

## PLANNING APPLICATIONS COMMITTEE

15 NOVEMBER 2018

### APPLICATION NO.

18/P2234

### DATE VALID

22/06/2018

**Address/Site:** 41 Cottenham Park Road  
West Wimbledon  
SW20 0SB

**Ward:** Raynes Park

**Proposal:** Demolition of single dwellinghouse and erection of a semi-detached pair of 4 bedroom dwellings, with accommodation on four floors (two storey, with basement level and accommodation at roof level), with two off-street parking spaces with associated crossovers and terraces to the rear.

**Drawing No.'s:** 001A, 002A, 010D, 011F, 012C, 013A, 017A, 018, 019 and 400.

**Supporting Documents**

- Below Ground Drainage Strategy
- BS 5837 Arboricultural Report
- Combined preliminary risk assessment, interpretive ground investigation report and remediation strategy
- Energy Statement
- Planning Statement
- Preliminary Ecological Assessment Report
- Sun Path Study

**Contact Officer:** Sarah Tapp (020 8545 4370)

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### RECOMMENDATION

**Grant planning permission subject to conditions.**

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### CHECKLIST INFORMATION

- S106: No
- 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: 12

- External consultations: 0
- Conservation area: No
- Listed building: No
- Archaeological priority zone: No
- Tree protection orders: No
- Controlled Parking Zone: No
- Flood risk zone: No
- Open Space: No (albeit adjoins Holland Gardens Open Space to rear)

## 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 The application site comprises a single storey, detached dwelling, with accommodation at roof level and a partial basement (garage) to the rear, resulting in a dwelling which is split across three levels. The site fronts Cottenham Park Road, which is to the north, and backs onto Holland Gardens (designated Open Space) and the end of Orchard Lane, which are to the south. The site generally falls from Cottenham Park Road down to Orchard Lane, such that Orchard Lane is approximately 5.4m lower than the former. The site is roughly regular in shape, albeit its western boundary tapers toward the rear; it has an area of approximately 365sq.m.
- 2.2 The existing dwelling is characterised by a dual pitch roof with gable ends to the front and rear; the roof houses two dormers, one to either side of the dwelling. The dwelling is setback from Cottenham Park Road by an approximate distance of 9.5m, sitting rearward of the adjacent building lines. To the rear, the dwelling has a roof terrace on top of the garage/partial basement, beyond which is a paved garden area. The dwelling has pedestrian access from Cottenham Park Road and vehicle access from Orchard Lane.
- 2.3 To the west of the site are 3 pairs of relatively modern semi-detached dwellings, with accommodation on 4 floors (2 principal floors with additional basement levels and accommodation at roof level). These dwellings front Cottenham Park Road and back on to Orchard Lane. Given the reduced elevation of Orchard Lane, the rear of the basement level is exposed giving the dwellings the appearance of three storey dwellings with additional pitched roofs (as viewed from the rear). These dwellings have roof terraces to the rear, at what would be considered first floor level (from the rear) and within the roof slope.
- 2.4 Immediately to the east of the site is a two storey detached dwelling with an additional pitched roof; to the rear it has a first floor roof terrace and a spacious rear garden. This dwelling fronts Cottenham Park Road and backs on to Holland Gardens.

- 2.5 In terms of the wider context, the area is characterised by residential development of varying scales and architectural styles, with a mix of terrace, semi-detached and detached dwellings. Along the north side of Cottenham Park Road, three storey dwellings with additional pitched roofs are commonplace. Along the southern side of Cottenham Park Road, 2 storey dwellings with additional pitched roofs are prevalent. As previously mentioned, the dwellings to the west of the application site have the appearance of three storey dwellings with additional pitched roofs, as viewed from the rear, such that this has become the established character for this section of Orchard Lane. As per the draft Borough Character Study, the application site falls within the Raynes Park Sub Area, or more specifically, the Cottenham Park Character Area; the character area is described as being an area of established high quality.
- 2.6 The site has a PTAL (public transport accessibility level) of 3 (0 being the lowest and 6b being the highest), with bus routes going to Raynes Park Overground Station which is approximately 1km from the site.

### **3. CURRENT PROPOSAL**

- 3.1 This application seeks planning permission for the demolition of the existing, single storey dwellinghouse and the erection of a two storey, with basement levels and accommodation at roof level, four bed, semi-detached pair of dwellings, with two off-street parking spaces with associated crossovers and terraces to the rear.
- 3.2 For the purpose of this report and to avoid ambiguity, the levels of the proposed dwellings will be referred to as such: lower ground floor, upper ground floor, first floor and second floor, which is consistent with the terminology used in the plans submitted by the applicant.
- 3.3 The front building line of the proposed development would roughly align with the building lines established to the east and west, with the proposed dwellings being setback some 6.9m from Cottenham Park Road. The front gardens would comprise car parking (1 space per dwelling), refuse storage, landscaping and light wells. Along the western side of the site and toward the front, the flank wall would be set in from the boundary by approximately 1.9m. This set in would reduce to approximately 1.04m toward the rear, owing to the tapering of the western boundary. The set in from the western boundary would provide a path down the partial length of this boundary. To the rear, the lower ground floor would extend beyond the rear elevation of the property to the west by approximately 3m, while the upper floors would extend beyond the rear elevation by approximately 1.3m. To the eastern side of the site, the flank wall would be set in from the boundary by approximately 0.2m (albeit the roof overhang coincides with the boundary). To the rear, the lower ground floor would extend beyond the rear elevation of the garage of the property to the east by approximately 6.8m and the upper ground floor level would extend approximately 4.1m. The first and second floors will be built in line with the existing garage of No. 39 Cottenham Park Road for the 2.6m closest to the property boundary and will extend a maximum of 3m beyond the rear

elevation of the garage at No. 39 Cottenham Park Road. The lower ground level of the dwellings would be setback from the rear boundary by approximately 11.4m on the western boundary and 8.7m on the eastern boundary. This setback would increase to a minimum of 12.5m at the upper floors. The rear of the site would provide rear gardens to the dwellings.

