

PLANNING APPLICATIONS COMMITTEE
9th December 2021

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	20/P3165	02/11/2020
Address/Site	290-302a Kingston Road, Raynes Park, SW20 8LX	
(Ward)	Merton Park	
Proposal:	REAR INFILL EXTENSION AT 2ND, 3RD AND 4TH FLOOR LEVEL TO PROVIDE 1 FLAT (3B/6P UNIT), WITH PROVISION OF CYCLE PARKING AND REFUSE STORAGE AT GROUND FLOOR LEVEL	
Drawing Nos:	100, 101, 725/PH01 Rev M, PL-012M Rev B, PL-012 Rev B, PL-013 Rev B, Proposed Rear Elevation – Infill Flats, 207, 211 and 213.	
Contact Officer:	Tim Lipscomb (0208 545 3496)	

RECOMMENDATION

Grant Permission subject to conditions and s.106 legal agreement.

CHECKLIST INFORMATION

- Heads of Agreement: Yes, restrict parking permits.
- 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: 403
- External consultations: No
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: Yes (MP2)

1. INTRODUCTION

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections. This proposal does not qualify to be considered under any permitted development or prior approval process for the erection of extensions of up to two additional storeys to flatted blocks, as the residential use of part of the building below has been granted by Class MA of the GPDO, thereby excluding this proposal from the prior approval process. In addition, internal floor to ceiling height of the proposed floor would be higher than the existing top floor, which would also exclude the proposal from the prior approval process.

2. SITE AND SURROUNDINGS

- 2.1 The site is located to the southern side of Kingston Road at number 290-302a, within the Wimbledon Chase Neighbourhood Parade, 60m away from Wimbledon Chase train station. The site has an area of 0.09ha.
- 2.2 The site comprises a four-storey building, made up of three levels of residential use above ground level commercial units, the top floor is set back behind a solid parapet wall.
- 2.3 The original building was constructed in 1934. The existing third floor, roof top extension was added around 2005.
- 2.4 To the ground level, a restaurant and a gym forms the commercial frontage along Kingston Road, a crossover next to the residential entrance at number 302 provides access to the rear yard of the building, to the rear of the building is a single storey building accommodating the 'Sunshine Recovery Café' and the 'MACS Project (Community Drug Service)' with a car park for approximately 6 cars. There are three ground level residential units (3 x 1 bed) and residential parking spaces for 2 cars associated with this residential use.
- 2.5 The existing host building is rendered and off-white in colour, featuring subtle horizontal banding with two asymmetrical vertical piers and Art Deco detailing facing Kingston Road, secondary elevations are more utilitarian in appearance. The top floor is set back by 1.5m from the dominant façade on Kingston Road.
- 2.6 The original building comprised residential and office uses. The vacant offices on the first and second floor were converted to 9 residential units in 2019. In a separate prior approval application, 3 ground level residential units were created utilising retail floor areas to the rear of the building, along with a reconfiguration of the ground floor to provide a gym and create an improvement to the shopfront. There are a total of 22 flats in the existing building, including the

3 flats recently approved at ground floor level, to the rear of the site, under the prior approval process.

- 2.7 Beyond the single storey café building, located to the south of the site, are the rear gardens of residential properties in Bakers End and Chase Court.
- 2.8 To the northern side of the road is a single storey retail unit at Wimbledon Chase Station, along with main frontage buildings up to five storeys in height, with mixed commercial and residential uses.
- 2.9 The site is subject to the following planning constraints:
 - Wimbledon Chase Neighbourhood Parade
 - Archaeological Priority Zone
 - Flood Zone 1
 - PTAL of 3
 - Controlled Parking Zone MP2

