the spread of suburban bank branches in London in the late-C19. This is recognised by the prominence it is given within the conservation area Character Appraisal and by its local listing.

6.7 Future Merton - Flood Risk Officer

6.71 An outline CMS and ground investigation have been submitted. Groundwater was found within the boreholes/trial pits at a shallow depth of 0.4m. Therefore, due to the proposed basement depth and groundwater levels, it is expected that

ingress of groundwater will be expected into the basement excavation during construction.

6.72 The drainage states that the existing site uses a combined system and discharges surface water to the foul network. We would require a separate system and this is proposed, with a new connection into the surface water sewer in Alwyne Rd.

6.73 The proposed drainage design will restricts the discharge rate to the existing 1 in 1 year rate of 10.91l/s for the 1 in 30 year event. For this an attenuation volume of 7.4m³ is required. For the 1 in 100 year climate change event, an attenuation volume of 9.1m³. It is proposed to contain exceedance events within the lightwell.

6.74 We would advise that the applicant should consider the use of other methods for SuDS such as blue or green roofs and attenuation storage within oversized/buried downpipes in the fabric of the building. This could then contain flows above the 1 in 30 year event.

6.8 Structural Engineer

6.81 The submitted Construction Method Statement (CMS), Ground Investigation Report, Ground Movement Analysis and the Structural Survey demonstrate that the proposed development can be built safely without adversely affecting the surrounding natural and built environment. However, due to the close proximity of the excavation works/temporary works in relation to the highway and the depth of excavation (6.6m), we would require additional information to be submitted prior to commencement of works.

6.9 Metropolitan Police – Secured by Design

6.91 Have raised concerns regarding potential for crime and antisocial behavior activity.

6.10 Future Merton – Highways

6.101 No objections subject to conditions.

6.11 Future Merton – Urban Design

6.111 Generally supportive of proposed design approach however clarification is needed regarding the interface between the original roof and new slope on Alwyne Road as this is not clear. The set-back of the top-floor is an improvement, but verified views are needed from both directions along Wimbledon Hill Road. The extent if retained building and floor levels in the latest amendments have improved and seem reasonable. There are concerns regarding the quality of hotel rooms and some aspects of how the hotel is internally arranged. Supportive of new shop-fronts however details of these are to be conditioned so that quality is high.

7. PLANNING CONSIDERATIONS

The main planning considerations concern the design and appearance of the five-storey extension fronting Alwyne Road and the roof extension when viewed from Wimbledon Hill Road, the proposals impact on the character and appearance of the locally listed building and Merton (Wimbledon Hill Road) Conservation Area, principle of land uses, and the effect of the development upon neighbouring amenity, flood risk, sustainability and traffic/parking.

7.1 Principle of Development

- 7.11 There is strong policy support for a hotel use in this location given it is in Wimbledon Town Centre, has excellent public transport links (PTAL 6b), and has good public transport services to central London due to its close proximity to Wimbledon train station. The Adopted Sites and Policies Plan and Policies Maps (July 2014) policy DM R6 supports all proposals for culture and tourism development which are likely to generate a large number of visits in either Merton's Town Centres or other areas of the borough which have a PTAL rating of 4 or above. This policy states that Merton's retail study highlights that the borough needs a range of tourist accommodation and facilities to cater for the leisure tourism and business visitors and to make Merton's tourism and culture sector more viable and sustainable all year round. Research has emphasised that there is a need for high quality hotels with catering facilities with good public transport services to central London. Policy 4.5 (London's visitor infrastructure) of the London Plan (March 2016) also states that the Mayor will seek to achieve 40,000 net additional hotel bedrooms by 2036.
- 7.12 With regards to Merton's Core Planning Strategy, Policy CS6 encourages development that attracts visitors to the area all year round including high quality hotels and promotes a balanced evening economy through a mix of uses. It is considered that the proposed development would broadly comply with this policy given it would be predominantly a hotel but would also provide two new and refurbished commercial units (Use Class A1 and A2) at ground floor. Policy CS7 also encourages developments that attract visitors to the area all year round including high quality hotels whilst policy CS12 supports development of a diverse local economic base by encouraging the increased provision of the overall number and range of jobs in Merton. It should be noted that the proposal would enhance the job offer at the application site with a total of approx. 31 full time positions being created. Given the application site is also located in a secondary shopping frontage it is considered that the mix of A1 or A2 uses is also acceptable.
- 7.13 At present there is approximately 653sqm of Class A1 (Retail) space (basement and ground floor level at Nos. 41 & 47), 204sqm of Class A2 (Financial and Professional Services) space (basement & ground floor level at No.43), 221sq.m of Class B1 (Office) space at No.47 at first, second and third floor levels, and 945sqm of College Space at basement to third floor levels at Nos. 41 – 45.
- 7.14 The proposal would result in the loss of all existing B1 and D1 uses on the site. With regards to the loss of the Class B1 office use, policy E2 (Offices in town centres) states that the council will only support a change of use from office use

on the upper floors of buildings in town centres where there it can be demonstrated to the council's satisfaction that there is no demand for the office use. It should be noted that no marketing evidence has been submitted however it is considered that given the proposed use is a hotel, which would also provide jobs combined with the fact that the office could potentially be converted into residential use through the prior approval process the loss of the office use would not be resisted in this instance.

- 7.15 The current D1 use is a language school and considered to be a 'community facility' which means policy DM C1 applies. This policy requires applications proposing a loss of community facilities will have to show that full and proper marketing has been undertaken (a minimum of 30 months) to demonstrate that community uses (Class D1 use) are no longer viable on the site. No marketing has been submitted with the application and as such this policy has not been complied with. However, it should be noted that there are a number of language schools in the vicinity of the application site whilst changes to permitted development have indicated a direction of travel towards the more flexible use of buildings with a presumption in favour of sustainable development, particularly in town centre locations. It should also be noted that the inspector in dismissing the appeal for the previous application (LBM Ref: 14/P2241) did not object to the loss of the Class D1 language school. Overall, it is considered that the proposed uses are acceptable.

7.2 Visual Amenity, Design and Impact on Merton (Wimbledon Hill Road) Conservation Area

- 7.21 In terms of local planning policy, Policy CS.14 of the Core Planning strategy promotes high quality sustainable design that improves Merton's overall design standard. Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be expected to relate positively and appropriately to the siting, rhythm, scale, density, proportions, height, materials and massing of surrounding buildings.
- 7.22 Within the site itself, are the Bank Buildings fronting Wimbledon Hill Road (Nos. 41 – 47). The Bank Buildings are locally listed, and are identified within the Wimbledon Hill Road for being a magnificent example of "Jacobean" classical style architecture front Wimbledon Hill Road. They are 3½ storeys high, with roofs featuring a series of gables or half hips, where the ridges are oriented at right angles to Wimbledon Hill Road.
- 7.23 In direct contrast, the immediate area also features a number of modern office buildings. Central House, which abuts the application sites rear boundary, and Melbury House, which is located on the other side of Alwyne Road at the junction with Wimbledon Hill Road. Central House is a part four/ part five-storey office building with a grey clad façade fronting Alwyne Road, and is of no particular architectural merit. Melbury House is a large modern four-storey red brick office building, which despite being sited in a prominent location has been identified in the Wimbledon Hill Road Character Appraisal for making 'a positive response to views from the upper part of Wimbledon Hill, as one moves down the hill towards the town centre.'