- 3.4 As viewed from the front, the proposed dwellings would have the appearance of two storey dwellings with steep pitched roofs amalgamated into the top floor, below which would essentially be double level basements (lower ground and upper ground floor levels). However, due to the slope of the site, these 'basement levels' would emerge toward the rear of the site, giving the dwellings the appearance of three storey dwellings with pitched roofs (as viewed from the rear). The semi-detached pair would be characterised by twin gables to the front and rear, with associated dual pitched roofs running front to back; connecting the dual pitched roofs would be a flat section of roof which would reduce to mono-pitch sections to the front and rear; gabled dormer features would be present within the side roof slopes. To the rear, the lower basement level would extend further than the upper levels, upon which would be terraces.
- 3.5 While the dwellings would utilise steeply pitched roof forms, their overall appearance would be contemporary, utilising large sections of glazing with aluminium frames to the front and rear, a combination of brick and standing seam copper cladding to the façades, timber doors and slate tiles to the roof.
- 3.6 The proposed development would have the following key dimensions:
- Western dwelling (Plot 1)
- Maximum length (at Lower Ground Floor): 24m
  - Length of upper floors: 15.6m
  - Width: 5m
  - Maximum height when viewed from Cottenham Park Road: 8.4m
  - Maximum height when viewed from Orchard Lane: 13.8m
- Eastern dwelling (Plot 2)
- Maximum length (at Lower Ground Floor): 24m
  - Length of Upper Ground Floor: 15.6m
  - Maximum length of upper floors: 14.6m
  - Width: 4.7m
  - Maximum height when viewed from Cottenham Park Road: 8m
  - Maximum height when viewed from Orchard Lane: 13.8m
- 3.7 Following the initial submission of the application, discussions ensued between LBM officer's and the developer. The Council raised the following key concerns regarding the development:
- The relationship of the development with No. 39 Cottenham Park Road, considering that the development would be unduly overbearing to this property
  - Overlooking of the adjacent neighbouring properties from the sides of both terraces
  - The need to use high quality materials, and concerns were raised

- regarding the rendered wall on the side of the terrace
- Following any amendments all bedrooms and main living rooms should still have windows providing adequate light, outlook and ventilation
- Mature trees are a regular feature to the front of properties in this section of Cottenham Park Road. To retain the streetscene there is an expectation sufficient room is provided to replace at least one semi-mature tree to the front of the properties.

Amended drawings were subsequently submitted making the following amendments:

- Reduce the rear elevation of the eastern dwelling (Plot 2) at first floor and second floor. (the dwelling has been setback from the eastern flank wall by 2.6m and the southern flank wall by a minimum of 1m and a maximum of 4m)
- Provision of a semi-mature tree and associated garden area adjacent to Cottenham Park Road on the western property boundary.
- Glazed screening on the sides of the terraces.
- Provision of proposed materials information.

#### **4. PLANNING HISTORY**

- 4.1 WIM1457: Outline - erection of three dwelling houses (37, 39 & 41 Cottenham Park Road) - Granted.
- 4.2 WIM2874(O): Outline-division of land into three building plots, with one house on each plot (37, 39 & 41 Cottenham Park Road) - Granted.
- 4.3 WIM3984: Erection of one dwelling house and garage – Granted.
- 4.4 WIM4434: Erection of a double garage with access to orchard lane – Granted.

#### **5. CONSULTATION**

- 5.1 Public consultation was initially undertaken by way of letters sent to neighbouring properties (number). Re-consultation was then undertaken in response to the aforementioned amendments.
- 5.2 Letters of objection were received from 20 individual properties. Responses to the combined consultation periods are summarised as follows:  
Initial consultation
  - Out of keeping.
  - Excessive scale.
  - Incongruous development.
  - Excessive density.
  - Over development.
  - Development is excessive given the size of the plot.
  - Lack of outdoor amenity space.
  - Overbearing/visually intrusive.
  - Loss of views.
  - Loss of daylight and sunlight.

- Impinge right to light.
- Loss of privacy.
- Adverse impact upon the Holland Gardens Open Space.
- Access from Orchard Lane is inappropriate.
- Impact on water table and exacerbate flooding.
- Development is profit driven.
- Disturbance and safety concerns during the construction process.
- Damage to neighbouring properties during construction, especially in relation to the basements.
- Increased traffic, especially during construction, which may also restrict access for emergency vehicles.
- Cars reversing on to Cottenham Park Road will be dangerous.
- Exacerbate parking pressure.
- Development would not be sustainable.
- Obstruction of emergency services.
- Removed trees should be replaced.
- Devaluation of surrounding properties.
- Drawings are unclear.

Additional points raised in response to re-consultation

- Amended plans do not address the concerns raised in the first round of consultation
- Access on Orchard Lane is too small, vehicles will have to park on land which is subject to a covenant that does not provide a right to park on this land.
- Insufficient car parking spaces provided.

