

PLANNING APPLICATIONS COMMITTEE
10th December 2020

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>Item No:</u> <u>DATE VALID</u>
	20/P1399	05/06/2020
Address/Site:	95 Devonshire Road Colliers Wood London SW19 2EQ	
Ward:	Colliers Wood	
Proposal:	ADDITION OF BASEMENT AND ERECTION OF SECOND STOREY AND PART SINGLE, PART DOUBLE REAR EXTENSION TO CREATE TWO NEW SELF CONTAINED FLATS.	
Drawing No.s:	19361/06F, 19361/07F, 19361/08E, 19361/09F, 19361/10F, 19361/11E, 19361/12.	
Contact Officer:	Catarina Cheung (020 8545 4747)	

RECOMMENDATION

Grant planning permission subject to S106 Obligation or any other enabling agreement and conditions.

CHECKLIST INFORMATION

- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Design Review Panel consulted: No
- Number of neighbours consulted: 19
- External consultations: 0
- Controlled Parking Zone: Yes, Zone CW
- Archaeological Zone: No
- Conservation Area: No

1. INTRODUCTION

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

2. SITE AND SURROUNDINGS

- 2.1 The application site comprises a detached dwellinghouse located on the southern side of Devonshire Road in Colliers Wood.
- 2.2 The site is not located in a Conservation Area nor is the building listed.
- 2.3 The site is not located in an area of high flood risk.
- 2.4 The site has a PTAL of 2 (measured on a scale of 0 to 6b, where 0 is considered the worst).
- 2.5 Devonshire Road is located in a Controlled Parking Zone, Zone CW.

3. CURRENT PROPOSAL

- 3.1 The proposal seeks planning permission for a number of extension works to improve the existing 4 units and to create two new self-contained units, involving:

- Erection of a single storey rear extension, measuring a maximum depth of 5.2m (4m projection toward the eastern elevation), 8.07m width and flat roof with a maximum/eaves height of 3m;
- Erection of a first floor rear extension, measuring 1.5m depth, 6.7m width (matching the existing two storey addition) and 2.83m height (measured from the roof of the ground floor extension);
- Basement extension to enlarge the existing, with the provision of 2 lightwells toward the front elevation concealed by metal grates and 2 lightwells toward the rear. The basement would be of the same footprint as the main dwellinghouse, internally measuring 8.82m width, 7.47m depth (8.33m including the front bay windows) and externally, 2.4m height;
- Mansard roof extension with an inset roof terrace and insertion of 4 rooflights to the front roof slope. The extension would measure 7.67m depth, maximum 8.92m width/6.55m width over the existing two storey addition and 2.3m height over the rear roofslope/2.65m height over the two storey addition;
- Provision of a window on the first floor rear elevation to serve the existing bedroom of Flat 4.

- 3.2 The proposed mix of units would be as follows:

	Type	Storeys	Proposed GIA (sqm)	Proposed amenity (sqm)
Flat 1	1b2p	2	65	112 – shared garden
Flat 2	3b4p	1	74	48 – private garden
Flat 3	1b2p	2	60	112 – shared garden
Flat 4	2b3p	1	53	112 – shared garden
Flat 5	3b4p	1	62	112 – shared garden
Flat 6	2b3p	1	62	3 (roof terrace) + use of the 112 shared garden

- 3.3 Refuse bins provided in the front garden. Cycle storage provided within the rear garden.
- 3.4 The development would be car-free, except for Flats 2, 4, 5 and 6 which are allocated the existing parking permits – further explained under section 7.

