

**PLANNING APPLICATIONS COMMITTEE**  
**9<sup>th</sup> December 2021**

**Item No:**

**UPRN**                      **APPLICATION NO.**                      **DATE VALID**

20/P3168    02/11/2020

**Address/Site**                                      290-302a Kingston Road, Raynes  
Park, SW20 8LX

**(Ward)**    Merton Park

**Proposal:**    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.

**Drawing Nos:**                                      PL-001 Rev 00 Location Plan, PL-002  
Rev 00 Block Plan, Un-numbered  
Proposed Ground floor plan received  
18.05.2021, PL-111 Proposed first floor  
plan, PL-031 Rev B Proposed Front  
Elevation, PL-032 Rev B Proposed Rear  
Elevation, PL-012 Rev B Proposed  
second floor plan, PL-012M Rev B  
Proposed Second Floor mezzanine Plan,  
PL-013 Rev B Proposed Third Floor Plan,  
PL-014 Rev B Proposed Fourth Floor  
Plan, PL-015 Rev B Proposed Roof Floor  
Plan, PL-081 Rev B Proposed Front  
Visual, PL-082 Rev B Proposed Rear  
Visual.

**Contact Officer:**                                      Tim Lipscomb (0208 545 3496)

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**RECOMMENDATION**

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

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**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 22 flats in the existing building, including the three 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 and rooftop extension to provide five flats, each with a terrace or balcony. The rear infill extension at 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floor level would effectively 'square-off' the existing building, with the proposed rooftop extension standing directly above the existing rooftop floor (which is set back approximately 1.5m from the main building below). The result would be a two-storey roof extension above the original building (i.e. on additional floor above the existing rooftop extension).
- 3.2 Facing materials would match the existing, continuing the Art Deco format of the floors below. Fenestration would align with the existing windows below, in the form of windows or balcony openings. Works to building below have already been carried out as part of recent refurbishing works.
- 3.3 The building is currently served by two stairwells. The proposed rooftop extension would be accessed via an extension to one of these stairwells, with an extension to the existing single lift shaft also.

- 3.4 Units 2 & 5 would be dual aspect, with outlook to the front and rear of the building, Infill Unit 1 would be south facing single aspect. Unit 3 would be single aspect south facing. North facing, single bedroom Unit 4 would feature an inset window return leading onto a balcony to achieve a degree of dual aspect outlook.
- 3.5 8 cycle parking spaces at ground floor level, within the footprint of the existing building, formed by internal alterations to enlarge the existing bike store.
- 3.6 Additional bin store 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.
- 3.7 A concurrent standalone planning application for Unit 1 (3B x 5P) at 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> floor, in the form of an infill extension is currently under consideration (application ref. 20/P3165) and reported on this agenda. The proposed layout for this residential unit is included on the proposed plans as part of this application but also as a standalone proposal. The applicant has submitted two separate applications in this regard.
- 3.8 In terms of servicing a refuse vehicle would service from the main road, as is the existing situation for residential properties.
- 3.9 The proposal would provide the following accommodation:

	Type	Habitable rooms	GIA (sqm)	External amenity space (sqm)
<b>2<sup>nd</sup>-4<sup>th</sup> Floor Unit 1</b>	3b/5p	5	110	8.1
<b>Fourth floor Unit 2</b>	2b/4p	3	79.8	6.8
<b>Unit 3</b>	1b/2p	2	50.8	6.82
<b>Unit 4</b>	1b/2p	2	50.5	5.6
<b>Unit 5</b>	2b/4p	4	84.6	8.7

- 3.10 Significant amendments have been made to this scheme throughout the course of the application. The key changes relate to the external building materials, roof form and the omission of the previously proposed projecting stairwell to the rear elevation.

3.11 The application is accompanied by the following supporting documents:

- Background Noise Survey and Plant Assessment
- Design and Access Statement
- Energy Statement

#### **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 design-led 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

## 6. CONSULTATION

6.1 Press Notice, 21-day site notice procedure and individual letters to neighbouring occupiers. Representations have been received from 9 addresses, raising objection on the following grounds:

Originally submitted scheme:

- Over population and overcrowding concerns.
- 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.
- 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 existing lift is fit for purpose for an additional floor, as it is already very slow.
- 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.
- Safety concerns relating to proposed cladding of the top floor.

6.2 Since the application was amended on 19/10/2021, a further 5 objections have been received (in total, 14 objections have been received), objecting on the issues outlined above and the following new grounds:

- Soundproofing in existing building is not adequate.



- The massing and height of the proposed building are even greater than before.
- Height would set an undesirable precedent.
- 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.

#### 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 aforementioned 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

-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.

Car Parking

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 8 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.

6.8 LBM Urban Design Officer (comments in relation to amended scheme):

This is moving in the right direction. The new top part is now clearly related to the remainder of the building and is suitably subservient to it. I prefer the option without the side setbacks as they would be non-contextual as the building is part of a terrace and not a free-standing building. The window pattern is still lacking in a strong rhythm and this could be strengthened, and the continuation of the lower protruding off-centre element remains weak and, although there, could be strengthened. Internally these are single aspect dwellings on a central double loaded corridor and the units are very narrow. Some internal layouts show elements that are not compliant with standards and regulations - eg. positioning of dining tables too close to kitchen areas, although a number of the bedrooms are well proportioned.

**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 5 new units the proposals would make a contribution to meeting that target.

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. Intensification of housing on existing sites via extension has the potential to set up tensions with other planning policies including design. Assessment of impact on design and other planning considerations is explored below.