5.3 The Wimbledon Society: Objection. Comments in response to original consultation. The height and massing of the development fails to relate to the character of the area and would be unsympathetic to the streetscene and neighbouring properties. From Cottenham Park Road the development would appear as a 3 storey building which is considerable higher than properties to the east, from the rear it would appear as a 4 storey building with balconies overlooking the area. The development infringes the building lines to the front and rear. The outdoor amenity space fails to comply with the relevant standards. The development would result in undue loss of daylight and sunlight to the property to the east. The development would be visually intrusive to neighbours and Holland Gardens. The development would result in overlooking; terraces should be screened with their use restricted. Removed trees should be required to be replaced by condition. Dwellings would not be step free. Use of Orchard Lane for access during construction would be dangerous and impractical. Visibility splays for parking spaces would be obscured by on street spaces. Attenuation tanks would be required due to clay soil. Excavation of basement will compromise neighbouring land. Bird and bat boxes would be required.

5.4 The Residents Association of West Wimbledon: Objection. Comments raised in both rounds of consultation. Development is too intensive and in contravention of planning policy. The rear elevation would be 4 storeys in height, which, along with the rear terraces would cause visual intrusion, loss

of privacy and amenity to neighbouring properties. The development would result in overlooking; terraces should be screened with their use restricted. The development would not relate positively to its surroundings, they are extremely narrow and higher than the dwelling to the east. The outdoor amenity space fails to comply with the relevant standards. Basements should have a minimum of 1m soil over them to allow for landscaping and drainage, this is not achieved to the front garden. The basements would exceed 50% of the front garden space and their construction would pose a threat to neighbouring properties. Visibility splays for parking spaces would be obscured by on street spaces. Removed trees should be required to be replaced by condition. Use of Orchard Lane for access during construction, in conjunction with other approved permissions along Orchard Lane, would exceed the roads capacity and would result in safety issues and impede emergency vehicles.

- 5.5 The South Ridgway Residents Association: Objection. Comments in response to re-consultation. The proposed construction by reason of its size, massing and position would result in a total over development of this site, out of keeping with and harmful to the area. It would be visually intrusive and unduly dominant to the neighbouring properties.

Internal consultations.

- 5.6 Transport/Highways: No objection. Two secure and covered cycle spaces should be provided per dwelling. Refuse collection will occur from Cottenham Park Road as existing. The proposal is unlikely to have a significant adverse effect upon the highway network. Conditions should include maintaining parking spaces as shown, requiring cycle parking and a demolition and construction method statement.
- 5.7 Environmental Health: No objection.
- 5.8 Climate Change Officer: No objection. The information submitted suggests the development would achieve the relevant sustainability requirements, being a 19% improvement on Buildings Regulations 2013 Part L and an internal water usage rate not exceeding of 105 litres per person per day. These provisions should be secured by condition.
- 5.9 Structural Engineer: No objection. The information submitted demonstrates that the development can be built safely without adversely affecting the surrounding natural and built environment. However, due to the proximity to the highway, further information would be required by condition prior to the commencement of development, this information would include, ground movement analysis, demolition and construction method statements (including design calculations and temporary works), site levels and measures for ground movement monitoring.
- 5.10 Flood Risk Engineer: No objection. The drainage strategy is acceptable and in accordance with relevant policy. It proposes attenuation of surface water (including roof drainage) with a restricted release into the Thames Water

surface water sewer network. The drainage strategy has not calculated or proposed a runoff rate, it is therefore recommended to limit it to greenfield rates (2l/s) which should be secured by condition along with a construction method statement.

- 5.11 Trees Officer: No objection subject to the replacement planting of one semi-mature tree to be planted to the front of the property, preferably in a central position between the two dwellings. Conditions should be included to ensure the protection of neighbouring trees.

## **6. POLICY CONTEXT**

### 6.1 National Planning Policy Framework 2018 (NPPF)

- 5. Delivering a sufficient supply of homes
- 8. Promoting healthy and safe communities
- 9. Promoting sustainable transport
- 11. Making effective use of land
- 12. Achieving well-designed places
- 14. Meeting the challenge of climate change, flooding and coastal change
- 15. Conserving and enhancing the natural environment

### 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
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.10 Urban greening
- 5.12 Flood risk management
- 5.17 Waste capacity
- 5.21 Contaminated land
- 5.22 Hazardous substances and installations
- 6.9 Cycling
- 6.10 Walking
- 6.12 Road network capacity
- 6.13 Parking
- 7.1 Lifetime Neighbourhoods
- 7.2 An inclusive design
- 7.3 Designing out crime
- 7.4 Local character
- 7.5 Public realm
- 7.6 Architecture
- 7.15 Reducing and managing noise, improving and enhancing the acoustic environment and promoting appropriate soundscapes
- 7.19 Biodiversity and access to nature
- 7.21 Trees and woodlands
- 8.2 Planning Obligations



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

Relevant policies include:

- CS 8 Housing choice
- CS 9 Housing provision
- CS 11 Infrastructure
- CS 13 Open space and leisure
- CS 14 Design
- CS 15 Climate change
- CS 16 Flood risk management
- CS 18 Transport
- CS 19 Public Transport
- CS 20 Parking servicing and delivery

6.4 Merton Sites and Policies Plan – 2014 (SPP)

Relevant policies include:

