

PLANNING APPLICATIONS COMMITTEE

18th August 2022

Item No:

<u>UPRN</u>	<u>APPLICATION NO.</u>	<u>DATE VALID</u>
	21/P3292	02/11/2020
Address/Site	Burlington Gate 42 Rothesay Avenue Wimbledon Chase SW20 8JU	
(Ward)	Merton Park	
Proposal:	CONVERSION OF ROOFSPACE OF SOUTH BLOCK, WITH AN INCREASE IN HEIGHT OF THE RIDGELINE BY 2M, TO PROVIDE 3 X SELF-CONTAINED FLATS (1B, 2P) WITH ASSOCIATED WORKS, INCLUDING THE FORMATION OF A NEW ROOF TERRACE, CYCLE STORE AND LANDSCAPING.	
Drawing Nos:	P-Si-D-011 Rev B, P-R2-D-014 Rev D, P-04-D-015 Rev D, P-R-D-016 Rev D, E-E/N-D-017 Rev D, E-S/W-D-018 Rev D and X-AA-D-019/1 Rev D.	
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: 72
- External consultations: No
- Conservation area: No
- Listed building: No
- Tree protection orders: No
- Controlled Parking Zone: Yes (MP2)

- 1.1 This application is being brought to the Planning Applications Committee for determination due to the number of objections contrary to the officer recommendation. 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 there is some debate as to the building's original construction date and the proposed internal floor to ceiling height being higher than in parts of the existing building, both of which are restricting factors in the prior approval assessment.

2. **SITE AND SURROUNDINGS**

- 2.1 The application site comprises a gated residential development located at the end of Rothesay Avenue, which provides the entrance to Wimbledon Chase Train Station. The site adjoins the train line to the west, with residential dwellings to the east and south. The site has an area of 0.19ha.
- 2.2 The existing development comprises 34 one and two bedroom flats within two separate blocks. The northern block consists of a three storey building containing 10 flats. While the larger southern block (the subject of this application) is built over four storeys, with a semi-basement car park, incorporating 24 flats. The site was previously industrial land, which had been converted in the 1990's through extensions and refurbishment. The southern block, the subject of this application has an eaves height of 11.4m and a height to the ridge of 13.8m (with a rooftop conservatory extending above this, to a height of 15.6m).
- 2.3 The larger block of flats accommodates a shared terrace at the 4th floor as a communal amenity space for the residents (146sqm). There is also a space to the northeast of the building, adjacent to the rear of properties on Sandringham Avenue, of approximately 75sqm, this is currently not used for communal amenity. The residents from the smaller block of flats share a rear garden at ground level to the rear of the building.
- 2.4 Car park spaces are located at street level and at basement level underneath the larger block of flats.
- 2.5 The site is not located within a conservation area, nor is it within the setting of a listed building. The site benefits from a PTAL rating of 3 and is within a Controlled Parking Zone. The site is within Flood Zone 1 (low risk).
- 2.6 The site is subject to the following planning constraints:
- Flood Zone 1
 - PTAL 3
 - Controlled Parking Zone MP2
 - Adjacent to green corridor (railway embankment)
 - Adjacent to Site of Importance for Nature Conservation (railway embankment)

3. **PROPOSAL**

- 3.1 The proposal is for a rooftop extension to provide three flats, each with at least one balcony/roof terrace. The roof extension would effectively extend the existing mono-pitch roof to allow for new accommodation within the roofspace. The proposed rooftop extension will maintain the existing eaves line with the

roof above enlarged and increased in height by approximately 2.2m (up to a ridge height of 16.0m – from an existing height of 13.8m). The angle of the roof pitch would rise from 35 degrees to 44 degrees.

- 3.2 The proposed flats would be served by dormer features inserted into the enlarged roofscape. The proposed roof tiles would match the existing
- 3.3 Each of the three proposed units would be dual aspect but no windows would be positioned in the northeast facing elevation (towards properties on Sandringham Avenue).
- 3.4 The roof addition would reduce the size of the existing communal roof terrace, with a resultant space of 69sqm but with an enhanced offering of planting and seating - approximately 21 potted plants of varying maturity up to 2m in height along with five heavy duty benches. An existing strip of land to the northeast of the building would be re-landscaped to provide an additional external amenity space of approximately 52sqm, although this space exists currently, it is not landscaped to form useable amenity space or used as amenity space.
- 3.5 A new landscaped strip to the perimeter fence to the frontage with Rothesay Avenue is proposed.
- 3.6 Bike and bin enclosures (6 cycle parking spaces) would be provided adjacent to the smaller block of flats on site. Servicing would be carried out in the same way as for the existing flatted units on site.
- 3.7 The proposal would provide the following accommodation:

	Type	Habitable rooms	GIA (sqm)	Private external space (sqm)
1	1b/2p	2	53	4
2	1b/2p	2	54.5	7.7
3	1b/2p	2	58	4

- 3.8 The application was amended by way of revised plans on the 29th December 2021. A revised Daylight and Sunlight Assessment, to reflect the changes made to the plans was submitted on 22nd June 2022. The amendment does not substantially alter the nature of the proposal, it simply corrects the pitch of the roof of the existing building. The originally submitted plans show a roof pitch marginally lower than existed on site. The building has since been re-surveyed and the existing plans now accurately reflect the roof pitch of the existing building. The proposed plans remain unchanged.
- 3.9 The application is accompanied by the following supporting documents:
- Statement relating to energy and water usage 23.09.2021
 - Daylight & Sunlight Report updated 22.06.2022
 - Design & Access Statement amended 29.12.2021
 - Draft s.106 agreement (restricting parking permits)
 - Planning Statement August 2021
 - Sustainability Statement August 2021
- 3.10 N.B. It is noted that the application form states that the increase in height of the building would be 2.75m. However, the application is assessed on the basis of the submitted plans which show an increase in ridge height of 2.2m.

4. PLANNING HISTORY

4.1 WIM3202 - WAREHOUSE. Granted 28/07/1937.

WIM5621A - TEMPORARY OFFICES. Granted 25/11/1949.

WIM6087 - CIRCULAR SAW AND MANUFACTURE OF PACKING CASES. Granted 21/08/1951.

91/P0587 - OUTLINE PLANNING APPROVAL TO REDEVELOP EXISTING SITE FOR RESIDENTIAL PURPOSES. Granted 04/09/1991.

92/P0023 - REFURBISHMENT OF EXISTING 3 STOREY WAREHOUSE BUILDING TO PROVIDE 12 NO. 2-BED FLATS 7 NO. 1-BED FLATS AND 5 STUDIO UNITS; INCLUDING ERECTION OF A FOUR-STOREY BUILDING PROVIDING 7 NO. 2-BED FLATS AND 3 NO. 1-BED FLATS; TOGETHER WITH LANDSCAPING WORKS AND PROVISION OF RELATED CAR PARKING. Refused 25/03/1992. Allowed at appeal 09/09/1992.

21/P0181 - APPLICATION TO DETERMINE WHETHER PRIOR APPROVAL IS REQUIRED IN RESPECT OF THE PROPOSED ERECTION OF EXTENSIONS TO ROOFSpace OF BLOCK 1 TO 24 TO PROVIDE 3 X SELF CONTAINED FLATS WITH ASSOCIATED WORKS. Prior Approval Refused 18/02/2021 for the following reasons:

1. The proposed development, by reason of the buildings original construction date falling before 1st July 1948, would fail to comply with Schedule 2, Part 20, Class A.1 (c) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
2. The proposed development, by reason of the additional storey floor to ceiling height exceeding that of the existing floor to ceiling heights of any other existing storeys, would fail to comply with Schedule 2, Part 20, Class A.1 (e)(ii) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).
3. The proposed development, by reason of the loss of significant external amenity provision, would result in a detrimental impact to enjoyment of the existing resident's amenity, contrary to DMD2 and DMD3 of the Adopted Sites and Policies Plan 2014. The proposal would therefore fail comply with Schedule 2, Part 20, Class A.2 (1)(g) of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).

