

PLANNING APPLICATIONS COMMITTEE
25 May 2017

<u>APPLICATION NO.</u>	<u>DATE VALID</u>
17/P0706	10/03/2017
Address/Site:	91 The Quadrant, Wimbledon Chase, SW20 8SW
(Ward)	Dundonald
Proposal:	Erection of a single storey rear extension plus erection of a single storey self-contained dwelling to side of existing house
Drawing No's:	Site location plan, Design, Access and Planning Statement, 124/10B, 124/31 A, 124/32, 124/36, 124/38, 124/39.
Contact Officer:	Lucas Zoricak (0208 545 3112)

RECOMMENDATION

GRANT Permission subject to Conditions

CHECKLIST INFORMATION

- Heads of Agreement: None
- Is a screening opinion required: No
- Is an Environmental Statement required: No
- Has an Environmental Statement been submitted: No
- Press notice: No
- Site notice: Yes
- Design Review Panel consulted: No
- Number of neighbours consulted: 12
- External consultations: No
- Controlled Parking Zone: Yes (P1)

1. **INTRODUCTION**

This application is being brought to the Planning Applications Committee for determination at the request of Councillor Suzanne Grocott. .

2. SITE AND SURROUNDINGS

- 2.1 The application site relates to an end of terrace property on the north side of The Quadrant. The property dates from the 1930's and is of a mock Tudor design with front bay window and pitched roof. There is an existing detached garage and garden shed at the side of the property. The plot is triangular in nature and shares a boundary with the rear of 2-8 Merton Hall Gardens.
- 2.2 This site is not within a Conservation Area, but is within a controlled parking zone which operates Monday-Friday 8:30 – 18:30. It is not covered by any other relevant planning designation.

3. CURRENT PROPOSAL

- 3.1 This application proposes the demolition of the garage and the erection of a single storey self-contained studio dwellinghouse. A single storey extension to no.91 itself is also proposed.
- 3.2 The dwelling would have maximum measurements of 13.2m deep x 5m high (to the highest point) x 2.5m high (to eaves) x 2.2m wide at the front x 5.5m wide at the rear. This would be set back 1m from the front of the bay window of the main house.
- 3.3 The single storey rear extension would measure 3m deep x 6m wide x 3.82m high (to highest point) x 2.6m high (to eaves).
- 3.4 A 1m wide alley would be retained to allow access to the proposed self-contained unit and to the rear of no's 4-8 Merton Hall Gardens.

4. PLANNING HISTORY

4.1 91 The Quadrant

05/P2763 - Application for a Certificate of Lawfulness in respect of a proposed roof extension - Issue Certificate of Lawfulness - 10-01-2006.

07/P0884 - Erection of a single storey rear extension - Grant Permission subject to Conditions - 11-05-2007.

16/P3208 - Application for a Lawful Development Certificate for the proposed erection of a single storey rear extension - Issue Certificate of Lawfulness - 09-09-2016.

16/P3193 – Erection of a single storey (max height 5m) self-contained dwelling to side of existing house. Erection of a single storey rear extension to existing house – Granted - 12/10/2016.

4.2 Land Adjacent to 91 The Quadrant

07/P1091- Demolition of existing garage and garden shed and erection of a two storey dwellinghouse - Refuse Permission - 15-08-2007.

- The height, size and position of the proposed building would constitute a visually intrusive form of development that would be detrimental to the amenities of occupiers of residential properties in Merton Hall Gardens contrary to policies HS.1 and BE.15 of the Adopted Merton Unitary Development Plan (October 2003) and the Adopted Supplementary Planning Guidance - New Residential Development (September 1999).
- The proposed development would fail to secure a satisfactory environment for future residential occupiers arising from poor outlook and poor internal layout contrary to policies HS.1 and BE.15 of the adopted Merton Unitary Development Plan (October 2003).