- DM O1 Open Space
- DM H2 Housing mix
- DM D1 Urban Design
- DM D2 Design considerations
- DM EP 2 Reducing and mitigating noise
- DM O2 Nature conservation
- DM EP4 Pollutants
- DM T2 Transport impacts of development
- DM T3 Car parking and servicing standards
- DM T4 Transport infrastructure

6.5 Supplementary planning considerations

- London Housing SPG 2016
- Technical Housing Standards 2015
- Sustainable Design and Construction SPG 2014 – London Plan
- Merton Borough Character Study (Draft)

**7. PLANNING CONSIDERATIONS**

7.1 Material Considerations

The key issues in the assessment of this planning application are:

- 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 parking
- Refuse storage and collection
- Sustainable design and construction
- Landscaping and impact upon trees and biodiversity
- Impact of basement

Principle of development

- 7.2 Policy 3.3 of the London Plan 2016 states that development plan policies should seek to identify new sources of land for residential development including intensification of housing provision through development at higher

densities. Core Strategy policies CS8 & CS9 seek to encourage proposals for well-designed and conveniently located new housing that will create socially mixed and sustainable neighbourhoods through physical regeneration and effective use of space. The National Planning Policy Framework 2018 and London Plan policies 3.3 & 3.5 promote sustainable development that encourages the development of additional dwellings at locations with good public transport accessibility.

7.3 The site is currently occupied by a single dwelling, it is located within a residential area and has a public transport accessibility level (PTAL) of 3 (0 being very poor and 6b being excellent). The existing building is not afforded any formal protection from demolition being neither in a conservation area or statutorily listed. The site presents an opportunity for a more intensive residential development. Delivering additional and enlarged dwellings on the site would meet NPPF and London Plan objectives by contributing towards London Plan housing targets within sustainable areas.

7.4 Given the above, it is considered the proposal can be supported in principle, but requires a more detailed assessment of the planning merits of the proposal (set out below) to determine compliance with the relevant London Plan policies, Merton Local Development Framework Core Strategy, Merton Sites and Policies Plan and supplementary planning documents.

#### Design and impact upon the character and appearance of the area

7.5 The NPPF section 12, London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policies DMD1 and DMD2 require well designed proposals which would optimise the potential of sites, that are of the highest architectural quality and incorporate a visually attractive design that is appropriate to its context, so that development relates positively to the appearance, scale, bulk, form, proportions, materials and character of their surroundings, thus enhancing the character of the wider area. As per SPP policy DMO1, the visual amenities of open space must be taken into account, this is relevant to this application given the proximity of Holland Gardens to the south, which is designated open space.

7.6 The building line of the proposed dwellings would move forward from that existing; however, this would move it more in line with the dwellings immediately to the east and west, fitting within the established building line along this section of Cottenham Park Road.

7.7 The east facing flank wall of the proposed development would be located very close to the boundary with 39 while a wider gap with the boundary would be retained on the western side. The pattern of development along this part of Cottenham Park Road has changed in recent years with a number of detached houses with generous space to their flanks being replaced by larger semi-detached houses with considerably smaller gaps. Officers acknowledge that the plots for the proposed pair of dwellings would also have a reduced width as compared to the semi-detached dwellings to the west. The changing pattern of development along this part of the road would be further reinforced by the proposals and it is a matter of judgement as to whether this is

appropriate. In the absence of a uniform house type or regular plot width it could be concluded that a more compact configuration such as that proposed would be acceptable.

- 7.8 Within the Cottenham Park Road streetscene, the proposed dwellings would appear as two storey dwellings with steeply pitched roofs amalgamated into the top floor. The ridge lines of the proposed dwellings would sit slightly below the ridge of the dwelling to the east and slightly above the ridge of the dwellings to the west, creating a suitable transition of heights between buildings. In addition, the dwellings would utilise steeply pitched roofs with modest eaves heights, further reducing the apparent bulk of the development.
- 7.9 The development does not seek to replicate the surrounding development; however, Cottenham Park Road is not considered to have a distinctive character, comprising a wide variety of buildings in terms of scale and architectural styles. The development does, however, pick up on architectural cues from the surrounding development including front gables and pitched roofs and responds successfully to the transition in neighbouring ridge heights.
- 7.10 A contemporary approach to the design and appearance could be supported, subject to it being considered of high quality. The design includes a materials palette that officers consider would complement the facing materials of neighbouring dwellings. The incorporation of large areas of glazing to the front elevation, the bold horizontal alignment of feature windows, and the use of recesses and horizontal separation between floors to add articulation to the proposals all add interest giving rise to a design of sufficient quality which may be judged high quality.
- 7.11 The development as viewed from the rear would have the appearance of three storey dwellings with additional pitched roofs. The development has taken cues from the series of the semi-detached dwellings immediately to the west, which, as viewed from Orchard Lane, have the appearance of 3 storey dwellings with additional pitched roofs and have a similar ridge height to that of the proposal. The proposals would consolidate this evolving rear aspect to the street. This has the potential to appear dominant when seen from close quarters. However, the dwellings would achieve appropriate setbacks from Orchard Lane and Holland Gardens, such that the development would not be considered to be overbearing within the streetscene or to the open space beyond. What may be perceived as the apparent bulk would be somewhat reduced given a significant portion of the dwellings would be integrated into the slope of the land as it rises to the north. It is not considered to be unduly harmful to the streetscene of Orchard Lane or to the visual amenity of the adjacent open space in Holland Gardens given the degree of separation.
- Impact upon neighbouring amenity
- 7.12 London Plan policy 7.6 and SPP policy DMD2 state that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of surrounding land and buildings, particularly residential

properties, in terms of loss of daylight or sunlight/overshadowing, quality of living conditions, privacy, visual intrusion, amenity space or noise.