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
- 15. Conserving and enhancing the natural environment

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
- 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
- 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, Standard 21-day site notice procedure and individual letters to neighbouring occupiers. 37 Representations have been received, raising objection on the following grounds:

Visual impact:

- Excessive scale and massing.
- Greater bulk and massing than the refused Prior Approval scheme (height would be 1m greater than in refused Prior Approval application).
- Additional bulk and massing at roof level to a building that is already significantly taller and dominating than the surrounding two storey dwellinghouses on Rothesay Avenue and Sandringham Avenue.
- Visual harm to character by reason of being the largest building in the area.
- Awkward staircase arrangement at roof level which interrupts the roof form and profile.
- Density too high.
- Query the vagueness of the term “comprehensive landscaping” (and lack of detail in plans).
- The roof pitch would increase from 35 degrees to 60 degrees

Inaccuracies in submission:

- Application form states that the increase in height is 2.75m but a measurement of 2m is given in the development description.
- Incorrect dimensions on plans – the new roof cannot be built at the same pitch as the existing and the new roof could not be lower than the existing conservatory. (existing roof is 33 degrees, proposed would be 42 degrees).
- Request that dimensions be added to plans.
- The heights comparison elevations on page 12 of the Design and Access statement appear to be misleading as the 'existing' elevation drawing is placed on the page at a higher level than the 'proposed' elevation.

Impact on neighbouring amenity and standard of accommodation:

- Overlooking (also perception of overlooking) and loss of light.
- Greater impact on sunlight/daylight to neighbouring properties than indicated in the Daylight and Sunlight Analysis.
- Reduction in rooftop amenity for existing residents and loss of all-weather conservatory both of which are often used. Landscaped strip at ground floor does not get sunlight.
- Query whether the wall around the rooftop amenity space would be sufficiently high to be safe (existing walls are 1.7m high, proposed would be 1.3m high).
- No access to the amenity space by wheelchair and no views available from amenity space for wheelchair users.
- Concerns over means of evacuation from rooftop amenity space.
- Concerns regarding extensive disturbance from construction process, particularly at a time when people are working from home more due to the pandemic. (Noise, dirt, dust, traffic, construction vehicles parking etc)
- Financial compensation will be sought for disturbance from construction works.
- The entire roof would need to be removed to carry out the works and residents could not live there whilst works were being carried out.
- Query whether the flats would meet the relevant internal floor space standards due to sloping roofs.
- Balconies fall short of the minimum size standards in the London Plan.
- Sound insulation to existing windows is poor which would exacerbate noise disturbance from the construction process.

Other matters:

- Concerns over impacts on structural integrity of the building.
- A lift should be included if an additional floor is to be added.
- Query whether relevant sustainability targets would be met.
- The applicant has not referred to the Council's Small Sites Toolkit in their submission.
- The management of refuse is already a major problem that will only worsen with the proposed project.
- Owners of top floor flats paid a premium cost.
- Devaluation of existing flats.
- Company submitting the application does not pay tax in the UK.

- The application does not make it clear how the parking situation would be addressed for the 3 new flats. The existing visitor parking spaces are well used by visitors, workmen, health visitors etc so not available for use by the proposed 3 new flats.
- Concerns over impact on existing drainage infrastructure.
- Concerns there may be asbestos in the building.
- More homes in the area are not needed.
- Any significant change adjacent to the railway embankment is also likely to require comment from Network Rail.
- Location of cycle stores would make it attractive to thieves.
- There is already adequate cycle storage.
- Area already highly populated.
- Difficulties relating to mortgages due to additional floors.
- The revised plans and daylight/Sunlight Analysis does not overcome the concerns previously raised.

6.2 Wimbledon Swift Group:

Highlight the need for the inclusion of Swift friendly design features.

6.3 Internal consultees:

6.5 LBM Highway Officer:

No objection, subject to informatives relating to works on the public highway (INF9 and INF12)

6.6 LBM Transport Officer:

No comments received.

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.

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 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.

7.4.2 The proposal would increase the height, scale, bulk and massing of the building. However, the eaves height would remain the same as existing. The additional roof massing would have some limited impact in the streetscene but the additional bulk and massing is not considered to be harmful to the character of the area. The increase in roof pitch would not appear so conspicuous or out of keeping with the area to warrant a refusal of permission.

7.4.3 It is noted that the building is taller than the surrounding two-storey housing and is somewhat of an anomaly in the streetscene. The additional bulk to the roof would be noticeable from surrounding gardens and residential windows and on the approach along Rothesay Avenue. However, the replaced roof would appear proportionate in scale in relation to the existing building.

7.4.4 The proposal is considered to be acceptable in terms of the impact on the character and appearance of the area and would comply with Policies D3 and

D4 of the London Plan, Policy CS14 of the Core Planning Strategy and Policies DMD2 and DMD3 of the Sites and Policies Plan 2014.

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 proposal would involve windows at a higher level than exists currently. The main outlook is provided to the northwest and southwest elevations, which look towards the street and the existing car park. Three proposed bedroom windows would face towards the southeast. However, these would be dormer windows, set up the roofslope, which reduces the available angle of viewing. In addition, these windows would be set back further than the existing windows below and there would be no material increase in overlooking as a result of the proposed development.

7.5.4 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.

7.5.5 Loss of light, shadowing and visual intrusion

7.5.6 The proposal involved increasing the roof massing of the already substantial building. However, the eaves level would remain the same as existing and the majority of the additional bulk and massing is focused towards the centre of the building.

7.5.7 There would be some marginal impact on outlook and daylight to all nearby residential properties but the increased ridge height would not be particularly intrusive and this impact is not considered to be materially harmful.

7.5.8 In terms of overshadowing, the properties to the south would not be overshadowed to any material extent. To the immediate east and northeast, the properties would lose some late afternoon sun but not to a significant extent. The existing flatted block to the north would experience a very minor impact on sunlight but due to the separation distances this would not be materially harmful.

7.5.9 The applicant has submitted a daylight and sunlight assessment, which has been revised, as the existing plans had been revised. The assessment concludes that the effects upon adjoining properties daylight/sunlight is de minimis and would not be discernible to the human eye and accords with the relevant guidance. Officers concur with this conclusion and consider that the impacts in terms of daylight and sunlight, would not be materially harmful to neighbouring amenity.

7.5.10 The proposal is considered to be acceptable in terms of the impact on neighbouring amenity, in accordance with Policy DM D2 of the Sites and Policies Plan 2014.

7.7 Standard of Accommodation

7.7.1 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).