3. PROPOSAL

- 3.1 The proposal is for a rear infill extension to provide one flat (3b/6P) with a balcony to the rear elevation. The rear infill extension at 2nd, 3rd and 4th floor level would effectively 'square-off' the existing building.
- 3.2 A concurrent application is being considered under application ref. 20/P3165 for this infill extension in addition to a rooftop extension. The current application is for the infill extension as a standalone proposal.
- 3.3 Facing materials would match the existing, with window alignments largely in line with the existing. Works to building below have already been carried out as part of recent refurbishing works.
- 3.4 The new flat would be accessed off the existing circulation core at second floor level.
- 3.5 The proposed unit would be south facing single aspect.
- 3.6 3 cycle parking spaces are proposed at ground floor level, within the footprint of the existing building, formed by internal alterations to enlarge the existing bike store.
- 3.7 Additional bin storage would be provided at ground floor level, within the footprint of the existing building, formed by internal alterations to enlarge the existing meter cupboard. The application documents set out that as an improvement to the existing ground floor, the new bin store would have capacity to collect waste from the three ground floor residential units to the rear (in addition to the proposed rooftop units), which are currently served by an external bin store in the rear.

3.8 In terms of servicing, a refuse vehicle would service from the main road, as is the existing situation for the residential properties on site.

3.9 The proposal would provide the following accommodation:

	Type	Habitable rooms	GIA (sqm)	External amenity space (sqm)
2nd-4th Floor Unit 1	3b/5p	5	110	8.1

3.10 Minor amendments have been made to this scheme throughout the course of the application. The key changes relate to the internal room layout of the proposed flat.

3.11 The application is accompanied by the following supporting documents:

- Background Noise Survey and Plant Assessment
- Confirmation of existing drainage capacity
- Design and Access Statement
- Energy Statement
- Foul drainage sizing

4. PLANNING HISTORY

4.1 There is extensive planning history on the site, albeit the majority is not relevant to the current proposal. The most relevant history is summarised as follows:

1999 to 2010 - various planning permissions relating to alterations and extensions and advertisements to commercial units

03/P1564 - RETENTION OF SINGLE STOREY REAR EXTENSION TO THE EXISTING RESTAURANT. Application Granted 08-09-2003.

04/P0342 - ERECTION OF THIRD FLOOR EXTENSION TO THE BUILDING TO PROVIDE 6 X 1 BEDROOM FLATS. Grant Permission subject to Conditions 30-04-2004.

13/P3497 - PRIOR APPROVAL IN RELATION TO THE CHANGE OF USE OF FIRST, SECOND AND THIRD FLOOR OFFICES (CLASS B1) TO RESIDENTIAL (CLASS C3) CREATING 7 x SELF-CONTAINED FLATS. Prior Approval Granted 23-12-2013.

18/P2570 - PRIOR APPROVAL FOR CHANGE OF USE FROM OFFICE USE (CLASS B1) TO 9 DWELLINGS (USE WITHIN CLASS C3). Prior Approval Not Required 17-12-2018.

19/P2065 - APPLICATION TO DETERMINE WHETHER PRIOR APPROVAL IS REQUIRED IN RESPECT OF THE PROPOSED CHANGE OF USE FROM RETAIL TO RESIDENTIAL, TO PROVIDE AN ADDITIONAL 3 RESIDENTIAL UNITS. Prior Approval Granted 07-04-2020

19/P3073 - APPLICATION FOR CHANGE OF USE OF PART OF RECONFIGURED GROUND FLOOR FOR USE AS A GYM. Grant Permission subject to Conditions 08-11-2019

20/P0030 - APPLICATION FOR ADVERTISEMENT CONSENT FOR THE DISPLAY OF 2 INTERNALLY ILLUMINATED FASCIA SIGNS, LOGO SIGN, FLAG SIGN AND VINYL WINDOW SIGNS. Grant Advertisement Consent 06-02-2020.

20/P0494 - APPLICATION TO VARY CONDITION 4 (OPENING HOURS) ATTACHED TO LBM PLANNING PERMISSION 19/P3073, RELATING TO THE CHANGE OF USE OF PART OF RECONFIGURED GROUND FLOOR FOR USE AS A GYM. Grant Variation of Condition 30-03-2020

20/P3168 – ERECTION OF A SINGLE STOREY ROOF EXTENSION AND INFILL EXTENSION FOR THE CREATION OF 5 SELF CONTAINED FLATS TOGETHER WITH ASSOCIATED AMENITY AREAS, CYCLE PARKING, REFUSE AREAS AND ASSOCIATED WORKS. Pending decision.