08/P1142 - Demolition of existing garage and garden shed and erection of a single-storey dwellinghouse - Grant Permission subject to Conditions - 30-12-2008.

11/P1326 - Application for renewal of extant planning permission 08/P1142 (dated 30/12/2008) relating to the demolition of existing garage and garden shed and erection of a single-storey dwellinghouse - Grant Permission subject to Conditions 25-08-2011.

15/P2901 - Demolition of existing garage and erection of a single-storey dwellinghouse to side of 91 the quadrant - Withdrawn Decision - 04-07-2016.

5. CONSULTATION

5.1 Public consultation:

Standard 21-day site notice and individual letters to neighbouring occupiers. In response to the consultation, two representations have been received from the occupiers of 6 Merton Hall Gardens and from the Councillor Suzanne Grocott. The concerns of the objectors are noted and are set out below:

- Proposal is overly high and will block light into neighbouring gardens and properties
- Will be out of character with the locality
- Mezzanine likely to be added in the future
- Will reduce the width of the right of way to the rear of the properties on Merton Hall Gardens
- The proposed side access would have a negative impact on the safety and security of the neighbours.
- The proposal would be 0.5m deeper and would have an adverse impact on the neighbouring amenity
- Right of way

5.2 Internal consultation:

Designing Out Crime Officer has recommended that the front door (to a self-contained unit) should remain positioned facing each other allow neighbours to easily view their surroundings and thus make the potential offender feel vulnerable to detection.

6. POLICY CONTEXT

6.1 National Planning Policy Framework (2012)

London Plan (March 2015)

- 3.3 Increasing housing supply
- 3.4 Optimising housing potential
- 3.5 Quality and design of housing developments
- 3.8 Housing choice
- 5.1 Climate change mitigation
- 5.2 Minimising carbon dioxide emissions
- 5.3 Sustainable design and construction
- 5.7 Renewable energy
- 6.3 Assessing effects of development on transport capacity
- 6.9 Cycling
- 6.13 Parking
- 7.1 Lifetime neighbourhoods
- 7.2 An inclusive environment
- 7.3 Designing out crime
- 7.4 Local character
- 7.6 Architecture

6.2 Core Planning Strategy (July 2011)

- CS8 Housing choice
- CS9 Housing provision
- CS11 Infrastructure
- CS14 Design
- CS15 Climate Change
- CS17 Waste Management
- CS18 Active Transport
- CS19 Public Transport
- CS20 Parking, Servicing and Delivery

6.3 Plans and Policies Plan and Policies Map (July 2014)

- DMH2 Housing mix
- DMD1 Urban design and the public realm
- DMD2 Design considerations in all developments
- DMT1 Support for sustainable transport and active travel
- DMT2 Transport impacts of development
- DMT3 Car parking and servicing standards
- DMT5 Access to the Road Network

6.4 Supplementary planning considerations

London Housing SPG – 2012

Design SPG – 2004

Residential Extensions, Alterations, and Conversions SPG - 2001

6. PLANNING CONSIDERATIONS

Key planning considerations:

- Principle of development
- Design and impact upon the character and appearance of the area
- Impact upon neighbouring amenity
- Standard of accommodation
- Transport and parking
- Sustainability

6.1 Principle of development

6.1.1 Policy 3.3 of the London Plan 2015 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.

6.2.2 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.

6.2.3 Residential gardens are not considered to be previously developed land and paragraph 53 of the NPPF notes that LPAs should consider whether to set out policies resisting inappropriate development of residential gardens. CS13(e) notes that new dwellings in [back] gardens should be justified in terms of local context and character, biodiversity, green corridors and islands and flood impact and climate change.

6.2.4 The site forms part of a residential area and the proposal would create an additional dwelling within this locality, with the London Plan supporting infill development in appropriate contexts. Furthermore the principle of development of a new property here has been accepted previously under permission 08/P1142 which was extended by permission 11/P1326. Subject to other material considerations which are addressed below, the principle of development on this site is considered acceptable.