- 7.7.2 The proposed units would exceed the minimum GIA set out in the London Plan, which requires 50sqm of floor space per unit.
- 7.7.3 Whilst there is a minimum requirement of 5sqm of private amenity space per unit, if no communal amenity space is provided, the London Plan does not explicitly set out minimum standards for communal amenity space.
- 7.7.4 There is currently approximately 146sqm of amenity space in the form of the existing roof terrace. There is an area to the side of the building, which acts as an informal visual buffer between the building and residential dwellings, however, this area is not landscaped as an amenity area and is shaded throughout much of the afternoon. The proposed layout includes a roof terrace of 69sqm (with an additional area of 52sqm to the side of the building). If the area to the side of the building were included in the existing amenity space there would be a total of 215sqm existing amenity space. The proposal seeks to reduce this to 121sqm. There are 24 flats in the existing building, which would equate to approximately 9sqm of communal amenity space per unit (or 6sqm per flat if the area to the side of the building is discounted, as it is not currently used as amenity space). In the proposed scenario, there would be 27 flats in the building, which would equate to 4.5sqm per unit.
- 7.7.5 The London Plan includes space standards for children's play space – the existing building theoretically requires a minimum of 28sqm of play space. The proposed layout (including 27 flats) would yield a requirement for 32sqm of play space. As the scheme provides in excess of this figure, a refusal based on reduction of communal amenity space could not be substantiated under policy grounds.
- 7.7.6 Whilst the concerns of neighbours are noted, there are no minimum requirements for communal amenity space, other than the provision of children play space outlined above. The proposed units would provide internal floor areas in excess of that required by the space standards and would also provide for a degree of private amenity space for each unit, in addition to communal amenity space. Whilst there is an overall reduction in communal amenity space, subject to conditions to secure landscaping works, to include benches, planting etc, the quality of the communal amenity space would be improved and overall it is concluded that the impact on the living standards of existing flats, in terms of communal amenity space, would be acceptable.
- 7.7.7 The proposed units would provide in excess of the minimum internal space standards. The London Housing SPG sets out that "In exceptional circumstances, where site constraints make it impossible to provide private open space for all dwellings, a proportion of dwellings may instead be provided with additional internal living space equivalent to the area of the private open space requirement. This area must be added to the minimum GIA." Therefore, the principle of providing additional internal floor area in lieu of private external amenity space has some policy support. Therefore, whilst some of the units are marginally under providing external amenity space (and do not include balconies of a minimum depth of 1.5m), this is mitigated by the additional floor area for each unit, over and above the minimum standards.
- 7.7.8 The proposed arrangements would result in the reduction of communal amenity space for existing residents. The proposed communal amenity space on the rooftop can be improved with the addition of landscaping, planting and benches etc. The area to the side of the building is not ideal as an amenity space as it is shaded. However, it would allow for some degree of access for disabled people

(although this demand may be limited given the layout of the building). On balance, it is concluded that the standard of accommodation is acceptable and the proposal would comply with Policy D6 of the London Plan 2021.

7.8 Transport, highway network, parking and sustainable travel

7.8.1 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.

7.8.2 The proposed development would provide three 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.

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

7.8.4 The concerns raised by neighbours in relation to the increased use of visitor spaces is noted, however, this impact could not reasonably amount to a reason for refusal. Subject to legal agreement and conditions, the proposed development is considered to be acceptable in term of transport and highway impacts.

7.9 Refuse storage and collection

7.9.1 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 at ground floor level, 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

7.7.1 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.

7.7.2 The proposal introduces three new units at roof top level and would not have a significant impact in terms of safety and security considerations.

7.8 Sustainability

7.8.1 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.

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

7.9 Air quality and potentially contaminated land

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

7.9.2 Whilst the development is a minor application, as opposed to a major, it is important that the impact on air quality is minimised and therefore, officers recommend conditions relating to the construction process and air quality.

7.10 Flooding and site drainage

7.10.1 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.

7.10.2 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.

7.11 S.106 requirements/planning obligations

7.11.1 It will be necessary for the development to be parking permit free, by way of legal agreement.

7.11.2 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>

7.12 Response to issues raised in objection letters

7.12.1 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, 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.
- In terms of landscaping, this can be controlled by way of condition.
- Amended plans have been received to rectify the inaccuracy in terms of the roof pitch of the existing building.
- 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. Conclusion

- 8.1 The proposal would provide three additional units, all with some degree of 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 not appear visually discordant in 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.

9. **RECOMMENDATION**

Grant planning permission subject to s106 agreement securing the following:

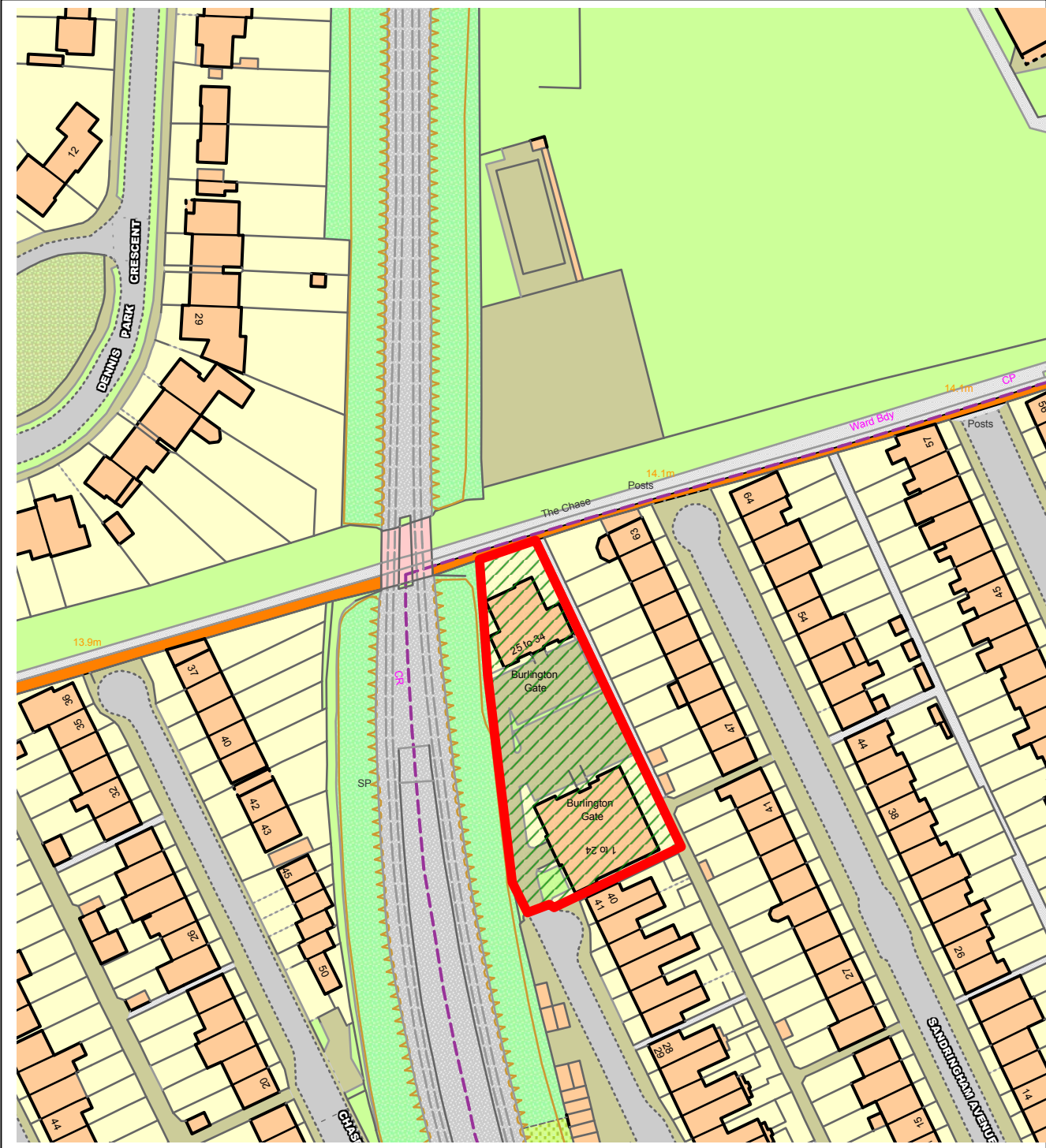
- Restrict parking permits for all new units.
- and cost to Council of all work in drafting S106 and monitoring the obligations.