- 7.24 The proposed 5-storey extension would be located between Central House, and the rear of the Bank Buildings, fronting Alwyne Road. The extension would be brick facing and feature a geometric shaped roof comprising a Rheinzink triangular tile, which would connect to the new roof to be constructed over the Bank Buildings. The roofs Wimbledon Hill Road elevation would incorporate a glazed element. This is considered a high quality design solution which respects the Locally Listed building through its use of similar facing materials on its elevations and windows with vertical proportions which relate to the windows of the Locally Listed Building, albeit with a more contemporary twist. The proposed extension is considered to be architecturally rich, and vastly improves views from in and around this part of Alwyne Road, which would benefit most from the proposal.
- 7.25 Although, the roof form proposed for the extension and replacement roof over the existing building would have a complex shape and have a highly contemporary appearance, and as such would contrast from the traditional design of the existing building, it is considered that this is acceptable in this instance. The roof, although taller than existing, is set back from the building's Wimbledon Hill Road frontage, whilst its shape and form respects the existing building. It is considered that the proposed roof would offer a striking backdrop to the existing gables with its lightweight materials contrasting from existing and therefore not diluting the architectural integrity of the current building when viewed from Wimbledon Hill Road. It should be noted that the facing elevation to Wimbledon Hill Road would not be flat in its appearance and the 'staggered' sections of zinc and glazing which would also allow unobstructed views over rooftops from the top floor of the building would provide visual interest.
- 7.26 A previous proposal was refused by the Local Planning Authority and subsequently by the Planning Inspector (LBM Ref: 14/P2241) in part because of the excessive height, prominent siting and unsympathetic design of the rear extension which would relate poorly to the scale, height, and massing of surrounding buildings and would dominate and have a detrimental impact on the Bank Buildings, particularly when viewed from Alwyne Road, Wimbledon Hill Road and the wider Conservation Area. It should be noted that the previous proposal was a different design and was significantly taller than the current application.
- 7.27 The current development has been subject to significant scrutiny from both the Design and Review Panel and Council Officers given the sensitivity of the site and surrounding area. The application was reviewed twice by the Design and Review Panel at pre-application stage, both times receiving an Amber verdict. The Panel were generally supportive of the architectural approach. Concerns were raised regarding the detail of the interface of the new build with the historic building and felt that this needed further work and refinement. The Panel were also concerned the floor levels would relate poorly to the front windows and that on the frontage the applicant was trying to squeeze one too many hotel rooms. It is considered that the applicant has addressed the concerns raised by the Panel with the floor plates adjusted so that they are not visible through Windows on the Bank Building's Alwyne Road elevations, the number of hotel rooms have also been reduced, with larger rooms proposed in the Bank Buildings. A

distinctive glazing strip has also been introduced between the extension and Bank Buildings creating an acceptable interface between the two elements. A condition will however be attached requiring drawings which clarify exactly how this works.

- 7.28 The existing shop-fronts including advertising signage are very poor quality and have a significant negative impact on the appearance of the building, the street and the conservation area. The current application proposes the replacement of all of these shopfronts with traditional shopfronts. The Design and Review Panel complemented the applicant on the effort taken to restore the shop-front level of the façade. The existing shopfronts are not original but the pilasters remain and the proposed shopfronts will feature a high quality bronze finished aluminium framing and fully glazed doors with curved glass recessed entrances and plinths. The unsympathetic modern rendered corner shopfront at No.47 Wimbledon Hill Road would be rebuilt in the style of Nos. 41 – 45. It is considered that the proposed high quality shopfronts would significantly improve the appearance of the building at street level and as such improve the vitality and viability of the parade in general. To ensure that consistent and high quality advertising signage is displayed on the Bank Buildings, a condition will also be attached requiring the submission of a design code which future advertising signage applications would have to adhere to. Existing fixed plant such as air conditioning units are also located on the building's Wimbledon Hill Road frontage further detracting from its appearance. These will also be removed as part of the proposal.
- 7.29 Overall, the proposal would result in new additions to a historic building in Wimbledon Town Centre. Officers conclude that the proposed rear and roof extension would be acceptable additions and would not result in a harmful impact on the setting of either the locally listed building or the Conservation Area. The important façade of the building would be enhanced, including new shop fronts more appropriate than the existing. National Policy, London Plan Policy and Local Policy encourage good design and the proposal is considered to deliver on this aspect. The proposal is therefore considered to be visually acceptable to the site and surroundings and complies with policy in this regard.

7.3 **Neighbouring Amenity**

- 7.31 Policy DM D2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014) states that proposals for development will be required to ensure provision of appropriate levels of sunlight and daylight, quality of living conditions, amenity space and privacy, to both proposed and adjoining buildings and gardens. Development should also protect new and existing development from visual intrusion.
- 7.32 It is considered that there would only be a minimal impact on nearby residential properties. Commercial properties abut all sides of the application site, with Central House, a five-storey office building screening views of the extension from along Alwyne Road. The extension would be visible from properties located along Woodside, which have rear gardens that back onto Alwyne Road and flats located on the upper floors of 1 Compton Road, which is located to

the east of the site. Melbury House, which is sited northwest on the other side of Alwyne Road, would more or less screen views of the proposal from properties along Wimbledon Hill Road. Although, the top of the extension would be visible from the upper floors of residential units on Wimbledon Hill Road given it extends over a significant section of the existing roof of the Bank Buildings. However, this element is set well back from the front elevation of the Bank Buildings and as such its impact is considered to be acceptable. It is considered that the building would not be visually intrusive or overbearing when viewed from properties on Woodside given it would only be visible from an oblique angle. Whilst only being marginally taller than Central House the extension sits north of the flats at 1 Compton Road, which already directly face the rear elevation of Central House so it is considered that the impact on these flats would be acceptable.

7.4 Basement Construction and Flood Risk

- 7.41 In addition to extending the existing basement level, the development would involve the excavation of an additional basement level so that the development would feature a total of two basement levels encompassing the footprint of the application site. Exception to this is it being set in from the northwest corner at 1st basement level, and then set fully back from Wimbledon Hill Road at 2nd basement level. The development would retain the existing front and side façades fronting Wimbledon Hill Road and Alwyne Road. Following submission of the application, the applicant has since agreed to the retention of additional internal walls of the building.
- 7.42 The applicant has submitted a Construction Method Statement (CMS), Ground Investigation Report, Ground Movement Analysis and the Structural Survey. The Council's Structural and Flood Engineers have assessed the submitted details and are satisfied with the submitted information so far. The CMS demonstrates that the proposed development can be built safely without adversely affecting the surrounding natural and built environment. However, due to the close proximity of the excavation works/temporary works in relation to the highway and the depth of excavation (6.6m), it is recommended that additional information to be submitted. This can be dealt with through appropriate planning conditions.
- 7.43 Groundwater was found within the boreholes/trial pits at a shallow depth of 0.4m. Therefore, due to the proposed basement depth and groundwater levels, it is expected that ingress of groundwater will be expected into the basement excavation during construction. In terms of drainage, the existing site uses a combined system and discharges surface water to the foul network. The Council would require a separate system and this is proposed, with a new connection into the surface water sewer in Alwyne Rd. The proposed drainage design will restricts the discharge rate to the existing 1 in 1 year rate of 10.91l/s for the 1 in 30 year event. For this an attenuation volume of 7.4m³ is required. For the 1 in 100 year climate change event, an attenuation volume of 9.1m³. It is proposed to contain exceedance events within the lightwell. It is advised that the applicant should consider the use of other methods for SuDS such as blue or green roofs and attenuation storage within oversized/buried downpipes in the

fabric of the building. This could then contain flows above the 1 in 30 year event. Appropriate conditions are also recommended regarding flood prevention. Overall, it is considered that the proposal would accord with policies DM D2 and DM F2 of the Adopted Sites and Policies Plan and Policies Maps (July 2014).