### 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 The existing residential density across the site is 244 units per hectare, with the proposed density being 300 units per hectare. Whilst residential density can be a useful tool identifying the impact of a proposed development, officers would advise Members to primarily consider 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. The context of this part of Kingston Road into which the proposals would be integrated has evolved over the last decade with development on the north side creating, arguably, a stronger sense of identity and sense of place, following redevelopment of single storey units on the north side of the road.

- 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 form and proportions of the building.
- 7.4.3 The originally submitted application proposed a more bulky, less sympathetic addition, which included a cumbersome addition to house a new stairwell to the rear of the building. Following detailed discussions with officers and feedback from the Urban Design Officer the application has been amended to include a much more lightweight appearing structure which could be considered as better complementing the existing building in terms of form, fenestration and materials.
- 7.4.4 The proposed roof extension would effectively result in two additional floors over the three floors of the original building. The setback from the floors below would lessen the impact of the proposals when seen from street level opposite and reduce the potential for the proposals to appear increasingly uncomfortable and disproportionate in terms of scale and impact on the existing building or the streetscene.
- 7.4.5 The building is visually prominent in the streetscene with a bold and distinct front elevation. The horizontal emphasis and the width of the frontage are such that the building exhibits a greater scale than others in the immediate vicinity. The additional height is considered to be better accommodated with this already wide building. As a matter of judgement it may be considered that the resultant effect would be one of a proportionate building.
- 7.4.6 The infill extension to the rear has a much lesser impact on visual amenity and would effectively 'square-off' the existing building and this element of the proposals would assist in tidying up the rear elevation of the building with a unified appearance.
- 7.4.7 The proposed addition would continue the existing pattern of fenestration and pallet of materials. Officers acknowledge that a stronger continuation of the existing Art Deco features could have been incorporated into the overall design of the remodelled and extended building. However, the building is neither statutorily nor locally protected and the NPPF discourages decision makers from adopting an overly prescriptive approach to design where policy or other planning considerations do not warrant this. It may be considered that the proposal has responded adequately to its immediate context and the additions would not have an adverse impact on the

appearance of the existing building such as to warrant refusal.

#### 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 proposed rooftop 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 rooftop extension would be visibly prominent 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 Any views from the frontage of the building would not result in a material loss of privacy as they would face the mixed use buildings opposite as in a traditional street layout with fronts looking towards fronts.

7.5.6 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.

#### 7.5.7 Loss of light, shadowing and visual intrusion

7.5.8 The properties to the south of the site on Bakers End would not be particularly affected by loss of light issues as the site is directly to the north. As mentioned above, the proposed rooftop 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.

7.5.9 The proposed addition would have some limited impact on properties at upper levels opposite the site. However, Kingston Road is wide in this location, with substantial width pavements; the distance between the residential flats opposite and the proposed roof extension would be approximately 28m and given this separation distance, the limited increase in height is not considered to result in a material loss of amenity to the occupiers of the properties opposite.

7.5.10 The proposed rooftop addition would increase the bulk and massing of the existing building but there is not considered to be a materially harmful impact to the flatted properties to the side of the site (western side at 304-312) due to the existing rear outrigger at No.304 mitigating for the impact of the rooftop addition.

7.5.11 The proposed rooftop addition, once in situ, would have a very limited impact on the floors below, as the rooftop extension does not enlarge the footprint of the floors below. It is noted that objection has been raised in that proposed balconies would be positioned above windows serving existing residential units below. It is noted that the balconies 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.

7.5.12 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.

7.5.13 Taken as a whole, the proposed rooftop addition and 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 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 units would meet or exceed the minimum GIA set out in the London Plan.

7.6.3 The amount of private external amenity space provided would meet or 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.

- 7.6.5 The detailed comments of the Urban Design Officer, in relation to the position of dining tables on the layout plans, are noted. However, the room layouts allow for these tables to be positioned further from the kitchen areas and thereby the layouts would follow London Plan housing guidance.
- 7.6.6 The existing building layout features a number of single aspect units, with all units on the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> floors being single aspect (north or south facing). The proposed layout for the new upper floor improves on this arrangement significantly but the new infill unit would be single aspect, with a view to the south across three floors. The two largest units on the top floor would be fully dual aspect with outlooks to the front and rear. Two of the 1 bedroom units on the top floor would be single aspect, one of these would be north facing. In order to mitigate for the impact of this north facing single aspect unit the applicant has incorporated an inset balcony allowing for greater light penetration and outlook. Whilst north facing single aspect units are not encouraged, in this case the layout is a significant improvement over the floors below and on balance, the proposal would result in a satisfactory standard of accommodation for future occupiers.

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 five new dwellings. 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 flats 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. 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 NO<sub>2</sub> 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 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>

7.13.3 There is no requirement for affordable housing, as, while the number of dwellings on the site added since 2013 would exceed the 10 unit threshold for affordable housing, this has been achieved via number of separate planning submissions.

#### 7.14 Response to issues raised in objection letters

7.14.1 The majority of issues 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, in addition, the following comments are provided:

- Issues relating to disturbance throughout the construction process cannot reasonably amount to a reason for refusal but safeguarding conditions are recommended to minimise any adverse impact.
- 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.
- 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, 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.
- 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.

- 8.1 The proposal would provide five additional units of varying sizes, all with external amenity space with an improved layout to the existing floors below, which would contribute to meeting the borough's overall housing targets as set out in the New London Plan.
- 8.2 The form and appearance of the proposed addition may reasonably be considered satisfactory and to complement the existing building. Coupled with a set back from the front elevation to the original building, the impact of the proposals both on the building and streetscene would not appear unduly discordant within the streetscene despite the increased height.
- 8.3 The proposal, as a result of the increased height over the existing, would result in some limited impact on properties to the front and 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 the completion of a S106 agreement securing the following:

- Restrict parking permits for all new units.
- 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.