And the following conditions:

1. Time limit
2. Approved Plans

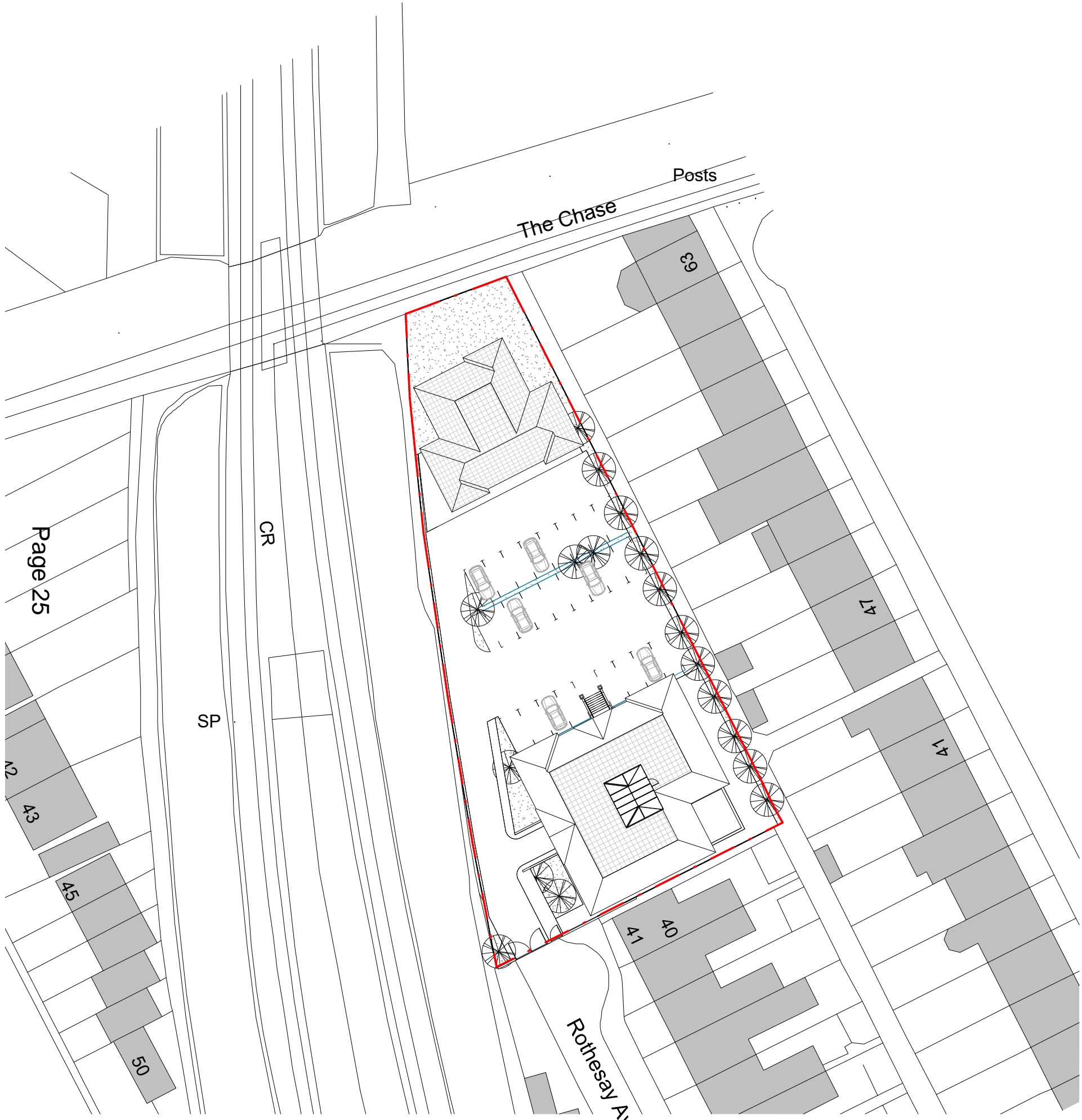
3. B1 External Materials to be Approved
4. B4 Details of surface treatment
5. C07 Refuse & Recycling (Implementation)
6. C08 No Use of Flat Roof
7. D09 No External Lighting
8. H06 Cycle Parking (Implementation)
9. H10 Construction Vehicles, Washdown Facilities etc
10. H12 Delivery and Servicing Plan
11. 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
12. L2 Sustainability - Pre-Commencement (New build residential)
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. 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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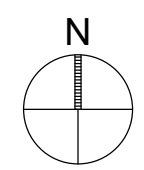
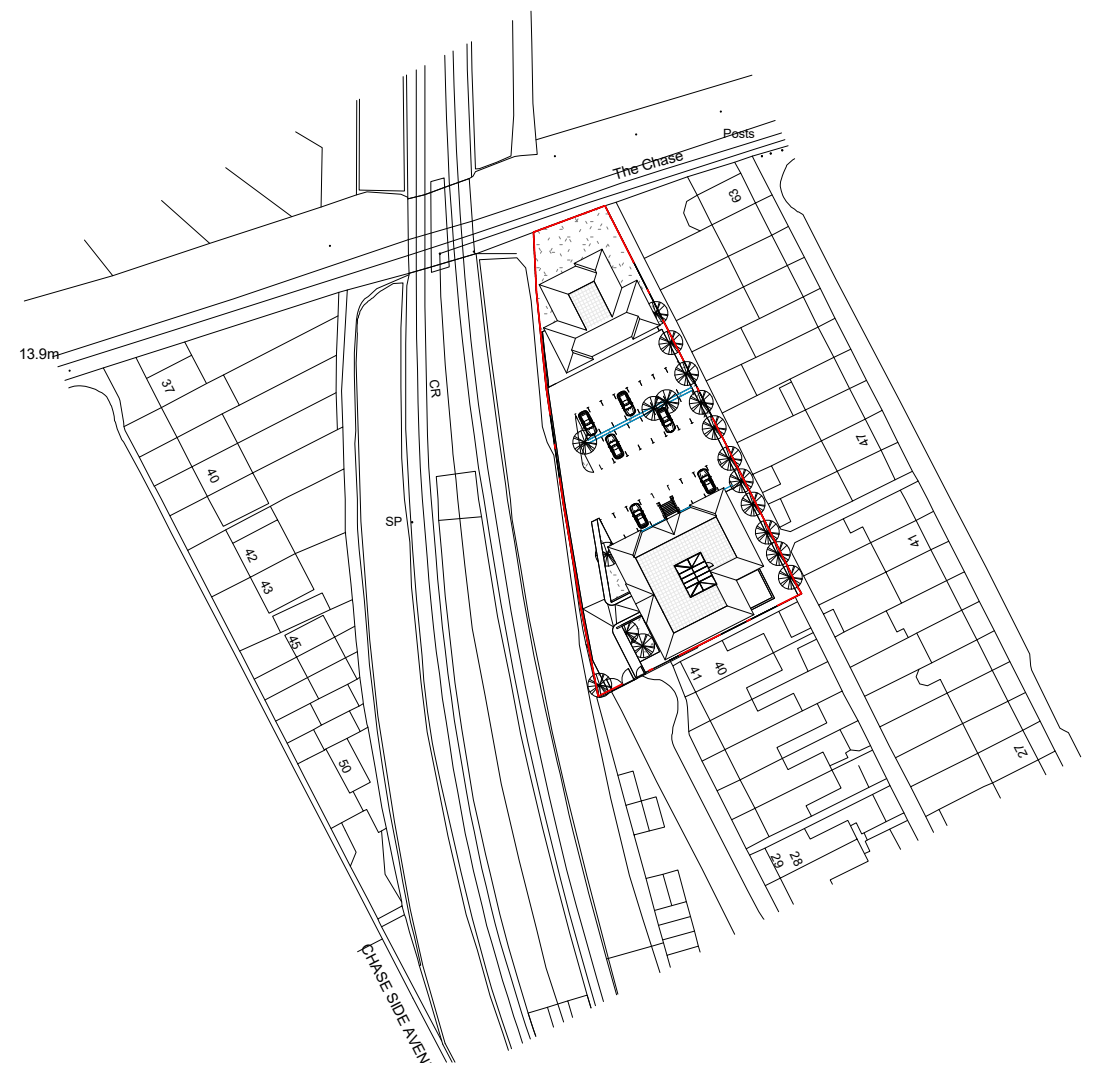