6.2 Amendments

6.2.1 In comparison to the originally submitted and granted proposal ref. 16/P3193, the number of the rooflights was reduced from 3 to 2 (over the side element) and a new entrance / obscure glazed window is proposed to the side (east) elevation of the self-contained unit.

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

6.3.1 London Plan policies 7.4 and 7.6, Core Strategy policy CS14 and SPP Policy DMD2 require well designed proposals that will respect the appearance, materials, scale, bulk, proportions and character of their surroundings.

6.3.2 The proposal is very similar to that approved under permission 08/P1142 with a pitched roof, which appears as a mono-pitch roof when viewed from the street. This would appear as an extension to the main house and would integrate with no.91 as it continues the timber clad and rendered finish. This would be stepped off the boundary by 1m for 8.2m of its depth and would then abut the boundary with no.4 Merton Hall Gardens with a low eaves height of 1.8m. Furthermore the new dwelling would be set back 1m from the front elevation of no.91 and this is considered to further the subordination of the proposal and would reduce the impact on the street scene.

6.3.3 At the rear the single storey extension to the main house would match that which was recently granted a Lawful Development Certificate in terms of design and scale and the pitched roof of the new dwelling would integrate with the mono pitch of this extension.

6.3.4 Both the new dwelling and the extension to the host property would feature bi-fold doors across their respective rear elevations.

6.3.5 With regard to the previously granted permission ref.09/P1142, the previous case officer noted that the 'building acknowledges the surrounding built environment in terms of the choice of finishes and response satisfactorily to the height, size, siting and scale of the surrounding buildings and is considered appropriate on a plot of this size.' Given the similarities between the two proposals it is not considered that there is a reason to differ from this view and in view of this it is not considered that the proposal would result in any undue harm to the character and appearance of the locality.

6.4 Impact upon neighbouring amenity

6.4.1 SPP policy DM D2 states that proposals must be designed to ensure that they would not have an undue negative impact upon the amenity of neighbouring properties in terms of loss of light, quality of living conditions, privacy, visual intrusion and noise.

6.4.2 The single storey rear extension extends 3m from the rear of the host property and matches the extension recently granted a Lawful Development Certificate. Given the projection and in light of the existing certificate it is not considered that it would result in any unacceptable harm to the residential amenities of the occupiers of no.89 that would warrant refusal of the application.

6.4.3 The new dwelling would extend 2.4m beyond the rear extension to no.91 and given this it is not considered that there would be any adverse impact on the residential amenities of the occupiers of no.91.

6.4.4 In terms of the properties at the rear along Toynbee Road there would be a minimum of 7.4m between the rear of the new dwelling and the intervening boundary fence, with the properties on Toynbee Road having rear gardens of roughly 10.5-11.5m in depth. Given this separation and the boundary fence it is not considered that there would be any undue impact on the residential amenities of privacy of the occupiers of these properties. Furthermore given the separation distance the proposal is not considered to be visually intrusive or overbearing.

6.4.5 In relation to no.6 Merton Hall Gardens, the existing attached garage is situated adjacent to about two thirds of this boundary. The proposal would have an eaves height of 2.5m here and would be stepped off the boundary by 1m. This property has a garden depth of about 10m (as it has an existing conservatory extension) and given this separation distance it is not considered that the proposal would result in any unduly adverse impact on the residential amenities of the occupiers of no.6.

6.4.6 The rear boundary of no.4 would be almost wholly covered by the built form of this proposal however the roof would pitch away from this boundary and would have a very low eaves height of 1.8m where it abuts the boundary. Given an outbuilding could be built here with a flat roof height of 2.5m, and as the roof pitches away it is not considered that there is any undue impact on the residential amenities of the occupiers of no.4 that would warrant the refusal of the application.

