

## PLANNING APPLICATIONS COMMITTEE 18 JULY 2019

<b>APPLICATION NO.</b>	<b>DATE VALID</b>
18/P4288	04.02.2019
<b>Address/Site</b>	59 Colwood Gardens, Colliers Wood, London, SW19 2DS
<b>Ward</b>	Colliers Wood
<b>Proposal:</b>	DEMOLITION OF EXISTING HOUSE AND THE CONSTRUCTION OF A NEW TWO STOREY BUILDING COMPRISING 4 x SELF CONTAINED FLATS
<b>Drawing Nos;</b>	Site location plan and drawings 200B, 201E, 301B, 302C, 303D, 304B, 305C, 306C, 307B, 308B & 309B
<b>Contact Officer:</b>	Leigh Harrington (020 8545 3836)

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### RECOMMENDATION

Grant planning permission subject to a section 106 agreement to secure a “permit free development” and relevant conditions.

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### CHECKLIST INFORMATION.

- Heads of agreement: No
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Impact Assessment been submitted: No
- Design Review Panel consulted: No,
- Number of neighbours consulted:13
- Press notice – No
- Site notice – Yes
- External consultations: Metropolitan Police
- Archaeological Priority Zone – No
- Controlled Parking Zone – Yes. CW5
- Number of jobs created: N/A
- Density 80 Dwellings per hectare

## 1 INTRODUCTION

- 1.1 The application has been brought before the Committee due to the level of public interest and the range and scope of objections that cannot, in the event of permission being granted, be addressed by conditions.

## **2. SITE AND SURROUNDINGS**

- 2.1 The existing building is a dwelling house located on the north side of Colwood Gardens in Colliers Wood. The house has been extended to the side with a two storey flat roofed extension and benefits from a very large rear garden that backs onto Singlegate Primary School to the rear and houses on Clarendon Road to the east. The site is not within a Conservation Area or an Archaeological Priority Zone. The site is located within Controlled Parking Zone CW 5 and has a Public Transport Accessibility Level 3 with average accessibility to public transport. There are no locally or statutorily listed buildings on site or adjoining. The area is at low risk of flooding.

## **3. CURRENT PROPOSAL**

- 3.1 This application involves the demolition of the existing house and the erection of a new building to accommodate 4 x new flats. The design has been subject to a number of clarifications and size reductions with the original scheme proposing 5 flats.
- 3.2 At ground floor level the front of the site will be given to providing 2 garden spaces, a car parking space and refuse storage facilities as well as visitor cycle parking. The new building will follow the existing building line and is designed to have the appearance of a house rather than a block of flats.
- 3.3 Although flat 1 will have a street facing entrance the main entrance will be to the side of the building with a hallway serving stairs up to the upper floors as well as access to flat 2. The side entrance will move the building away from the boundary with the neighbouring properties on Clarendon Road and provide access to the rear of the site where the amenity spaces will be located as well as the secure cycle storage.
- 3.4 The entirety of the first floor will be given to Flat 3 which would be a 4 bed room 5 person unit. The stairwell extends up to the roof space where flat 4, a 1 bed 2 person unit would be situated within a combination of loft space and roof dormers.
- 3.5 The building will be finished in painted render to reflect the existing building and feature a largely tiled roof with tile hung dormers.

## **4. PLANNING HISTORY**

- 4.1 18/P22015 Application withdrawn for DEMOLITION OF EXISTING END OF TERRACE DWELLING AND TWO STOREY SIDE EXTENSION AND THE CONSTRUCTION OF NEW TWO STOREY BUILDING WITH A PITCHED ROOF, FRONT GABLES UPON TWO STOREY BAY WINDOWS AND ACCOMMODATION WITHIN THE ROOF SPACE. THE NEW BUILDING WILL BE ATTACHED TO THE EXISTING TERRACE BLOCK.

## 5. CONSULTATION

- 5.1 The application was advertised by means of a site notice and letters to 13 neighbouring occupiers. As a result 6 objections from neighbours were received which raised concerns relating to;
- Loss of security from a side gate.
  - Noise and disturbance during construction.
  - Harm to health during the demolition and construction process.
  - Loss of sunlight to neighbouring gardens as it is too high.
  - Loss of privacy and overlooking from new windows and windows with clear glazing.
  - Overdevelopment, 5 flats is over the top. Having flats is over development.
  - Increased pressure on parking, 1 bay is not enough.
  - Oversized and out of keeping with the area.
  - Electrical pollution from wi-fi and dishes in the area.
  - Drawings (initial) inaccurate.
  - Not enough bin stores.