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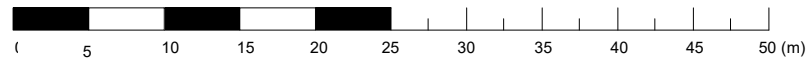
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--- SITE BOUNDARY



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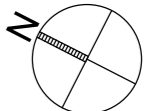
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- - - - SITE BOUNDARY

The Chase

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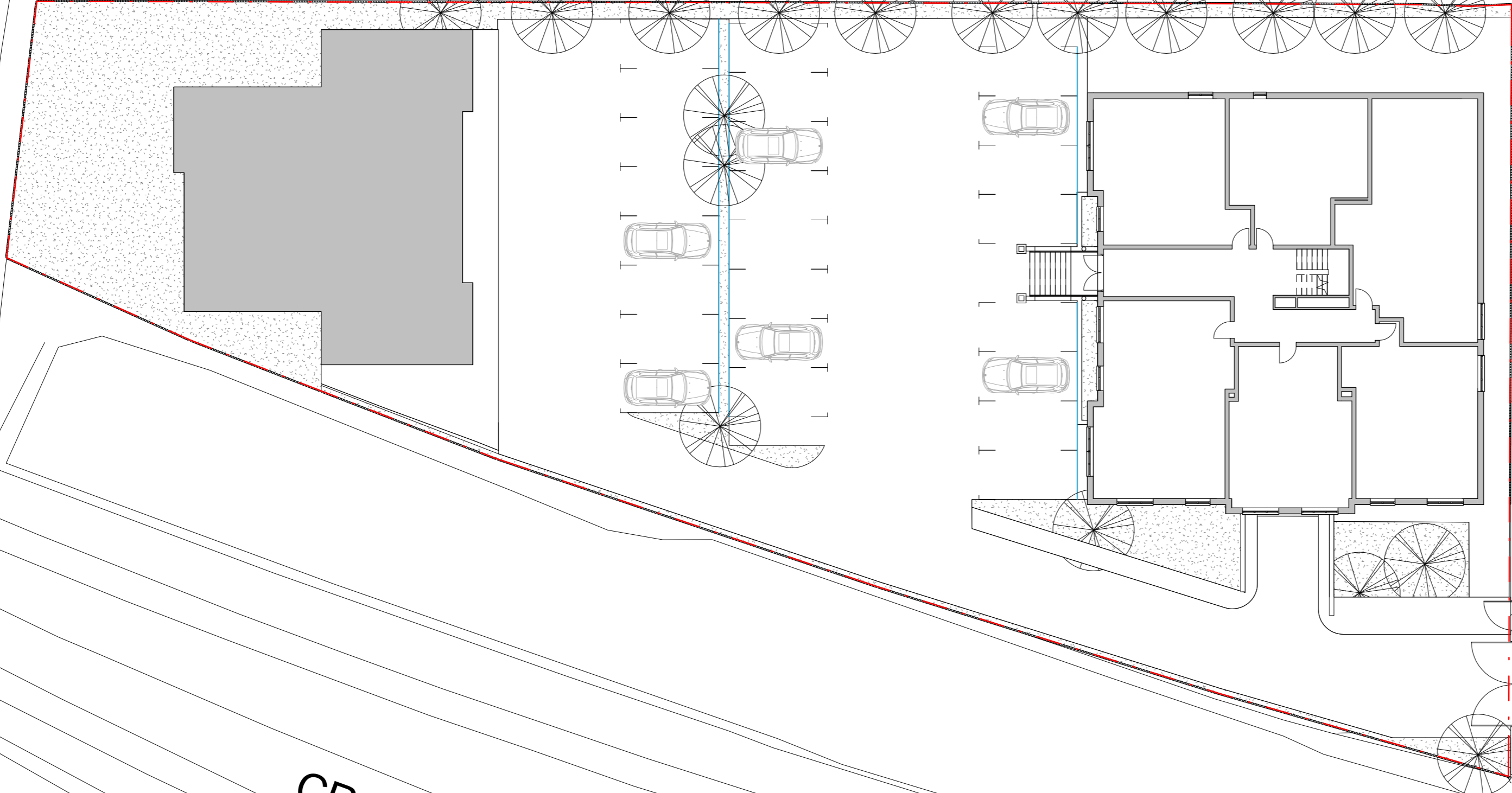
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Rothsay Ave

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REV/ISSUE	NOTE	DRN	DATE

SCALE	DATE	DRN	CHK
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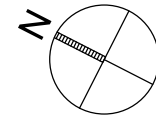
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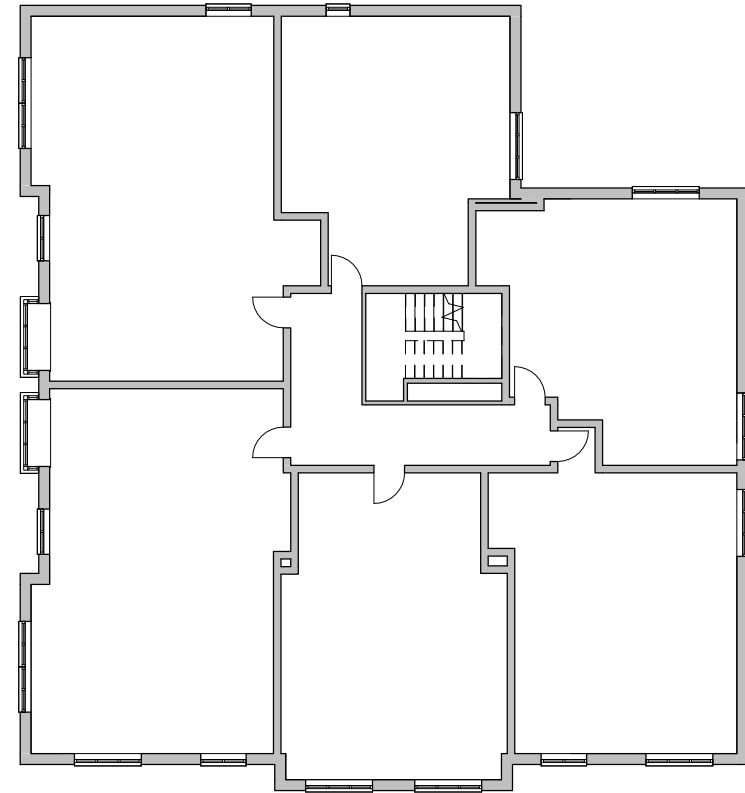
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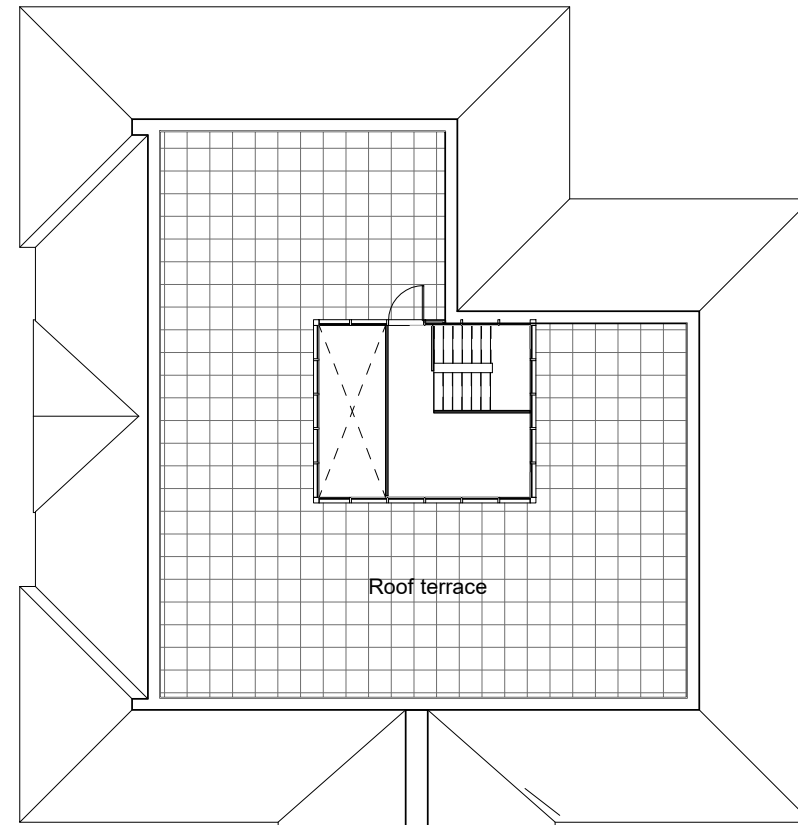
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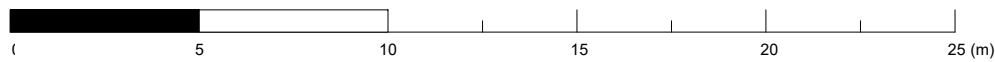
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FIRST, SECOND AND THIRD FLOOR PLAN
1:200