4. PLANNING HISTORY

- 4.1 87/P0848: APPLICATION FOR CONTINUED USE OF PREMISES FOR MULTIPLE OCCUPATION WITH SERVICED TENANCIES. – Application granted 13/08/1987
- 4.2 MER902/84: CHANGE OF USE FROM FOUR FLATS TO HOSTEL. – Refused 13/12/1984
- 4.3 MER453/83: CONVERSION INTO FOUR SELF-CONTAINED FLATS AND TWO STOREY REAR EXTENSION – Granted 11/08/1983

5. CONSULTATION

External

- 5.1 Public consultation was undertaken by way of letters sent to 19 neighbouring properties. 10 neighbouring representations were received, summary of their concerns as follows:
- Overdevelopment of the site;
 - Will become higher with a third storey and much longer than any house in the street and could set a precedent;
 - Out of character;
 - Will affect neighbouring dwelling's right to light, leading overshadowing;
 - Impact toward the privacy of flats on Myrna Close;
 - Overcrowding;
 - Considerable loss of garden privacy;
 - 93 and 97 have sump pumps in their cellars, therefore a basement dig-out could affect water course;
 - Increase in traffic and demand for parking spaces;
 - The land is contaminated by knotweed;
 - Inaccuracies in the application form: the property is described as not vacant when it is; there are trees on proposed development site; the proposed housing mix;
 - The requirement to dispose of additional surface water to the main sewer, which is already an overloaded combined Victorian sewage system, could lead to back-up to adjoining properties;
 - Unclear access to recreational area;
 - The increased capacity of the property will obviously bring additional residents and consequently increased noise and wear and tear on resources.
 - There will be at least 12 rubbish bins outside this property, if not more, in addition to recycling boxes and garden refuse; with the obvious risk of attracting foxes and rats, and flies in the summer - health concern. The proposed bin store does not look sufficient;
 - Impact of new foundations/basement toward neighbouring properties and public road;
 - Basement suffering from damp;
 - The basement construction will cause substantial noise and traffic disruption to the road;
 - There is a lot of building waste currently on site;
 - Did not receive notification of planning application;

- The rear extension was rebuilt around 20 years ago, this has poor foundations, and potential asbestos;
- These flats are unlikely to be for key workers and social housing and are being developed for profit.

Internal

- 5.2 **Transport officer** – The site sits just beyond the distances used for calculating PTAL for bus services, which is reflected in the lower 2 score. In practice, given Colliers Wood underground station is only 9-10 minutes walk it seems reasonable that residents would walk the extra couple of minutes to access the full range of bus services in the vicinity. Both Colliers Wood underground and Tooting Station are in walking/cycling distance.

Local streets are increasingly congested with parked vehicles and the accumulation/incremental development would add to local pressures. I would therefore suggest the applicant is asked to enter into unilateral undertaking for the new flats to be permit free.

To facilitate regular cycle proposed store should meet the Department for Transport's LTN (Local Transport Note) 1/20 standards as a minimum.

- 5.3 **Flood risk officer** – pre-commencement conditions have been recommended requiring the submission of further details, including a detailed proposal on how drainage and groundwater will be managed and mitigated during construction and post construction (permanent phase), with a detailed basement construction method statement to include a detailed scheme for the provision of surface and foul water drainage.
- 5.4 **Environmental Health officer (contamination)** – conditions recommended regarding contaminated land.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2019)

Section 5 – Delivering a sufficient supply of homes

Section 11 – Making effective use of land

Section 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

3.8 Housing choice

5.1 Climate change mitigation

5.2 Minimising carbon dioxide emissions

5.3 Sustainable design and construction

5.17 Waste Capacity

5.21 Contaminated land

6.3 Assessing effects of development on transport capacity

6.9 Cycling

6.13 Parking

7.4 Local character

7.6 Architecture

8.2 Planning Obligations

8.3 Community infrastructure levy

- 6.3 Merton Local Development Framework Core Strategy (2011)
 CS 8 Housing choice
 CS 9 Housing provision
 CS 14 Design
 CS 15 Climate change
 CS 17 Waste management
 CS 18 Transport
 CS 20 Parking servicing and delivery
- 6.4 Merton Sites and Policies Plan (2014)
 DM D2 Design considerations
 DM D3 Alterations and extensions to existing buildings
 DM H2 Housing Mix
 DM T2 Transport impacts of development
 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
 Basement and Subterranean Planning Guidance – March 2017

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 and recycling
 - Sustainability
 - Other matters

Principle of development

- 7.2 The National Planning Policy Framework, London Plan Policy 3.3 and the Council's Core Strategy Policies 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 states that boroughs should seek to enable additional development capacity which includes intensification, developing at higher densities.
- 7.3 The proposal seeks to provide a further 2 residential units on site by increasing the density through the construction of new extensions to the building. 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.
- 7.4 Whilst the principle of the development is considered acceptable, the scheme is also subject to the following criteria being equally fulfilled and compliant with the policies referred to above.