7.5 Parking and Traffic Issues

- 7.51 It is important to note that paragraph 109 of the NPPF 2019 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe. Policy 6.1 of the London Plan (2016) supports development which generates high levels of trips at locations with high levels of public transport accessibility and improves the capacity and accessibility of public transport, walking and cycling. Policy 6.13 states that in locations with high public transport accessibility, car free developments should be promoted
- 7.52 The applicant has submitted a Transport Statement and Travel Plan with the application demonstrating that the transport impacts associated with the proposals can be accommodated within the surrounding transport network. No.41 – 47 Wimbledon Hill Road is well connected and has excellent public transport links (PTAL rating of 6b). The site is served by rail services from Wimbledon station and a number of bus services run along Wimbledon Hill Road. The proposal does not include any car parking, including disabled car parking, for employees or customers; however this is considered acceptable given the sites highly accessible location in this instance. A controlled parking zone also operates across the surrounding road network with Compton Road, Alwyne Road and Worcester Road all subject to Controlled Parking Zone restrictions between 08:30 and 18:00, from Monday to Saturday. The majority of spaces are for residents only with the bays which are shared between residents and visitors subject to a maximum duration of stay of 2 hours. Given these restrictions it is considered that car parking demand would be primarily accommodated in nearby public car parks. The applicant would also be required to enter into a S106 agreement requiring that the site is permit free restricting any employees or staff from applying for a business parking permit. It is considered that although Taxi drop offs will not be accommodated on site, this would not cause significant concern in this instance given this can be accommodated in the surrounding road network.
- 7.53 All delivery and servicing will take place on-street, due to the lack of available space on-site. Vehicles are expected to utilise either the existing loading bay on Compton Road, near the alleyway leading to the back entrance to the site, or 'dwell' on the single yellow lines running along the northern side of the Alleyway. The applicant has also proposed a booking system that will distribute servicing vehicles throughout the day. Deliveries will also be programmed to avoid the peak travel periods and arrival and departure of pupils at nearby schools. The proposed delivery times, which would be secured by a planning condition, would not take place between 8am and 9am or between 2:45pm and 4pm Monday to Friday. It is considered that given the sites highly urban location that any traffic impact from service vehicles would be very limited in this

instance. Residents concerns regarding existing and proposed trip generation is noted however it should be noted that this data is obtained via an industry standard methodology utilising evidence from the TRICS database. In this instance the current building isn't fully utilised and to provide a fair comparison the data provides a worst case scenario were the building to be fully utilised with regards to both existing (this includes what uses can be carried out without planning permission) and proposed uses. However, it is considered that in reality both existing and proposed trips carried out by service vehicles will be significantly lower. The Council's Transport Planner has assessed the proposal and has raised no objections. It is considered that the proposal complies with all relevant transport planning policies including paragraph 109 of the NPPF 2019 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

- 7.54 It is considered that the 19 long stay cycle spaces is acceptable and would comply with London Plan and local planning policies. Given the constraints of the site the proposal would not provide any short stay cycle spaces (7 short stay cycle spaces required). As such, the applicant will be required to provide a financial contribution of £1200 for short stay cycle provision in the local area secured via S106 Agreement. Overall, it is considered that the proposal complies with all relevant transport planning policies including paragraph 109 of the NPPF 2019 states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

8. ENVIRONMENTAL IMPACT ASSESSMENT

- 8.1 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 proposal would result in a net gain in gross floor space and as such will be liable to pay a Community Infrastructure Levy (CIL). The funds will be spent on the Crossrail project, with the remainder spent on strategic infrastructure and neighbourhood projects.

10. CONCLUSION

- 10.1 No.41 – 47 Wimbledon Hill Road is located in Wimbledon Town centre and has excellent transport links (PTAL rating of 6b), which means it is a highly suitable location for a Hotel/mixed use development. It is considered that the proposal will respect its context in terms of its height, scale and massing and would be a high quality design, which responds well to its context. It is also considered that the proposal would not have an unacceptable impact on the amenity of occupiers of surrounding residential properties or the surrounding transport network given its sustainable location. Overall, the proposal includes significant benefits to the existing building and the town centre of Wimbledon.

RECOMMENDATION

GRANT PLANNING PERMISSION subject to the completion of a S106 agreement covering the following heads of terms:

- 1) Permit free
- 2) Financial contribution of £1200 towards short stay cycle facilities
- 3) Paying the Council's legal and professional costs in drafting, completing and monitoring the legal agreement.

And subject to the following conditions:

- 1) The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

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

- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 1618 – PL1/11E, 12E, 13D, 14E, 15E, 16D, 17E, 18B, 19C, 20C, 21B, 22B, 23B, 24B, 25B, 26C, 27C, 35 & 36

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

- 3) No development shall take place beyond damp course proof level until details of particulars and samples of the materials to be used on all external faces of the development hereby permitted, including window frames and doors (notwithstanding any materials specified in the application form and/or the approved drawings), 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: 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 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 4) No development above damp course proof level until detailed drawings at 1:20 scale of all external windows and doors, including materials, set back within the opening, finishes and method of opening have been submitted to and approved by the local planning authority. Only the approved details shall be used in the development hereby permitted.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 5) No development above damp course proof level until detailed drawings at 1:20 scale showing glazing strip interface between existing building and proposed extension on Alwyne Road have been submitted and approved by the Local Planning Authority. Only the approved details shall be used in the development hereby permitted.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

- 6) No development shall take place beyond damp proof course level until details of the surfacing of all those parts of the site not covered by buildings, including any parking, service areas or roads, footpaths, hard and soft have been submitted in writing for approval by the Local Planning Authority. No works that are the subject of this condition shall be carried out until the details are approved, and the development shall not be occupied / the use of the development hereby approved shall not commence until the details have been approved and works to which this condition relates have been carried out in accordance with the approved details.

Reason: To ensure a satisfactory standard of development in accordance with the following Development Plan policies for Merton: policies 7.5 and 7.6 of the London Plan 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D1 and D2 of Merton's Sites and Policies Plan 2014.

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

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP 4 of Merton's Sites and Policies Plan 2014

- 8) The development hereby approved shall not be occupied until the refuse and recycling storage facilities shown on the approved plans have been fully implemented and made available for use. These facilities shall thereafter be retained for use at all times.