ROOF PLAN
1:200



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REV/ISSUE	NOTE	DRN	DATE

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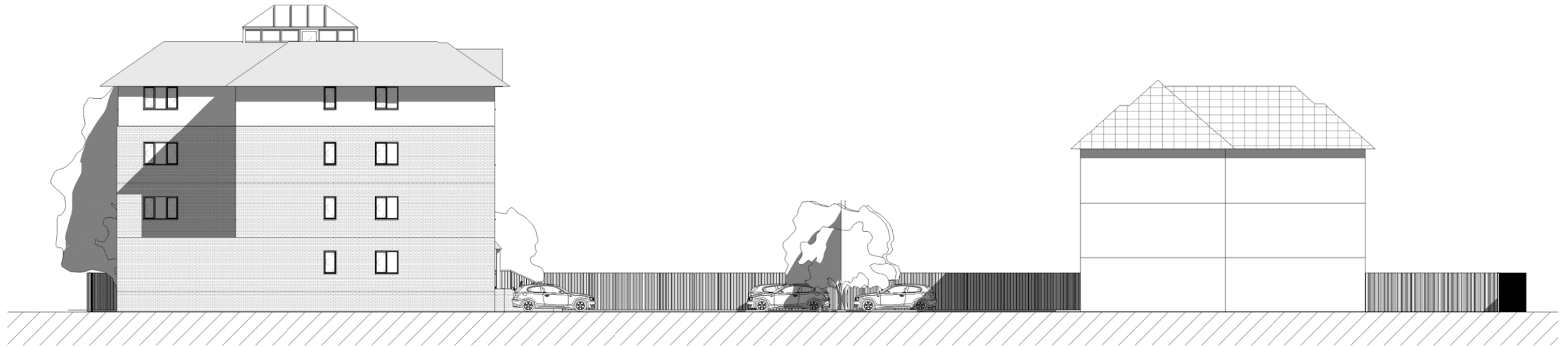
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DRAWING
Existing 1st, 2nd, 3rd and Roof Plan

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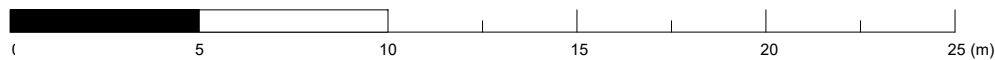


EAST ELEVATION
1:200

Page 28



NORTH ELEVATION
1:200



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SCALE	DATE	DRN	CHK
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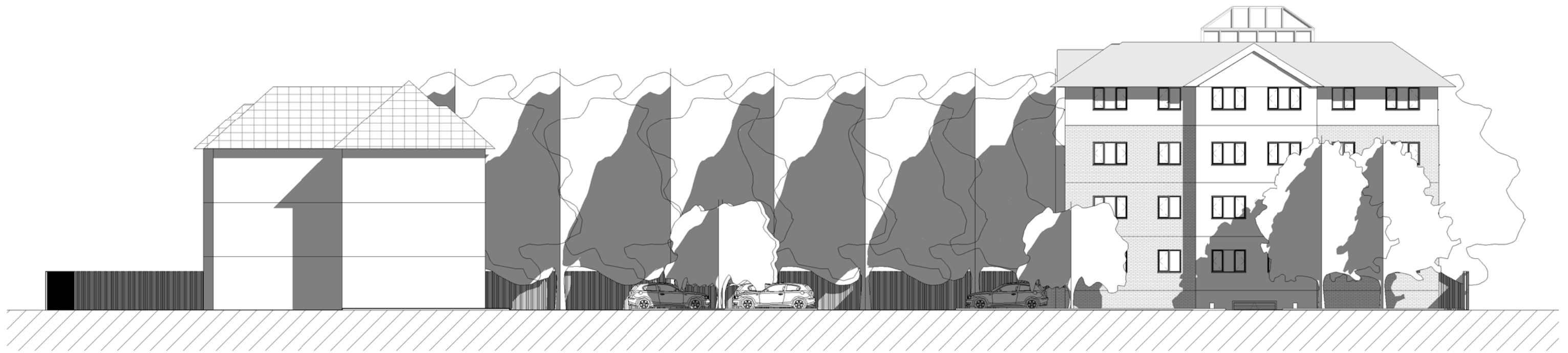
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DRAWING
Existing East and North Elevation

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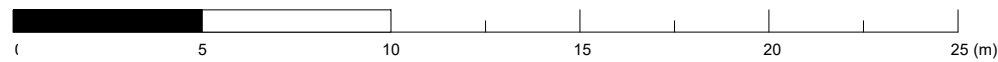