5. **RELEVANT POLICIES.**

5.1 The key policies of most relevance to this proposal are as follows:

5.2 **National Planning Policy Framework (2021)**

2. Achieving sustainable development
4. Decision-making
5. Delivering a sufficient supply of homes
6. Building a strong, competitive economy
7. Ensuring the vitality of town centres
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

5.3 **London Plan (2021):**

- D1 London's form, character and capacity for growth
- D2 Infrastructure requirements for sustainable densities
- D3 Optimising site capacity through the designed approach
- D4 Delivering good design
- D5 Inclusive design

D6 Housing quality and standards
 D7 Accessible housing
 D8 Public realm
 D11 Safety, security and resilience to emergency
 D12 Fire safety
 D13 Agent of Change
 D14 Noise
 H1 Increasing housing supply
 H10 Housing size mix
 S4 Play and informal recreation
 HC1 Heritage conservation and growth
 G5 Urban greening
 G6 Biodiversity and access to nature
 G7 Trees and woodlands
 SI 1 Improving air quality
 SI 2 Minimising greenhouse gas emissions
 SI 3 Energy infrastructure
 SI 4 Managing heat risk
 SI 5 Water infrastructure
 SI 7 Reducing waste and supporting the
 circular economy
 SI 8 Waste capacity and net waste self-sufficiency
 SI 10 Aggregates
 SI 13 Sustainable drainage
 T1 Strategic approach to transport
 T2 Healthy Streets
 T3 Transport capacity, connectivity and safeguarding
 T4 Assessing and mitigating transport impacts
 T5 Cycling
 T6 Car parking
 T6.1 Residential parking
 T6.3 Retail parking
 T7 Deliveries, servicing and construction
 T9 Funding transport infrastructure through planning

5.4 **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, leisure and nature conservation
 CS 14 Design
 CS 15 Climate change
 CS 17 Waste management
 CS 18 Transport
 CS 19 Public transport
 CS 20 Parking servicing and delivery

5.5 **Merton Sites and Policies Plan – 2014 (SPP)**

Relevant policies include:

DM H2 Housing mix
 DM H3 Support for affordable housing
 DM O2 Nature conservation, Trees, hedges and
 landscape features
 DM D1 Urban Design
 DM D2 Design considerations

DM D3 Extensions and alterations to existing buildings
DM EP2 Reducing and mitigating noise
DM EP3 Allowable solutions
DM EP4 Pollutants
DM F2 Sustainable urban drainage systems (SuDS) and;
Wastewater and Water Infrastructure
DM T2 Transport impacts of development
DM T3 Car parking and servicing standards
DM T4 Transport infrastructure

5.6 **Supplementary planning considerations**

National Design Guide – October 2019
Draft Merton Local Plan
DCLG: Technical housing standards - nationally described
space standard March 2015
Merton's Design SPG 2004
GLA Guidance on preparing energy assessments – 2018
London Environment Strategy - 2018
Mayor's Air Quality Strategy - 2010
Mayor's SPG - Housing 2016
Mayor's SPG – Sustainable Design and Construction
2014
Mayor's SPG – Character and Context 2014
Mayor's SPG – Play and Informal Recreation 2012
LB Merton – Air quality action plan - 2018-2023.
LB Merton - Draft Sustainable Drainage (SUDS) Design
and Evaluation Supplementary Planning Document (SPD)
2018
Merton's Waste and Recycling Storage Requirements – A
Guidance for Architects
Merton's Small Sites Toolkit SPD 2021

6. **CONSULTATION**

6.1 Press Notice, 21-day site notice procedure and individual letters to neighbouring occupiers. Representations have been received from 8 addresses raising objections on the following grounds:

- Over population and overcrowding concerns.
- Concerns regarding metallic external materials
- Adding to existing bin and bike storage may result in facilities that are not fit for purpose. Also queries as to how this enlargement would take place whilst residents are using the bike store.
- Query whether affordable housing contributions are required.
- Leaseholders have not agreed to an additional floor of accommodation directly above and were told there would be no 'Phase 2'.
- Concerns over disturbance from construction process, including noise, concerns over safety of living in or adjacent to a building site, impact of scaffolding blocking sunlight, air quality impact, mental health impact, all compounded by Covid 19 and increased working from home.