5.2 Two neighbours had no objection provided no damage was caused to their garage.

5.3 Following the submission of revised plans, which are the subject of this report, one objector reiterated her earlier objections with the inclusion of a comment at the rear of the property overlooks a primary school.

### External

5.4 Metropolitan Police Designing out Crime Officer. (Comments on revised plans) initial concerns had been largely incorporated into the revised plans but did suggest that the cycle storage facilities be improved to a higher degree.

### Internal

5.5 Arboricultural officer. No concerns but recommended a condition detailing method of protection for trees during the building works.

5.6 Climate change officer. Satisfied the proposals would be able to meet current policy requirements for a 19% reduction in CO2 emissions and this should be secured by condition.

5.7 Environmental Health officer. No objections and requested a condition relating to construction hours.

5.8 Parking services. As the majority of properties in this road already benefit from dropped kerbs and off street parking, there are only a limited number of permit holder only bays in this CPZ. I would suggest that planning permission would need to be granted on the proviso that this is a car free development as I doubt there would be capacity in this CPZ for an additional 4 – 8 cars.

## **6. POLICY CONTEXT**

### **6.1 NPPF (2019).**

Key sections:

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

### **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), 5.3 (Sustainable design and construction), 5.7 (Renewable energy), 5.13 (Sustainable drainage), 6.9 (Cycling), 7.5 (Public realm), 7.6(Architecture) & 7.21 (Trees and woodlands).

### **6.3 London Housing Supplementary Planning Guidance 2016**

### **6.4 DCLG Technical standards 2015**

### **6.5 Merton Core Planning Strategy 2011.**

CS 9 (Housing targets), CS 13 (Open Space, Nature conservation), CS 14 (Design), CS 15 (Climate change), CS 18 (Transport) & CS 20 (Parking, Servicing & delivery).

### **6.6 Merton Sites and Policies Plan 2014.**

DM C1 Community facilities, DM D1 (Urban Design and the public realm), DM D2 (Design considerations in all developments), DM EP 2 (Reducing and mitigating noise), DM EP4 (Pollutants), DM H2 (Housing mix), DM 02 (Trees, hedges and landscape features), DM T2 (Transport impacts of development) & DM T3 (Car parking and servicing standards).

## **7. PLANNING CONSIDERATIONS**

7.1 The main planning considerations in this case relate to the principle of the use of the building for the provision of flatted dwellings on the site and the impact on local residents and the wider area of this use and the design of the replacement building, parking, servicing and sustainable design and construction.

### **Need for additional housing**

7.2 The National Planning Policy Framework (March 2018) requires Councils to identify a supply of specific 'deliverable' sites sufficient to provide five years' worth of housing with an additional buffer of 5% to provide choice and competition.

7.3 Policy 3.3 of the London Plan states that the Council will work with housing providers to provide a minimum of 4,107 additional homes in the borough between 2015 and 2025. Within this figure of 4,107 new homes, the policy states that a minimum of 411 new dwellings should be provided annually. This is an increase from the 320 dwellings annually that was set out in the earlier

London Plan and in Policy CS9 of the Core Strategy. The policy also 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. The emerging London Plan is likely to increase this annual target significantly, however, only limited weight can be attributed at this stage.

- 7.5 Merton's overall housing target between 2011 and 2026 is 5,801 dwellings (Authority's Monitoring Report Draft 2017/19, p12). The latest (draft) Monitoring report confirms that all the main housing targets have been met for 2017/18 by providing 254 above Merton's target of 411 new homes per year (London Plan 2015). With the target being exceeded officers consider careful consideration, and greater weight, be given to the overall design is of a suitable standard.
- 7.6 The draft London Plan includes a significantly higher figure of 1328 new homes annually. However, this is at draft stage and in addition the London Borough of Merton is disputing the small sites methodology. Therefore, only limited weight should be attached to this figure.
- 7.7 The proposals would provide 4 new units, for which there is an identified need and as it includes a family sized unit the proposal accords with the policy CS 14 requirement to retain a three bedroom family unit.

#### Density

7.8 The site with its location within an area or predominantly terraced housing, would be classified as suburban. With a Ptal of 3 the density of 80u/ha 260 hr/ha is close to the London Plan policy 3.4 recommendation of 150-250 hr/ha for a suburban setting. Consequently although it slightly exceeds the maximum density this is only one factor and not an overriding factor when assessing the suitability of smaller infill development such as the application proposals.