Design and impact upon the character and appearance of the area

- 7.5 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. SPP Policy DMD3 in particular states that roof alterations and extensions should ensure the use of sympathetic materials, be of a size and design that respects the character and proportions of the original building and surrounding context, does not dominate the existing roof profile and are sited away from prominent roof pitches, unless they are a specific feature of the area.

Basement extension

- 7.6 There is an existing basement which the proposal seeks to enlarge to match the footprint of existing property. This element would not be visible toward the streetscene or neighbouring properties.
- 7.7 Merton's Basement SPD states: "the presence or absence of lightwells helps define and reinforce the prevailing character of a neighbourhood. Where basements and subterranean development; and visible lightwells are not part of the prevailing character of a street, new lightwells should be discreet and not harm the architectural character of the building, or the character and appearance of the surrounding area, or the relationship between the building and the street". Lightwells are not a prevailing feature of Devonshire Road so should be designed to be discreet. Toward the front of the property, two lightwells are proposed to serve the basement rooms but these would be concealed by grates installed flush with the ground level. This is considered an appropriate and discreet design approach.

Ground floor: single storey extension

- 7.8 The ground floor extension is considered to be of a subordinate scale when viewed in relation to the main dwelling. It would keep within the main dwelling's building lines to maintain separation from the boundaries. It is further noted, that at the rear of number 97 Devonshire Road there is a two storey extension with a further single storey conservatory addition, the proposed single storey extension here would exhibit a similar overall projection to this.

Upper level: first floor rear extension and mansard roof addition

- 7.9 The existing two storey flat roof extension at the rear is of an already substantial size. Originally proposed, the further 2m projection at the first floor with a mono-pitched roof attachment and mansard roof addition covering over half the flat roof area of the existing two storey element was considered excessive and visually prominent, and did not respond well to the existing building.
- 7.10 However, the upper level extensions have been amended to address officer's concerns. The first floor extension reduced by 0.5m and displays a flat roof design, and the mansard extension pushed back to half the depth of the existing two storey element – 2.8m from the rear building line increased to 3.79m.
- 7.11 The existing two storey extension, being of a flat roof design, is a difficult form to enhance with the challenge of alterations being easily viewed as increasing its bulk. However, the approach of the amended 1.5m flat roof addition is considered a reasonably suitable solution in this instance, creating another minor flat roof element would better distinguish itself and visibly exhibit a 'step down' from the previously proposed pitched roof form which looked to inappropriately elongate the upper level.
- 7.12 The mansard style roof extension has been reduced to project only halfway over the existing two storey extension, greatly reducing its bulky appearance and also enhances the appearance of the existing large flat roof. Given the size of the dwelling and the extensions, it is considered the choice of a mansard style is more thoughtful

than a box style dormer as it is less bulky in form, and with sloped ends helps to create the appearance of a proper roof element and not an extended third storey.

- 7.13 The roof terrace design for Flat 6 has been integrated into the mansard's roofslope so would not be visually prominent and appropriately concealed.
- 7.14 Rooflights inserted in the front roofslope are not considered detrimental in terms its impact toward the appearance of the main building.
- 7.15 Given the amendments described above, it is considered the extensions have been suitably reduced to decrease their prominence and bulk when viewed from the neighbouring occupiers. Impact on neighbouring amenity is further discussed below. Overall, the design of the extensions is considered acceptable.

Impact upon neighbouring Amenity

- 7.16 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.