Reason: To ensure the provision of satisfactory facilities for the storage of refuse and recycling material and to comply with the following Development Plan policies for Merton: policy 5.17 of the London Plan 2016, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

- 9) No demolition or construction work or ancillary activities such as deliveries shall take place before 8am or after 6pm Mondays - Fridays inclusive, before 8am or after 1pm on Saturdays or at any time on Sundays or Bank Holidays.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2015 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

10) H7 (Cycle Parking to be Implemented)

- 11) The development shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles and loading /unloading arrangements during the construction process have been submitted to and approved in writing by the Local Planning Authority. The approved details must be implemented and complied with for the duration of the construction process.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2015, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

- 12) No occupation of the development shall be permitted until a Travel Plan is submitted to and approved in writing by the Local Planning Authority. The Plan shall follow the current 'Travel Plan Development Control Guidance' issued by TfL and shall include:
- (i) Targets for sustainable travel arrangements;
 - (ii) Effective measures for the on-going monitoring of the Plan;
 - (iii) A commitment to delivering the Plan objectives for a period of at least 5 years from the first occupation of the development;
 - (iv) Effective mechanisms to achieve the objectives of the Plan by both present and future occupiers of the development.

The development shall be implemented only on accordance with the approved Travel Plan.

Reason: To promote sustainable travel measures and comply with the following Development Plan policies for Merton: policy 6.3 of the London Plan 2016, policies CS18, CS19 and CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Policies Plan 2014.

- 13) No occupation of the development shall be permitted until a Delivery and Servicing Plan (the Plan) has been submitted in writing for approval to the Local Planning Authority. No occupation of the development shall be permitted until the Plan is approved in writing by the Local Planning Authority and implemented in accordance with the approved plan. The approved measures shall be maintained, in accordance with the Plan, for the duration of the use, unless the prior written approval of the Local Planning Authority is obtained to any variation.

Reason: To ensure the safety of pedestrians and vehicles and the amenities of the surrounding area and to comply with the following Development Plan policies for Merton: policies 6.3 and 6.14 of the London Plan 2016, policy CS20

of Merton's Core Planning Strategy 2011 and policies DM T2, T3 and T5 of Merton's Sites and Policies Plan 2014.

- 14) No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority and in consultation with Thames Water. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) at the agreed runoff rate (no more than 10.91l/s with no less than 7.4m³ attenuation provision), in accordance with drainage hierarchy contained within the London Plan Policy (5.12, 5.13 and SPG) and the advice contained within the National SuDS Standards.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

- 15) Prior to the commencement of development, the applicant shall submit a detailed construction method statement (CMS) produced by the respective contractor/s responsible for building the approved works to the approval of the Local Planning Authority. The construction method statement shall also detail how flood risk and drainage will be managed during construction and how the risk to pollution of the water environment will be mitigated.

Reason: To reduce the risk of surface and foul water flooding to the proposed development and future users, and ensure surface water and foul flood risk does not increase offsite in accordance with Merton's policies CS16, DMF2 and the London Plan policy 5.13.

- 16) Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any new plant/machinery from the commercial use shall not exceed LA90-10dB at the boundary with any residential property.

Reason: To safeguard the amenities of the area and the occupiers of neighbouring properties and ensure compliance with the following Development Plan policies for Merton: policy 7.15 of the London Plan 2016 and policies DM D2, DM D3, DM EP2 and DM EP4 of Merton's Sites and Policies Plan 2014

- 17) No cooking odour shall be detectable at any residential property outside the development. Details shall be submitted and approved by the LPA prior to use.

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

- 18) No development approved by this permission shall be commenced until a final scheme to reduce the potential impact of groundwater ingress both to and from

the proposed development, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall address the risks both during and post construction. Should dewatering be required during construction, the detailed Construction Method Statement will need to address the measures to minimise silt dispersal and pollutants detail where waters will be discharged to.

Reason: To ensure the risk of groundwater ingress to and from the development is managed appropriately and to reduce the risk of flooding in compliance with the following Development Plan policies for Merton: policy 5.13 of the London Plan 2011, policy CS16 of Merton's Core Planning Strategy 2011 and policies, DM D2 and DM F2 of Merton's Sites and Polices Plan 2014.

19) No works will commence on site until the below documents have been submitted and approved by the Local Planning Authority.

- Detailed Demolition Method Statement submitted by the Contractor responsible for the demolition of the existing property.
- Detailed design calculations, structural drawings and erection sequence drawings of the façade retention system submitted by the respective Consultant/Contractor responsible for the design/installation works.
- Design calculations, drawings, propping and de-propping sequence of the temporary works supporting the highway and adjoining properties required to facilitate demolition and excavation.
- Detailed Construction Method Statement and the construction/excavation sequence produced by the respective Contractors responsible for the underpinning, piling, excavation and construction of the permanent retaining wall. This shall be reviewed and agreed by the Structural Engineer designing the basement.
- Detailed Construction/Excavation sequence Method Statement produced by the respective Contractors responsible for the underpinning, piling, excavation and construction of the permanent retaining wall. This shall be reviewed and agreed by the Structural Engineer designing the basement.
- Design calculation and drawings (plan and sections) of the One Storey RC Underpinning, Two Storey RC Underpinning, RC Contiguous Piles Wall and the permanent lining wall if any. The design has to be undertaken in accordance with Eurocodes. We would recommend using full height hydrostatic pressure and at-rest soil pressures for the design of all retaining walls and a highway loading surcharge of 10 KN/m² where applicable. Photograph 08 of the Structural Survey report shows a diagonal crack at the inner face of basement retaining wall at No. 47 Wimbledon Hill Road. This could be due to the reason that the resistance offered by this retaining wall is less than the applied lateral pressures. The designer has to take into account the strengthening of the existing basement walls as part of the scope of the design works.

- The GI Report and CMS have assumed the foundation depths of Nos 37 to 39 Wimbledon Hill Road to be the same as those of No 41 to 47 Wimbledon Hill Road, at 2.80 m below ground level. Foundation depths of the other sensitive structures identified are assumed to be 0.5 m below ground level. This has to be verified before undertaking any design works.
- Movement monitoring report produced by specialist surveyors appointed to install monitoring gauges to detect any movement of the highway/neighbouring properties from start to completion of the project works. The report should include the proposed locations of the horizontal and vertical movement monitoring, frequency of monitoring, trigger levels, and the contingency measures for different trigger alarms.
- Construction Logistics Plan

20) H3 (Redundant Crossovers)

21) H10 (Construction Vehicles, Washdown Facilities, etc (major sites))

22) The development shall not be occupied until details of security measures including CCTV operation and the bomb blast resistance of the buildings external design, are submitted to and approved by the Local Planning Authority. Details of bomb blast resistance shall be in line with the guidance document CPNI EBP 01/14: April 2014 'Measures to improve the blast resistance of glazing'. The approved details shall be implemented prior to occupation of the development and permanently retained thereafter.