- 7.13 The primary outlook of the dwellings would be directed toward the front and rear, being toward public space and into the dwellings own amenity space (and public space beyond) respectively. The dwellings do, however, include a number of secondary side facing windows, it is therefore recommended to include a condition to require all side facing windows at first and second floor levels to be obscure glazed and non-opening to a minimum height of 1.7m above adjacent floor level. With regard to the terraces to the rear, these would facilitate overlooking into neighbouring gardens along with views back in to the rear windows of neighbouring dwellings. It is noted that there is already considerable mutual overlooking to the rear of these dwellings; however, notwithstanding this point, the proposal has an opportunity to improve privacy to neighbouring dwellings while simultaneously ensuring the privacy of occupants of the development, it is therefore recommended to secure screening to the sides of the terraces by condition.
- 7.14 With regard to the property to the west, No. 43 Cottenham Park Road, given the sloping ground profile of the site, and the proportion of the development at basement level the visual impact arising from the bulk of the development would be reduced. Given the proposed dwelling would be setback from the property boundary by 1.9m and the upper three floors of the development would extend approximately 2.4m beyond the rear building line of the property the development is not considered to be unduly overbearing or visually intrusive.
- 7.15 With regards to the property to the east, No. 39 Cottenham Park Road, the upper floors of the eastern dwelling are at least 4m from the flank elevation. The footprint of the upper floors has been amended, arising from concerns raised by officers with the applicant regarding the potentially harmful visual impact of the proposals on the outlook from 39 Cottenham Park Road, and would terminate in line with the existing garage of the neighbouring property with part being setback a further 2.62m from the boundary. The amendments would reduce the visual impact of the proposals on 39 and it may be concluded that as a result of the changes any impact in terms of loss of light or outlook would not warrant refusal.
- 7.16 Officers acknowledge that the development has the potential to adversely impact neighbouring residents during the construction phase in terms of noise, vibration, dust and other pollutants. As such, it is recommended to include conditions which would require a detailed demolition and construction method statement to be submitted for approval prior to the commencement of the development.

#### Standard of accommodation

- 7.17 Policies 3.5 and 3.8 of the London Plan 2016 state that housing developments are to be suitably accessible and should be of the highest quality internally and externally and should ensure that new development reflects the minimum internal space standards (specified as Gross Internal Areas) as set out in

table 3.3 of the London Plan (amended March 2016) and the DCLG – Technical Housing Standards 2015. The London Plan Housing SPG – 2016 states that homes should provide a place of retreat; factors to be considered include privacy, the importance of dual aspect development, noise mitigation, floor to ceiling heights and daylight and sunlight. Policy DM D2 of the Adopted Sites and Policies Plan (2014) states that developments should provide for suitable levels of privacy, sunlight and daylight and quality of living conditions for future occupants.

- 7.18 The western dwelling is a 5 bed, 9 person, 4 storey unit while the eastern dwelling is a 5 bed, 10 person, 4 storey unit. The Housing Standards do not specify a minimum GIA for units of this size and nature being larger than those listed in the document's table. 8 person 3 storey dwellings are required to achieve a minimum GIA of 138sq.m. The GIA of the proposed western dwelling is 275.5sq.m and the GIA of the proposed eastern dwelling is 273 sq.m, and in the absence of a specific standard it is considered that they would both provide an acceptable internal standard of accommodation.
- 7.19 All units are considered to have a layout which offers a high standard of living and all habitable rooms are served by windows which are considered to offer suitable natural light, ventilation, privacy and outlook to prospective occupants.
- 7.20 SPP policy DMD2 requires that for all new houses, the Council will seek a minimum of 50sq.m as a single, usable, regular amenity space. Both proposed dwellings meet the minimum provision for amenity space in the form of rear gardens and terraces.
- Transport, parking and cycle storage
- 7.21 Core Strategy policy CS20 and SPP policy DM T3 require that developments would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, on street parking or traffic management.
- 7.22 Merton's Transport Planner has reviewed this application and found that it would not have a significant adverse effect upon the highway network.
- 7.23 The development would incorporate two parking spaces, one per dwelling. This provision is considered to be acceptable given the location and nature of the dwellings. The development would not be considered to unduly impact upon the surrounding parking network.
- 7.24 It is noted concerns were raised during consultation regarding vehicles accessing the application site via Orchard Lane. The proposal shows vehicle parking exclusively to the front of the site adjacent to Cottenham Park Road and hedging the full width of the rear property boundaries which would exclude vehicle access from Orchard Lane.
- 7.25 To mitigate the impact of the proposal during construction, it is recommended to require details of a demolition and construction method statement by way of condition.

7.26 In accordance with London Plan policy 6.9 and table 6.3, four, secure, covered and conveniently located cycle storage spaces would be required for the development. Four cycle storage spaces have been indicated on the plans which achieve the relevant standards, it is recommended to require specific details of the cycle storage enclosures by way of condition.