Existing extensions:

- 7.17 The main rear buildings line of numbers 93, 95 and 97 are closely aligned, each with differing rear extensions which do not project dissimilar extension depths from one another. Number 93 exhibits part single part two rear additions, altogether projecting a maximum depth of 6.7m (as shown from their last planning permission drawings 00/P1316 and the existing block plan [1936/01]), the existing flat roof addition at the application property projects 7.3m. But, given the slight angled positioning of the two properties, there would not be a greatly visible projection of number 95's existing extension from 93 - even if so, very slight. There is also a 3.1m separation gap between the rearmost points of the extensions.
- 7.18 Number 97 has an existing two storey flat roof rear extension with additional single storey elements on the ground floor. Their two storey element displays a 7m projection (as shown on the existing block plan, but the plans from their last planning permission drawings of 90/P0068, show a 7.3m projection which is the same as that at number 95). Their additional conservatory addition to the rear of this is a further 3.1m, so overall, a total of around 10m depth. Between the two storey extensions of both properties, there is a separation distance spanning around 7m.

Proposed extensions:

Basement

- 7.19 The basement extension would not be considered unduly harmful toward neighbouring amenity in terms of light or outlook given its siting below ground level. Concerns regarding the structural stability/flood risk are discussed further from paragraph 7.45 onwards.

Ground floor

- 7.20 The ground floor extension would be set back suitably from the boundaries (as it remains in line with the main building's side elevations), displaying a reasonable height and projection.
- 7.21 Toward number 93, the extension would display a depth of 4m, would be 3m high and be set back from the boundary around 1.6-1.8m; and toward number 97 would display a depth of 5.2m, be 3m high and set back 1.3-1.5m from the boundary.

First floor rear

7.22 The first floor extension would increase the projection of the upper level by 1.5m, but considering the neighbouring additions (which are described in detail in the above description of the Existing extensions) with the existing separation distances, would not be considered greatly harmful to neighbouring amenity.

Mansard roof addition and roof terrace

7.23 The mansard roof extension would be sited at an upper level which would not project beyond the eaves/ buildings lines of the existing dwelling and extension. Therefore, it is not considered there would be unduly impact toward neighbouring light. However, the mansard extension has been reduced in depth aiding to reduce a potentially bulky appearance toward neighbouring outlook/views.

7.24 The terrace has been designed to be inset into the rear roof slope, reducing its visibility toward neighbouring occupiers and given the further setback of the mansard extension, this increases the terrace’s separation from the rear building line. Views of the terrace from neighbouring gardens would therefore be largely screened by the existing flat roof.

Myrna Close

7.25 The separation distance between the properties along Myrna Close and the rear of the proposed first floor addition would be at least 33m, and from the roof extension/terrace around 38m. Consequently, the proposed extensions are considered sufficiently set back so as not to negatively impact the amenity of the properties along Myrna Close in terms of loss of privacy or overlooking.

7.26 Given there are existing large additions at the rear of the application site and adjacent buildings, impact toward neighbouring amenity is not considered to be harmful, as to warrant refusal. Nonetheless, with the amendments of the upper level extensions (discussed under paragraphs 7.10-7.12), this has improved the additions’ bulk and massing which in turn has reduced a potentially obtrusive view toward the neighbouring occupiers.

Standard of accommodation

Internal

7.27 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.

	Type	Storeys	Proposed GIA (sqm)	Required GIA (sqm)	Compliant
Flat 1	1b2p	2	65	58	Yes*
Flat 2	3b4p	1	74	74	Yes
Flat 3	1b2p	2	60	58	Yes*
Flat 4	2b3p	1	53	61	No**
Flat 5	3b4p	1	62	74	No**
Flat 6	2b3p	1	62	61	Yes