#### Design/Bulk and massing/Appearance/Layout.

- 7.9 Design of new buildings should ensure appropriate scale, density and appearance, respecting, complementing and responding to local characteristics (London Plan policy 7.6, LDF policy CS.14 and SPP policy DM D2).

#### Bulk and massing.

- 7.10 London Plan policy 7.4 and SPP policy DM D2 require developments to relate positively and appropriately to the siting, rhythm, scale, density and proportions of surrounding buildings and the pattern and grain of existing streets whilst SPP policy DM D3 requires proposals to respect the form, scale and bulk of the original building. The proposals have been designed to resemble a house rather than purpose built flats and the overall bulk and massing will better reflect the existing terrace. Officers shared neighbour concerns regarding the initial scale and bulk of the building and consequently

the bulk and massing have been reduced to what is considered by officers to be acceptable.

Design- Appearance and layout.

- 7.11 It is considered that the house like appearance of the proposals will allow it to sit more comfortably within the streetscene. Whilst the main entrance to the building will be to the side, there is a front door and so this reinforces the house like nature of the design. The building will follow the existing building line and height and has been laid out to provide a good standard of residential amenity and to provide space for all the ancillary requirements of the development such as refuse and cycle storage. Internally the rooms are considered well-proportioned and of a regular usable size and the applicant has heeded Police advice to ensure the proposals will provide a safe and secure layout through the inclusion of measures including privacy buffers and lockable gates.

Neighbour Amenity.

- 7.12 London Plan policies 7.4 and 7.6 and SPP policy DM D2 relate to the possible impacts such as loss of light, privacy, overshadowing and visual intrusion on neighbour amenity and the need for people to feel comfortable with their surroundings.
- 7.13 Objections were received about a loss of privacy but all the windows in the eastern elevation have obscure glazing and the building angles away from those neighbours resulting in no additional overlooking for neighbours and consequently there are not considered to be grounds to refuse the application in relation to a loss of privacy.
- 7.14 Objections were received raising concerns that the proposals would lead to a loss of light and outlook. At its closest the building will be 1.5m from the boundary and whilst officers would not normally support a development of this size so close to a boundary fence, in this situation the houses have garage blocks or a turning head between their garden spaces and the boundary line and therefore the building is effectively pushed away from the neighbours usable spaces which thereby mitigate the impact.
- 7.15 The impact of the demolition and construction processes can be addressed through the imposition of suitable conditions for a Demolition and Construction Management Plan to be approved.

Standard of accommodation and the amenity of future occupiers.

- 7.16 SPP Policy DM D2, Core Strategy 2011 policies CS 9 Housing Provision and CS 14 Design and London Plan policies 3.3 Increasing Housing Supply, 3.4 Optimising Housing Potential, 3.5 Quality and Design of Housing Developments are all policies that seek to provide additional good quality residential accommodation.

### Schedule of accommodation

Unit	Type	Proposed GIA	Minimum req'd GIA	Proposed Amenity	Min Req'd amenity
1	1B/2P	50m <sup>2</sup>	50m <sup>2</sup>	35m <sup>2</sup>	5m <sup>2</sup>
2	3B/5P	86m <sup>2</sup>	86m <sup>2</sup>	50m <sup>2</sup>	7m <sup>2</sup>
3	4B/5P	90m <sup>2</sup>	90m <sup>2</sup>	45m <sup>2</sup>	8m <sup>2</sup>
4	1B/2P	50.5m <sup>2</sup>	50m <sup>2</sup>	35m <sup>2</sup>	5m <sup>2</sup>

- 7.17 The table demonstrates that all the units meet or exceed the minimum internal space GIA requirements and all the flats readily exceed the amenity space requirements.

#### Parking, servicing and deliveries.

- 7.18 Core Strategy Policy CS 20 requires proposals to have regard to pedestrian movement, safety, servicing and loading facilities for local businesses and manoeuvring for emergency vehicles as well as refuse storage and collection. The proposals did generate objections regarding parking with only one space being provided on site although this is the same level of provision as currently exists. However there are three new units on the proposal and the council's parking services have confirmed that there is pressure on parking in the area and advised that should permission be granted it should be permit free. Officers recommend a legal agreement be entered into to preclude the occupiers from being eligible for parking permits.
- 7.19 Cycle storage provision is considered acceptable but as with refuse facilities precise details are not shown and therefore conditions requiring details to be approved are recommended.