- Queries relating to building insurance, re-mortgaging concerns, compensation to existing top floor occupiers and owners and queries relating to service charges.
- Current issues with water supply to the building.
- Loss of light and privacy.
- Devaluation of existing residential units, particularly the rooftop units.
- Concerns regarding external stairwell blocking light and outlook.
- Soundproofing in existing building is not adequate.
- Concerns relating to sewage infrastructure.
- Concern that construction process would cause disturbance to residents but also the café to the rear of the site and ground floor businesses.
- Concern that proposed balconies are directly above existing balconies and thus blocking light and air circulation.
- Concern that additional units would result in additional parked cars in neighbouring streets thereby exacerbating the existing parking problem locally.
- Canyon effect to the street.**
- Height and massing is inappropriate. It would become the tallest building on the street and it would look bizarre and would not fit into the local context and townscape.**
- Query whether existing lift is fit for purpose for an additional floor, as it is already very slow.**
- Safety concerns relating to proposed cladding of the top floor.**
- The massing and height of the proposed building are even greater than before.**
- Height would set an undesirable precedent.**

Officers note that the majority of letters received referred to both this application and concurrent application 20/P3168, which includes an additional rooftop extension. Those marked ** comprise objections citing this application reference but which officers consider appear primarily concerned with the concurrent application.

6.4 LBM Environmental Health Officer:

Should you be minded to approve the application then I would recommend the following planning conditions:-

- 1) Due to any potential impact of the surrounding locality on the development the recommendations to protect noise intrusion into the residential dwellings as specified in the Bloc Consulting, Background Noise Survey and Noise Assessment Report Ref: 26593REP – 2B, dated 7/9/2020 shall be implemented as a minimum standard. A post completion noise assessment to ensure compliance, with the new plant in operation shall be undertaken and submitted to the LPA. The criteria in the

above-mentioned report shall also apply for the occupiers of the existing and proposed residential property.

2) Any altered ducting/fans shall be fitted with suitable anti-vibration mounts to prevent structure borne vibration/noise.

4) No development shall take place until a Demolition and Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the demolition and construction period.

The Statement shall provide for:

- hours of operation
- the parking of vehicles of site operatives and visitors
- loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of noise and vibration during construction/demolition.
- demonstration to show compliance with BS5228
- measures to control the emission of dust and dirt during construction/demolition
- a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: To protect the amenities of the occupiers in the adjoining residential premises and future occupants.

6.5 LBM Highway Officer:

No objection, subject to a condition (H09) relating to the parking of construction vehicles and informatives relating to works on the public highway (INF9 and INF12)

6.6 LBM Transport Officer:

Access

General access to the additional unit remains the same as the existing building.

PTAL

The site has a PTAL of 3, which is considered to be a moderate rating. A moderate PTAL rating suggests that it is possible to plan regular journeys such as daily work trips or trips to and from school using public transport.

Directly across from the site is Wimbledon Chase station. Wimbledon Chase railway station is served by Thameslink trains.

There is no car parking for the development.
The site is within Controlled Parking Zones of the adjoining roads.

To overcome the potential impact of car parking on local roads, the applicant should be willing to accept a permit-free agreement which restricts future occupiers from obtaining a parking permits to park on local streets. This can be secured by through a Unilateral Undertaking.

Cycle Parking

The existing cycle store will be reconfigured and extended to create 2 additional private and secure cycle parking spaces. The cycle parking provision satisfies the London Plan Standards.

Refuse

The proposed additional bin store will be accessed from the same location as the existing bin store serving the existing residential units.