- 7.28 It is noted there are 4 existing units in the building, including Flats 4 and 5 which demonstrated above fall short of the minimum space standards, but, these are not to be assessed as an offer of new accommodation. However, Units 2 and 6 are new, so, they must comply with the minimum standards:
- 7.29 ***Flats 1 & 3** – these are the existing ground floors units which have been reconfigured and enlarged by way of the basement extension. As demonstrated by the table above, whilst they are not an offer of new accommodation and to be assessed as such, they do meet and exceed the minimum space standards.
- 7.30 ****Flats 4 & 5** – the existing units on the first floor are not largely altered by the scheme, but the first floor extension does offer some opportunity to enlarge these. Flat 4 is reconfigured at the rear to provide a single kitchen/living/dining area, the room slightly increased by the extension, and the extension would also enlarge the rearmost bedroom of Flat 5. It is noted in the current situation, the flats do not meet minimum space standards, and given they are pre-existing units, cannot be assessed as an offer of new accommodation. Whilst they will remain undersized, the proposal does seek to improve them. Officers consider refusal on the grounds of failing to meet National standards would be unreasonable.
- 7.31 **Flat 2 and 6** – new units offered, these are compliant with the minimum space standards.
- 7.32 Bedrooms and living room areas would all have windows providing access to light and ventilation.

External

- 7.33 The London Housing SPG requires a minimum of 5sqm of private outdoor space for 1-2 person dwellings and an extra 1sqm provided for each additional occupant.

	Type	Proposed amenity (sqm)	Required amenity (sqm)	Compliant
Flat 1	1b2p	112 – shared garden	5	Yes
Flat 2	3b4p	48 – private garden	7	Yes
Flat 3	1b2p	112 – shared garden	5	Yes
Flat 4	2b3p	112 – shared garden	6	Yes
Flat 5	3b4p	112 – shared garden	7	Yes
Flat 6	2b3p	115 (3, roof terrace and access to the shared garden)	6	Yes

- 7.34 The ground floor 3 bed family unit would have access to a private garden. The remaining units upper would have access to a communal garden at the rear of the property, this area providing 112sqm. Unit 6, the loft level unit, would also have access to a small roof terrace. Altogether, the amenity areas provided would comply with the standards set out in the London Housing SPG.

Transport, parking and cycle storage

- 7.35 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.
- 7.36 The site has a PTAL of 2 and is located in a Controlled Parking Zone, CW.
- 7.37 The Council's Transport officer was consulted and notes that the site sits just beyond the distances used for calculating PTAL for bus services, which is reflected in the lower 2 score. But in practice, given Colliers Wood underground station is only 9-10 minutes walk it seems reasonable that residents would walk the extra couple of minutes to access the full range of bus services in the vicinity. Both Colliers Wood Underground station and Tooting Station are in walking/cycling distance from the site.
- 7.38 The Transport officer has also observed that in this area, local streets are increasingly congested with parked vehicles and the accumulation/incremental development would add to local pressures. Therefore, recommends that the applicant enters into a Unilateral Undertaking for the new flats to be permit free. The existing 4 flats benefit from parking permits. These will be assigned to Flats 2, 4, 5 and 6, (the 2 and 3 bed units), and newly configured 1 bed duplex units shall be designated as permit free.
- 7.39 This arrangement has been agreed by the applicant and permission would be issued on completion of a S106 legal agreement.
- 7.40 In relation to the cycle parking, the proposed number of units would require 10 cycle store spaces, the proposal provides 12 so is considered sufficient. The cycle stands have also been amended to increase their separation distance to enable easy access as per the Transport officer's comments.

Refuse and recycling

- 7.41 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.
- 7.42 The proposed site plan indicates an area in the front garden for refuse bin store. This is considered an appropriate location for convenient access and collection. Therefore, the proposal is considered to accord with Policy 5.17 of the London Plan and Policy CS 17 of the Core Strategy, a condition will be attached requiring provision of details of the design of the bin enclosure.

Sustainability

- 7.43 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.
- 7.44 In order to secure the above emission reductions and water targets, the Council's Sustainable Design and Construction (New build residential: minor) standard

pre-occupation condition shall be attached to any grant of permission, this to be discharged at the pre-occupation stage.