Page 29

WEST ELEVATION
1:200



SOUTH ELEVATION
1:200



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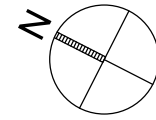
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DRAWING
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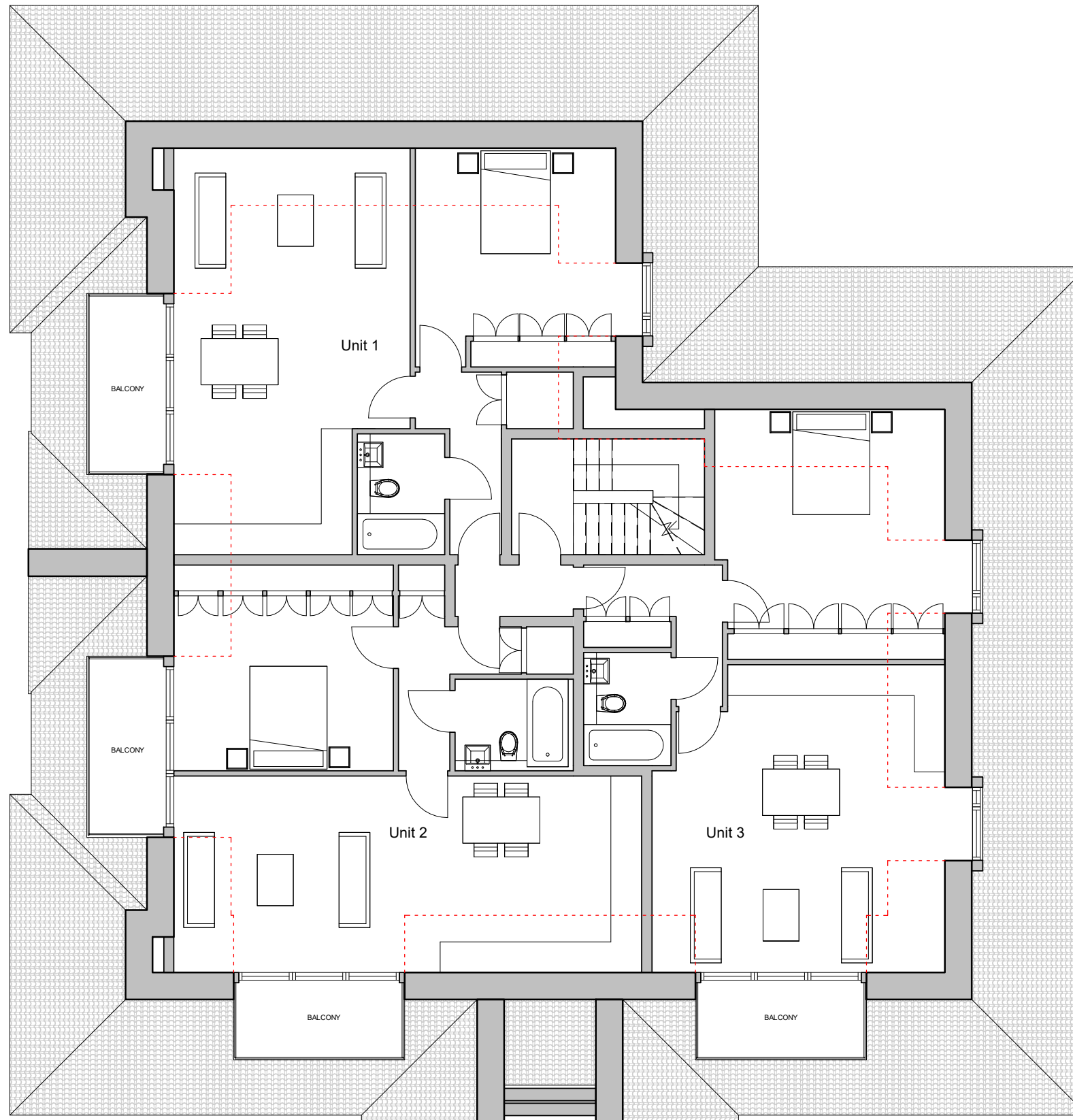
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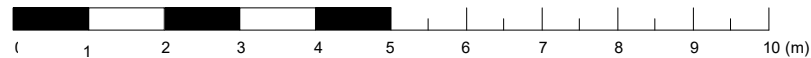


--- SITE BOUNDARY



PROPOSED 4th FLOOR PLAN
1:100

Page 33
D-059



REV/ISSUE	NOTE	DRN	DATE
D	Glazed Access to roof amenity	AG	17.12.21
C	Client's comments addressed	SR	13.12.21
B	Drawings amended to survey	AG	01.12.21
A	Full Planning Application	AG	29.07.21

SCALE	DATE	DRN	CHK
1:100@A3	31/03/2020	SR	MH

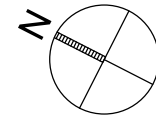
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Proposed 4th floor Plan

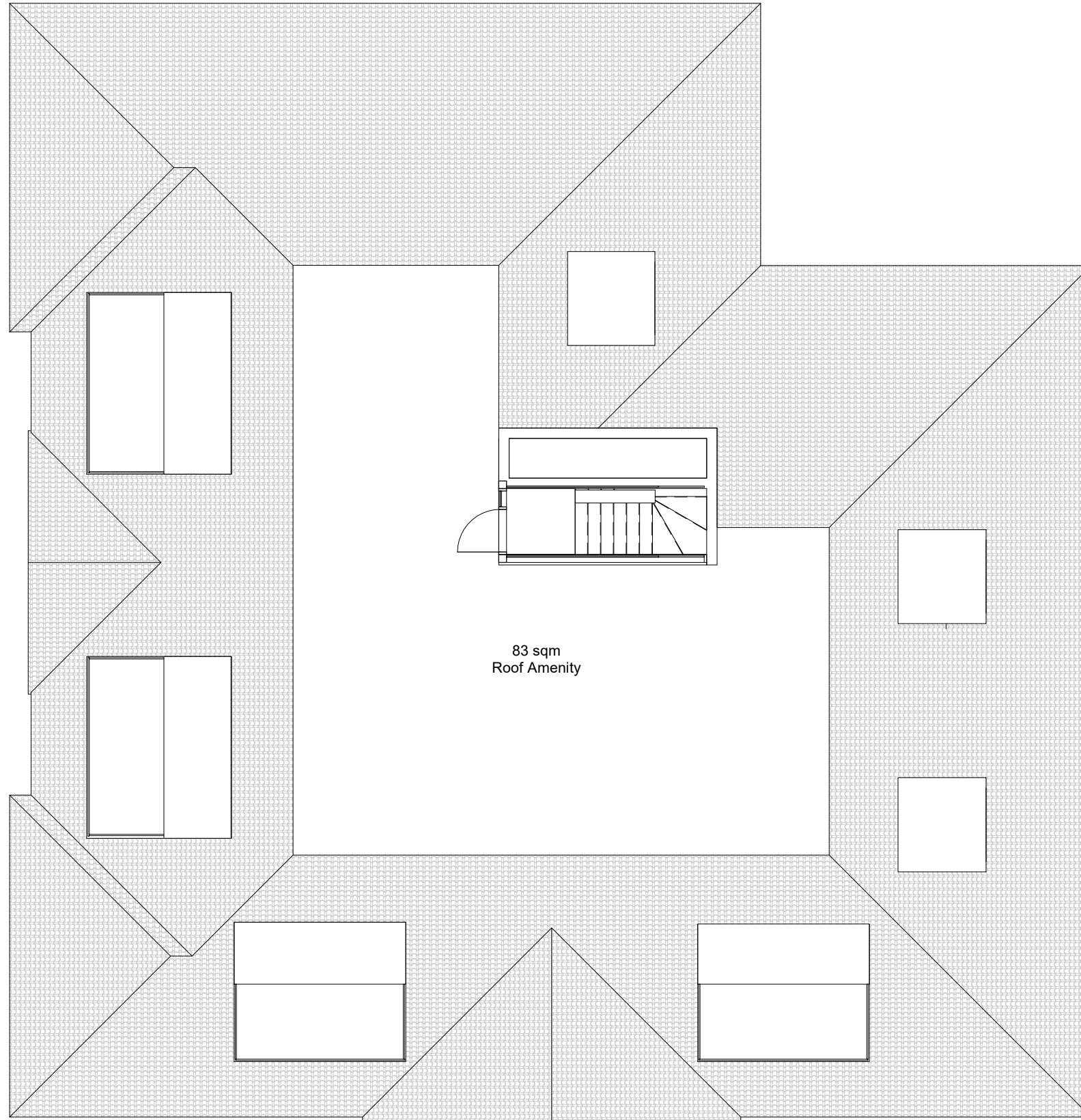
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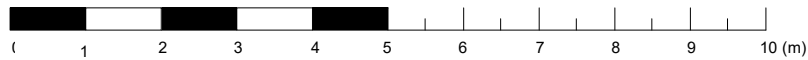
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83 sqm
Roof Amenity