Recommendation: Raise no objection subject to:

- The applicant enters into a Unilateral Undertaking which would restrict future occupiers of the unit from obtaining an on-street residential parking permit to park in the surrounding controlled parking zones to be secured by via S106 legal agreement.
- Condition requiring cycle parking (secure & undercover).
- Refuse storage as shown maintained.
- Demolition/Construction Logistic Plan (including a Construction Management plan in accordance with TfL guidance) should be submitted to LPA for approval before commencement of work.

6.7 LBM Waste Management:

No objection to proposed arrangements.

7. **PLANNING CONSIDERATIONS**

7.1 Key Issues for consideration

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

- Principle of development
- Residential density
- Design and impact upon the character and appearance of the area
- Impact on neighbouring amenity
- Standard of accommodation
- Transport, highway network, parking and sustainable travel
- Safety and Security considerations
- Sustainability
- Air quality

- Flooding and site drainage
- S.106 requirements/planning obligations
- Response to issues raised in objection letters

7.2 Principle of development

7.2.1 Policy H1 of the London Plan 2021 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.

7.2.2 Policy H1 of the London Plan 2021 has set Merton a ten-year housing target of 9,180 new homes. By providing one new unit the proposals would make a small contribution to meeting that target and providing much needed new housing.

7.2.3 The proposal to intensify residential use to this site is considered to respond positively to London Plan and Core Strategy planning policies to increase housing supply and optimising sites and the principle of development is considered to be acceptable subject to compliance with the relevant policies of the Development Plan.

7.3 Residential density

7.3.1 London Plan policy D3, Optimising site capacity through the design-led approach, sets out that higher density developments should generally be promoted in locations that are well connected to jobs, services, infrastructure and amenities by public transport, walking and cycling.

7.3.2 The London Plan explains that comparing density between schemes using a single measure can be misleading as it is heavily dependent on the area included in the planning application site boundary as well as the size of residential units.

7.3.3 For information, the existing residential density across the site is 244 units per hectare, with the proposed density being 255 units per hectare. Whilst residential density can be a useful tool identifying the impact of a proposed development, officers consider that in this instance greater weight should be attached to assessing the impact on the character of the area and the amenity of neighbouring occupiers in this assessment.

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

- 7.4.1 The NPPF, London Plan policies D3 and D4, Core Strategy policy CS 14 and SPP Policy DM D2 require well designed proposals which make a positive contribution to the public realm, are of the highest quality materials and design and which are appropriate in their context. Thus, development proposals must respect the appearance, materials, scale, bulk, proportions and character of their surroundings.
- 7.4.2 The existing building exhibits strong Art Deco architecture and it is important that any addition to the building does not detract from the simple form and proportions of the building.
- 7.4.3 The infill extension to the rear has a limited impact on visual amenity and would effectively 'square-off' the existing building and this infill extension would assist in tidying up the rear elevation of the building with a unified appearance.
- 7.4.4 The proposed addition would largely continue the existing pattern of fenestration and pallet of materials and officers consider that the proposal has responded well to its immediate context and the additions would not have an adverse impact on the appearance of the existing building.
- 7.5 Impact on neighbouring amenity
- 7.5.1 Policy DM D2 seeks to ensure that development does not adversely impact on the amenity of nearby residential properties.
- 7.5.2 Privacy and overlooking
- 7.5.3 The infill extension would be separated from neighbouring properties to the rear (semi-detached dwellings at Bakers End) by the same extent as the existing building below (23.2m to the boundary and over 30m to the closest windows to properties at Bakers End). The infill extension would be visible when viewed from the gardens and rear windows of some neighbouring properties but due to the separation distances it is concluded that no objection based on loss of privacy or overlooking could be reasonably substantiated.
- 7.5.4 Views to the sides of the building would be minimal as no windows are provided to the sides. Therefore, there would not be a harmful level of overlooking to properties to the side.
- 7.5.5 The proposed flats would not result in material harm to the existing flats below by way of overlooking or loss of privacy as no direct views would be provided.
- 7.5.6 Loss of light, shadowing and visual intrusion