Other matters

Basement construction

Flood Risk:

- 7.45 Policy DM D2 of Merton's Sites and Policies Plan, supported by Merton's Basement SPG, requires assessment of basement and subterranean scheme impacts on drainage, flooding from all sources, groundwater conditions and structural stability where appropriate.
- 7.46 In the Basement Impact Assessment submitted, it states: "It is however assumed that the appointed Structural Engineer will not be commencing a design until a comprehensive ground investigation has been carried out and this will be a condition of the planning approval." Concluding: "A full site investigation in the form of a borehole to determine with confidence the water table level and any specific characteristic of the local gravel will be needed by the structural engineers so that the design and the sequence of construction can be tailored to suit site specifics".
- 7.47 The Council's Flood Risk officer has commented that in order to satisfactorily assess the development in terms of flooding and drainage, a borehole survey is required to be carried out on site and the design of the basement and associated drainage based on what this survey yields. To ensure this is carried out, a pre-commencement condition has been recommended relating to this.

Structural stability:

- 7.48 Policy DM D2 of Merton's Sites and Policies Plan, paragraph 6.28, in relation to basements and subterranean developments seeks: To ensure that structural stability is safeguarded and neighbourhood amenity is not harmed at any stage by the development proposal, planning applications for basement developments must demonstrate how all construction work will be carried out. A Construction Method Statement must be included as part of validating the planning application; this should set out how the development will be excavated, sequenced, phased and managed in order to satisfy the decision maker that local neighbour amenity will not be harmed. Where appropriate, a Hydrology Report should also be included, setting out the impacts of the development on groundwater and surface water movements and how these will be addressed. Where the site is steeply sloped or there are land stability issues, a Land Stability Investigation should be undertaken by a chartered structural or civil engineer. A Demolition and Construction Management Plan (DCMP) will also be required by condition.
- 7.49 Appendix A included in the submitted Basement Impact Assessment is a Method Statement. The details set out the proposed design work required for the basement, the construction procedures involved and monitoring process, these are considered satisfactory to give officers confidence that the various stages of work required for the basement construction have been considered. The Basement Impact Assessment also states: "It is assumed that a suitably qualified Structural Engineer, will be appointed to carry out the detailed design and detailing as well supervising the construction works. It is further assumed that the works will be carried out by a competent contractor with a good track record in carrying out the work".
- 7.50 A condition shall be attached ensuring that a qualified engineer is appointed for the duration of the works, and their appointment confirmed in writing to the Local Planning

Authority, this shall ensure the basement construction is suitably monitored and supervised throughout.

- 7.51 A condition requiring a detailed construction method statement to be submitted to the LPA shall also be attached to any grant of permission.

Contamination

- 7.52 Representations submitted raised concerns of knotweed and asbestos, therefore the Council's Environmental Health officer was consulted. And following review of the scheme, they have recommended contamination conditions to be attached to the application.

8. CONCLUSION

- 8.1 The proposals are consistent with underlying London Plan objectives that seek to optimise housing output. Officers consider that the scheme achieves a suitable blend of planning objectives providing extra units, improving floorspace standards for existing units, and delivering adequate access to external amenity space while the remodelled building envelope delivers a more intensive use of the site via extensions, the scale, form, and design of which would not impact detrimentally on the character and appearance of the host dwelling, streetscene or on neighbouring amenity. Potential impact on parking pressure can be mitigated by a suitable S106 agreement to restrict occupiers of the new units from obtaining parking permits.
- 8.2 The proposal is considered to comply with the principles of policies referred to under Section 6 and it is recommended to grant planning permission subject to the completion of a section 106 legal undertaking restricting parking permits to the additional units.

RECOMMENDATION

Grant planning permission subject to the completion of a S106 unilateral undertaking to restrict parking permits and the following conditions:

- A1 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.
- A7 Approved Plans:** The development hereby permitted shall be carried out in accordance with the following approved plans:
Reason: For the avoidance of doubt and in the interests of proper planning.
- B3 External materials as Specified:** The facing materials to be used for the development hereby permitted shall be those specified in the application form unless otherwise agreed in writing by the Local Planning Authority.
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.
- B5 Details of Walls/Fences:** No development shall be occupied until details of all boundary walls or fences are submitted in writing for approval to the Local Planning

Authority (including the new dividing fence in the rear garden, screening for the rear lightwells and any new front boundary treatment). 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 Policies Plan 2014.

5. **C06 Refuse & Recycling (Details to be submitted):** No development shall take place 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.