Refuse storage and collection

7.27 Refuse would be stored within enclosures adjacent to the highway with collection to occur from Cottenham Park Road, this arrangement is considered to be acceptable and would comply with policy 5.17 of the London Plan and policy CS 17 of the Core Strategy.

Sustainable design and construction

7.28 London Plan policy 5.3 and Core Strategy policy CS15 seek to ensure the highest standards of sustainability are achieved for developments which includes minimising carbon dioxide emissions, maximising recycling, sourcing materials with a low carbon footprint, ensuring urban greening and minimising the usage of resources such as water.

7.29 As per Core Strategy policy CS15, minor residential developments are required to achieve a 19% improvement on Part L of the Building Regulations 2013 and water consumption should not exceed 105 litres/person/day. It is recommended to include a condition which will require evidence to be submitted that a policy compliant scheme has been delivered prior to occupation.

Landscaping and impact upon trees and biodiversity

7.30 NPPF section 15, London Plan polices 7.5, 7.19 and 7.21, CS policy CS13 and SPP policies DM D2 and DM O2 seek to ensure high quality landscaping to enhance the public realm, protect trees that significantly improve the public realm, to enhance biodiversity, encourage proposals to result in a net gain in biodiversity and to discourage proposal that result in harm to the environment, particularly on sites of recognised nature conservation. In addition and specifically in relation to basements, policy DMD2 of the SPP states that basements should not damage the townscape, including the loss of trees.

7.31 The site does not have any particular designations, albeit it adjoins designated open space to the rear. A preliminary ecological assessment report was submitted with the application which included a walkover survey. The report found that given the size of the site along with the lack of connectivity to sites with high ecological value, there will likely be no negative impact upon such sites. The site was not found to contain any protected habitats or species. The site was not found to have any invasive species. The report recommended mitigation measures to protect nesting birds and bats during clearance, demolition and construction. In addition, enhancement measures were recommended including bird boxes, bat boxes and planting. The mitigation and enhancement measures are considered to be reasonable and it is recommended to secure them by way of conditions.

- 7.32 The extensive excavation and formation of two floors of accommodation forward of the main body of the pair of proposed dwellings would result in the loss of one category B tree and two category C trees. These trees, especially the category B (Pine tree) tree, are considered by officers to make a positive contribution to the streetscene. It is considered that the proposals would diminish the quality of this part of Cottenham Park Road in terms of the presence of trees.
- 7.33 By way of mitigation the proposed development would provide a semi-mature tree and an associated 12.4sq.m garden area adjacent to Cottenham Park Road on the western property boundary. The LBM Tree Officer has reviewed the proposal and considers the garden bed is sufficient to support one semi-mature tree such as a Silver Birch. Other large growing species of tree would not be suitable as the root system would be curtailed by the proposed basement.
- 7.34 Notwithstanding the inclusion of a condition requiring a landscaping plan to be submitted and approved in writing by Council to include details of the species of semi-mature tree to be planted on the front boundary, it may be judged, given the Council's housing targets, that the provision of additional and larger dwellings incorporating extensive basements outweighs any impact arising from the loss of trees.

#### Impact of basement

- 7.35 Policy DMD2 of the adopted Sites and Policies Plan states that proposals for basements should be wholly confined within the curtilage of the application property and be designed to maintain and safeguard the structural stability of the application building and nearby buildings; basements should not exceed 50% of either the front, rear or side garden of the property; they should include suitable drainage schemes including 1m of soil above the basement.
- 7.36 London Plan policies 5.12 and 5.13, CS policies CS13 and CS16 and SPP policies DMD2, DM F1 and DM F2 seek to minimise the impact of flooding on residents and the environment and promote the use of sustainable drainage systems to reduce the overall amount of rainfall being discharged into the drainage system and reduce the borough's susceptibility to surface water flooding.
- 7.37 A Basement Assessment and Construction Method Statement was submitted with the application along with a Below Ground Drainage Strategy; these documents were reviewed by LBM's Structural Engineer and Flood Risk Engineer. It was found that the basement could be excavated and constructed safely without adversely affecting the surrounding natural and built environment and that a suitable drainage scheme could be incorporated. However, while it is accepted that the basement can be constructed safely and that suitable drainage provisions can be achieved, it is recommended to require further details by way of conditions to ensure a suitable standard is achieved.

7.38 It is noted that over 50% of the front garden would be occupied by the proposed basement and that the basement would not include 1m of soil above it. However, given a suitable drainage scheme has been proposed along with recommended conditions which would limit runoff to green fields rates of 2l/s, it is considered that the intention of policy DMD2 would still be achieved.

## **8. CONCLUSION**

- 8.1 The existing dwelling is not afforded any formal planning protection and the provision of more intensive residential development in sustainable locations is supported by both national and local planning guidance and policies. The proposals would provide additional and larger dwellings and make more effective use of the land.
- 8.2 The proposal seeks to respond to relevant cues in the streetscape including the transition in levels along Cottenham Park Road and would deliver a modern design that may be judged of a sufficiently high standard to warrant support.
- 8.3 The streetscene comprised diverse house types with no one form prevailing. The proposals would further consolidate the changes in appearance to this part of the Cottenham Park Road created by the introduction of pairs of semi-detached dwellings with large footprints creating a more compact streetscene.
- 8.4 While the loss of trees is disappointing the proposals are unlikely to impact harmfully on biodiversity and their loss needs to be weighed against the need to deliver more houses.
- 8.5 The scheme has been the subject of amendment to reduce the mass of the buildings and to lessen the visual impact on neighbours at 39. The proposals as amended may be considered as not unduly impacting upon neighboring amenity.
- 8.6 National Housing standards do not include dwellings of the size proposed. However, on the basis of the available standards officers consider the proposal would achieve acceptable living standards for prospective occupants
- 8.7 The proposal would not unduly impact upon the highway network, including parking provisions. The proposal would achieve suitable refuse provisions. It is considered that the proposal would achieve appropriate sustainable design and construction standards. It is considered that the basement can be constructed safely without adversely affecting the surrounding natural and built environment while suitably addressing drainage issues.