6.4.7 Furthermore the previous permission (ref. 08/P1142) was approved with a higher eaves height along this boundary with the case officer noting in that report that there 'would be no loss of neighbouring amenity' to the properties in Merton Hall Gardens given the depth of the gardens.

6.4.8 Concern has been raised regarding the forward facing window which looks towards The Quadrant which also looks down the access alleyway. However the rear gardens of the properties which back onto this have intervening boundary fences and given the size of the window and its siting it would not allow views into the rear gardens that would result in any undue harm to the privacy of the occupiers of these properties.

6.4.9 The proposed side facing window (at ground floor level) in the side (east) elevation would be obscure glazed and the roof lights are set within the roof slope which given their height and angle would not allow significant overlooking into neighbouring properties.

6.4.10 Concern has been raised regarding the proposed side entrance to the self-contained studio. The existing side passage way (approximately 1m side) is currently accessible and the rear boundary treatment of No.6 and No.4 Merton Hall Gardens form the boundary and enclose the passaway. The proposed window in the side (east) elevation would be obscure glazed. It is therefore considered that this change would not result in materially harmful additional impact on the amenity of No.6 and No.4 Merton Hall Gardens. It should also be noted that right of way is not a planning matter.

6.4.11 The Council's Designing Out Crime Officer has pointed out that the proposed self-contained unit should be accessible from the front as previously approved (ref.16/P3193) in order to allow neighbour to easily view their surroundings and make the potential offender feel vulnerable to detection.

6.4.12 Given the siting of the new dwelling it is not considered that there would be any unduly adverse impact on the residential amenities of the occupiers of no.8 or no.2 Merton Hall Gardens.

6.5 Standard of accommodation

6.5.1 Policy 3.5 of the London Plan 2015 states that housing developments should be of the highest quality internally and externally. The London Plan has recently been altered through a minor alteration to incorporate the national described space standards.

6.5.2 A studio dwelling with one bed space requires a minimum internal floor area of 39sqm. The proposal would have an internal floor area of 40, which would meet the standard. As this is a studio flat there is no 'bedroom' as such, however the bed/living/dining area is 28sqm which is considered acceptable.

6.5.3 Policy DMD2 seeks to ensure that all new houses have a minimum garden area of 50sqm, whilst new flats should have a private amenity area of 5sqm. The proposed new dwelling unit would have a garden area of 41sqm and no.91 would retain a garden of 63sqm. Whilst the new dwelling would not meet the requirements for a house, it would have a substantial garden for a studio unit and far exceeds that required for a flat. Given this it is considered acceptable and would result in the provision of an acceptable standard of living for both the new unit and the occupiers of no.91.

6.5.4 A 1.8m high fence would be erected between no.91 and the new property which would ensure sufficient levels of privacy between the two properties. This can be secured by condition.

6.5.5 Representations have noted that the main living area of the proposal would be adjacent to the kitchen in the existing house. However this is a similar situation found in many existing properties and given they would be separated by what is now an external wall, it is not considered that there would be any undue noise and disturbance between the two rooms which would impact on the living conditions of the occupants of the proposal new unit.

6.6 Transport and parking

6.6.1 Core Strategy policy CS20 requires that development would not adversely affect pedestrian or cycle movements, safety, the convenience of local residents, on street parking or traffic management.

6.6.2 Cycle storage is required for new development in accordance with London Plan policy 6.9 and table 6.3 and Core Strategy policy CS 18. Cycle storage should be

secure, sheltered and adequately lit. London Plan Policy 5.17 and Core Strategy policy CS17 seek to secure waste/recycling storage at new developments where appropriate.

6.6.3 The site has a PTAL of 2 and as noted above is within a Controlled Parking Zone. The proposal would result in the loss of the garage. There would be some space in front of the proposal, although this is unlikely to be wide enough to accommodate a vehicle parking given the need to retain the 1m wide access along the rear boundaries of the properties along Merton Hall Road.