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.

6. **C08 No Use of Flat Roof:** Access to the flat roof of the development, other than the roof terrace area provided for Flat 6, 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.

7. **C09 Balcony/Terrace (screening):** The screening or enclosure to the roof terrace of Flat 6, as shown on the approved plans, shall be implemented before the development is first occupied and retained permanently 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 2016, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

8. **D11 Construction hours:** 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.

9. **H07 Cycle Parking to be implemented:** The development hereby permitted shall not be occupied until the cycle parking shown on the plans hereby approved has been provided and made available for use. These facilities shall be retained for the

occupants of and visitors to the development 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.

10. **L3 Sustainability Standard Pre-occupation:** 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.

11. **Non-standard condition (flood risk):** Prior to the commencement of development, the applicant shall submit a detailed proposal on how drainage and groundwater will be managed and mitigated during construction and post construction (permanent phase), for example through the implementation of passive drainage measures around the basement structure. This will be based on the findings of a site specific borehole survey.

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.

12. **Non-standard condition (flood risk):** Prior to the commencement of development, a detailed scheme for the provision of surface and foul water drainage shall be submitted to and approved in writing by the local planning authority for both phases of the development. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) based on the 100yr plus 40% climate change event, 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.

13. **Non-standard condition (construction method statement):** 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. Details to include:

- a) Temporary works drawings, Sections of the basement retaining walls, Underpinning sequence drawings produced by the appointed Contractor.
- b) Detail of 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 ensure compliance with Policy DMD2 of Merton's Sites and Policies Plan 2014 and Merton's Basement and Subterranean Planning Guidance 2017, and 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.

14. **Non-standard condition (basement):** No development shall commence until:
- (A) A Chartered Civil Engineer (MICE) or Chartered Structural Engineer (MI Struct.E) has been appointed for the duration of building works and their appointment confirmed in writing to the Local Planning Authority, and
 - (B) The name, and contact details of the person supervising engineering and construction on site for the duration of building works have been confirmed in writing to the Local Planning Authority.

In the event that either the Appointed Engineer or Appointed Supervisor cease to perform that role for whatever reason before the construction works are completed, those works shall cease until a replacement chartered engineer of the afore- described qualification or replacement supervisor has been appointed to supervise their completion and their appointment confirmed in writing to the Local Planning Authority. At no time shall any construction work take place unless an engineer and supervisor are at that time currently appointed and their appointment has been notified to this Authority in accordance with this condition.

Reason: The details are considered to be material to the acceptability of the proposal, and for safeguarding the amenity of neighbouring residential properties and to comply with the Basements SPD and policy DM.D2 of the Sites and Policies Plan 2014. It is necessary for the condition to be on the basis that "No development shall commence until" as compliance with the requirements of the condition at a later time would result in unacceptable harm contrary to the policies of the Development Plan.

15. **Non-standard condition (contamination – site investigation):** No development shall commence until a deskstudy, then an investigation shall be undertaken to consider the potential for contaminated-land, and if necessary, a detailed remediation scheme to bring the site to a suitable state for the intended use by removing unacceptable risks to health and the built environment. The developer may be encouraged to appraise the potential for encountering Japanese Knotweed, then requirements regarding its treatment, and buried asbestos. And aforementioned reports, submitted to the approval of the LPA.

Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2016 and policy DM EP4 of Merton's sites and policies plan 2014.

16. **Non-standard condition (contamination – remediation and verification):** Where required, the approached remediation shall be completed prior to commencement of the development. And a verification report, demonstrating the effectiveness of the remediation shall be submitted to the LPA for approval.

Reason: To protect the health of future users of the site in accordance with policy 5.21 of the London Plan 2016 and policy DM EP4 of Merton's sites and policies plan 2014.

Informatives

1. INF 01 Party Walls Act
2. INF 15 Discharge conditions prior to commencement of work
3. INF 20 Street naming and numbering
4. Non-standard INF for Sustainability

5. Non-standard INF: 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.
6. Non-standard INF: 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 Note to Applicant – approved schemes