Reason: To ensure a safe and secure environment is provided in accordance with policy 7.3 of the London Plan (2016) and policy DM.D2 of the Merton Sites and Policies Plan (2014)

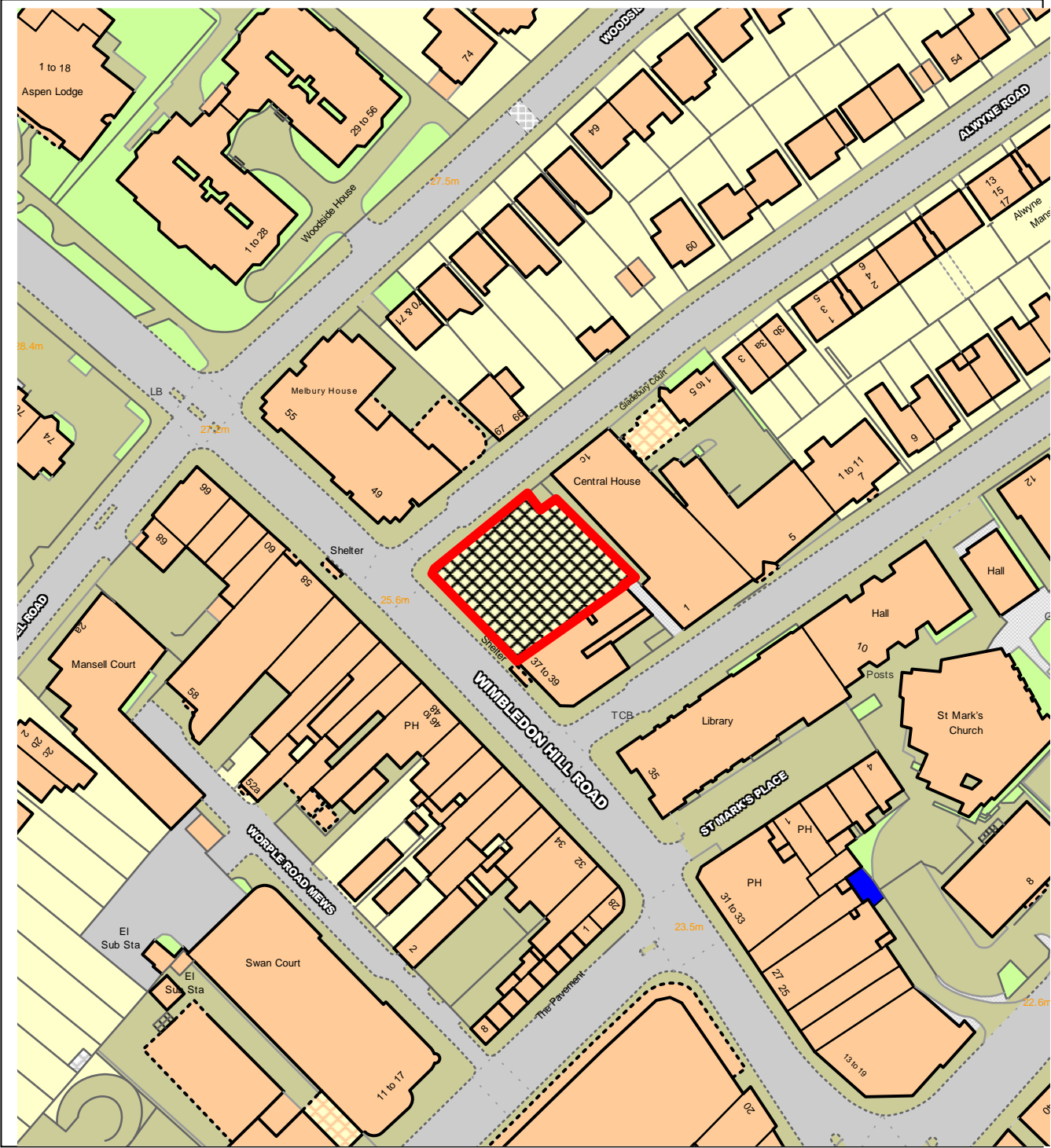
23) No properties shall be occupied until confirmation has been provided that either :- all surface water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan has been agreed with Thames Water to allow additional properties to be occupied. Where a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure plan.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid flooding and/or potential pollution incidents.

24) Informative: Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Water pipes. The developer should take account of this minimum pressure in the design of the proposed development.

[Click here](#) for full plans and documents related to this application

NORTHGATE SE GIS Print Template



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Committee: Planning Applications Committee

Date: 17th October 2019

Wards: Wimbledon Park

**Subject: Tree Preservation Order (No.742) at The Lodge & Vine House,
1C Vineyard Hill Road, SW19.**

Lead officer: HEAD OF SUSTAINABLE COMMUNITIES

**Lead member: COUNCILLOR LINDA KIRBY, CHAIR, PLANNING APPLICATIONS
COMMITTEE**

Contact Officer Rose Stepanek: 0208 545 3815
rose.stepanek@merton.gov.uk

Recommendation:

That the Merton (No.742) Tree Preservation Order 2019 be confirmed without modification.

1. Purpose of report and executive summary

This report considers the objection that has been made to the making of this tree preservation order. Members must consider the objection before deciding whether or not to confirm the Order, with/without modification.

2. Planning History

- 2.1 In February 1951 planning permission was granted for the conversion of existing buildings into three houses (Ref. WIM 839).
- 2.2 In July 1998 planning permission was granted for the erection of a two-storey side extension and single storey rear extension (LBM Ref. 98/P0127).
- 2.3 In July 2002 planning permission was granted for the erection of a two-storey side extension and single storey rear extension (LBM Ref.02/P0780).
- 2.4 In June 2010 planning permission and conservation area consent was granted by the Planning Applications Committee subject to completion of a S.106 Agreement for the erection of side and rear extensions to existing dwelling and erection of a new semi-detached dwelling (LBM Refs. 10/P0371 and 10/P0372).
- 2.5 In April 2010 planning permission and conservation area consent was refused under delegated powers for the demolition of the existing house and garage and the erection of a four bedroom detached dwelling (LBM Ref. 10/P1003 and 10/P1005). Planning permission was refused on the grounds that: the proposed house was out of character (contemporary design), be visually intrusive detrimental to neighbour amenity and the proposal would involve the demolition of a building identified as making a positive contribution to the Merton (Vineyard Hill Road) Conservation Area and contrary to Policies BE.1, BE.2, BE.15 and BE.22 of the Adopted UDP..
- 2.6 In August 2010 planning consent and conservation area consent was granted for the demolition of the existing garage and for the erection of a two storey side extension, a section of front wall, the erection of a new single and two storey rear and side extension, roof extension and basement extension. The impact on

the surrounding trees was considered at the time and the Tree Officer found the submitted tree report and its tree protection measures to be acceptable. Specific attention was paid to reducing the size of basement, taking it out of the root protection area (RPA) of the neighbouring large mature Holm Oak tree. The tree report set out a specific foundation design (Housedeck system) to protect the roots of the same Holm Oak tree and to guard against any risk of future structural damage to the new side extension (LBM Ref.10/P1667 and 10/P2404).

- 2.6 In October 2013 planning approval was granted for the discharge of several planning conditions relating to LBM Ref. 10/P1667. This included planning condition 8, which required details relating to the 'Housedeck' system. The engineer considered the 'Housedeck' system to be 'unnecessary' and that a standard strip foundation to a depth of approximately 1.8 metres would be sufficient for the approved side extension.
- 2.7 In June 2019, two tree work applications (s.211 notice) were submitted for the proposed removal of the neighbouring Holm Oak tree at Vine House, and for the proposed removal of 4 pollarded Lime trees located adjacent to the front wall of The Lodge. It was claimed that the tree work was necessary to alleviate a claim of subsidence damage to the side extension built under LBM Ref. 10/P1667. Their investigations of the depth of the foundations found them to be approximately 1.7 metres deep.
- 2.8 In July 2019, both tree work applications were refused planning consent and a tree preservation order was made to protect all 5 trees. This is known as the Merton (No.742) Tree Preservation Order 2019, and copy of the plan is appended to this report.