Page 34

PROPOSED ROOF PLAN
1:100



REV/ISSUE	NOTE	DRN	DATE
D	Glazed Access to roof amenity	AG	17.12.21
C	Client's comments addressed	SR	13.12.21
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SCALE	DATE	DRN	CHK
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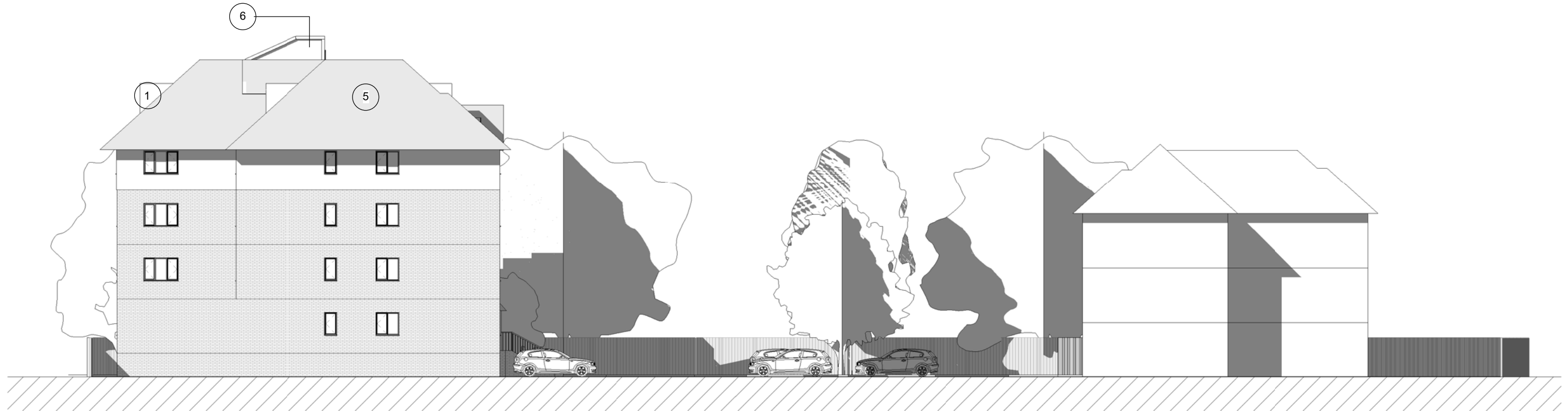
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DRAWING
Proposed Roof Plan

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EAST ELEVATION
1:200

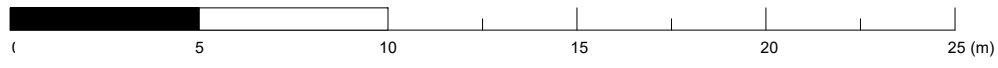
Page 35



NORTH ELEVATION
1:200

Key:

- 1 Zinc Cladding
- 2 PPC Aluminium Double-glazed window
- 3 Glass Panel Balustrade
- 4 White Render
- 5 Clay tiles on the new roof to match the existing
- 6 Glazed access to roof amenity
- 7 PPC Aluminium Double-glazed door



REV/ISSUE	NOTE	DRN	DATE
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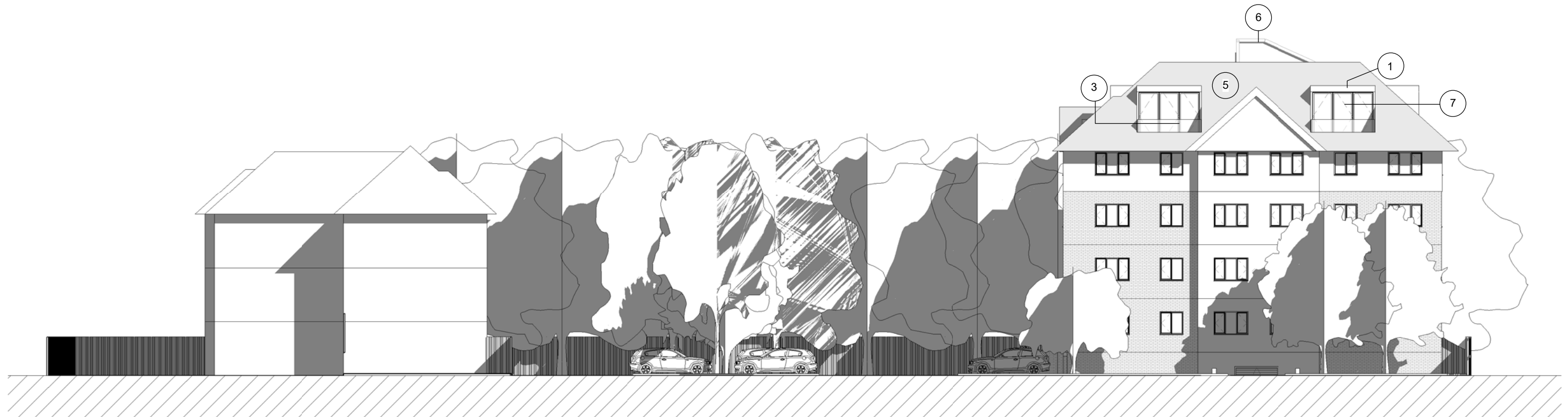
PROJECT
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DRAWING
Proposed East and North Elevation

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WEST ELEVATION
1:200

Page 36



SOUTH ELEVATION
1:200

Key:

- 1 Zinc Cladding
- 2 PPC Aluminium Double-glazed window
- 3 Glass Panel Balustrade
- 4 White Render
- 5 Clay Tiles to match the existing
- 6 Glazed access to roof amenity
- 7 PPC Aluminium Double-glazed door

REV/ISSUE	NOTE	DRN	DATE
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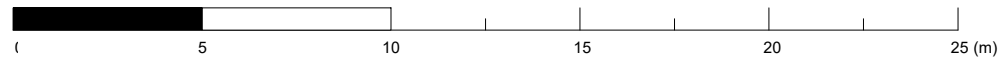
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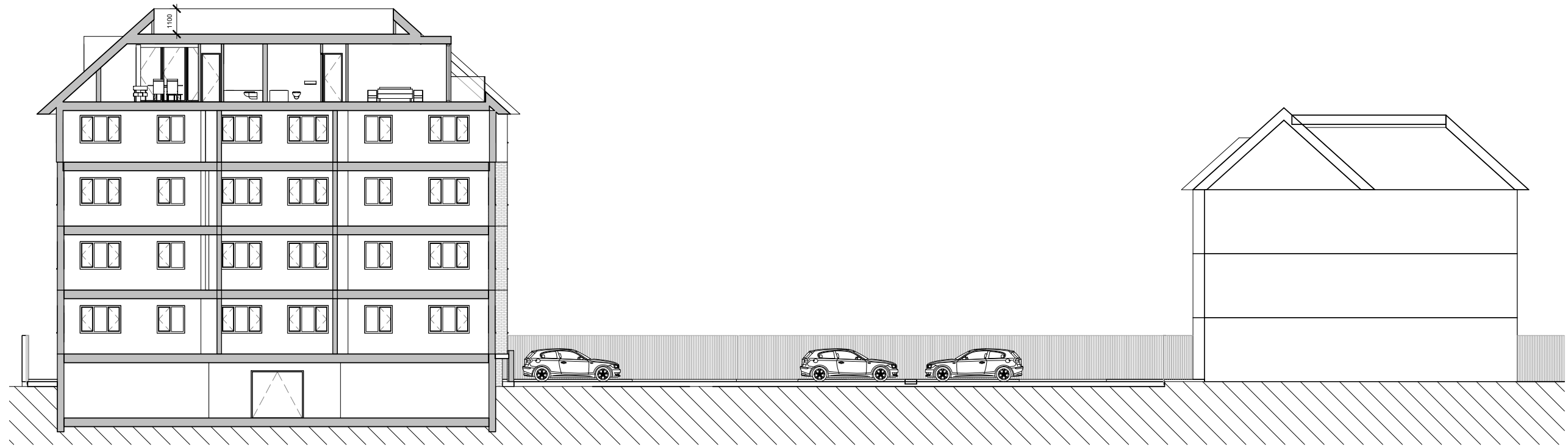
DRAWING
Proposed South and West Elevation

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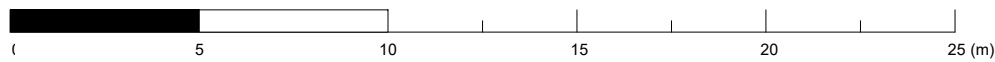
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DRAWING
Proposed Section AA

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