- 7.5.7 The properties to the south of the site on Bakers End would not be particularly affected by loss of sunlight issues as the site is directly to the north. As mentioned above, the proposed addition would make the building more visually prominent but not to the extent that it could be argued to be materially harmful in terms of visual intrusion or loss of outlook to properties on Bakers End.
- 7.5.8 The proposed infill addition, once in situ, would have a very limited impact on the floors below and adjacent, as the extension does not enlarge the footprint of the building. It is noted that objection has been raised in that proposed balcony would be positioned above windows serving an existing residential units below. It is noted that the balcony would be positioned above windows of residential units below, the balconies would be separated from the top of these windows by approximately 80cm with a 1.5m rear projection. Whilst the underside of the balconies would be visible from the windows below, levels of light and outlook would not be significantly diminished and officers consider that a reason for refusal on this ground could not reasonably be substantiated.
- 7.5.9 The proposed rear infill would increase the bulk and massing of the building but it would not increase the footprint of the building (other than by way of projecting balconies) and given the separation distances to neighbouring properties (measurement taken from outer edge of balcony - 21.7m to the boundary and over 30m to the closest windows to properties at Bakers End). it is considered that the proposed development would not result in material harm to neighbouring amenity.

7.6 Standard of Accommodation

- 7.6.1 Policy D6 of the London Plan states that housing developments should be of the highest quality internally and externally. New residential development should ensure that it reflects the minimum internal space standards (specified as Gross Internal Areas).
- 7.6.2 The proposed unit marginally exceeds the minimum GIA set out in the London Plan.
- 7.6.3 The amount of private external amenity space provided would marginally exceed the minimum requirements of the London Plan and no objection is raised in this regard.
- 7.6.4 The provision of external amenity space is considered to be acceptable.
- 7.6.6 The existing building layout features a number of single aspect units, with all units on the 1st, 2nd and 3rd floors being single aspect (north or south facing). Due to the available space to accommodate this infill extension there would only be outlook to the rear, so the unit would be single aspect, south facing, with a view to the south across

three floors. Whilst single aspect units are not encouraged, in this case there is no viable alternative due to the layout of the existing building. The proposal would result in a satisfactory standard of accommodation for future occupiers, given that the unit is served by reasonably large, south facing windows to each habitable room.

7.6.7 The standard of accommodation is considered to be acceptable.

7.7 Transport, highway network, parking and sustainable travel

7.7.1 Policy T6 of the London Plan states that Car-free development should be the starting point for all development proposals in places that are (or are planned to be) well-connected by public transport. At a local level Policy CS20 requires developers to demonstrate that their development will not adversely affect on-street parking or traffic management. Policies DMT1-T3 seek to ensure that developments do not result in congestion, have a minimal impact on existing transport infrastructure and provide suitable levels of parking.

7.7.2 The proposed development would provide one new dwelling. The site is within a Controlled Parking Zone and therefore, in order to minimise the impact on the local highway network and to minimise impact on parking pressure, officers advise that the application should be subject to a s.106 agreement to preclude the issuing of parking permits to future occupiers.

7.7.3 The proposed development would provide for suitable levels of cycle parking in an accessible location and would meet London Plan requirements.

7.7.4 Subject to legal agreement and conditions, the proposed development is considered to be acceptable in term of transport and highway impacts.

7.8 Refuse storage and collection

7.8.1 Policies SI8 and SI 10 of the London Plan and policy CS 17 of the Core Strategy requires details of refuse storage and collection arrangements.

7.8.2 A storage area for refuse has been indicated on the ground floor, which provides suitable access to residents and for the transportation of refuse for collection. It is considered this arrangement would be acceptable and a condition requiring its implementation and retention will be included to safeguard this.

7.9 Safety and Security considerations

7.9.1 Policy DMD2 sets out that all developments must provide layouts that are safe, secure and take account of crime prevention and are developed in accordance with Secured by Design principles.