3. Legislative Background

- 3.1 Section 198 of the Town and Country Planning Act 1990 (as amended), empowers Local Planning Authorities to protect trees in the interests of amenity, by making tree preservation orders. Points to consider when considering a tree preservation order are whether the particular trees have a significant impact on the environment and its enjoyment by the public, and that it is expedient to make a tree preservation order.
- 3.2 When issuing a tree preservation order, the Local Planning Authority must provide reasons why the tree has been protected by a tree preservation order. In this particular case 9 reasons were given that include references to the visual amenity value of the trees to the area; that the trees have an intrinsic beauty; their significant to the character and appearance to the local area; that the trees form part of our collective heritage for present and future generations; that the trees are an integral part of the urban forest; that the trees contributes to the local bio-diversity; and that the trees protect against climate change.
- 3.3 Under the terms of the provisional status of an Order, objections or representations may be made within 28 days of the date of effect of the Order. The Council must consider those objections or representations before any decision is made to confirm or rescind the Order.

4. Objection to the Order

- 4.1 The Council has received an objection to the Order from the insurance company.

4.2 The objection has been summarised as follows:

- That current Government advice is that Local Planning Authorities should take into account the amenity value of a tree, and when ‘..assessing amenity value, what ‘expedient’ means in practice.’, and;
- If this Council used a valuation system such as TEMPO, it would have been found that ‘...if a neighbouring tree’s roots have been identified within the investigations then that tree would score nought under the TEMPO system, which would preclude any served Order including the neighbour’s tree. In this case the Holm Oak’.

5. Planning Considerations

5.1 The Tree Officer would respond to each of the objector’s respective points as follows:

- Local Planning Authorities are advised to exercise judgment when determining whether a tree has amenity value. The current Government advice is to take into account the following criteria:
 - Visibility: Trees, or at least a part of them, should normally be visible from a public place, such as a road or footpath, or accessible by the public;
 - Individual, collective and wider impact: Further points to consider include characteristics such as; size and form; future potential as an amenity; rarity, cultural or historic value; contribution to, and relationship with, the landscape, and; contribution to the character or appearance of a conservation area;
 - Other factors: Such as importance to nature conservation or response to climate change. These factors alone would not warrant making an Order.

These factors were taken into account and are referred to above as reasons for making the Order. When considering the matter of ‘expedience’ Authorities can make an Order if they believe there is a risk of trees being felled which would have a significant impact on the amenity of an area. This would be the normal response to a s.211 notice if the Local Planning Authority disagrees with the proposed tree work and the proposed loss of trees at a property.

- The TEMPO method of evaluating trees was developed by a private arboricultural expert. There is no requirement for Authorities to adopt this particular method. The current Government guidance is that ‘...authorities are advised to develop ways of assessing the amenity value of trees in a structured and consistent way, taking into account the following criteria...’ these are explained above.
- All 5 trees are clearly visible to the public and they provide a significant level of amenity value to the public and to the character and appearance of the conservation area.
- One of our Building Control Inspectors advised this officer that according to the National House Building Standards and Local Authority Building Control advice in such matters, the correct foundation depth for this

particular side extension positioned approximately 6 metres from the Holm Oak tree should be **in excess** of 2.5 metres and a full structural foundation design is required. Clearly, the foundations that have been constructed in this case do not satisfy the required standards, and it is entirely wrong to blame the trees for the current structural damage to the property.

6. Officer Recommendations

- 6.1 The Merton (No.742) Tree Preservation Order 2019 should be confirmed without modification.

7. Consultation undertaken or proposed

None required for the purposes of this report

8. Timetable

N/A

9. Financial, resource and property implications

The Order may be challenged in the High Court and legal costs are likely to be incurred by Merton. However, it is not possible to quantify at this time, and may be recoverable from the property owners if the Court finds in favour of the Authority.

10. Legal and statutory implications

The current tree preservation order takes effect for a period of 6 months or until confirmed, whichever is the earlier. There is no right of appeal to the Secretary of State. Any challenge would have to be in the High Court.