## **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.
- 8.2 In order to ensure that the development is policy compliant a condition to that effect requiring CO<sub>2</sub> reductions of not less than a 19% improvement on Part L regulations 2013, and internal water usage rates of not more than 105 litres per person per day is recommended.

## **9. CONCLUSION**

- 9.1 The development will provide 4 new units of various sizes, including a family sized unit, for which there is an identified need located in a building which is considered to be of an acceptable design and layout, appropriate for its location without being materially harmful to the amenity of neighbours.

Therefore, subject to a section 106 agreement to make the proposals permit free and the imposition of suitable planning conditions, the proposal is considered to be acceptable and in compliance with relevant planning policy and is therefore recommended for approval.

**RECOMMENDATION GRANT PERMISSION SUBJECT TO A SECTION 106 AGREEMENT AND CONDITIONS**

Heads of terms:

i) Permit free development.

ii) The developer agreeing to meet the Councils costs of preparing, drafting and monitoring the Section 106 Obligations.

- 1 Commencement of works
- 2 In accordance with plans; Site location plan and drawings Site location plan and drawings 200B, 201E, 301B, 302C, 303D, 304B, 305C, 306C, 307B, 308B & 309B
- 3 B1 External materials to be approved; 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, windows and tiles (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 Polices Plan 2014
- 4 B5 Boundary treatments to be approved; The flats shall not be occupied until details of all boundary walls or fences including methods for the temporary security of the site during construction as well as details of a security gate for the side access are submitted in writing 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 / the use of the development hereby approved shall not commence until the details are approved and works to which this condition relates have been carried out in accordance with the approved details. The walls and fencing shall be permanently retained thereafter. Reason; To ensure a satisfactory and safe 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 Polices Plan 2014.



5. D11 Construction Times 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 Polices Plan 2014.
6. H9 Construction Vehicles The development (including any demolition) shall not commence until details of the provision to accommodate all site workers', visitors' and construction vehicles, loading /unloading and storage arrangements of construction plant and materials 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 2016, policy CS20 of Merton's Core Planning Strategy 2011 and policy DM T2 of Merton's Sites and Polices Plan 2014.
7. F1 Landscaping; The flats hereby approved shall not be occupied until full details of a landscaping and planting scheme has been 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, full details of the size, species, spacing, quantities and location of proposed plants, together with any hard surfacing, means of enclosure, and indications of all existing trees, hedges and any other features to be retained, and measures for their protection during the course of development.
8. No development, including demolition, shall commence until a Demolition and construction method statement has been submitted and approved in writing and the works shall be undertaken in accordance with that approved document. 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 Polices Plan 2014.
10. 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 ensure compliance with the following Development Plan policies for Merton: policies DM D2 and DM EP4 of Merton's Sites and Polices Plan 2014.
11. H4. Provision of vehicle parking; The vehicle parking area shown on the approved plans shall be provided before the occupation of any flat and shall

be retained for parking purposes for occupiers and users of the development and for no other purpose. Reason; To ensure the retention of existing parking so as to mitigate against the pressure on kerbside 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 Polices Plan 2014.

12. H6 Cycle storage; No development, other than demolition, shall commence until details of secure cycle parking facilities for the occupants of, and visitors to, the development have been 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 thereafter retained for use at all times.
13. H3 Redundant crossover; The development shall not be occupied until the existing redundant crossover/s have been removed by raising the kerb and reinstating the footway in accordance with the requirements of the Highway Authority.
14. Non standard condition; Prior to occupation of any flat, the applicant shall have provided a new vehicle access to the site in accordance with the approved plans. Reason; To ensure the provision of a satisfactory access for 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 Polices Plan 2014.
15. Non standard condition; '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 usage rates 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
16. C6 Refuse and recycling; No flat shall be occupied until a scheme for the storage of refuse and recycling has been submitted in writing for approval to the Local Planning Authority. No works which are the subject of this condition shall be carried out until the scheme has been approved, and the development shall not be occupied until the scheme has been approved and has been carried out in full. Those facilities and measures shall thereafter be retained for use at all times from the date of first occupation.
17. F9 Hardstandings; The hardstanding hereby permitted shall be made of porous materials, or provision made to direct surface water run-off to a permeable or porous area or surface within the application site before the development hereby permitted is first occupied or brought into use.

### **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 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. No surface water runoff should discharge onto the public highway including the public 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).
  3. NPPF informative.

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

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