7.9.2 The proposed flat would be accessed via the existing stairwell and entrance doors as the existing flatted units in the building. This is an improvement over the units granted prior approval at ground floor level, which are accessed via the rear of the site (however, safety and security concerns cannot be taken into account in the prior approval assessment to the extent that it can in a planning application). The current proposal would also consolidate bin storage across the site, which reduces the need for people to enter the rear part of the site. Therefore, the proposal is considered to be acceptable in terms of safety and security considerations.

7.10 Sustainability

7.10.1 London Plan policies SI 2 to SI 5 and CS 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.

7.10.2 Subject to condition to secure the necessary details, the proposal is considered to be acceptable in terms of sustainability and climate change considerations.

7.11 Air quality and potentially contaminated land

7.11.1 The whole of Merton is an Air Quality Management Area (AQMA).

7.11.2 The London Plan requires both major and minor development to be air quality neutral and in light of Merton's recently published Air Quality Action Plan, which seeks to minimise emissions from gas boilers and minimise the levels of localised PMs (Particulate Matter) and NO₂ throughout the construction phase, it is important that the impact on air quality is minimised. Therefore, in addition to conditions relating to energy usage, officers recommend conditions relating to the construction process and air quality.

7.12 Flooding and site drainage

7.12.1 Policy SI 13 of the London Plan (Sustainable drainage) sets out that development proposals should aim to achieve greenfield run-off rates and ensure that surface water run-off is managed as close to its source as possible. There should also be a preference for green over grey features.

7.12.2 The site is within Flood Zone 1 (low probability of flooding) and is not within a critical drainage area. However, notwithstanding that, the final scheme should include details of a Sustainable Urban Drainage System and demonstrate a sustainable approach to the management of surface water on site. This matter can be satisfactorily addressed by way of condition and officers raise no objection in this regard.

7.13 S.106 requirements/planning obligations

7.13.1 So as to mitigate against any impact on parking pressure locally, it will be necessary for the development to be parking permit free, by way of legal agreement.

7.13.2 The proposed development would be subject to the Community Infrastructure Levy (CIL). This would require a contribution of £220 per additional square metre of floor space to be paid to Merton Council and an additional £60 per additional square meter to be paid to the Mayor. Further information on this can be found at:
<http://www.merton.gov.uk/environment/planning/cil.htm>

7.14 Response to issues raised in objection letters

7.14.1 The majority of uses raised by objectors are addressed in the body of this report and a number of issues relate to the original application scheme, rather than the amended scheme. However, the following additional comments are provided:

- Some degree of disturbance caused by the construction process is inevitable. However, this cannot reasonably amount to a reason for refusal provided reasonable efforts are made to minimise and mitigate for the impact. Therefore, safeguarding conditions for method of construction statements are sought which would detail how the impacts of the construction process are to be minimised. Any compensation sought by existing occupiers would be a private civil matter – in planning terms, provided the impact is minimised as far as possible there would be no reasonable grounds for objection.
- Affordable housing contributions are only required on major schemes (10 units or above), so this development is not required by adopted policy to make any provision.
- The maintenance of the lift, sewage infrastructure and water supply to the building are covered by separate legislation (such as Building regulations) and is not a matter that is addressed under planning policies.
- Any cladding of the top floor would be required to meet relevant Building regulation requirements (along with means of evacuation) and is not a matter that can be considered under this minor planning application (only major planning applications are required to provide a Fire Safety Statement).

- Issues of whether leaseholders have agreed to additional floors above is a private, civil matter and does not affect the planning assessment of the proposal. Planning permission does not convey an ultimate right to develop and if there are other legal obstacles the granting of planning permission may not necessarily overrule these legal obstacles.
- Issues relating to re-mortgaging, building insurance and service charges are not matters that can be considered under the planning assessment.
- The impact on property values is not a material planning consideration (however, members are advised that the impact on visual and residential amenity are material considerations that can be taken into account).
- Issues of soundproofing would be addressed through the Building Regulations as opposed to at the planning stage.
- Concerns relating to displacement parking in neighbouring streets has been carefully considered but officers conclude that it would not be reasonable to withhold planning permission on this basis, as the application would be subject to a restriction on the issuing of parking permits by way of s.106 which would meet the relevant policy requirements. In addition, there are legislative pathways that would allow for consideration of parts of the borough to be included in a CPZ in the future were the demand established.