11. Human rights, equalities and community cohesion implications

N/A

12. Crime and disorder implications

N/A

13. Risk Management and Health and Safety implications.

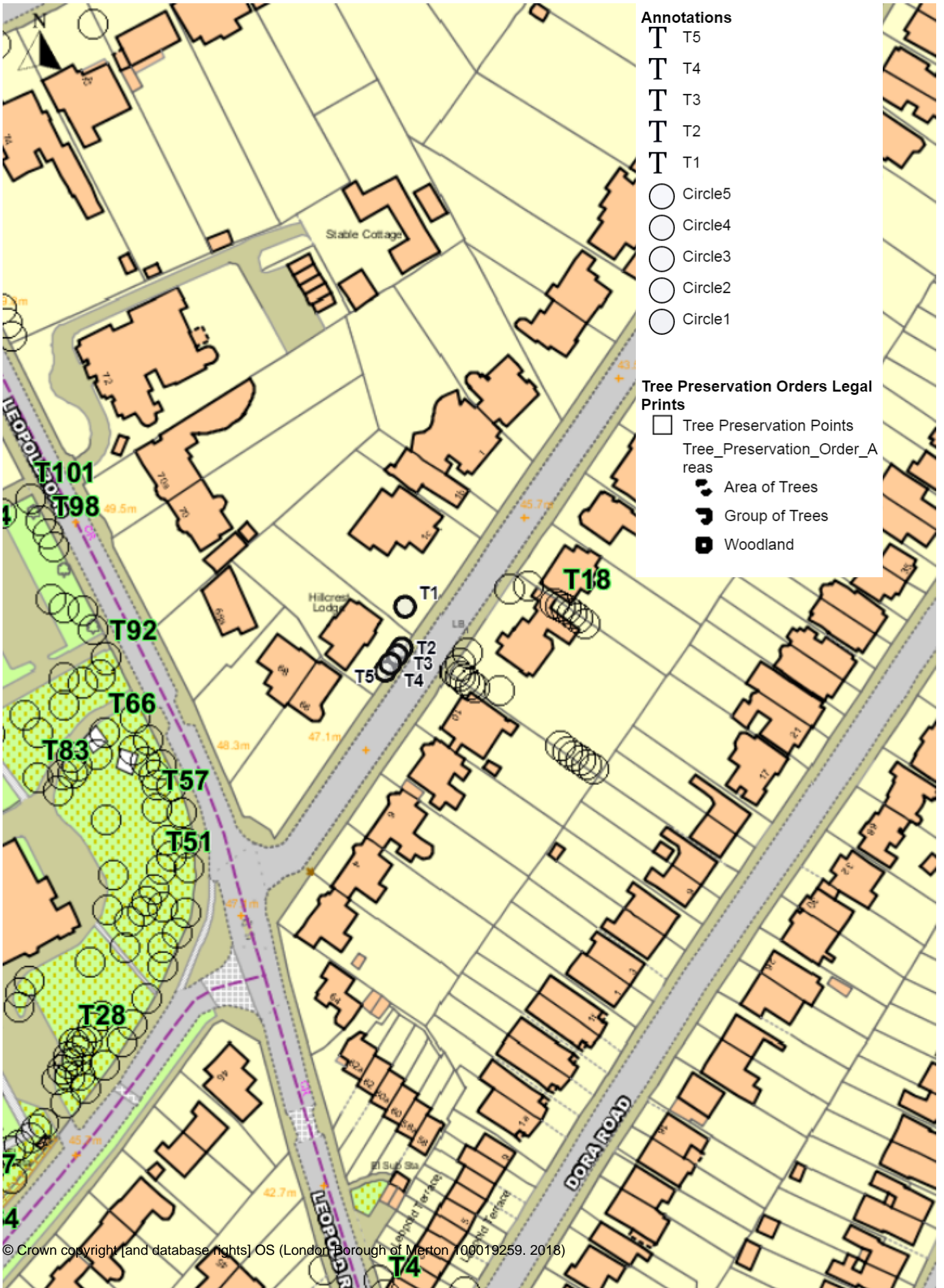
N/A

14. Appendices – the following documents are to be published with this report and form part of the report Background Papers

Tree Preservation Order plan

15. Background Papers

The file on the Merton (No.742) Tree Preservation Order 2019
Government Planning Practice Guidance on Tree Preservation Orders and trees in conservation areas.



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Merton (No.742) Tree Preservation Order 2019

The Lodge & Vine House, 1C Vineyard Hill Road

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Committee: Planning Applications

Date: 17th October 2019

Subject: Planning Appeal Decisions

Lead officer: Head of Sustainable Communities

Lead member: Chair, Planning Applications Committee

Recommendation: That Members note the contents of the report.

1. PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1 For Members' information recent decisions made by Inspectors appointed by the Secretary of State for Communities and Local Government in respect of recent Town Planning Appeals are set out below.
- 1.2 The relevant Inspectors decision letters are not attached to this report but can be viewed by following each individual link. Other agenda papers for this meeting can be viewed on the Committee Page of the Council Website via the following link:

[LINK TO COMMITTEE PAGE](#)

DETAILS

Application Numbers: **17/P0438**
Site: Land forming part of 12 Waterside Way SW17 0HB
Development: Erection of a concrete batching plant, batch control cabin, car and cycle parking and ancillary structures
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 1st October 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **18/P4452**
Site: 114 High Street, Colliers Wood SW19 2BW
Development: Conversion of single dwellinghouse into 2 x self-contained flats
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 26th September 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **19/P0712**
Site: 391 Cannon Hill Lane SW20 9HH
Development: Demolition of an existing garage and erection of a two storey dwellinghouse
Recommendation: Refuse (Delegated Decision)
Appeal Decision: **DISMISSED**
Date of Appeal Decision: 30th September 2019

[Link to Appeal Decision Notice](#)

Application Numbers: **18/E0559 & 18/P3801**
Site: 74 Beeleigh Road, Morden SM4 5JW
Development: Enforcement Notice for demolition of front porch extension
Recommendation: 18/P3801 Refused and 18/E0559 enforcement notice served
Appeal Decision: **18/P3801 ALLOWED & 18/E0559 QUASHED**
Date of Appeal Decision: 30th September 2019

[Link to Enforcement Appeal Decision Notice](#)

Alternative options

3.1 The appeal decision is final unless it is successfully challenged in the Courts. If a challenge is successful, the appeal decision will be quashed and the case returned to the Secretary of State for re-determination. It does not follow necessarily that the original appeal decision will be reversed when it is redetermined.

3.2 The Council may wish to consider taking legal advice before embarking on a challenge. The following applies: Under the provision of Section 288 of the Town & Country Planning Act 1990, or Section 63 of the Planning (Listed Buildings and Conservation Areas) Act 1990, a person or an establishment who is aggrieved by a decision may seek to have it quashed by making an application to the High Court on the following grounds: -

1. That the decision is not within the powers of the Act; or
2. That any of the relevant requirements have not been complied with; (relevant requirements means any requirements of the 1990 Act or of the Tribunal's Land Enquiries Act 1992, or of any Order, Regulation or Rule made under those Acts).

1 CONSULTATION UNDERTAKEN OR PROPOSED

- 1.1. None required for the purposes of this report.

2 TIMETABLE

- 2.1. N/A

3 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 3.1. There are financial implications for the Council in respect of appeal decisions where costs are awarded against the Council.

4 LEGAL AND STATUTORY IMPLICATIONS

- 4.1. An Inspector's decision may be challenged in the High Court, within 6 weeks of the date of the decision letter (see above).

5 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 5.1. None for the purposes of this report.

6 CRIME AND DISORDER IMPLICATIONS

- 6.1. None for the purposes of this report.

7 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

- 7.1. See 6.1 above.

8 BACKGROUND PAPERS

- 8.1. The papers used to compile this report are the Council's Development Control service's Town Planning files relating to the sites referred to above and the agendas and minutes of the Planning Applications Committee where relevant.

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Committee: Planning Applications Committee

Date: 17th October 2019

Wards: All

Subject: PLANNING ENFORCEMENT - SUMMARY OF CURRENT CASES

Lead officer: HEAD OF SUSTAINABLE COMMUNITIES

Lead member: CABINET MEMBER FOR REGENERATION, HOUSING AND
TRANSPORT COUNCILLOR MARTIN WHELTON &
COUNCILLOR LINDA KIRBY, CHAIR, PLANNING
APPLICATIONS COMMITTEE

Contact Officer Ray Littlefield: 0208 545 3911

Ray.Littlefield@merton.gov.uk

Recommendation:

That Members note the contents of the report.

1. Purpose of report and executive summary

This report details a summary of casework being dealt with by the Planning Enforcement Team and contains figures of the number of different types of cases being progressed, with brief summaries of all new enforcement notices and the progress of all enforcement appeals.

Current Enforcement Cases:	994	¹ (973)	New Appeals:	(1)	(0)
New Complaints	52	(99)	Instructions to Legal	0	(0)
Cases Closed	31		Existing Appeals	2	(3)
No Breach:	17		<hr/>		
Breach Ceased:	14		TREE ISSUES		
NFA ² (see below):	0		Tree Applications Received	34	(90)
Total	31	(76)	% Determined within time limits:	88%	
New Enforcement Notices Issued			High Hedges Complaint	0	(0)
Breach of Condition Notice:	0		New Tree Preservation Orders (TPO)	1	(1)
New Enforcement Notice issued	1	(5)	Tree Replacement Notice	0	
S.215: ³	0		Tree/High Hedge Appeal	0	(0)
Others (PCN, TSN)	1	(1)			
Total	2	(0)			
Prosecutions: (instructed)	0	(0)			

Note (*figures are for the period from 13th September 2019 to 4th October 2019*). The figure for current enforcement cases was taken directly from M3 crystal report.

¹ Totals in brackets are previous month's figures

² confirmed breach but not expedient to take further action.

³ S215 Notice: Land Adversely Affecting Amenity of Neighbourhood.