## **RECOMMENDATION**

Grant planning permission subject to appropriate conditions.

Conditions:



- 1) Standard condition [Commencement of development]: The development to which this permission relates shall be commenced not later than the expiration of 3 years from the date of this permission.

Reason: To comply with Section 91 (as amended) of the Town & Country Planning Act 1990.

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

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

- 3) Standard condition [Materials]: No development (other than demolition) shall take place 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) Standard condition [Timing of construction]: 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 2016 and policy DM EP2 of Merton's Sites and Policies Plan 2014.

- 5) Amended-standard condition [Use of flat roof]: Access to the flat roof parts of the development hereby permitted, other than those areas specifically identified as terraces, shall be for maintenance or emergency purposes only and 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.

- 6) Standard condition [screening]: No development (other than demolition) shall take place until a scheme of details of screening of the balcony/landing to the

external staircase 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 ensure appropriate levels of privacy for the occupiers of the development and to comply with the policy 7.6 of the London Plan 2016 and policy DM D2 of Merton's Sites and Policies Plan 2014.

- 7) Standard condition [Cycle storage]: Prior to occupation of the development hereby approved, details of secure cycle parking facilities for the occupants of the development shall be submitted to and approved in writing by the Local Planning Authority. The approved facilities shall be fully implemented and made available for use prior to the first occupation of the development and retained thereafter for use at all times.

Reason: To ensure satisfactory facilities for cycle parking are provided and to comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS18 of Merton's Core Planning Strategy 2011 and policy DM T1 of Merton's Sites and Policies Plan 2014.

- 8) Standard condition [Refuse storage]: 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 2015, policy CS17 of Merton's Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan 2014.

- 9) Non-standard condition [Sustainability]: 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 not less than a 19% improvement on Part L of the Building Regulations 2013 and internal water usage of not more 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 2011.

- 10) Amended standard condition [Working method statement]: Prior to the commencement of development [including demolition] a working method statement shall be submitted to and approved in writing by the Local Planning Authority that shall include measures to accommodate: the parking of vehicles

of site workers and visitors; loading and unloading of plant and materials; storage of construction plant and materials; wheel cleaning facilities; control of dust, smell and other effluvia; measures to control noise and vibration; measures to control dust and dirt; control of surface water run-off; a scheme for recycling and disposing of waste from demolition and construction. No development shall be take place that is not in full accordance with the approved method statement.

Reason: It is necessary for the condition to be discharged prior to the commencement of development to ensure vehicle and pedestrian safety and to protect the amenities of neighbouring occupiers and to comply with policy CS20 of the Adopted Merton Core Planning Strategy 2011 and policy DM D2 of Merton's Sites and Policies Plan.

- 11) Non-standard condition [Basement construction method statement]: No development (other than demolition) shall take place until a basement construction method statement has been submitted to and approved in writing by the Local Planning Authority. No development shall be take place that is not in full accordance with the approved basement construction method statement.

Reason: It is necessary for the condition to be discharged prior to the commencement of development to ensure the structural stability of adjoining buildings are safeguarded, neighbour amenity is not harmed and to reduce the risk of surface and foul flooding, to comply with policies 5.13 of the London Plan 2016, CS16 of Merton's Core Strategy 2011, and DMD2 and DMF2 of Merton's Sites and Policies Plan 2014.

- 12) Non-standard condition [Sustainable drainage system]: No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has 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 greenfield runoff rate of 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. No development shall be take place that is not in full accordance with the approved details.

Reason: It is necessary for the condition to be discharged prior to the commencement of development 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.

- 13) Amended standard condition [Parking]: The development hereby permitted shall not be occupied until the vehicle parking provisions shown on the approved plan 013A have been provided and made available for use. These facilities shall be retained for the occupants of and visitors to the development at all times thereafter.

Reason: To ensure the provision of a satisfactory level of parking and comply with the following Development Plan policies for Merton: policy 6.13 of the London Plan 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T3 of Merton's Sites and Policies Plan 2014.

- 14) Standard condition [External lighting]: 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 to protect nature conservation in the area, in accordance with policies DM D2 and DM EP4 and DM O2 of Merton's Sites and Policies Plan 2014.

- 15) Non-standard condition [Tree protection]: The development hereby authorised shall be carried out in accordance with the details, measures, and recommendations and follow the sequence of events set out in the submitted 'BS 5837 Arboricultural Report' dated 25 May 2018 and those measures shall be retained for the duration of the construction period, or as otherwise agreed in writing by the local planning authority.

Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.

- 16) Standard condition [Site supervision]: The construction phase shall include the retention of an arboricultural expert to supervise, monitor and report to the LPA not less than monthly the status of all tree works and tree protection measures throughout the course of the construction period. At the conclusion of the construction period the arboricultural expert shall submit to the LPA a satisfactory completion statement to demonstrate compliance with the approved protection measures.