6.6.4 However, the previous permission noted that it is not currently possible to ensure that any vehicles at no.91 are parked off street and given this the lack of off street parking spaces was in this case not a reason for refusal which could be justified. Furthermore the Councils Transport Planner noted that the bin storage was acceptable, cycle parking could be secured by condition and that whilst there is no off street parking, given the small scale of development it is likely to result in a single additional vehicle which is unlikely to result in an unacceptable increase in parking stress within the locality. On this basis they raised no objection to the proposal. Moreover given the low PTAL it would not be justifiable to request a permit free agreement.

6.7 Sustainability

6.7.1 In light of the changes to the national planning framework it is recommended that conditions are attached requiring the proposed dwellings are designed and constructed to achieve CO2 reduction standards and water consumption standards equivalent to Code for Sustainable Homes Level 4.

6.8 Other Matters

6.8.1 Given the nature of the site it is considered reasonable to remove permitted development rights for further extensions or alterations to the resultant property, including the installation of additional internal floorspace via a mezzanine. In relation to the representation raising concern about the reduction in the width of the right of way, this is retained as existing and the bin/cycle store has been moved following the receipt of amended plans.

6.8.2 There are trees in the rear gardens of the properties on Merton Hall Road, however these are set away from the boundary and in the context of the scale of development and the existing built form near the boundary it is not considered that the proposal would have any adverse impact on the adjacent trees.

6.9 Developer Contributions

6.9.1 The proposed development would be subject to payment of the Merton Community Infrastructure Levy and the Mayor of London's Community Infrastructure Levy (CIL).

7. CONCLUSION

It is considered that the principle of development is acceptable as is the layout, height, scale and design and resultantly the proposal would preserve the character and appearance of the main property and the locality. It is not considered there would be any undue harm to the residential amenities of neighbouring residents that would warrant refusal of the application and the new unit would provide good quality living accommodation for future occupants. The proposal would not have an unacceptably detrimental impact on highway safety. The proposal would result in an additional residential unit and increased density in line with planning policy. The proposal would accord with the relevant National, Strategic and Local Planning policies and guidance.

8. RECOMMENDATION

Grant permission subject to conditions.

1. Commencement of development
2. Approved plans
3. Details of surface treatment
4. No permitted development (extensions)
5. Obscure glazing (opening windows and doors)
6. No permitted development (windows and doors)
7. No use of flat roof
8. Refuse and recycling (Implementation)

9. Non-standard condition:

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015(or any Order revoking and re-enacting that Order with or without modification) no additional internal floor space, via the construction of a mezzanine floor, shall be built within the new residential unit without the express consent of the Local Planning Authority.

10. Non-standard condition:

No part of the development hereby approved shall be occupied until evidence has been submitted to the Local Planning Authority demonstrating that the development has achieved not less than CO2 reductions (ENE1) (a 25% reduction compared to 2010 part L regulations), and initial water usage (WA1) (150 litres/per/day) standards equivalent to Code for Sustainable Homes Level 4.

Reason: To ensure that the development achieves a high standard of sustainability and makes efficient use of resources and to comply with the

following Development Plan policies for Merton: policy 5.2 of the London Plan 2015 and policy CS15 of Merton's Core Planning Strategy 2011.

11. Non-standard condition:

Prior to the first occupation of the new dwelling unit hereby approved, the 1.8m high timber fence shown on drawing 124/39 shall be erected.

Reason:

To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2011, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

12. Non-standard condition:

Prior to the first occupation of the new dwelling unit hereby approved the rear extension to no.91 The Quadrant, which also forms part of this application, shall have begun construction.

Reason:

To safeguard the amenities and privacy of the occupiers of adjoining properties and to comply with the following Development Plan policies for Merton: policy 7.6 of the London Plan 2011, policy CS14 of Merton's Core Planning Strategy 2011 and policies DM D2 and D3 of Merton's Sites and Policies Plan 2014.

13. Informative – Party Walls Act

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