2.0 New Enforcement Actions

208 Bishopsford Road, Morden, SM4 6DA. This is concerning the erection of a single storey rear extension onto an existing extension on the ground floor. A Planning Enforcement Notice has been issued requiring the demolition of the Extension. The Notice was issued on 4th October 2019, the Notice will come into effect on 10th November 2019 with a compliance period of 3 months, unless an appeal is made before 19th November 2019.

47 Edgehill Road CR4 2HY. This is concerning a rear extension not being built to the dimensions provided on the prior approval application. A Planning Enforcement Notice was subsequently issued requiring the demolition of the single storey rear extension. The Notice takes effect on 16th September 2019. The Notice has a compliance period of 3 calendar months, unless an appeal is made to the Planning Inspectorate before the Notice comes into effect. An Appeal has been electronically submitted, but not yet started.

76 Shaldon Drive, Morden, SM4 4BH. An enforcement notice was served on 14th August 2019 relating to an outbuilding being used as a self-contained unit. The notice requires the removal of all kitchen facilities, fixtures, fittings, cooker, worktops, kitchen units. The notice takes effect on 16th September 2019, with a compliance period of 1 month. An Appeal has been electronically submitted, but not yet started.

The former laundry site, 1 Caxton Road, Wimbledon SW19 8SJ. Planning Permission was granted for 9 flats, with 609square metres of (Class B1) office units. 22 flats have been created. A Planning Enforcement Notice was issued on 11th October 2018 requiring either the demolition of the development or building to the approved scheme. The Notice took effect on 18th November 2018 with a compliance period of 12 calendar months. An appeal was made but subsequently withdrawn the following day. The owner decided to comply with the approved permission and is in the process of returning some the residential units back to their authorised office use. Bath and shower units have been removed; the office units are currently being advertised for let. The garage flat is no longer being used for residential and is in the process of being returned to a garage. Planning Application 19/P1527 for Discharge of Conditions has been submitted and is currently being considered.

2 Dahlia Gardens, Mitcham, CR4 1LA. An enforcement notice was served on the 19th August 2019 for an outbuilding to be demolished and all materials resulting in this to be removed from the Land or to revert the outbuilding to be in accordance with permitted development rights under a previous application - 18/P0103. The Notice takes effect on 24th September 2019, unless an appeal is made before this date. The compliance period is 3 months from the date the enforcement Notice takes effect. An Appeal has been electronically submitted, but not yet started.

33 HASSOCKS ROAD, LONDON. SW16 5EU: This was regarding the unauthorised conversion from a single dwelling into 2 x self contained flats against a refusal planning permission. A planning Enforcement Notice was subsequently issued on 10th September 2019 and takes effect on 15th October 2019. This Notice has a compliance period of 3 calendar months, unless an appeal is made to the Planning Inspectorate before the Notice takes effect.

6 CARTMEL GARDENS, MORDEN SM4 6QN: (Notice 1) This is regarding a side extension not built in accordance with approved plans. A planning Enforcement Notice was subsequently issued on 24th September 2019 and takes effect on 24th October

2019. The Notice requires the cessation of the use of side extension as separate self-contained unit, and the removal of all those fixtures and fittings that facilitate the unauthorised use of the extension including the permanent removal of the facilities in use for cooking facilities, kitchen unit, sink, worktop, appliances, and food preparation areas. This Notice has a compliance period of 3 calendar months, unless an appeal is made to the Planning Inspectorate before the Notice takes effect.

6 CARTMEL GARDENS, MORDEN SM4 6QN: (Notice 2) This is regarding the unauthorised use of side extension as a self-contained unit. A planning Enforcement Notice was subsequently issued on 24th September 2019 and takes effect on 24th October 2019 unless an appeal is made to the Planning Inspectorate before this date. The notice requires the demolition of the rear extension. This Notice has a compliance period of 3 calendar months.

Some Recent Enforcement Actions

1 Cambridge Road, Mitcham, CR4 1DW. The council issued a S215 notice on 21st August 2017 to require the following steps to trim and cut back overgrown bushes from the front and rear gardens, tidy the site, clean, repair and paint the front windows and repaint the front of the proper. The notice took effect on the 21st September 2017. Due to the time that has elapsed since the issuing of the Notice a new Notice was issued and served on 13th November 2018 giving 28 days in which to comply with the Notice. To date the Notice has not been complied and direct action is now under consideration.

Direct action has now been taken, with the site being cleared by contractors and is now in a satisfactory condition regarding the S215 notice. The property has been safeguarded and is under consideration on how to reinstate the property back into its residential use. A charge will also be placed on the property to recoup the cost of the works undertaken. The planning enforcement case is to now be closed.

- **399 Hillcross Avenue, Morden, SM5 4BY**

The Council served an enforcement notice on the 14th May 2019 to require the following steps; - revert the property to a single dwelling; and to remove from the land all materials and debris resulting from the compliance. The property has been changed from a dwellinghouse into four separate flats without planning permission. The compliance date is the 24th September 2019.

This owner of the property has already complied with the enforcement notice and the property has been restored back to a single dwelling house. The case has now been closed.

7 Streatham Road, Mitcham, CR4 2AD

The Council served two enforcement notices on 6th June 2019, requiring the outbuilding to be demolished and to clear debris and all other related materials. The second enforcement notice is for an unauthorised front, side and rear (adjacent to Graham Road) dormer roof extensions. An appeal was lost for the dormers to be considered permitted development, the notice requires the owner to demolish the unauthorised front, side and rear roof dormer extensions (adjacent to Graham Road) and to clear debris and all other related materials. Both Notices come into effect on 8th July 2019 unless appeals are made before this date. To date no appeal has been lodged.

The compliance date of the Enforcement Notice relating to the outbuilding to be demolished and to clear debris and all other related materials has now passed without compliance. A warning letter of prosecution has now been sent.

3.0 New Enforcement Appeals - 1

183A Streatham Road CR4 2AG. An Enforcement Notice was issued on 1st May 2019 relating to the erection of a rear balcony to the existing rear roof dormer of the property. The Notice requires demolishing the rear balcony to the existing rear roof dormer and restoring the property to that prior to the breach. The Notice would have taken effect on 4th June 2019, with a compliance period of 2 months. An Appeal to The Planning Inspectorate has been made and the Appeal has started.

3.1 Existing enforcement appeals - 2 **Appeals determined – 1**

74 Beeleigh Road, Morden, SM4 5JW. An Enforcement Notice was issued on the property on 17th December 2018 for 'Without planning permission the erection of a single story front extension. The notice required the owner to demolish the front extension; and would have taken effect on 21st January 2019 with a compliance period of four months of that date unless an appeal was made. An appeal was made under ground (A) That Planning Permission should be granted. This Appeal was determined by Decision Letter dated 30th September 2019, the appeal was allowed and planning permission granted for the retention of the single story front extension

3.2 Requested update from PAC None

4. Consultation undertaken or proposed None required for the purposes of this report

5 Timetable - N/A

6. Financial, resource and property implications – N/A

7. Legal and statutory implications – N/A

8. Human rights, equalities and community cohesion implications – N/A

9. Crime and disorder implications - N/A

10. Risk Management and Health and Safety implications – N/A

11. Appendices – the following documents are to be published with this report and form part of the report Background Papers – N/A

12. Background Papers – N/A