8. CONCLUSION

- 8.1 The proposal would provide one additional family sized unit, with external amenity space, which would contribute to meeting the borough's overall housing need.
- 8.2 The form and appearance of the proposed addition is considered to complement the existing building and would assist in tidying up what might be considered the rather piecemeal and disjointed appearance of the rear elevation.
- 8.3 The proposal, as a result of the increased bulk and massing over the existing, would result in some limited impact on properties to the rear of the site. However, as explained in this report, the impact is considered to be minimal and would not warrant a reason for refusal in this urban context.
- 8.4 Officers consider that the proposal is acceptable in planning terms, subject to conditions and a legal agreement and therefore the recommendation is for approval.

RECOMMENDATION

Grant planning permission subject to s106 agreement securing the following:

- Restrict parking permits for all new units. and
- The applicant covering the Council's reasonable costs of all work in drafting S106 and monitoring the obligations.

And the following conditions:

1. Time limit
2. Approved Plans
3. B1 External Materials to be Approved
4. C07 Refuse & Recycling (Implementation)
5. C08 No Use of Flat Roof
6. Details of External Lighting Scheme
7. H06 Cycle Parking (Implementation)
8. H10 Construction Vehicles, Washdown Facilities etc (major sites)
9. H12 Delivery and Servicing Plan
10. H13 Demolition/Construction Logistics Plan, including a Construction Management Plan to be submitted to cover:
 - hours of operation
 - the parking of vehicles of site operatives and visitors
 - loading and unloading of plant and materials
 - storage of plant and materials used in constructing the development
 - the erection and maintenance of security hoarding including decorative -displays and facilities for public viewing, where appropriate
 - wheel washing facilities
 - measures to control the emission of noise and vibration during construction/demolition.
 - demonstration to show compliance with BS5228
 - measures to control the emission of dust and dirt during construction/demolition
 - a scheme for recycling/disposing of waste resulting from demolition and construction works
11. L2 Sustainability - Pre-Commencement (New build residential)
12. A Non Standard Condition: The development shall be implemented only in accordance with the recommendations to protect noise intrusion into the residential dwellings and plant noise criteria as detailed in the submitted Background Noise Survey and Plant Assessment.
13. A Non Standard Condition: Noise levels, (expressed as the equivalent continuous sound level) LAeq (10 minutes), from any fixed external new plant/machinery shall not exceed LA90-10dB at the boundary with any residential property or noise sensitive premises.
14. A Non Standard Condition: All Non-road Mobile Machinery (NRMM) used during the course of the development that is within the scope of the Greater London Authority 'Control of Dust and Emissions during Construction and Demolition' Supplementary

Planning Guidance (SPG) dated July 2014, or any subsequent amendment or guidance, shall comply with the emission requirements therein.

15. Non Standard Condition 1. Prior to the commencement of development, including demolition, a detailed Demolition and Construction Environmental Management Plan (DCEMP) shall be submitted to and approved in writing by the Local Planning Authority. The DCEMP shall include:
- a) An Air quality management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development. To include continuous dust monitoring.
 - b) Construction environmental management plan that identifies the steps and procedures that will be implemented to minimise the creation and impact of noise, vibration, dust and other air emissions resulting from the site preparation, demolition, and groundwork and construction phases of the development.
2. The development shall not be implemented other than in accordance with the approved scheme, unless previously agreed in writing by the Local Planning Authority.

Reason: To ensure the development does not raise local environment impacts and pollution.

16. A Non Standard Condition: No development approved by this permission shall be commenced until a detailed scheme for the provision of surface and foul water drainage has been implemented in accordance with details that have been submitted to and approved in writing by the local planning authority. The drainage scheme will dispose of surface water by means of a sustainable drainage system (SuDS) via infiltration or at an agreed runoff rate, in accordance with drainage hierarchy contained within the London Plan and the advice contained within the National SuDS Standards.

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