Reason: To protect and safeguard the existing retained trees in accordance with the following Development Plan policies for Merton: policy 7.21 of the London Plan 2015, policy CS13 of Merton's Core Planning Strategy 2011 and policy O2 of Merton's Sites and Policies Plan 2014.

- 17) Amended-standard condition [Landscaping/Planting Scheme]: Prior to the first occupation of the development hereby approved, full details of a landscaping and planting scheme shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved before the commencement of the use or the occupation of any building hereby approved, unless otherwise agreed in writing by the Local Planning Authority. The details shall include on a plan the size, species, quantities and location of the proposed new trees and plants. The approved works shall be planted in the first available planting season following the development or prior to the use/occupation of any part of the development, whichever is the sooner, and should any trees die within a period of 5 years from the completion of the development, be removed or become seriously damaged or diseased or

dying, shall be replaced in the next planting season with others of the same approved specification, unless otherwise agreed in writing by the local planning authority.

Reason: To enhance the appearance of the development and the open space in the interest of the amenities and biodiversity of the area and to comply with the NPPF section 15, policies 7.5, 7.19 and 7.21 of the London Plan 2016, policies CS13 of Merton's Core Planning Strategy 2011 and policies DM D2, O1 and O2 of Merton's Sites and Policies Plan 2014.

- 18) Non-standard condition [Ecological and biodiversity measures]: The development hereby authorised shall be carried out in accordance with the avoidance, mitigation and enhancement measures recommended/proposed and follow the sequence of events set out in the submitted 'Preliminary Ecological Assessment Report', and those measures shall be retained as per the recommendations in the report, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To mitigate and offset the impact of the development and to ensure a net gain in biodiversity and improvements to the visual amenity of the area, in accordance with NPPF section 15, London Plan 2016 policies 7.5, 7.19 and 7.21, Merton's Core Planning Strategy 2011 policy CS13 and Merton's Sites and Policies Plan 2014 policies DM D2 and DM O2.

- 19) Standard condition [Restriction of permitted development]: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking and re-enacting that Order with or without modification), no extension, enlargement or other alteration of the dwellinghouse other than that expressly authorised by this permission shall be carried out without planning permission first obtained from the Local Planning Authority.

Reason: The Local Planning Authority considers that further development could cause detriment to the amenities of the occupiers of nearby properties or to the character of the area and for this reason would wish to control any future Development plan policies for Merton: policy 7.6 of the London Plan 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

- 20) Standard condition [Obscure glazing]: Before the development hereby permitted is first occupied, the windows in the east and west (flank) elevations at first and second floor levels, shall be glazed with obscure glass and fixed shut to a height of 1.7m above the adjacent floor level, and shall be permanently maintained as such thereafter.

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 2015, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

## **INFORMATIVES:**

a) **INFORMATIVE:** In accordance with paragraphs 38 of the National Planning Policy Framework, The London Borough of Merton takes a positive and proactive approach to development proposals focused on solutions. The London Borough of Merton works with applicants or agents in a positive and proactive manner by suggesting solutions to secure a successful outcome; and updating applicants or agents of any issues that may arise in the processing of their application. In this instance the Planning Committee considered the application where the applicant or agent had the opportunity to speak to the committee and promote the application.

b) **INFORMATIVE:** It is Council policy for the Council's contractor to construct new vehicular accesses. The applicant should contact the Council's Highways Team on 020 8545 3829 prior to any work starting to arrange for this work to be done. If the applicant wishes to undertake this work the Council will require a deposit and the applicant will need to cover all the Council's costs (including supervision of the works). If the works are of a significant nature, a Section 278 Agreement (Highways Act 1980) will be required and the works must be carried out to the Council's specification.

c) **INFORMATIVE:** Demolition of buildings and tree felling should avoid the bird nesting and bat roosting seasons. Anyone who takes, damages or destroys the nest of any wild bird whilst that nest is in use, or who kills, injures or disturbs bats, obstructs access to bat roosts or damages or disturbs bat roosts, even when unoccupied by bats, is guilty of an offence under the Wildlife and Countryside Act 1981. Buildings and trees should be inspected for bird nests and bat roosts prior to demolition or felling by an appropriately qualified person. If bats are found, Natural England should be contacted for advice.

d) **INFORMATIVE – BCMS part 1:** The basement construction method statement (BCMS) must be prepared by the contractor responsible for carrying out the works and be formally reviewed and agreed by the structural engineer whom has designed the basement. The BCMS shall include: ground movement analysis (Vertical and Horizontal) including any heave or settlement analysis, and Damage Category Assessment with detailed calculations; design calculations of the temporary works supporting the highway and adjoining properties to facilitate excavation; detailed design calculations of the permanent retaining wall retaining the highway with the calculations to be carried out in accordance with Eurocodes (it is recommended to assume full hydrostatic pressure to ground level and using a highway surcharge of 10 KN/m<sup>2</sup> for the design of the retaining wall supporting the highway).

e) **INFORMATIVE – BCMS part 2:** The BCMS shall include: longitudinal sections with levels and the foundation level of the west retaining wall; cross sections with relevant levels; temporary works drawings and sections of the basement retaining walls; detail how flood risk and drainage will be managed during construction and how risk to pollution of the water environment will be mitigated; a 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 actions required for different trigger alarms.

f) INFORMATIVE: 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

g) INFORMATIVE: 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'

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

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